



State Engineer's Office

HERSCHLER BUILDING, 4-E CHEYENNE, WYOMING 82002
(307) 777-6150 FAX (307) 777-5898
seo.state.wy.us

MATTHEW H. MEAD
GOVERNOR

PATRICK TYRRELL
STATE ENGINEER

PHILIP R. STUCKERT
DEPUTY STATE ENGINEER

September 10, 2014

Johnson County Government
Rande Money, Operating Officer
Lake Desmet Operating Department
76 North Main Street
Buffalo, Wyoming 82834

RECEIVED
JOHNSON COUNTY CLERK
SEP 15 '14

To Whom It May Concern:

All of the legal requirements of the State Engineer's Office, that were your responsibility, have been satisfied for the following permits. Said permits are in good standing and are entitled to be exercised exactly as permitted.

- Enl. Lake Desmet Reservoir, Permit No. 14281R**
- Enl. Lake Desmet Reservoir, Permit No. 14282R**
- Enl. Lake Desmet Reservoir, Permit No. 14283R**
- Enl. Lake Desmet Reservoir, Permit No. 14284R**
- Enl. Lake Desmet Reservoir, Permit No. 14285R**

The next step is for the State Board of Control to prepare a final proof of construction or appropriation for adjudication. This document will be forwarded to your Water Division Superintendent, whose name, address and telephone number is listed below, for an on-site inspection at an appropriate time.

Carmine LoGuidice, Superintendent
1833 South Sheridan Avenue
Sheridan, Wyoming 82801
Phone: (307) 672-9207

At the time of inspection the inspector will collect the following to expedite the adjudication process:

(a) a copy of the certificate of ownership or other recorded documents, such as a deed obtained from the County Clerk to verify

Surface Water
(307) 777-6475

Ground Water
(307) 777-6163

Board of Control
(307) 777-6178

Johnson County Government
Rande Money, Operating Officer
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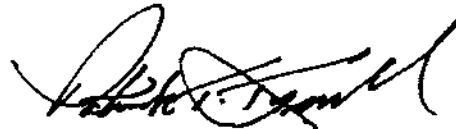
ownership of the lands to which the water right will be adjudicated. This is not required for lands inundated by a reservoir. The owner of record is who will be contacted to arrange a mutually agreeable time for the field inspection, and signature on the proof.

(b) an appropriate recording fee.

The Superintendent will then advertise and present the executed proof to the Board for consideration. Upon approval, a Certificate of Appropriation or Construction of Reservoir will be prepared and sent to the County Clerk. This document will be recorded and forwarded on to you as the final step in the adjudication process.

As adjudication can only be accomplished if the on-the-ground facilities comply in every respect with the permit and map as approved by the State Engineer, it is to your advantage to recheck the situation on the ground to be sure it is in good compliance with the permit and map while you are waiting to be contacted for final inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick T. Tyrrell", written in a cursive style.

PATRICK T. TYRRELL
State Engineer

PTT/jit



State Engineer's Office

HERSCHLER BUILDING, 4-E CHEYENNE, WYOMING 82002
(307) 777-7354 FAX (307) 777-5451

MATTHEW H. MEAD
GOVERNOR

PATRICK TYRRELL
STATE ENGINEER

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JOHNSON COUNTY CLERK

September 10, 2014

SEP 18 14

✓ Johnson County Government
Attn: Rande Money, Operating Officer
Lake DeSmet Operating Department
76 North Main Street
Buffalo WY 82834

RE: Five Game & Fish Recreation Enlargements of the Lake Desmet Reservoir, Permit Nos. 14281R-14285R

Dear Agent:

These permits have been granted for the above-named existing reservoirs.

The Safety of Dams Legislation, Wyoming Statues 41-3-307 through 41-3-318, requires that these reservoirs be operated and maintained in a safe condition, free from hazards to the public. According to the law, "the owner or owners of any reservoir, dam, or diversion system defined under the Act is responsible for and must assume the liability incident to their ownership or operation of any damages resulting from the leakage or overflow of water from, or for floods resulting from the failure to rupture of the fill or structure for such works."

Portions of Sections 41-3-307 and 41-3-308 of the Law are herewith quoted for your information:

§41-3-307. Definitions.

(a) As used in this act unless the context otherwise requires:

- (i) "Alterations" or "repairs" means only such alterations or repairs as may directly affect the safety of the dam or diversion system as determined by the state engineer or his designated representative;
- (ii) "Appurtenant works" include, but are not limited to, such structures as spillways, either in the dam or separate there from, the reservoir and its rim, low level outlet works, and water conduits such as tunnels, pipelines or penstocks, either through the dam or its abutments;
 - (iii) "Dam" means any artificial barrier, including appurtenant works, used to impound or divert water and which is or will be greater than twenty (20) feet in height or with an impounding capacity of fifty (50) acre-feet or greater, "Dam" shall not include artificial barriers including appurtenant works:
 - (A) Six (6) feet in height or less, regardless of storage capacity; or
 - (B) Which impound less than fifteen (15) acre-feet, regardless of height.
- (iv) "Days" used in establishing deadlines means calendar days, including Sundays and holidays;
- (v) "Diversion system" means any channel diversion, headgate, or diversion structure with a carrying capacity in excess of fifty (50) cubic feet of water per second of time;

Surface Water
(307) 777-6475

Ground Water
(307) 777-6163

Board of Control
(307) 777-6178

§41-3-308 Plans to be Prepared by Professional Engineer

Plans and specification of any proposed construction, enlargement, major repair, alteration or removal of dam or diversion system shall be prepared by or under the direction of a registered professional engineer licensed to practice in the State of Wyoming and experienced in dam design and construction and shall be submitted to the State Engineer for approval. It is unlawful to commence construction enlargement, major repair, alteration or removal until the plans and specifications have been approved by the State Engineer. At the request of the State Engineer, the professional engineer responsible for the plans and specifications or provide such addition information as is necessary to justify or clarify the design.

W.S. 41-3-309 requires that inspections of repairs or alterations of dams to conducted by an engineer licensed to practice in Wyoming and that reports be submitted to the State Engineer during the repair construction, enlargement, alteration or removal of a dam.

In addition, the State Engineer or his representative will inspect the reservoir at least once every five years or as often as deemed necessary in order to insure the continued safety of such works or structures.

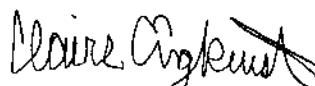
Under the law, the permit holder may be penalized up to \$1,250 per day or the State Engineer may cancel the permit or breach the dam if necessary, if the provisions of the above sections have not been or are not being complied with.

Enclosed is a booklet entitled, "Guidelines for Maintenance and Inspection of Dams in Wyoming" which explains matters relating to dam safety and inspections which should be of use to you in operating and maintaining your facility.

Should the enclosed copies be lost or destroyed, additional copies may be obtained for a nominal charge. You can view these permits on our e-Permit website at <https://seoweb.wyo.gov>. Once you complete the "New Registration" process you will be able to apply for water rights, make changes, and submit notices, all on line at your convenience. Please call 777-6475 if you need help with e-Permit questions.

If you need further information, please contact this office.

With best regards,



CLAIRE ENGKVIST
Surface Water Division

Enclosures

cc: Division 2
1833 S. Sheridan Avenue
Sheridan WY 82801
307-674-7012

Mike Hand
Safety of Dams
Herschler Bldg 4E
Cheyenne WY 82002