

Recreation Residence  
Guide  
for  
Permit Holders



Bighorn National Forest

February 2007

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## Quick Reference

### Contact Information

#### Forest Supervisor's Office and Tongue Ranger District

2013 Eastside 2<sup>nd</sup> St.  
Sheridan, WY 82801  
(307) 674-2600  
fax: (307) 674-2668

#### Medicine Wheel / Paintrock Ranger District

604 East Main St.  
Lovell, WY 82431  
(307) 548-6541  
fax: (307) 548-6581

#### Powder River Ranger District

1415 Fort St.  
Buffalo, WY 82834  
(307) 684-7806  
fax: (307) 684-9899

#### Powder River Satellite Office:

101 S. 23rd Street  
Worland, Wyoming 82401  
(307) 347-5105

#### Website:

<http://www.fs.fed.us/r2/bighorn/contact>

#### Email address: [mailroom\\_r2\\_bighorn@fs.fed.us](mailto:mailroom_r2_bighorn@fs.fed.us)

### Acronyms and Abbreviations

<b>CFR:</b> Code of Federal Regulations	<b>NEPA:</b> National Environmental Policy Act
<b>FS:</b> Forest Service	<b>NFS:</b> National Forest System
<b>FSH:</b> Forest Service Handbook	<b>SHG:</b> Summer Home Group
<b>FSM:</b> Forest Service Manual	<b>SUDS:</b> Special Uses Database System
<b>Permit Holder's Guide:</b> Recreation Residence Guidebook for Permit Holders	<b>SUP:</b> Special Use Permit
	<b>USFS:</b> United States Forest Service

### Definitions

#### Authorized Officer

The forest supervisor, or a delegated line officer, having the authority to issue, suspend, terminate, revoke, or amend permits, operating plans, etc. The Authorized Officer for recreation residence special use permits is the District Ranger.

#### Cabin

*see* Recreation Residence

#### Guesthouse

Any structure separate from the main cabin that contains sleeping quarters.

#### Holder / Permit Holder

The person, married couple, or living trust to whom a special use authorization is issued. The party responsible for compliance with the terms and conditions of the Term Recreation Residence Special Use Permit.

<b>Permit</b>	A special use authorization which provides permission, without conveying an interest in land, to occupy NFS land or facilities for specified purposes, and which is both revocable and terminable.
<b>Permittee</b>	<i>see</i> Holder / Permit Holder
<b>Recreation Residence</b>	A privately owned dwelling within an established recreation residence tract on National Forest System (NFS) land, authorized for maintenance and use under a special use permit. A recreation residence is to be used by permittees, their families, and guests for enjoyment of related NFS lands and recreation resources. It is not intended for use as a primary or permanent residence.
<b>Reissuance</b>	The issuance of a new special use authorization for the same use when ownership of improvements is transferred.
<b>Renewal</b>	The issuance of a new special use authorization for the same use to the same holder upon the expiration of the current authorization.
<b>Special Use Authorization</b>	A term permit or temporary permit that allows occupancy, use, rights, or privileges on NFS land.
<b>Summer Home</b>	<i>see</i> Recreation Residence

## Introduction and Overview

The *Recreation Residence Guide for Permit Holders (Permit Holder's Guide)* has been prepared by the Bighorn National Forest to help explain how Recreation Residence Special Use Permits are administered on the Forest. The *Permit Holder's Guide* is designed to be a ready reference to the regulations, policies, and forest plan direction that apply to recreation residence permits. It also details any unique Bighorn National Forest policies on the administration of recreation residence permits.

There are 265 Recreation Residences permitted on the Bighorn National Forest, more than any other Forest in the Rocky Mountain Region. There are 82 Summer Home Group tracts on the Forest containing 219 recreation residences. The remaining 46 recreation residences are not included in tracts and are considered isolated. On the Forest, special-use permit procedures are the same for recreation residences located in tracts and those that are isolated.

All three Ranger Districts administer recreation residence permits. The Authorized Officer for all recreation residence permits on the Forest is the District Ranger of the District on which the cabin and associated improvements are located.

Recreation Residence Special Use Permits authorize occupancy of NFS lands. They are not leases and thus convey no privilege of use of the permitted site other than occupancy, as specified in the permit.

Most recreation residence permits on the Bighorn National Forest expire December 31, 2008. All expiring permits that are in compliance with terms and conditions of Recreation Residence Permit and with the 2005 forest plan will be reissued for a new twenty-year term, to expire December 31, 2028.

## Purpose of Recreation Residence Management on NFS Lands

Noncommercial sites for recreation use are an important component of the overall National Forest recreation program. They provide a unique forest recreation experience to individuals/families. The cabins and associated improvements are privately built and owned structures on National Forest System (NFS) land. They are maintained for the use and enjoyment of holders and their guests. Recreation residence permits do not grant exclusive use of NFS lands. The permit grants the privilege of occupancy of the site with privately owned improvements. Some objectives of policies governing recreation residence permits are:

1. Manage recreation residences as recreation sites for vacation use.
2. Maintain a forest-related recreation experience for the permittee and the public and to prevent that experience from being significantly lessened by the presence of human improvements.
3. Prevent urbanization of recreation residence tracts.
4. Protect safety of permit holders and general public.
5. Protect the Forest environment, including soil, water, wildlife, vegetation, and air quality.
6. Comply with the laws relating to management of NFS lands and resources, and observe meaning and intent of Forest recreation management and of the special-use permit.

7. Ensure that the general public is not precluded from full enjoyment of the natural, scenic, recreational, and other aspects of the National Forest.

## **Recreation Residence Permit Administration**

Administration of recreation residence permits is directed first by federal regulation and then manual and handbook direction. Permits must also be compatible with the forest plan. The privileges and requirements of the permit holder are defined in the permit itself.

### **Permit Issuance**

- A. Term Special Use Permit for Recreation Residence
  1. Use for authorizing occupancy of a recreation residence site by the documented owner of improvements at the site.
  2. Use when site is in full compliance.
- B. Temporary Special Use Permit
  1. Use to authorize occupancy of a site during probate of the estate of a deceased permit holder.
  2. Use to authorize occupancy of a site by lien holder in event of loan default by permit holder.
  3. Use to authorize occupancy of site by owner during period necessary to bring site into compliance with permit.
    - a. Prior to issuing term permit to new owner
    - b. Upon expiration of term permit, if site is in noncompliance
- C. Who can hold a Recreation Residence Special Use Permit?
  1. An individual documented as owner of improvements.
  2. A married couple documented as owners of improvements.
  3. An individual or married couple designated as the Permit Holder by multiple owners of permitted improvements. Notarized documentation, signed by all owners, is required.
  4. A Living Trust that is established solely for non-commercial, personal benefit (e.g., family trust).
    - a. An individual must be named as the trust representative and holder of the Term Recreation Residence Permit. This individual would agree to act in behalf of the trust and to be responsible for the conditions imposed on the trust under the term permit's provisions. This can be a person specifically named in the trust as having the responsibility of the recreation residence
  5. A family ((husband, wife, dependent children) or an individual may only have one Recreation Residence permit.
- D. Special Use Permits will not be issued without legal proof of ownership of improvements. Proof of ownership may include a Bill of Sale, an executed Last Will and Testament, a divorce decree, a Living Trust document, or a probated estate.

### **Permit Amendments**

- A. Any change to items on the face of the Recreation Residence Permit, with the exception of legal name change, death of spouse, or an address change, must be made by permit amendment.

1. The Holder sends a letter describing the proposed modification to the permit. The proposal must be signed by the Holder or Trust Representative.
2. The Permit Holder refers to the *Checklist for Submitting Plans for Improvements* in Appendix A.
3. The Holder and the Authorized Officer sign acceptance of the amendment.

## Change in Ownership

Ownership may change due to sale, foreclosure or other legal proceeding, or gifting. The sale of a recreation residence on NFS land involves only the sale of structures. No ownership of land is conveyed with special use permits. Permits are not saleable or transferable. If ownership changes, the current permit will be revoked, and a new permit may be issued to the new owner.

### A. Current owner (seller)

1. Notify the permit administrator of intent to sell.
2. Provide a copy of the permit and the amount of fees paid for the current year to the buyer.
3. Execute part one of Form FS-2700-3a, Holder-initiated Revocation of Existing Authorization and Request for a Special-Use Permit.

### B. Potential Owner / New owner (buyer)

1. Contact the Permit Administrator to discuss the responsibilities and requirements of owning a recreation residence on NFS lands.
2. Execute part two of Form FS-2700-3a.
3. Submit the completed form FS-2700-3a to the District Ranger. Attach the Bill of Sale or other documentation verifying ownership of cabin and associated structures.
4. If the new owner is more than one person or a married couple, all owners must sign a document designating the person or married couple who will act as the Permit Holder on behalf of all owners.
5. As fees are paid to USFS annually and in advance, the seller and buyer negotiate their own arrangements for prorating of fees already paid to the USFS for the current year.

### C. USFS is notified of potential change in Recreation Residence ownership:

1. Make a site visit.  
This visit allows the Permit Administrator to inspect the site for any items of noncompliance and to verify that the structures named on the permit are still in place and that no unauthorized structures are in place. Subsequent conversations with the holder, realtors, and prospective buyers should include discussion of the results of the site visit. Discussion will include required correction of noted deficiencies.

### D. FS-2700-3a is received in District office:

1. The Permit Administrator completes part three.
2. The Buyer may take occupancy, as fees have been paid for calendar year.
3. The buyer contacts the Permit Administrator and obtains written approval *before* beginning any modifications to the structures or the site.
4. If a current site inspection has not been made, as per Part C. above, an inspection will be made as the program of work and seasonal conditions allow. The Permit Administrator will visit the site to determine if there are any conditions that need to be corrected to bring the permit into

compliance. Structures may need to be repaired or removed, or other conditions corrected. Results of the inspection will be discussed with buyer and a compliance schedule agreed upon.

5. New term or temporary permit is issued to the buyer for the remainder of the original permit term. Term permits expire December 31, 2008 or December 31, 2028.

### **Change in Holder but no Change in Ownership**

#### A. Examples of holder change

1. Permit issued to married couple
  - a. One spouse dies.  
Permit continues in force; notation on existing permit of holder change.
  - b. Couple divorces.  
New permit must be issued to new holder. Documentation is required: for example, a divorce decree.
2. Permit issued to single person who marries and chooses to add spouse to permit.  
New permit must be issued to new holders. Documentation is required: for example, a marriage license.
3. Holder changes name (marriage, divorce or other legal proceeding).  
New permit must be issued to new name of holder. Documentation required.
4. Holder creates Living Family Trust and includes permitted structures in the Trust.
  - a. Holder is Trust Representative.  
New permit must be issued to the Trust, naming the former Holder as Trust Representative. Documentation is required.
  - b. Holder is not Trust Representative.  
New permit is issued to Trust, naming Trust Representative. Documentation is required.
5. Holder changes address.  
Permit continues in force, notation on existing permit of holder address change. Change contact in SUDS
6. Recreation Residence has multiple owners  
Owners change the person designated as permit holder. (Notarized documentation, signed by all owners, is required,). No change in ownership.  
New permit is issued to new holder.

### **Billing**

- A. Bills for annual permit fees are mailed December 1 and due January 1.
- B. Payments are made directly to the Lockbox address indicated on the Bill for Collection.
- C. Any bill unpaid for 60 calendar days after the due date accrues interest, administrative fees, and penalties.

### **Inspections (FSM 2716.5)**

- A. Inspections are based on the particulars in the special use permit and operations and maintenance plan, as well as other applicable regulation and policy
- B. Yearly field inspections are required.
- C. It is recommended that site visits be done with the permit holder present.

Site visits are also done to follow-up on previously noted deficiencies and to verify that corrective actions have been taken by the Holder.

- D. Compliance inspections are performed to determine compliance with terms and conditions of Recreation Residence Special Use Permit and other applicable regulation and policy.
- E. Permit holders are required to take appropriate action regarding noncompliance with terms and conditions of the Permit, including the Operations and Maintenance Plan, or other violations of regulation or policy.
- F. When health and safety deficiencies are indicated, the Authorized Officer may require the Holder to have an inspection performed in accord with the Holder's responsibility described in Permit Clause IV.A. This inspection may be performed by federal, state or county health and safety personnel or by qualified professional, technical, and administrative inspectors, as long as the standards are met. If the Holder does not comply with the Authorized Officer's request for inspection, the Authorized Officer files an official complaint with the applicable state or county agency to trigger the inspection.

### **Non-compliance / Breach of Permit Terms and Conditions (FSM 2347.1, FSH 2721.23i)**

- A. The Holder must be given an official Notice of Noncompliance and then a reasonable time<sup>1</sup> to correct any breach of permit terms.
- B. If there is an immediate threat to public health and safety, or to natural resources, correction may be required in fewer than 90 days.
- C. Revoking a permit based on permit noncompliance (Clause VIII.A.) is considered a last resort in most cases. (36 CFR 251.60(e))
- D. Deficiencies shall be resolved prior to the issuance of a new term permit (due either to transfer of ownership or to permit expiration). A temporary permit may be issued until the deficiencies are corrected, or the USFS and Permit holder can agree to a correction schedule that addresses the deficiencies and a term permit may be issued.
- E. As specified in 36 CFR 261.10(l), a Warning Notice or a Violation Notice may be issued for failure to comply with the terms or conditions of the permit. A Notice of Noncompliance must be issued after a Warning Notice or Violation Notice is issued
- F. Violations of federal, state, county and/or municipal law will be dealt with administratively and may also be turned over to Forest Service Law Enforcement and Investigations.

### **Roads and Other Access Structures**

Any special order or temporary closure in effect on roads that access recreation residences must be adhered to. Travel on closed access roads is allowed only with valid "Bighorn National Forest Closed Road Travel Permit" issued by the District Ranger.

### **Removal of Forest Products Such as Timber**

- A. Any cutting of trees, live or dead, from permitted sites requires a Forest Product Permit.

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<sup>1</sup> Not to exceed 90 days; however, this time can be extended depending on seasonal conditions.

The permits are issued only to Recreation Residence permittees who have coordinated with the Permit Administrator regarding cutting and/or removing green vegetation at their permitted site. The permit administrator must create a map showing the location of the recreation residence site, to be attached to the permit. The forest product permits must be obtained at the Ranger District Office that administers their Recreation Residence special use permit.

# **Appendix A**

## **Checklist for Submitting Plans for Improvements**





## Checklist for Submitting Plans for Improvements

- Are the plans for additions or changes being submitted at least four months in advance of the proposed start of construction?**

The Forest Service review process and approval for changes to a recreation residence will take approximately 4 months. This assumes that all necessary information was provided with the submittal. If this time period does not fit with your construction schedule, the process may be shortened somewhat by submitting a third-party review from a licensed architect or certified engineer who is not associated with the development of the submitted plans.

- Have you outlined your plans for complying with Section 106 of the National Historic Preservation Act (NHPA)? What is the status of the cultural survey of your cabin lot and concurrence from the State Historic Preservation Office (SHPO)?**

The 1992 amendment to the NHPA states that a cultural resource survey will be completed for any action that could potentially impact cultural resources. This means that a proposal to do anything to the cabin or lot requires a cultural survey. The Forest Service then must consult with SHPO for any proposal regarding our recommendations for any modifications to the cabin. If an adverse effect is determined, the Forest Service will report the effect to SHPO. The Forest Service notifies the permit holder that their action will impact the status of the cabin, and recommend how to mitigate the effects. However, it is the permit holder's choice as the owner of the cabin on how to proceed.

- Plans to be included in the submittal:**

- A floor plan showing exterior building dimensions.
- At least 2 elevation views (front/back or front/side).
- An electrical schematic plan and type of heat planned.
- Water supply/plumbing plan including type of materials to be used.
- Waste water/septic system.
- Site plan depicting the position of each improvement in relation to lot boundaries.

- Have the plans been prepared and stamped by a certified engineer or a licensed architect?**

- Has the following statement been included with the submittal, and signed by the Permit Holder?**

*"I certify that all construction will meet applicable Department of Agriculture regulations and all Federal, State, County and municipal laws, ordinances or regulations per Clause III B of the Special Use permit issued to me for this residence."*

- Has a copy of the County wastewater permit been included, if applicable?**

Contact the appropriate county office for application and process directions. (Sheridan County Engineer's Office – Steve Bond at 674-2920; Washakie County Planning Office

at 347-2741; Johnson County Sanitarian at 684-7102; Big Horn County Planning Office at 568-2424)

**Rules for all four Counties:**

**Septic tank minimum distance to**

Dwellings and buildings	5 feet
Potable Waterline	25 feet
Waterway or Body of Water	50 feet
Well or Spring	50 feet

**Leach Field minimum distance to**

Dwellings and buildings	10 feet
Septic Tank	10 feet
Potable Waterline	25 feet
Waterway or Body of Water	50 feet
Well or Spring	100 feet
Bottom of leach field must be at least 4 feet above groundwater or bedrock	

- Has the process for appropriating ground water (well, spring, surface water) been completed? Refer to Appendix B “Process for Obtaining a Water Right Associated with Recreation Residences on the Bighorn National Forest.”**
- Is a determination of the square footage for each improvement shown on the plans?**
- Are the snow load calculations shown on the plans?**  
(A minimum of 80 pounds per square foot is recommended, but this varies with location).
- Have all the planned resource protection measures been included?**  
Examples include: type of spark arrestors, erosion control measures, seeding, temporary storage of fuels, etc?
- Has the type of building materials been specified for both the structural work and the exterior finish?**
- Is the capacity of the existing waste water system shown, or has the calculations for the new septic system been included?**
- Has the type of materials to be used for the foundation been specified?**
- Have the plans for connecting the new foundation to the old foundation been shown?**
- Do the plans show how many trees will need to be removed and how they will be disposed?**
- Has the clearing distance from buildings to mature trees been illustrated?**  
The horizontal distance should be at least 30 feet, and there should be no overhanging vegetation within 15 feet of the roof.

- Do the plans specify the color for the roof?**
- Do the plans specify the color for the siding and trim?**
- Has the timeline for construction been shown?**  
When will it begin, when will it end, and what provisions will be made for protecting safety and preventing erosion over the winter?

**Submit plans to the appropriate District contact:**

**Cheri Jones**

Tongue Ranger District  
2013 Eastside 2<sup>nd</sup> St.  
Sheridan, WY 82801  
307-674-2652

**Craig Cope**

Powder River Ranger District  
1415 Fort St.  
Buffalo, WY 82834  
307-684-7806

**Loren Poppert**

Medicine Wheel – Paintrock RD  
604 East Main St.  
Lovell, WY 82431  
307-548-6541

# **Appendix B**

## **Process for Obtaining a Water Right Associated with Recreation Residences on the Bighorn National Forest**





The following process applies to new appropriations or changes to groundwater and surface water uses at recreation residences on the Bighorn National Forest. Ground water appropriation may be in the form of a well or spring development, if the point of diversion is located where spring water reaches the surface. Surface water appropriations may be in any form that diverts water flowing across the surface of the ground, such as a stream channel or pipeline. These actions will be initiated by the holder of a special use recreation residence permit, hereafter referred to as Permittee. The reader of this document should be familiar with the definitions of ground water, surface water, domestic use, stock-watering, and miscellaneous use as defined in Wyoming law. A good summary of State water law and definitions can be found at: <http://seo.state.wy.us/PDF/b849r.pdf>

The process described in this document is derived from the most recent information, from the Wyoming State Engineers Office (SEO), regarding appropriation of waters and may be updated as necessary. Examples of completed forms are included at the end of this document.

1. Permittee proposes improvement, expansion of existing, or development of new water use.....	<b>Go to Step</b> .....	2
2. Permit Administrator explains application process to Permittee.....		3
3. Based on proposal, Permit Administrator reviews the proposal for consistency with existing rules and regulations (NEPA, Special Use Authorization, NHPA Sec. 106, 404 permit, etc.)		
a. Disturbance less than five acres.....		4
b. Disturbance greater than five acres.....		6
4. Approval of the development is authorized by Categorical Exclusion.....		5
5. Permit Administrator initiates and completes actions required to approve proposed development.....		8
6. Approval of development requires NEPA, etc .....		7
7. Permittee completes requirements of approval and informs Permit Administrator when done.....		8
8. Permit Administrator sends letter to Permittee authorizing initiation of process to obtain water right.		
a. Ground water (springs & wells).....		GW1
b. Surface water (streams, ditches, and reservoirs).....		SW1

----- **GROUND WATER** -----

**GW1.** Permittee completes form *U.W. 5 – Application for Permit to Appropriate Ground Water*.....GW2

**Obtain application from SEO and fill out as shown in U.W.5 example attached**

**GW2.** Permittee sends completed *U.W. 5* to Permit Administrator, without filing fee, who forwards to Aquatics Program Leader for review and authorized signature (Forest Sup.).....GW3

**GW3.** Aquatics Program Leader copies signed *U.W. 5*, files, and sends original back to Permittee.....GW4

**GW4.** Permittee sends *U.W. 5*, with required fee, to State Engineers Office  
    a. SEO approves permit.....GW5

- b. SEO denies application. **End of process.**
- GW5. SEO sends letter of approval to appropriate water to Forest Supervisor.....GW6
- GW6. Forest Supervisor forwards letter of approval to Aquatics Program Leader, who files original and sends copy to the Permit Administrator.....GW7
- GW7. Permit Administrator files copy of approval letter and sends copy of letter to Permittee.....GW8
- GW8. Permittee develops water use.
  - a. Permittee completes development within time stated on letter of approval.....GW11
  - b. Permittee does not complete development within time stated on letter of approval....GW9
- GW9. Permittee files for an extension with State Engineers Office.....GW10
- GW10. SEO sends Permittee a letter confirming time extension. Permittee sends copies to the Permit Administrator and Aquatics Program Leader, for filing.....GW8
- GW11. Within 10 days of completion, Permittee sends completed forms *U.W. 6 – Statement of Completion*, and *U.W. 8 – Proof of Appropriation*, and a copy of the Well Drillers Log, if applicable, to Permit Administrator, who forwards to Aquatics Program Leader for review (see also Step 22, re: 30 day timeline).....GW12
- GW12. Aquatics Program/Engineering/Permit Administrator review the development on site.
  - a. Development is completed as authorized.....GW14
  - b. Development is not completed as authorized.....GW13
- GW13. Permittee remedies inconsistencies between authorized and unauthorized development.....GW12
- GW14. Within 30 days of completion of development, Aquatics Program Leader obtains signature (Forest Sup.) on *U.W. 6 and U.W. 8*, copies, files and sends copy to Permit Administrator and originals to SEO.....GW15
- GW15. SEO reviews development, fills out Section III of *U.W. 8* (a.k.a. *U.W. 9*), and sends to Forest Supervisor, who forwards to Aquatics Program Leader.....GW16
- GW16. Aquatics Program Leader copies, files, and sends original back to Permittee for remittance, with filing fee, to State Engineers Office.....GW17
- GW17. Board of Control issues Certificate of Appropriation of Ground Water, and sends to Forest Supervisor, who forwards to Aquatics Program Leader.....GW18
- GW18. Aquatics Program Leader files original and sends copy to Permit Administrator...GW19
- GW19. Permit Administrator sends copy to Permittee, and files a copy in District files. **End of process.**

----- SURFACE WATER -----

- SW1. Permittee completes *Application for Permit to Appropriate Surface Water*:
  - a. *S.W. 1* for new development on existing ditch, canal, stream, or original water right...SW2
  - b. *S.W. 2* for enlargement of existing facility.....SW2
  - c. *S.W. 3* for new development on existing reservoir or new reservoir.....SW2
- Obtain application from SEO and fill out as shown in S.W.1 example attached.**
- SW2. Permittee sends completed form, without fee to Permit Administrator, who forwards to Aquatics Program Leader, for review and authorized signature (Forest Supervisor.....SW3
- SW3. Aquatics Program Leader copies, files, and sends original to Permittee.....SW4
- SW4. Permittee sends *Application*, with required fee, to State Engineers Office.
  - a. SEO approves permit.....SW5

- b. SEO denies application. **End of process.**
- SW5.** SEO sends letter approving appropriation of water to Forest Supervisor.....SW6
- SW6.** Forest Supervisor forwards to Aquatics Program Leader, who sends copy to Permit Administrator and files original.....SW7
- SW7.** Permit Administrator files copy and sends additional copy to Permittee.....SW8
- SW8.** Permittee develops water use.
  - a. Permittee completes development within time stated on letter of approval.....SW11
  - b. Permittee does not complete development within specified time frame.....SW9
- SW9.** Permittee files for extension with State Engineers Office.....SW10
- SW10.** SEO sends Permittee a letter confirming extension. Permittee sends copy of letter to the Permit Administrator and Aquatics Program Leader for filing.....SW8
- SW11.** Within 10 days of completion of development, Permittee notifies Permit Administrator of completion, and establishment of beneficial use (see also Step 40, re: 30 day timeline)...SW12
- SW12.** Aquatics Program/Engineering/Permit Administrator review development on site.
  - a. Development is completed as authorized.....SW14
  - b. Development is not completed as authorized.....SW13
- SW13.** Permittee remedies inconsistencies between authorized and unauthorized development.....SW12
- SW14.** Aquatics Program Leader completes *Notice of Completion* and *Notice of Beneficial Use*.....SW15
- SW15.** Within 30 days of completion of development, Aquatics Program Leader obtains signature (Forest Sup.), copies, files, sends copy to Permit Administrator and sends originals to SEO.....SW16
- SW16.** SEO reviews, and sends to Board of Control.....SW17
- SW17.** Board of Control issues Certificate of Appropriation of Surface Water (water right) and sends to Forest Supervisor, who forwards to Aquatics Program Leader.....SW18
- SW18.** Aquatics Program Leader files original and sends copy to Permit Administrator....SW19
- SW19.** Permit Administrator sends copy to Permittee, and files a copy in District files. **End of process.**

.....

**The following pages are examples of UW5 and SW1 forms partially completed to show how it is to be filled out. An example of an acceptable well drawing is also included.**

**Examples of blank SEO forms are filed under**  
*K/res/rec\_special\_uses/Rec\_Residences/Final\_RR\_Guide/SEO forms*

**These are for reference only. Official forms obtained from the SEO are the ones that applicant needs to be completing.**

STATE OF WYOMING  
OFFICE OF THE STATE ENGINEER  
HERSCHLER BLDG., 4-E CHEYENNE, WYOMING 82002  
(307) 777-6163

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

APPLICATION FOR WELLS AND SPRINGS

Note: Only springs flowing 25 gallons per minute or less, where the proposed use is domestic and /or stock watering, will be considered as ground water appropriations.

FOR OFFICE USE ONLY

Temporary Filing No. U.W. \_\_\_\_\_

PERMIT NO. U.W. \_\_\_\_\_  
WATER DIVISION NO. \_\_\_\_\_ DISTRICT \_\_\_\_\_  
U.W. DISTRICT \_\_\_\_\_

NOTE: Do not fold this form. Use typewriter or print neatly with black ink.  
ALL ITEMS MUST BE COMPLETED BEFORE APPLICATION IS ACCEPTABLE

NAME AND NUMBER OF WELL or SPRING Summer Home Groun. Lot

1. Name of applicant(s) United States of America, USDA Forest Service Phone: 307-674-2600

2. Address of applicant(s) 740 Sims Street Golden CO 80401  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

3. Name & address of agent to receive correspondence and notices Bill Bass - Supervisor, Bighorn National Forest  
2013 Eastside 2<sup>nd</sup> St Sheridan WY 82801 Phone: 307-674-2600  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

4. Use to which the water will be applied:

- Domestic: Use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totaling one acre or less. Number of houses served? \_\_\_\_\_
- Stock Watering: Normal livestock use at four tanks or less within one mile of well or spring. Stockwatering pipelines and commercial feedlots are a miscellaneous use. Number of stock tanks? \_\_\_\_\_
- Irrigation: Watering of commercially grown crops (large-scale lawn watering of golf courses, cemeteries, recreation areas, etc., is miscellaneous use).
- Municipal: Use of water in incorporated Towns and Cities. Note 1: Use of water in unincorporated towns, subdivisions, improvements districts, mobile home parks, etc. is classified as miscellaneous use. Note 2: A permit may be required by the Wyoming Department of Environmental Quality (WDEQ) if the well will be classified as a public water supply under the WDEQ's rules and regulations.
- Industrial: Long term use of water for the manufacture of product or production of oil/gas or other minerals (oil field water floor operations, power plant water supply, etc.). (Describe in REMARKS)
- Miscellaneous: Any use of water not defined under previous definitions such as stock water pipelines, subdivisions, mine dewatering, mineral/oil exploration drilling, potable supplies in office, etc Describe in Remarks. Note: a permit may be required by the WDEQ if the well will be classified as a public water supply under the WDEQ's rules and regulations.
- Coalbed Methane: Water produced in the production of coal bed methane gas. Note: wells used in the production coal bed methane will require a permit from the Wyoming Oil and Gas Conservation Commission.
- Monitor, Observation: Note: a WDEQ permit may be required  Test Well: (Describe in REMARKS)

5. Location of the well or spring: (NOTE: Quarter-quarter (40 acre subdivision) MUST be shown. EXAMPLE: SE 1/4 NW 1/4 of Sec. 12, Township 14 North, Range 68 West.)  
Sheridan County, SE 1/4 SE 1/4 of Sec. 1, T. 56 N., R. 83 W. of the 6th P.M. (W.R.M.), Wyoming. If located in a platted subdivision, also provide Lot/Tract \_\_\_\_\_ Block \_\_\_\_\_ of the \_\_\_\_\_ Subdivision (or Add'n) of \_\_\_\_\_. Resurvey Location: Tract \_\_\_\_\_, (or Lot) \_\_\_\_\_.

6. Estimated depth of the well or spring is \_\_\_\_\_ feet. Estimated production interval is \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

7. (a) MAXIMUM instantaneous flow of water to be developed and beneficially used: \_\_\_\_\_ gallons per minute.  
NOTE: if for domestic and / or stock use, this application will be processed for a maximum of 25 gallons per minute. For a spring, after approval of this application, some type of artificial diversion or improvement must be constructed to qualify for a water right.

(b) MAXIMUM volumetric quantity of water to be developed and beneficially used per calendar year: \_\_\_\_\_  
Circle appropriate units: (Gallons) (Acre Feet) A four person family utilizes approximately one (1) acre-foot of water per year or 325,000 gallons.

8. Mark the point(s) or area(s) of use in the tabulation box below.

TABULATION BOX

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL		
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4			

9. If for irrigation use:
- a. Describe MAXIMUM acreage to be irrigated in each 40 acre subdivision in the tabulation box above.
  - b.  Land will be irrigated from this well only.
  - c.  Land is irrigated from existing water right(s) with water from this well to be additional supply. Describe existing water right(s) under REMARKS.

10. If for irrigation use, describe method of irrigation, i.e. center pivot sprinkler, flood, etc.: N.A

11. The well or spring is to be constructed on lands owned by Applicant  
 (The granting of a permit does not constitute the granting of right-of-way. If any easement or right-of-way is necessary in connection with this application, it should be understood that the responsibility is the applicant's. A copy of the agreement should accompany this application, if the land is privately owned and the owner is not the co-applicant.)

12. The water is to be used on lands owned by Applicant  
 (If the landowner is not the applicant, a copy of the agreement relating to the usage of appropriated water on the land should be submitted to this office. If the landowner is included as co-applicant on the application, this procedure need not be followed.) NOTE: Water rights attach to the area(s) and/or point(s) of use.

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

/s/ Bill Bass \_\_\_\_\_ January, 31 \_\_\_\_\_, 2006  
 Signature of Applicant or Authorized Agent Date

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

DOMESTIC AND/OR STOCK WATERING USES (Domestic use is defined as use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totalling one acre or less.)	\$25.00
IRRIGATION, MUNICIPAL, INDUSTRIAL, MISCELLANEOUS, COAL BED METHANE	\$50.00
MONITOR (For water level measurements or chemical quality sampling) or TEST WELL	No Fee

IF WELL WILL SERVE MULTIPLE USES, SUBMIT ONLY ONE (THE HIGHER) FILING FEE.

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

THE STATE OF WYOMING )  
 ) ss.  
 STATE ENGINEER'S OFFICE )

This instrument was received and filed for record on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Permit No. U.W. \_\_\_\_\_ for State Engineer

I HEREBY CERTIFY that I have examined the foregoing application and hereby grant the same subject to the following limitations and conditions:

EXAMPLE

The application is approved subject to the condition that the proposed use shall not interfere with any existing rights to ground water from the same source of supply and is subject to regulation and control in relation with surface water rights, if the ground and surface waters are interconnected. The use of water hereunder is subject to the future provisions of Chapter 169, Session Laws of Wyoming, 1957, and any subsequent amendments thereto.

Granting of a permit does not guarantee the right to have the water level or artesian pressure in the well maintained at any specific level. The well should be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.

If the well is a flowing artesian well, it shall be so constructed and equipped that the flow may be shut off when not in use without loss of water into sub-surface formations or at the land surface.

Coal Bed Methane wells have Additional Conditions and Limitations on attachment sheet.

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

Approval of this application may be considered as authorization to proceed with construction of the proposed well or spring. A Statement of Completion will be filed within thirty (30) days of completion of construction, including pump installation.

Completion of construction and completion of the beneficial use of water for the purposes specified in Item 4 of this application will be made by December 31, 20\_\_\_\_.

The amount of appropriation shall be limited to the quantity to which permittee is entitled as determined at time of proof of application of water to beneficial use.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
 PATRICK T. TYRRELL, State Engineer

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

# STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

## APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

**THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT**

Filing/Priority Date

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

This instrument was received and filed for record on the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

State Engineer

Recorded in Book \_\_\_\_\_ of Ditch Permits, on Page \_\_\_\_\_.

Fee Paid \$ \_\_\_\_\_ Map Filed \_\_\_\_\_

WATER DIVISION NO. \_\_\_\_\_ DISTRICT NO. \_\_\_\_\_ Temp Filing No. \_\_\_\_\_

PERMIT NO. \_\_\_\_\_

NAME OF FACILITY Summer Home Group. Lot Number

1. Name(s), mailing address and phone no. of applicant(s) is/are United States of America, USDA Forest Service  
740 Sims Street Golden, CO 80401  
Phone: 307-674-2600

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

2. Name & address of agent to receive correspondence and notices Bill Bass - Supervisor, Bighorn National Forest  
2013 Eastside 2<sup>nd</sup> St. Sheridan, WY 82801  
Phone: 307-674-2600

3. (a) The use to which the water is to be applied is \_\_\_\_\_  
(b) If more than one beneficial use of water is applied for, the location and ownership of the point of use must be shown in item 10 of the application and the details of the facilities used to divert and convey the appropriation must be shown on the map in sufficient detail to allow the State Engineer to establish the amount of appropriation. In multiple use applications, stock and domestic purposes are limited to 0.056 cubic feet per second.

4. The source of the proposed appropriation is \_\_\_\_\_

**EXAMPLE**

5. The point of diversion of the proposed works is located \_\_\_\_\_ feet distant  
from the \_\_\_\_\_ corner of Section \_\_\_\_\_ T. \_\_\_\_\_ N. R. \_\_\_\_\_ W., and is in the  
\_\_\_\_\_ of Section \_\_\_\_\_ T. \_\_\_\_\_ N., R. \_\_\_\_\_ W.

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

6. Are any of the lands crossed by the proposed facility owned by the State or Federal government? If so, describe lands and indicate whether State or Federally owned.

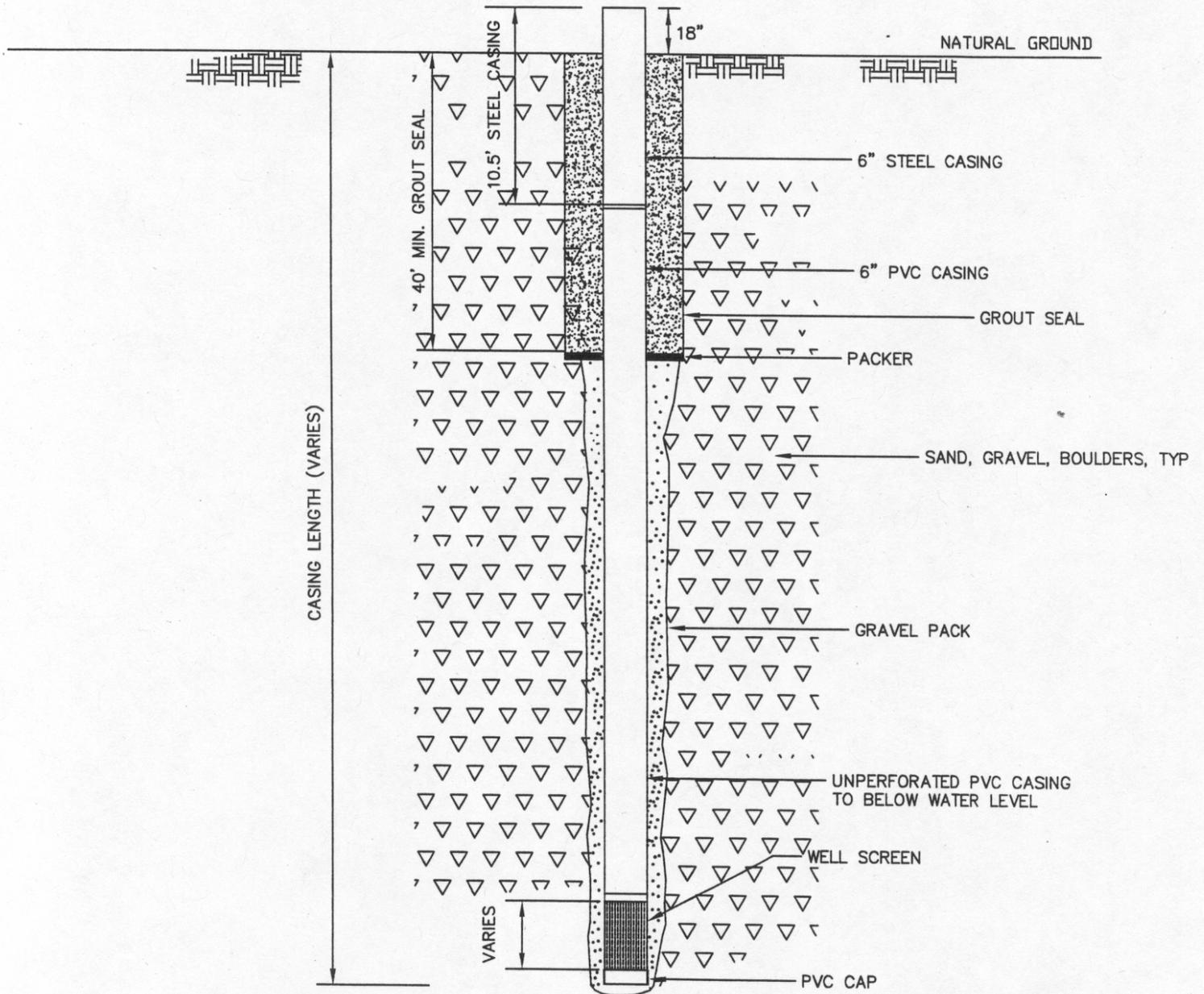
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. The carrying capacity of the ditch, canal, pipeline or other facility at the point of diversion is \_\_\_\_\_ cubic feet per second.

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

9. The estimated time required for the completion of construction is \_\_\_\_\_, and to complete the application of water to the beneficial uses stated in this application is \_\_\_\_\_.





TYPE 1 UNCONSOLIDATED FORMATION

NOT TO SCALE

EXHIBIT A