

PART I.

CHAPTER I.

PROCEDURE FOR OBTAINING A SURFACE WATER RIGHT

Section 1. Authority. Section 41-201, Wyoming Statutes 1957, provides that an application must be submitted and a permit secured from the State Engineer before construction work begins on any development involving the use of water within the State. The preparation of this application and the map which must accompany it, requires the services of a professional engineer or land surveyor who is licensed to practice under Wyoming law, except as specified in Sections 6 and 3 of Chapter V and in Chapter VI. The engineer or land surveyor will handle the preparation of the application and the accompanying maps, as well as their submission to the State Engineer. The priority of the right will date from the time an acceptable application is received in the State Engineer's Office.

Section 2. Acquisition Procedure. The following steps briefly outline the necessary procedure in acquiring a water right:

- a. Arrange for the services of a licensed professional engineer or land surveyor who will make the necessary surveys and prepare the required maps.
- b. Filing of applications, maps, plans, and fees with the State Engineer.
- c. Examination and approval by the State Engineer for a permit. Corrections or alterations on the applications, maps, and plans may be necessary to obtain approval by the State Engineer.
- d. Commencement of construction within the time allowed in the permit. Notice of this commencement of work must be received by the State Engineer prior to the expiration of the time allowed for commencement of construction work.
- e. Completion of construction work within time allowed in the permit. Written notice of the completion of construction must be received by the State Engineer prior to the expiration of the time allowed for completion.
- f. Completion of application of water to beneficial use as described in the permit, and notice to the State Engineer of the completion of application. Written notice must be received by the State Engineer prior to the expiration of the time allowed for completion of application of water to beneficial use.
- g. Three months before the expiration of the time for commencement or completion of work and completion of the application of water to beneficial use, the holder of the permit will be notified by Certified Mail, Return Receipt requested, that the time allowed will expire. Default by the holder of the permit in any of the specified require-

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ments shall work a forfeiture of the permit and upon such default, the State Engineer may cancel the permit.

h. Submission of proof of appropriation of water to beneficial use, or proof of construction of reservoir, to the Water Division Superintendent.

i. Issuance and recordation of a certificate of appropriation or a certificate of construction by the State Board of Control, which is evidence of an adjudicated water right.

Section 3. Extensions of Time. If it is not possible to commence or complete construction, or to complete the application of water to beneficial use, within the time limits set out in the permit, the permittee may request the State Engineer to grant an extension of time in which to fulfill these requirements. Such written requests must be filed before the date of expiration of the time periods, as shown in the permit, and must contain a detailed explanation of the reasons why an extension of time is needed.