

Appendix A  
Sample Petitions and Forms

THE FOLLOWING FORM IS TO BE USED TO ACQUIRE CONSENTS FROM THOSE APPROPRIATORS WHO COULD POSSIBLY BE AFFECTED BY THE GRANTING OF A PETITION BY THE STATE BOARD OF CONTROL. THE FORMAT MAY VARY ACCORDING TO THE TYPE OF PETITION.

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CONSENT TO PETITION FOR CHANGE OF POINT OF DIVERSION  
AND MEANS OF CONVEYANCE

The following individuals are all the owners of record of those appropriations under the Unnamed Ditch, diverting from No Name Creek. Each of the following individuals has read, understands, and gives their consent to the petition of John Doe for change of point of diversion and means of conveyance for the J. W. Doe Appropriation, Permit No. 3214, Proof No. 1491, for 62.0 acres, to be changed from the No Name Ditch to the Unnamed Ditch.

(Signed) \_\_\_\_\_

(Signed) \_\_\_\_\_

(Signed) \_\_\_\_\_

(Signed) \_\_\_\_\_

I hereby state, to the best of my knowledge and belief, that the above listed individuals are all of the owners of record for the appropriations of water under the Unnamed Ditch, diverting from No Name Creek.

(Date) \_\_\_\_\_

(Signed) \_\_\_\_\_

Petitioner

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WHENEVER CONSENTS ACCOMPANY A PETITION, EVIDENCE OF OWNERSHIP FOR THE PERSONS GIVING CONSENT MUST BE PROVIDED, IF CONSENTING DIVERSION IS NOT ORGANIZED.

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THE FOLLOWING IS A SAMPLE OF AN INSTRUMENT WHICH CAN BE USED TO FACILITATE A PETITION FOR CHANGE OF USE OR PLACE OF USE.

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**Authorization for Detachment of Water Rights**

I/We \_\_\_\_\_, of \_\_\_\_\_  
(Address)

\_\_\_\_\_, as owner of the following described lands, hereby authorizes the detachment by: \_\_\_\_\_  
(Name of Grantee)

\_\_\_\_\_  
(Address)  
of the \_\_\_\_\_ appropriation, diverting from \_\_\_\_\_  
(Original Appropriator)

\_\_\_\_\_, through the \_\_\_\_\_  
(Source) (Ditch or Pipeline)  
\_\_\_\_\_, Permit No. \_\_\_\_\_,

with priority date of \_\_\_\_\_ for irrigation of the following described lands to be detached:

T. \_\_\_\_\_ N., R. \_\_\_\_\_ W.

Section \_\_\_: \_\_\_<sup>1</sup>/<sub>4</sub> \_\_\_<sup>1</sup>/<sub>4</sub> \_\_\_\_\_ acres

This authorization allows the grantee or his assignee to petition the Board of Control for change of use or change of place of use of the water right attaching to the above described lands as provided for in Section 41-3-104, W.S. 1977, within five (5) years of the date of this authorization. By this authorization both the Grantor and Grantee request voluntary abandonment of the water attached to the lands described herein if no petition for change is received within the five-year period.

The grantor hereby waives any and all notices which may be required by Statute, and especially those required in condemnation proceedings provided by Section 41-3-103, W.S. 1977, and states that neither he nor his successors or assignees shall, at any time in the future, file any adverse claim or institute any proceedings in law or equity attacking adversely, or in any manner whatsoever, the equities, right, title or interest of any of the water rights herein referred to

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and for which it is hereby agreed that the Grantor has received full and adequate compensation.

This authorization along with proof of ownership and a map certified by a professional engineer or land surveyor licensed to practice in Wyoming describing the above lands are to be submitted to the State Board of Control, Herschler Building, 4<sup>th</sup> Floor East, Cheyenne, Wyoming 82002. This document hereby supersedes and replaces any document formerly referred to as a "Water Right Deed."

(Signed) \_\_\_\_\_  
Grantor

(Signed) \_\_\_\_\_  
Grantee

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 19\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

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## APPLICATION FOR TEMPORARY CHANGE IN POINT OF DIVERSION

DATE: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Source: \_\_\_\_\_

Permit No.: \_\_\_\_\_ Priority Date: \_\_\_\_\_

Name of Appropriation: \_\_\_\_\_ Acres under Change \_\_\_\_\_ CFS \_\_\_\_\_

Present Point of Diversion: \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_

Proposed Point of Diversion: \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_

Type of Change requested: \_\_\_\_\_

Reason for Change: \_\_\_\_\_

Consents for intervening Points of Diversion, if necessary (may be continued on reverse side):

| Facility | Signature |
|----------|-----------|
| _____    | _____     |
| _____    | _____     |
| _____    | _____     |
| _____    | _____     |
| _____    | _____     |

Intervening Sources: \_\_\_\_\_

The following conditions will apply if this request is granted:

- A. This change is for irrigation season    only, or one year for other uses.
- B. There can be no injury to any other appropriators as a result of this change.
- C. To acquire permission for a permanent change in Point of Diversion, a Petition must be submitted to the Board of Control (or State Engineer if water right is unadjudicated).
- D. The granting of this temporary change in no way commits the Board of Control or State Engineer to approve petition for a permanent change.
- E. The granting of this temporary change does not constitute the granting of right-a-way.
- F. This temporary change may be revoked at any time by the Water Commissioner.

\_\_\_\_\_  
Signature of Applicant (if available)

Request for TEMPORARY CHANGE IN POINT OF DIVERSION

\_\_\_\_\_  
(granted/denied)

this    day of \_\_\_\_\_, 2  , for the irrigation season of \_\_\_\_\_ only.

\_\_\_\_\_  
SUPERINTENDENT WATER DIVISION

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APPLICATION FOR  
TEMPORARY CHANGE IN LOCATION OF WELL

DATE: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Name of Well: \_\_\_\_\_

Permit No.: \_\_\_\_\_ Priority Date: \_\_\_\_\_

Present Location of Well: \_\_\_\_\_<sup>1</sup>/<sub>4</sub>\_\_\_\_\_<sup>1</sup>/<sub>4</sub>, Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_

Proposed Location of Well: \_\_\_\_\_<sup>1</sup>/<sub>4</sub>\_\_\_\_\_<sup>1</sup>/<sub>4</sub>, Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_

(The proposed relocated well will be approximately  
\_\_\_\_\_ feet \_\_\_\_\_ (direction)  
of the existing well.)

Is this well located within a Ground Water Control Area? \_\_\_\_\_

Total Depth of existing well: \_\_\_\_\_ feet

Proposed Depth of relocated well: \_\_\_\_\_ feet

Reason for Change:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the following conditions will apply if this request is granted:

- A. This change is for the irrigation season of \_\_\_\_\_ only.
- B. There can be no injury to any other appropriators as a result of this change.
- C. To acquire permission for a permanent change in the location of this well, I must submit a Petition to the Board of Control.
- D. The granting of this temporary change in no way commits the Board of Control or State Engineer to approve the petition for a permanent change.

\_\_\_\_\_  
Signature of applicant

Request for TEMPORARY CHANGE IN LOCATION OF WELL \_\_\_\_\_  
(granted/denied)

this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, for the irrigation season  
of \_\_\_\_\_ only.

\_\_\_\_\_  
SUPERINTENDENT WATER DIVISION \_\_\_\_\_

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IMPORTANT NOTICE TO APPROPRIATORS

The following condition must be met if a rotation is to be allowed:

1. All appropriations involved must be in priority and entitled to water during the entire rotation period;
2. An actual rotation of water use for the lands under each appropriation is required, and each rotation period will not exceed ten days unless a longer period is agreed to by the hydrographer commissioner or water commissioner;
3. The proposed rotation shall not result in injury to other appropriators;
4. The rotation proposed is limited to one season.

NOTICE OF INTENTION TO ROTATE

To: \_\_\_\_\_ Date: \_\_\_\_\_, 2\_\_\_\_.

District No. \_\_\_\_\_, Division No. \_\_\_\_\_  
\_\_\_\_\_, Wyoming

In accordance with W.S. 41-3-612, you are hereby notified that the undersigned wish to rotate the following water appropriations in the manner and for the time outlined below:

| 1. | Name of Ditch or Supply | Source | Amount of Appropriation | Priority | Owner |
|----|-------------------------|--------|-------------------------|----------|-------|
|    |                         |        |                         |          |       |
|    |                         |        |                         |          |       |
|    |                         |        |                         |          |       |

2. Rotation will be commenced on \_\_\_\_\_, 2\_\_\_\_, and will be accomplished as follows: \_\_\_\_\_

DO NOT WRITE IN SPACE BELOW - FOR HYDROGRAPHER COMMISSIONER  
OR WATER COMMISSIONER ONLY

Received on \_\_\_\_\_, 2\_\_\_\_. By \_\_\_\_\_  
District No. \_\_\_\_\_ Division No. \_\_\_\_\_

Remarks: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
District No. \_\_\_\_\_ Division No. \_\_\_\_\_

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A GENERAL REQUIREMENT FOR REQUESTING REGULATION IS THE MAINTENANCE OF A SATISFACTORY HEADGATE AND MEASURING DEVICE AT THE LEGALLY-RECORDED DIVERSION POINT SO AS TO ENABLE THE HYDROGRAPHER COMMISSIONER OR WATER COMMISSIONER TO DETERMINE IF THE REQUEST FOR REGULATION HAS BEEN SATISFIED. IF YOU DO NOT HAVE AN APPROVED HEADGATE AND MEASURING DEVICE PRESENTLY INSTALLED, YOUR REQUEST FOR REGULATION WILL BE SUBJECT TO REVIEW BY THE HYDROGRAPHER COMMISSIONER OR WATER COMMISSIONER AND/OR DIVISION SUPERINTENDENT.

THE APPROPRIATOR IS OBLIGATED TO NOTIFY THE HYDROGRAPHER COMMISSIONER OR WATER COMMISSIONER PRIOR TO THE DATE WHEN WATER WILL NO LONGER BE USED SO THAT PROPER ADJUSTMENTS MAY BE MADE TO AVOID THE WASTE OF WATER.

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REQUEST FOR REGULATION

Pursuant to W.S. 41-3-603, 41-3-604, 41-3-606, 41-3-304 and 41-3-111 revised statutes 1977, I hereby request Regulation of \_\_\_\_\_

and tributaries and is requested to supply my (our) appropriation of water through the \_\_\_\_\_  
Ditch(es) or Reservoir(s) under Permit Nos. \_\_\_\_\_, with priority(s) of \_\_\_\_\_ until \_\_\_\_\_.

Signed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Received on \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Hydrographer Commissioner or Water Commissioner  
District No. \_\_\_\_\_, Division No. \_\_\_\_\_

Request approved: \_\_\_\_\_  
Request denied: \_\_\_\_\_

Comments: \_\_\_\_\_

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