

Mr. Cory Clark  
Clark & Associates Land Brokers  
PO Box 47  
Lusk, WY 82225

Re: Water Rights Search: OW Ranch

Deeded:

- 34-63 SEC 5 E2SW SWSW; SEC 6 LOTS 6-7 SESW S2SE; SEC 7 LOTS 1-2-3-4 E2W2 E2; SEC 8 SE W2; SEC 17 ALL; SEC 18 LOT 1 E2NW E2; SEC 19 NE; SEC 20 N2 (3026.95 ACRES)
- 34-64 SEC 1 LOTS 2-3-4 S2NW SWNE S2; SEC 11 E2NE; SEC 12 N2 E2SE; SEC 13 NENE (1080.17 ACRES)

State Lease 1-7484: T34N, R63W, Sec. 16: ALL; T35N, R64W, Sec. 36: ALL (1,280 acres)

Dear Mr. Clark,

Based on the reference land description, a search of the State Engineer's Office and Board of Control records found the following water rights of record:

## **SURFACE WATER**

### **Permit No. Terr., T9070**

Converse Ditch, Priority Date: June 15, 1884. Certificate Record No. 27, Page No. 370, Order Record No. 4, Page 133, Proof No. 9070. Source: Old Woman Creek, trib. South Fork Cheyenne River. The permit is for original supply irrigation and domestic use for the following lands:

T34N, R63W

Section 17	NWSW	5.0 acres
Section 18	NWNE	18.0 acres
	SENE	22.0 acres
	<u>NESE</u>	<u>15.0 acres</u>
	TOTAL	70.0 acres (1.0 cfs)

**Permit No. 1936D** (See map with P1482E)

Bonsell Ditch, Priority Date: August 15, 1898. Certificate Record No. 27, Page No. 373, Order Record No. 4, Page 133, Proof No. 9073. Source: Old Woman Creek, trib South Fork Cheyenne River. The permit is for original supply irrigation to the following lands:

T34N, R63W

Section 7	SESE	5.0 acres
Section 8	SWSW	5.0 acres
Section 18	<u>NENE</u>	<u>3.5 acres</u>
	TOTAL	13.5 acres (0.19 cfs)

**Permit No. 1482E**

Bonsell Enlargement Ditch, Priority Date: December 30, 1905. Certificate Record No. 27, Page No. 375, Order Record No. 4, Page 133, Proof No. 9075. Source: Old Woman Creek, trib South Fork Cheyenne River. The permit is for original supply irrigation and domestic used for the following lands:

T34N, R63W

Section 7	SESE	5.5 acres
Section 8	NESW	6.0 acres
	NWSW	10.5 acres
	<u>SWSW</u>	<u>1.5 acres</u>
	TOTAL	23.5 acres (0.33 cfs)

# GROUND WATER

## Permit No. UW 20942

Bull Pasture Well, Priority Date: December 31, 1930. Source: Groundwater. This well is for stock use at 5 gallons per minute at the following location:

### T34N, R63W

Section 20                    NWNW

## Permit No. UW 20951

West Bonsell Well, Priority Date: December 31, 1968. Source: Groundwater. This well is for stock use at 5 gallons per minute at the following location:

### T34N, R63W

Section 6                    SWSW

## Permit No. UW 20952

East Bonsell Well, Priority Date: December 31, 1968. Source: Groundwater. This well is for stock use at 6 gallons per minute at the following location:

### T34N, R63W

Section 17                    NWNE

## Permit No. UW 34894

O.W. #1 Well, Priority Date: August 5, 1976. Source: Groundwater. This well is for Original Supply irrigation use at 450 gallons per minute for the following lands:

### T34N, R63W

Section 19	NENE	32.1 acres
	NWNE	16.9 acres
	SWNE	9.7 acres
	<u>SENE</u>	<u>21.3 acres</u>
	TOTAL	80.0 acres

**Permit No. UW85059**

Vetter State #1 Well, Priority Date: May 8, 1991. Source: Groundwater. This well is for stock use at 8 gallons per minute at the following location:

T34N, R63W

Section 16                    NESW

**Permit No. UW 85060**

Vetter #2 Well, Priority Date: May 8, 1991. Source: Groundwater. This well is for stock use at 10 gallons per minute at the following location:

T34N, R63W

Section 7                    NWSW  
                                     SESE

Section 18                    NENW

T34N, R64W

Section 1                    SWSE

**Permit No. UW205202**

Enl RR1 Well, Priority Date: January 20, 2016. Source: Groundwater. This well is for domestic and miscellaneous use at 10 gallons per minute and 0.3 acre-feet annually with one of its points of stock use at the following location:

T35N, R64W

Section 36                    NWNE

**Permit No. UW205203**

Enl Rejda #9 Well, Priority Date: January 20, 2016. Source: Groundwater. This well is for domestic and miscellaneous use at 10 gallons per minute and 3 acre-feet annually with one of its points of stock use at the following location:

T35N, R64W

Section 36

NWNE

These are records found in the State Engineer's Office and Board of Control records as of September 14, 2017, and may or may not reflect the actual situation on the ground. Failure to use water for five (5) consecutive years when water is available may constitute grounds for forfeiture of the water right.

Water Division No. 2, District No. 1      Proof No. U.W. 1543  
**THE STATE OF WYOMING**      Certificate Record No. U.W. 4, Page 59  
**Certificate of Appropriation of Ground Water**

WHEREAS, O.W. Ranch, Inc. has presented to the Board of Control of the State of Wyoming proof of the appropriation of ground water from the O.W. Well # 1 located in the NE 1/4 of Section 12 T. 24 N., R. 63 W., under Permit No. U.W. 34894, for Niobrara County, Wyoming.

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the May 12, 1982 day of September, A. D. 19 82, in Order Record No. 25, Page 527525, determined and established the priority and amount of such appropriation as follows: Name of Appropriator O.W. Ranch, Inc.; Address 7 E. P. P. Brott, P. O. Box 1103, Lusk, 82225, Wyoming; Date of Appropriation August 5, 1976; Total Acreage Eighty (80) acres

Amount of Appropriation 575 gallons per minute; Description of land to be irrigated and for which this appropriation is determined and established:

TWP.	RANGE	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	
34N	63W	19	32.1	16.9	9.7	21.3									80.0

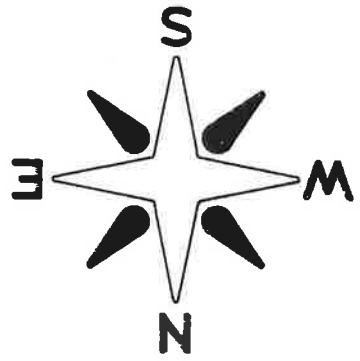
*Flow change of location of this well see C.R. 109, P. 105.*

The right to water hereby confirmed and established is limited to irrigation and the use is restricted to the place where acquired and to the purpose for which acquired and shall not exceed the amount of the appropriation stated above. The total water withdrawn in any one year is limited to the amount necessary for the beneficial use established by this appropriation.

IN TESTIMONY WHEREOF, I, George L. Christopoulos, President of the State Board of Control, have hereunto set my hand this 8th day of September, A. D. 19 82, and caused the seal of said Board to be hereunto affixed.  
 Attest: Paul Schweg Ex-officio Secretary. George L. Christopoulos President.

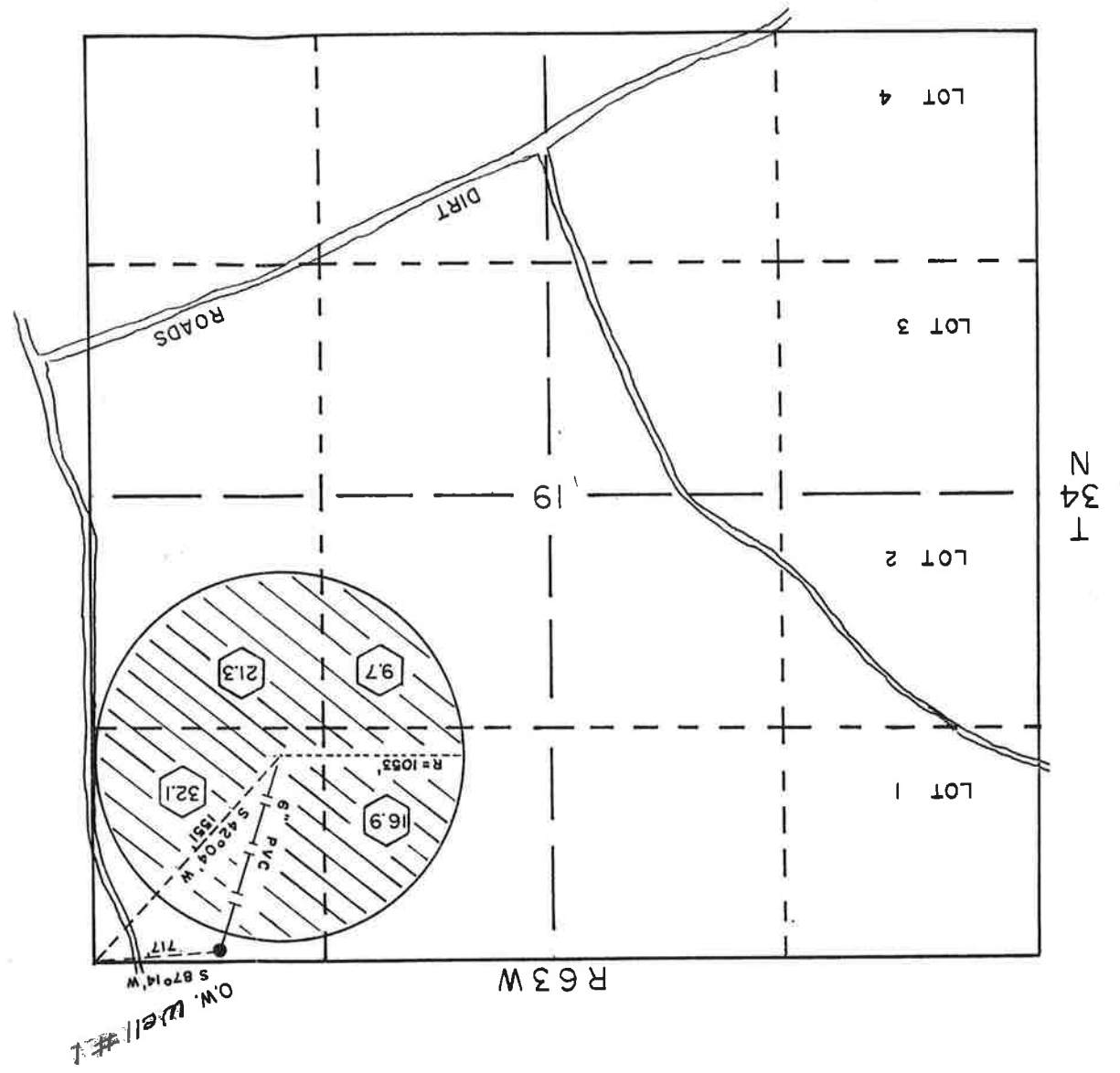


No RELATED RIGHTS



SCALE 1" = 1000'

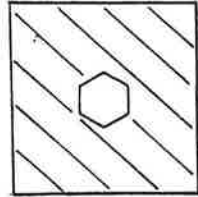
NOTE: THIS MAP AND REQUIRED NOTICES  
SERVE TO AMEND THE ORIGINAL  
FILING.





Note: IRRIGATION may under irrigation at time of inspection.

# LEGEND



LANDS IRRIGATED UNDER THE O.W. well #1, PERMIT No. 34894. 80 ACRES

# MAP

163 D

### CERTIFICATE OF SURVEYOR

STATE OF WYOMING)  
COUNTY OF GOSHEN)SS

I, DONALD R. HORTON OF TORRINGTON, WYOMING HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES TAKEN DURING AN ACTUAL FIELD SURVEY MADE BY ME ON APRIL 30, 1980 AND THAT IT CORRECTLY SHOWS THE LOCATION OF THE O.W. No. 1 WELL, THE IRRIGATION WORKS AND THE LANDS UNDER IRRIGATION AT THE TIME OF THE SURVEY.

WYO. P.E. & L.S. No. 677

Donald R. Horton  
SURVEYOR

TO ACCOMPANY PROOF OF APPROPRIATION

AND

BENEFICIAL USE OF GROUND WATER

O.W. well #1 - PERMIT No. U.W. 34894

APPLICANT: O.W. RANCH, INC.  
R.P. BROTT  
P.O. BOX 1103  
LUSK, WYOMING 82225

Approved: May 4, 1982  
George L. Christopoulos  
GEORGE L. CHRISTOPOULOS  
STATE ENGINEER

**RELOCATED**

PER BOC PETITION DOCKET II-U-2006-1-1

SCANNED JUN 28 2013

FORM U.W.6  
Rev. 7/05

**STATE OF WYOMING**  
OFFICE OF THE STATE ENGINEER  
HERSCHLER BLDG., 4-E  
CHEYENNE, WYOMING 82002

(307) 777-6163

**STATEMENT OF COMPLETION AND DESCRIPTION OF WELL OR SPRING**

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

PERMIT NO. U.W. 34894 NAME OF WELL/SPRING D.W. Well No. 1

1. NAME OF OWNER Eagle Ranch Partnership

2. ADDRESS 485 Pete, Box 651

City Lusk State WY Zip Code 82225 Phone No. 307-334-2073

3. USE OF WATER  Domestic  Stock Watering  Irrigation  Municipal  Industrial  Miscellaneous  
 Monitor or Test  Coal Bed Methane Explain proposed use (Example: One single family dwelling) \_\_\_\_\_

4. LOCATION OF WELL/SPRING NE 1/4 NE 1/4 of Section 19 T. 34 N., R. 63 W., of the 6th P.M. (or W.R.M.)

GPS Coordinates UTM Zone \_\_\_\_\_ Easting \_\_\_\_\_ Northing \_\_\_\_\_  
Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

If surveyed, bearing, distance and reference point S 78° 16' W, 1146.8 ft from NE corner Sec. 19

Longitude (degrees, minutes, seconds) \_\_\_\_\_ Latitude (degrees, minutes, seconds) \_\_\_\_\_

Datum  1927  1983 Source:  GPS  Map  Survey

5. TYPE OF CONSTRUCTION  Drilled Rotary  Dug  Driven  Other  
(Type of rig, and fluid used, if any) \_\_\_\_\_

Describe \_\_\_\_\_

6. CONSTRUCTION Total depth of well/spring 200 ft.

Depth of static water level 62 ft. (below land surface) Casing height 1/2 ft. above ground

a. Diameter of borehole (bit size) 28 inches

b. Casing schedule  New  Used Joint type  Threaded  Glued  Welded  
16" diameter from 0 ft. to 200 ft. Material Steel Gage 219  
\_\_\_\_\_ diameter from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Gage \_\_\_\_\_

c. Cemented/grouted interval, from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

Amount of cement/grout used \_\_\_\_\_ type \_\_\_\_\_  
(example: 10 sacks) (example: bentonite pellets)

d. Type of completion  Factory screen  Open hole  Customized perforations

Type of perforator used Mill slot

Size of perforations 3 inches by 3/16 inches.

Number of perforations and depths where perforated

60 perforations from 40 ft. to 160 ft.

\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

Open hole from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

Well screen details

Diameter \_\_\_\_\_ slot size \_\_\_\_\_ set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

Diameter \_\_\_\_\_ slot size \_\_\_\_\_ set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

e. Well development method Test How long was well developed? 3 Weeks

f. Was a filter/gravel pack installed?  Yes  No Size of sand/gravel 1/4" x 3/8"

Filter/gravel pack installed from 0 ft. to 200 ft.

g. Was surface casing used?  Yes  No Was it cemented in place?  Yes  No

Surface casing installed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

7. NAME AND ADDRESS OF DRILLING COMPANY Chas Sargent Irrigation, Inc.

8. DATE OF COMPLETION OF WELL (including pump installation) OR SPRING (first used) 8-26-05

9. PUMP INFORMATION Manufacturer Sargent Type 6 stage 10 SC

Source of power Diesel Horsepower 80 Depth of pump setting or intake 180 ft.

Amount of water being pumped 450 gal./min. (For springs or flowing wells, see item 10)

Total volumetric quantity used per calendar year, \_\_\_\_\_

10. FLOWING WELL OR SPRING (Owner is responsible for control of flowing well)

If artesian flow or spring, yield is \_\_\_\_\_ gal./min. Surface pressure is \_\_\_\_\_ lb./sq.inch, or \_\_\_\_\_ feet of water.

The flow is controlled by:  Valve  Cap  Plug

Does well leak around casing?  Yes  No

Permit No. U.W. 34894 Book No. 179 Page No. 108

SEE REVERSE SIDE

11. IF SPRING, HOW WAS IT CONSTRUCTED? (Some method of artificial diversion, i.e., spring box, cribbing, etc., is necessary to quality for a water right) \_\_\_\_\_
12. PUMP TEST Was a pump test conducted?  Yes  No  
 If so, by whom Chas Sargent Irrigation Inc  
 Yield 471 gal./min. with 166 ft. drawdown after 20 hours  
 Yield 478 gal./min. with 154 ft. drawdown after 20 hours
13. LOG OF WELL Total depth drilled 206.20 ft.  
 Depth of completed well 197 ft. Diameter of well 28 inches  
 Depth to first water bearing formation 62 ft.  
 Depth to principal water bearing formation Top 62 ft. to Bottom 200 ft.
- Land surface elevation (ft. above mean sea level) 4630 Datum  1929  1988  
 How determined  Map  Altimeter  Survey  Other

**DRILL CUTTINGS DESCRIPTION**

From Feet	To Feet	Rock Type or Description	Formation	Water Bearing? (Yes or no)
Surface				
		<u>See Attached</u>		

14. DOES A GEOPHYSICAL LOG ACCOMPANY THIS FORM?  Yes  No
15. QUALITY OF WATER INFORMATION  
 Does a chemical and/or bacteriological water quality analysis accompany this form?  Yes  No  
 It is recommended that chemical and bacteriologic water quality analyses be performed and that the report(s) be filed with the records of this well (contact Department of Agriculture, Analytical Lab Services, Laramie, 742-2984).  
 If not, do you consider the water as  Good  Acceptable  Poor  Unusable
- REMARKS \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

John C. Ferris 3-8 .20 06  
 Signature of Owner or Authorized Agent Date

FOR STATE ENGINEER'S USE ONLY

Permit No. U.W. 34894  
 Date of Receipt MAR 10 2006 .20  
 Date of Priority Aug. 5, 1976 .20  
 Date of Approval 12/8 .20 06  
Cheryl Cooper  
 for State Engineer

Relocated

**ATTACHMENT SHEET FOR STATEMENT OF COMPLETION**  
**PERMIT No. U.W. 34894**

**CHAS. SARGENT IRRIGATION, INC.**  
**TEST WELL LOG**  
**SCOTTSBLUFF, NEBRASKA**

John Fenno  
~~O.W. Ranch Inc.~~ Eagle Ranch Partnership  
Lusk, WY 82225  
(307)



June 23, 2005

#3 Test Well

0-3	Top soil
3-15	Siltstone and fine sand
15-20	FMC sand and gravel
20-40	FMC sand and gravel, rock
40-60	Granular sandstone and fine sand, stacked ledges, some FM gravel, TW
60-70	Granular sandstone, fine sand, ledges @ 61', 66', TW
70-80	FMC sand and gravel, some sandstone, TW
80-92	Same, loose, ledge @ 92', hard, TW
92-100	Hard, hard ledges with clays, PD 5+, TW
100-133	Clays with stacked ledges, TW
133-140	Sandy clays with black granular sandstone, TW
140-174	Brown and green clays, TW
174-180	Cemented gravel with granular sandstone and bone, soft clays, TW, PD 3+
180-192	Cemented gravel with granular sandstone and bone, soft clays, PD 3+
192-200	Soft clays with siltstone
200-220	Soft clays

marked with 2 flags - off trail road by corner post



MICRO-FILMED FEB 20 '80

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

# STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

## PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER

SCANNED MAY 18 2017

The owner is responsible for submitting Parts I and II of this form. Part III will be prepared by a State Engineer Representative at time of inspection.

### PART I

WATER DIVISION 2(1) U.W. DISTRICT Niobrara  
 STATEMENT OF CLAIM DATE OF PRIORITY August 5, 1976  
 PERMIT NO. U.W. 34894 LOCATION NE 1/4 NE 1/4 of Section 19  
 WELL REGISTRATION T. 34 N. R. 63 W.  
 NAME OF WELL O. W. Well No. 1

1. Name of Claimant(s) O. W. Ranch Inc.
2. Address P. O. Box 1103 Lusk Wyo Zip Code 82225
3. For What Purpose(s) is Water Used? Use: crop irrigation Date First Used July, 19 79  
 Use: \_\_\_\_\_ Date First Used: \_\_\_\_\_, 19 \_\_\_\_\_ Use: \_\_\_\_\_ Date First Used: \_\_\_\_\_, 19 \_\_\_\_\_
- If use is for irrigation, give date irrigation was completed on all lands under this Permit: June 1979

### PART II

#### For Irrigation, Industrial, Municipal and Miscellaneous Wells

A plat which has been certified by a licensed professional engineer or land surveyor shall be submitted to accompany this form. The plat shall be in accordance with Sec. 33-306 Wyoming Statutes (1957 Supp.) or see Chapter V and VI, Manual of Regulations and Instructions issued by the State Engineer's Office. (Minimum scale shall be 2" = 1 mile.) The map shall be prepared with waterproof black ink on tracing linen or an acceptable equivalent and shall show on a suitable scale the legal subdivisions, the accurate location of the well or wells, storage facilities, if any, main canals, streams, highways and other important cultural features. Land ownership will be shown, if there is more than one owner under the permit.

#### IRRIGATION WELLS

Average irrigated under terms of this permit will be clearly shown with a distinctive pattern and a distinction clearly made between lands having an original supply and those provided a supplemental supply. Where use is for supplemental supply for lands with a right from another source, indicate the priority or permit number of the source, the source of supply and the name of the ditch, pipe line or other well. Conveyance system will be shown and described. Indicate method of irrigation being used.

#### INDUSTRIAL WELLS

In addition to the information outlined above, industrial users will locate and describe conveyance facilities to the point(s) of use, giving as accurately as possible the location of points of use. Permits for other sources of water must be identified.

#### MUNICIPAL WELLS

The plat will show the area of use and show and describe the means of conveyance of the water from the well to the connection with the distribution system for a municipal water system.

#### MISCELLANEOUS WELLS

- (1) The linen plat for wells where the use is described as miscellaneous and where the yield flow of the well exceeds twenty-five (25) gallons per minute must show the area of use and describe and show the means of conveyance from the well to the distribution system and/or points of use.
- (2) The plat for wells where the use is described as miscellaneous and where the yield or flow is twenty-five (25) gallons per minute or less may be a 7 1/2 minute United States Geological Survey Quadrangle map in lieu of a linen tracing provided the U.S. Geological Survey Quadrangle map is in compliance with the following conditions:
  - (a) The entire United State Geological Survey quadrangle map must be submitted to the State Engineer's Office.
  - (b) The scale on said quadrangle map must be one to twenty-four thousand.
  - (c) An identified section corner or quarter corner must be shown on said quadrangle map along with Section, Township and Range.
  - (d) The section in which the well is located and the section(s) where the area(s) or point(s) of use are located must be subdivided into forty (40) acre tracts and the well location and area(s) or point(s) of use clearly labeled and described.
  - (e) Said quadrangle map showing the well location and area(s) or point(s) of use must be certified by a professional engineer or land surveyor licensed to practice within the State of Wyoming.

UW. 34894

A "CERTIFICATE OF OWNERSHIP" FROM THE COUNTY CLERK'S OFFICE SHOWING OWNERSHIP OR CONTROL OF LAND(S) INVOLVED MUST ACCOMPANY THIS FORM.

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

*Old Ranch Inc*  
Richard P. Brett      Dec 22      19 79  
Signature of Owner or Authorized Agent      Date  
*Sec. Treas.*

Date of Receipt: DEC 31 1979      19 79  
*1979*