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CHAPTER II.

GENERAL INSTRUCTIONS - SURFACE WATER

Section 1. Communications. Address all communications concerning applications for the use of water to the State Engineer, State Office Building, Cheyenne, Wyoming, 82002.

Section 2. Information Requests. In requesting information from the State Engineer's Office concerning existing water rights, as much of the following data as possible should be provided:

- a. Permit number;
- b. Name of facility;
- c. Name of stream;
- d. Point of diversion, by section, township and range;
- e. Name of appropriator;
- f. Description of land irrigated, by legal subdivisions.

Section 3. Existing Rights. Prior to the preparation of the filing of an application for a water right, if there is doubt as to whether there is an existing filing already attached to the lands for which you wish to secure a water right, you should request such information from the State Engineer's Office. The request should include the legal description of the new lands to be included in the application for the proposed water right.

Section 4. Conformation. After an application and map have been prepared, carefully check the application against the map to be sure that the two conform.

Section 5. Mailing of Maps. All maps must be sent to the State Engineer's Office in mailing tubes; folded maps or applications will not be accepted.

Section 6. Return and Correction. If an application is found to be defective, it is the duty of the State Engineer to return it for correction, by Certified Mail with return receipt requested. The date of such return and the reasons therefore; and the time allowed within which to make such corrections, which shall not be less than 90 days; shall be endorsed on the application or stated by a letter accompanying the returned application. If the application has not been returned to the State Engineer within the time allotted, with the corrections properly made, it is the State Engineer's duty to reject the filing covered by such application. The State Engineer has authority to extend the time within which to make corrections, providing a timely request for extension is made, and good cause is shown.

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Section 7. Returned to Engineer. When a map and/or application must be returned for correction of a technical nature, they will normally be returned to the engineer or land surveyor who signed the certificate on the map. The applicant will also be sent a letter notifying him of the return and the time limitation for resubmission. If the applicant does not desire to have the map and/or application returned to the engineer or land surveyor for such corrections, he should so instruct the State Engineer when the application is filed.

NOTE: When an application and/or map are returned, the corrections are required for the protection of the applicant's interests as well as the public interest, and betterment of the records.

Section 8. Original and Substitute Returned. Where, because of the required corrections, it is found necessary to prepare a substitute application or map, the original must be returned with the substituted application or map for retention in the files of the State Engineer.

Section 9. Multiple Points of Diversion. A separate application is required for each point of diversion, regardless of whether direct flow or secondary applications are involved. If a facility takes water from several streams, springs, or draws, a separate application must be filed for each source of supply.

For movable sprinkler irrigation systems, only one application is necessary to cover several points of diversion from the same source if the lands are contiguous and if only one pump location will be used to divert water at any given time. Such a system may be designated as a sprinkler irrigation unit. However, a separate application is required for each separate area where the lands are not contiguous.

Section 10. Multiple Uses. It is the general policy of the State Engineer to grant permits for only one beneficial use. The practice of filing applications containing a number of beneficial uses causes endless confusion and usually the additional uses are never developed and remain on the records in an indeterminate status. With the exception of the combination of irrigation and stock purposes, applications should be filed for a single beneficial purpose except as further discussed in Chapter III, Section 2, d., Item 3, page 7 of this Manual.

Section 11. Forms. The following forms for use in submitting applications involving surface water appropriations, are available at the State Engineer's Office in Cheyenne:

- a. Form S.W. 1 -- Direct Flow Diversion (Original Application);
- b. Form S.W. 2 -- Enlargement of an Existing Direct Flow Diversion;
- c. Form S.W. 3 -- Reservoir;
- d. Form S.W. 3A - Reservoir Application Supplemental Sheet;

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e. Form S.W. 4 -- Stock Reservoir.

Section 12. Fees. All fees must be paid in advance. When the required fee is not known, time may be saved by remitting ample funds. Over-remittances will be returned promptly. Make all remittances payable to the "State Engineer". Remittances should be by currency, bank draft, post-office or express money order, or check, and should be transmitted with the application or letter of transmittal.

Section 13. Fee Schedule. The following fees are required for filing instruments in the State Engineer's Office:

- a. Each application of any type . . . . . ~~\$2.00~~
- b. For recording any other instrument:
  - (1) First sheet . . . . . \$2.00
  - (2) Each subsequent sheet . . . . . \$1.00

Section 14. Miscellaneous Charges.

- a. For making prints of maps on file:
  - (1) "B" size map. . . . . \$ .50
  - (2) "D" size map. . . . . \$ .75
  - (3) Township plat (linen) . . . . . \$ .75
  - (4) "E" size map. . . . . \$1.00
  - (5) "F" size map. . . . . \$1.50
  - (6) Minimum Charge (any map). . . . . \$ .50
- b. For making photocopies of records:
  - (1) First sheet . . . . . \$2.00
  - (2) Each subsequent sheet . . . . . \$1.00
  - (3) Each certificate. . . . . \$1.00
  - (4) Maps and other matter . . . . . Commercial rates
- c. For making microfilm copies of records:
  - (1) Each processed sheet. . . . . \$ .50
- d. For making Xerox copies:
  - (1) Each sheet. . . . . \$ .10