

NOTE: Do not fold this form. Use typewriter or print neatly with black ink.

E27882

25.00

12/17/18

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

SHELLEY MESSER APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

Filing/Priority Date

THE STATE OF WYOMING } SS. STATE ENGINEER'S OFFICE }

This instrument was received and filed for record on the 17th day of December, 2018, at 02:59 o'clock P.M.

[Signature]

JASON FELTNER For State Engineer

Recorded in Book 80 of Reservoir Permits, on Page 66

Fee Paid \$ 25.00 Map Filed

WATER DIVISION NO. 2 DISTRICT NO. 4 TEMPORARY FILING NO. 36 4/399R

PERMIT NO. P14975.0R RESERVOIR

NAME OF FACILITY

THE ENL GRIFFITH FOUNDATION #1 RESERVOIR

1. Name(s), mailing address and phone no. of applicant(s) is/are ADAM WEATHERBY, 29 SOLDIER DRIVE, SHERIDAN, Wyoming, 82801, PH: 307-675-7800

E-mail address:

(if more than one applicant, designate one to act as Agent for the others)

2. Name & address of agent to receive correspondence and notices DUSTIN ROUGEAU, PO BOX 7158, SHERIDAN, Wyoming, 82801, PH: 307-675-6225

E-mail address:

3. The use to which the water is to be applied is Combined Uses, Stock, Wildlife

(a) If more than one beneficial use of water is applied for, the reservoir capacity must be allocated in acre-feet to the various uses:

Table with 2 columns: Active Capacity and Inactive Capacity. Rows for Combined Uses, Stock, and Wildlife.

- (b) The area of the high water line of the reservoir is 2.1 acres.
(c) The total available capacity of the reservoir is acre-feet.
(d) If enlargement, the capacity of this enlargement is 8.79 acre-feet.

4. The source of the proposed appropriation is G. F. Draw, tributary of Soldier Creek tributary of Big Goose Creek tributary of Tongue River tributary of Yellowstone River tributary of Missouri River

5. The outlet of the proposed reservoir is located S41° 32' 2.00" W, 935.170 feet distant from the N1/4 corner of Section 23 T. 056N, R. 085W, and is in the NE1/4NW1/4 of Section 23 T. 056N, R. 085W.

Lot Block Subdivision Name Latitude (Decimal Degrees) 44.81913 Longitude (Decimal Degrees) -107.06796

6. Are any of the lands covered by the proposed reservoir owned by the State or Federal government? If so, describe lands and designate whether State or Federally owned. NO

7. Fill out for either (a) or (b):

- (a) The reservoir is located in the channel of G. F. Draw
(b) The reservoir is to be filled through the Canal which has a carrying capacity of cubic feet per second (c.f.s.)

8. (a) The dam is to be constructed as follows: Earthen Embankment

contents = 13000 cubic yards.

- (b) The water face of the dam is to be protected from wave action in the following manner: Vegetation
(c) The dam height, as measured by the dam crest elevation minus the lowest downstream toe elevation is 0.0 feet.

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9. The estimated time required for completion of construction is 0 months.

10. The accompanying map is prepared in accordance with the State Engineer's Rules and Regulations for filing applications and is hereby declared a part of this application. The State Engineer may require the filing of detailed construction plans.

REMARKS

P14000.0R was a pervious enlargement, that was never completed. Current land owner has requested cancellation of P14000.0R.

The existing permit for this reservoir on file is P9132, Griffith Foundation #1. The previous owner of this property enlarged this dam without filing the appropriate application to the state. This enlargement permit will allow the new property owner to close the valve on the dam and begin filling the reservoir for this use.

Permit 9132.0S= 6.2 AF

This application 8.79 AF enlargement

Total 14.99 AF

NOTICE

A copy of the Rules and Regulations manual for filing applications will be furnished by the State Engineer's Office upon request. This application (on 24 lb., 25% cotton bond paper, top-bound) must be accompanied by the required map, prepared in accordance with the instructions contained in the manual and by the required filing fee. All applications and maps are reviewed by the State Engineer's Office to assure compliance with both the Rules and Regulations by the applicant, the professional engineer or land surveyor. This application is not your authority to begin construction work. You can commence work only after a permit is approved by the State Engineer.

CONSENT TO ENLARGE (if applicable)

Consent to Enlarge must be requested from all owners of reservoirs described in existing water rights, permits or applications for permits for the facility to be enlarged before the State Engineer will consider approval of the application. Where the reservoir operator is an incorporated company or irrigation district, consent may be made on behalf of the individual owners by that entity where the consent is an excerpt of meeting minutes showing approval and authority for the individual signing for the company or district to act in such capacity. Consent to Enlarge Reservoir forms are available on the State Engineer's website or may be obtained from the State Engineer's Office.

I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.

DUSTIN ROUGEAU

Printed Name and Signature of Applicant or Agent

December 17, 2018

Date

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the water available in the stream after all prior rights are satisfied.

This facility is located outside a Sage Grouse Core Population Area (SGCPA) but within 2 miles of an active or occupied lek. However, since this is an existing facility, no seasonal construction restrictions are required.

This permit is conditioned on the holder of this permit securing and/or providing free and unencumbered access to this reservoir site to allow State Engineer personnel to perform their duties as prescribed by Law. These duties include, but are not limited to, construction inspections and water administration.

This permit is issued to make an existing facility a matter of record. The notice of completion of construction is hereby waived.

This permit is issued for one fill per water year from all sources.

This permit is granted subject to the terms of the Yellowstone River Compact, Wyoming Statute § 41-12-601.

Witness my hand this 11th day of January, A.D. 2019



LEE ARRINGTON For State Engineer

PERMIT NO. P14975.0R Res

PERMIT STATUS

Priority Date December 17, 2018

Approval Date January 11, 2019

8-12-2019

See CR R-26, Pg 226 for adjudication, Board of Control Meeting August 12, 2019

NOTICE

This permit does not constitute a complete water right. It is your authority to begin construction work.

Notice of completion of the work described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. After execution, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.