

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

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER

MICRO FILMED JUN 24 2005

APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

CWRIGHT

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT
Filing/Priority Date

THE STATE OF WYOMING } SS
STATE ENGINEER'S OFFICE

CANCELLED

This instrument was received and filed for record on the 19th day January, A.D.

2005, at 9:30 o'clock A.M.

JOHN BARNES for *John Barnes*
State Engineer

Recorded in Book 101 of Stock Reservoirs, on Page 25

Fee Paid \$ 25.00 Map filed

WATER DIVISION NO. 2 DISTRICT NO. 8 PERMIT NO. 16430 STOCK RESERVOIR Temp. Filing No. 32 6/323

NAME OF FACILITY

THE PI-1 STOCK RESERVOIR

1. Name(s), mailing address and phone no. of applicant(s) is/are Bill Barrett Corporation

1901 Energy Court, Suite 170

Gillette, Wyoming 82718

(307) 685-4322

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

2. Name and address of agent to receive correspondence and notices Paul McElvry, Bill Barrett Corporation, 1901 Energy Court, Suite 170, Gillette, Wyoming 82718. (307) 685-4322

3. The use to which the water is to be applied is in-place stock watering purposes.

(If a pipeline to additional points of storage will be used, include for SW-4-A.)

4. (a) The area of the high water line of the reservoir is 3.64 acres.

(b) The capacity of the reservoir is 19.4 acre-feet.

(c) Body of Reservoir: Length 880 ft. Width 180 ft. and Average Depth 5.33 ft.

5. The source of the proposed appropriation is Natural runoff from an unnamed tributary to Dead Horse Creek, tributary to the Powder River, and discharge water from CBNG development. Paint Brush Draw, trib. Dead Horse Creek (8-49-77), trib. Powder River, trib. Yellowstone River; and ground water wells

6. The outlet of the proposed reservoir is located in the Lot 20 (SE SE) of Section 1 Dep Res

T. 47 N, R. 75 W. Survey corner tie, if available. Bearing distance

Lot from Section T. N, R. W.

Latitude (Decimal Degrees) Subdivision Name

Longitude (Decimal Degrees)

7. Are any of the lands covered by the proposed reservoir owned by the State or Federal Government? If so, describe lands and designate whether State or Federally owned.

All lands privately owned.

8. Fill out for either (a) or (b).

(a) The reservoir is located in the channel of

(b) The reservoir is to be filled through the

Canal, which has a carrying capacity of

cubic feet per second.

9. (a) The dam is to be constructed as follows:

suitable borrow material compacted to specifications

Contents = 4901

(b) The water face of the dam is to be protected from wave action in the following manner: N/A Cubic Yards.

(c) Dam height 20 feet.

10. 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.

11. The estimated time required for completion of construction is 1 year

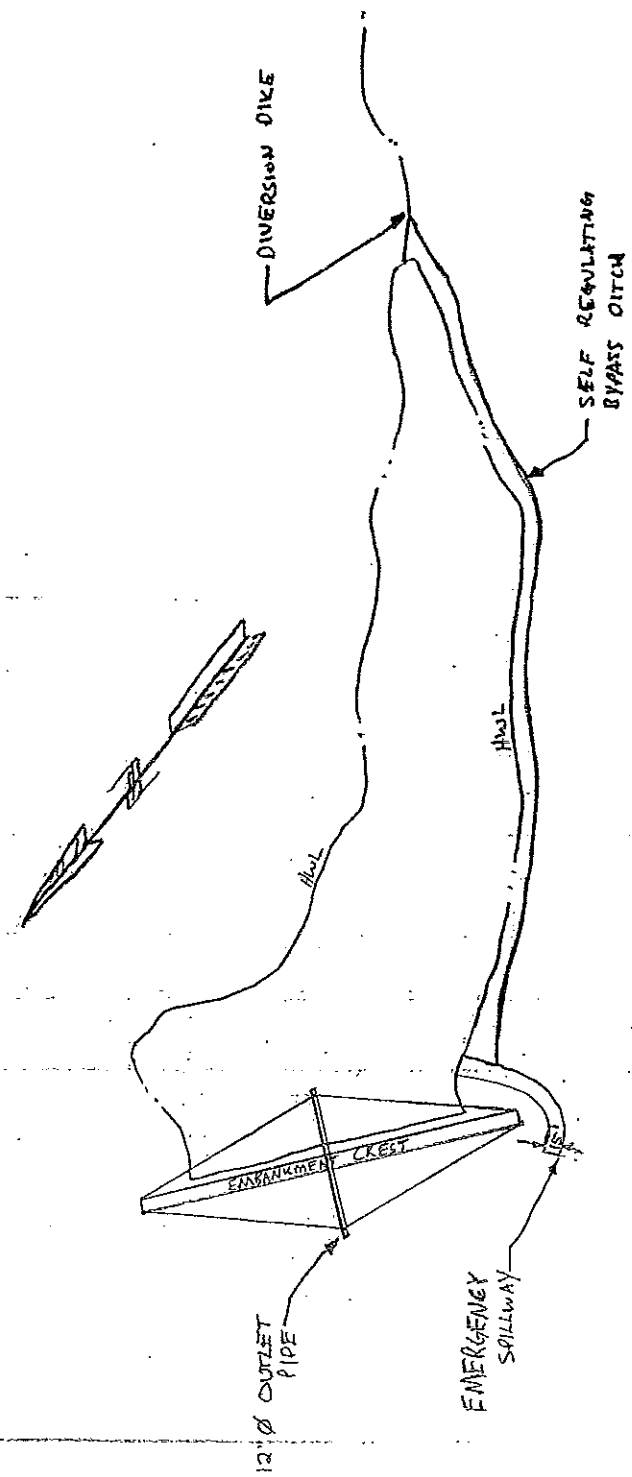
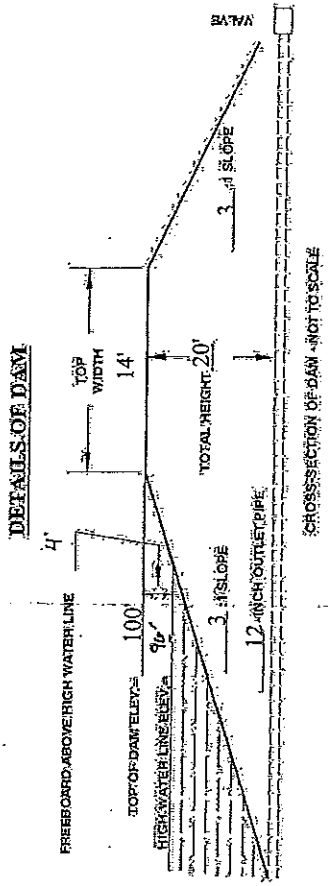
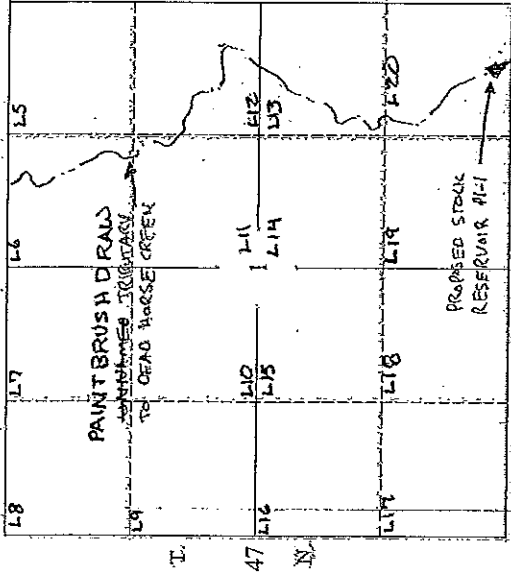
Permit No. 16430 Stk. Res.

EXHIBIT

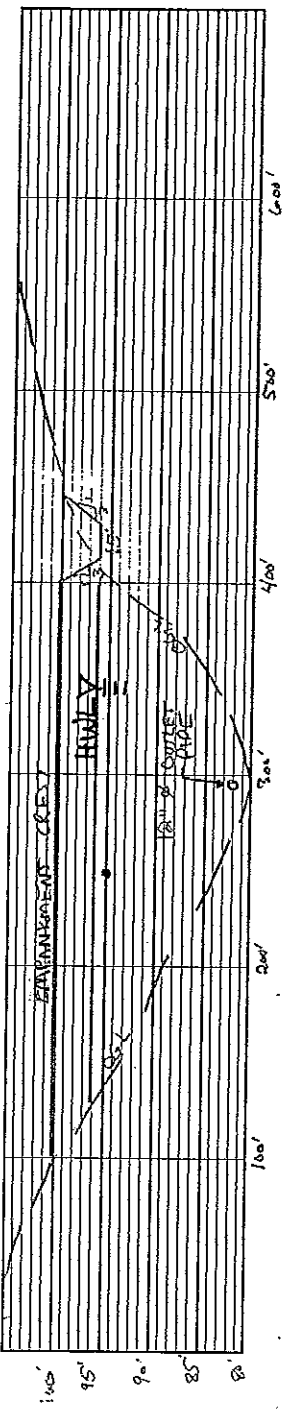
50

Page No. 25
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SEE LETTER DATED JANUARY 17, 2005, REQUESTING WAIVER OF THE FIVE-FOOT MINIMUM FREEBOARD REQUIREMENT FILED IN MISCELLANEOUS NOTICES UNDER PERMIT NO. 16430 SR
 52 4/303



AREA MAP - SCALE: 1" = 200' (Use as large a scale as possible)



PROFILE OF DAMSITE (Looking Upstream) - Scale: Ver. 1"=20'; Hor. 1"= 100'

Capacity = Area x Depth = 3.64 acres x 16' ÷ 3 = 19.4 Acre-Feet

NOTE

The location map shown above is not required if the application is accompanied by an aerial photograph or a U.S.G.S. quadrangle map, prepared in accordance with the State Engineer's Instructions and Guidelines. However, the area map, cross-section of dam, profile of damsite and capacity computation must be completed in all applications.

DECLARATION

Under penalties of perjury, I declare that I have examined this application and the information contained herein, and to the best of my knowledge and belief it is true, correct and complete, and that the location of the proposed facility is accurately shown either above or on the aerial photograph or U.S.G.S. quadrangle map accompanying this application.

Paul McChery

Signature of Applicant or Agent

1/12/05

Date

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

TEMPORARY FILING NO. 326323

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the water available in the stream after all prior rights are satisfied.

This permit is granted for storage of 19.4 acre-feet of water from all sources in any one year, for stock watering purposes only.

Water stored in this facility is surface water runoff and water from CBNG production.

IF at some future time it becomes necessary, the State Engineer may upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works or construction of a by-pass ditch or other means which will permit proper regulation.

This permit is conditioned on the holder of this permit securing and/or providing free and unencumbered access to this reservoir site to allow State Engineer personnel to perform their duties as prescribed by Law. These duties include, but are not limited to, construction inspections and water administration.

A bypass facility, which is required to allow for proper regulation of this drainage, must be constructed for the purpose of conveying natural flows of Paint Brush Draw around this facility and back into the natural drainage. This bypass facility must be maintained by the holder of this permit in good condition at all times.

The applicant has requested waiver of the five-foot freeboard requirement and such waiver is granted by the State Engineer's endorsement hereon. However, such waiver does not relieve the appropriator of responsibility for safety of operation of the reservoir or of liability in case of failure of the dam.

This reservoir stores only water that is produced as a by-product of coal bed methane production. This permit will be automatically cancelled on December 31, 2020, or when the supply of water from coal bed methane production ceases, whichever occurs first. Upon cancellation of the permit the owner of this reservoir shall remove the dam and reclaim the damsite.

This permit is granted subject to the terms of the Yellowstone River Compact.

The time for completing the construction of the reservoir shall terminate on December 31, 20 06.

Witness my hand this 6TH day of APRIL, A.D. 2005.

John T. Yrrebell
PATRICK T. YRRELL, State Engineer

Permit No. 16430 Slt. Res.

Page No. 25
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PERMIT NO. 16430 STK. RES.

PERMIT STATUS

Priority Date January 19, 2005

Approval Date April 6, 2005

September 29, 2006 Notice of expiration of time for completion of construction of mailed.

May 17, 2007 This permit **CANCELLED** in accordance with provisions of Section 41-4-506, Wyoming Statutes

SCANNED JUN 20 2007


PATRICK T. TYRRELL, State Engineer

NOTICE

This permit does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within the time allowed in the permit.

Notice of completion of the work described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. Should you desire adjudication, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.

C#A 25656
\$25.00 1/19/05

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER

MICRO
FILMED

JUN 24 2005

NOTE: Do not fold
or print neatly with this form.

Use typewriter

APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

CWRILGHT

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT
Filing/Priority Date

THE STATE OF WYOMING } SS
STATE ENGINEER'S OFFICE

CANCELLED

This instrument was received and filed for record on the 19th day January, A.D.

2005 at 9:30 o'clock A.M.

John R. Barnes
JOHN R. BARNES for State Engineer

Recorded in Book 101 of Stock Reservoirs, on Page 24

Fee Paid \$ 25.00 Map filed

WATER DIVISION NO. 2 DISTRICT NO. 8 Temp. Filing No. 32 5/323

PERMIT NO. 16429 STOCK RESERVOIR

NAME OF FACILITY

STOCK RESERVOIR

1. Name(s), mailing address and phone no. of applicant(s) is/are Bill Barrett Corporation
1901 Energy Court, Suite 170
Gillette, Wyoming 82718.
(307) 685-4322

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

2. Name and address of agent to receive correspondence and notices Paul McElvery, Bill Barrett Corporation, 1901 Energy Court,
Suite 170, Gillette, Wyoming 82718. (307) 685-4322

3. The use to which the water is to be applied is in-place stock watering purposes.

(If a pipeline to additional points of storage will be used, include for SW4-A.)

4. (a) The area of the high water line of the reservoir is 2.41 acres.

(b) The capacity of the reservoir is 12.1 acre-feet.

(c) Body of Reservoir: Length 700 ft Width 150 ft and Average Depth 5 ft

5. The source of the proposed appropriation is Natural runoff from an unnamed tributary to Dead Horse Creek tributary to the Powder River, and discharge water from CDNG development. Canvas Draw, trib. Dead Horse Creek (8-49-77) trib. Powder River, trib. Yellowstone River; and ground water wells.

CW

6. The outlet of the proposed reservoir is located in the Lot 7 (NE NW) of Section 1 Dep Res

CW

T. 47 N, R. 75 W. Survey corner tie, if available. Bearing distance

Lot from Section T. N, R. W.

Latitude (Decimal Degrees) Subdivision Name

Longitude (Decimal Degrees)

7. Are any of the lands covered by the proposed reservoir owned by the State or Federal Government? If so, describe lands and designate whether State or Federally owned.
All lands privately owned.

8. Fill out for either (a) or (b).

(a) The reservoir is located in the channel of an unnamed tributary to Dead Horse Creek Canvas Draw

CW

(b) The reservoir is to be filled through the ground water wells.

CW

Canal, which has a carrying capacity of cubic feet per second.

9. (a) The dam is to be constructed as follows:

suitable borrow material compacted to specifications

Contents = 6039

(b) The water face of the dam is to be protected from wave action in the following manner: N/A Cubic Yards.

(c) Dam height 20' feet.

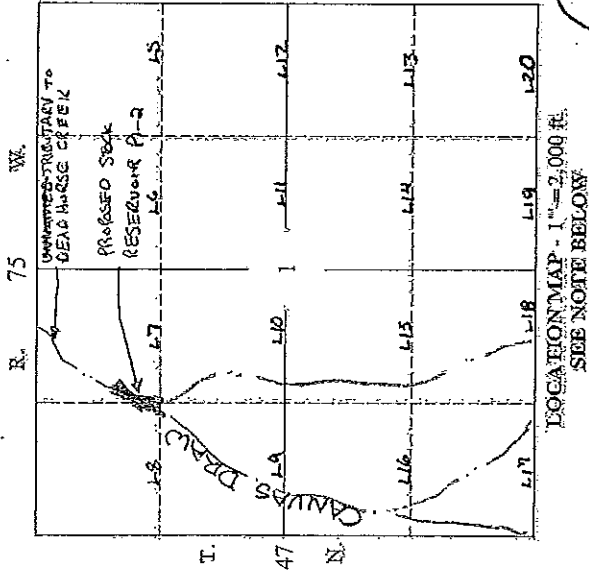
10. The accompanying map is prepared in accordance with the State Engineer's Manual of Regulations and Instructions for filing applications and is hereby declared a part of this application.

11. The estimated time required for completion of construction is 1 year

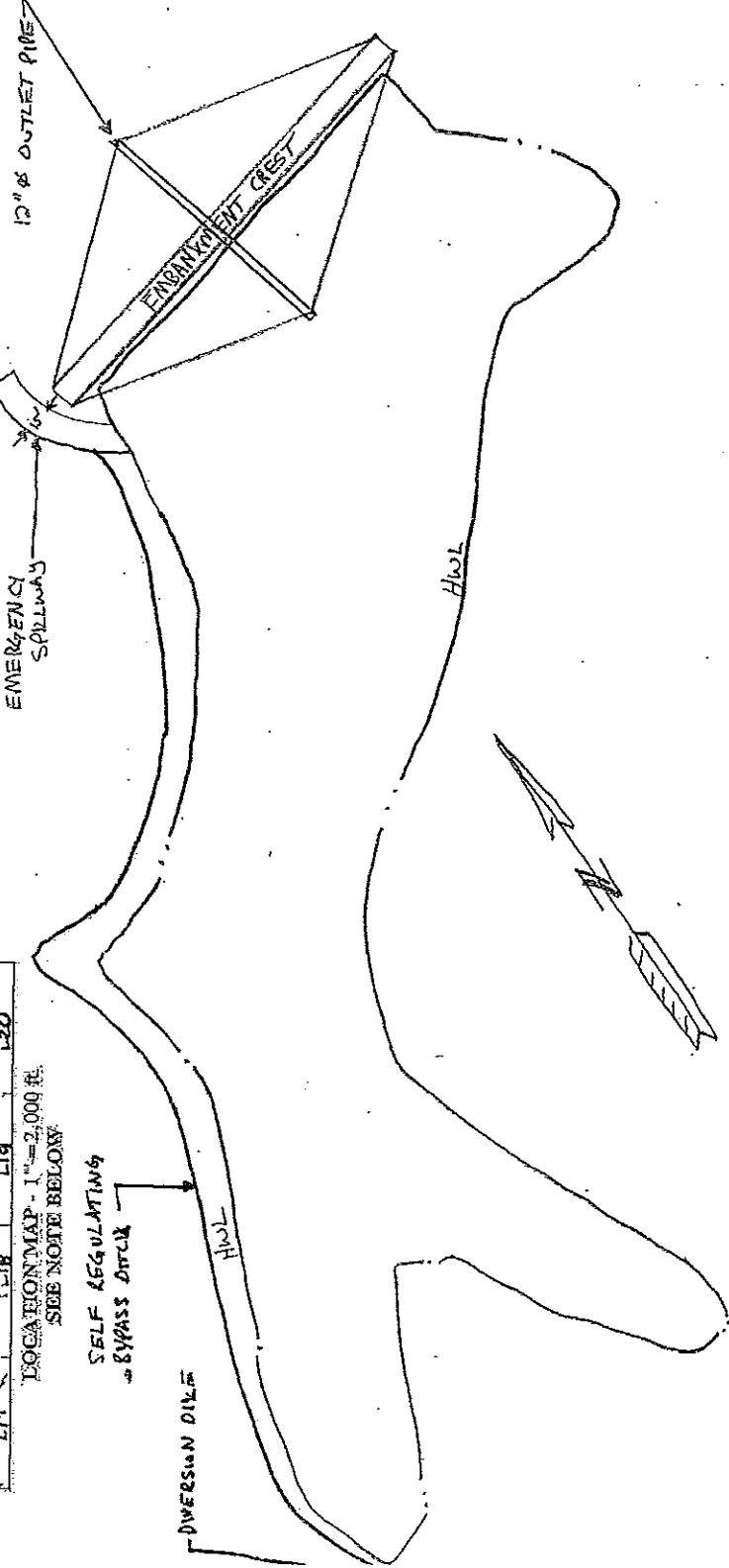
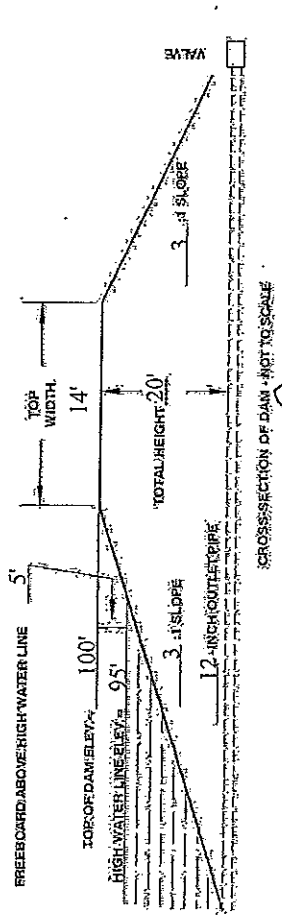
Permit No. 16429 Stk. Res.

EXHIBIT
56

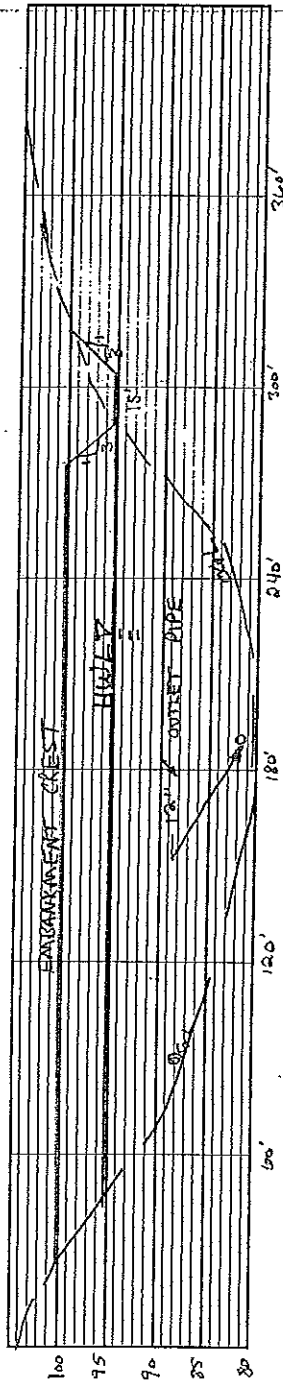
Page No. 24
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DETAILS OF DAM



AREA MAP - SCALE: 1" = 100' (Use as large a scale as possible)



PROFILE OF DAMSITE (Looking Upstream) - Scale: Ver. 1"=20'; Hor. 1"=60'

Capacity = Area x Depth = 2.41 acres x 15' + 3 = 12.1 Acre-Feet

NOTE

The location map shown above is not required if the application is accompanied by an aerial photograph or a U.S.G.S. quadrangle map, prepared in accordance with the State Engineer's Instructions and Guidelines. However, the area map, cross-section of dam, profile of damsite and capacity computation must be completed in all applications.

DECLARATION

Under penalties of perjury, I declare that I have examined this application and the information contained herein, and to the best of my knowledge and belief it is true, correct and complete, and that the location of the proposed facility is accurately shown either above or on the aerial photograph or U.S.G.S. quadrangle map accompanying this application.

Paul Hethley

Signature of Applicant or Agent

1/12/05

Date

THE STATE OF WYOMING
STATE ENGINEER'S OFFICE

ss.

TEMPORARY FILING NO. 32 5/323

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the water available in the stream after all prior rights are satisfied.

This permit is granted for storage of 12.1 acre-feet of water from all sources in any one year, for stock watering purposes only.

Water stored in this facility is surface water runoff and water from CBNG production.

IF at some future time it becomes necessary, the State Engineer may upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works or construction of a by-pass ditch or other means which will permit proper regulation.

This permit is conditioned on the holder of this permit securing and/or providing free and unencumbered access to this reservoir site to allow State Engineer personnel to perform their duties as prescribed by Law. These duties include, but are not limited to, construction inspections and water administration.

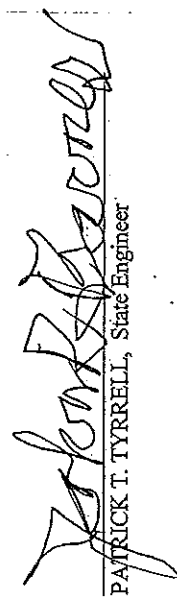
A bypass facility, which is required to allow for proper regulation of this drainage, must be constructed for the purpose of conveying natural flows of Canvas Draw around this facility and back into the natural drainage. This bypass facility must be maintained by the holder of this permit in good condition at all times.

This reservoir stores only water that is produced as a by-product of coal bed methane production. This permit will be automatically cancelled on December 31, 2020, or when the supply of water from coal bed methane production ceases, whichever occurs first. Upon cancellation of the permit the owner of this reservoir shall remove the dam and reclaim the damsite.

This permit is granted subject to the terms of the Yellowstone River Compact.

The time for completing the construction of the reservoir shall terminate on December 31, 20 00.

Witness my hand this 6th day of APRIL, A.D. 2005.


PATRICK T. TYRRELL, State Engineer

Permit No. 16429 Stk. Res.

Page No. 24
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PERMIT NO. 16429 STK. RES.

PERMIT STATUS

Priority Date January 19, 2005

Approval Date April 6, 2005

September 29, 2006 Notice of expiration of time for completion of construction of mailed.

May 17, 2007

This permit **CANCELLED** in accordance with provisions of Section 41-4-506, Wyoming Statutes.

SCANNED JUN 20 2007


PATRICK F. TYRRELL, State Engineer

NOTICE

This permit does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within the time allowed in the permit.

Notice of completion of the work described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. Should you desire adjudication, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.

5.00

04A28248

25.00

11/28/07

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

SCANNED APR 18 2008

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

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

This instrument was received and filed for record on the 28th day of November,
2007 at 10:15 o'clock A. M.

Recorded in Book 68 of Reservoir Permits, on Page 39
John R. Barnes, for
State Engineer

Fee Paid \$ 25 Map filed G

WATER DIVISION NO. 2 DISTRICT NO. 8 TEMPORARY FILING NO. 34 2/145

PERMIT NO. 13139 RESERVOIR

G-7

THE Paint Rock RESERVOIR

NAME OF FACILITY

1. Name(s), mailing address and phone no. of applicant(s) is/are Nisselius Ranch Co. and C.D. Rice, 220 Napier Rd., Gillette, WY 82718. (307) 682-9509

E-mail address: _____
(If more than one applicant, designate one to act as Agent for the others)

2. Name & address of agent to receive correspondence and notices Paul McEliverty, Bill Barrett Corporation, 1414 East Lincoln Street, Suite 170, Gillette, WY 82718. (307)-685-4322

E-mail address: pmcelvetry@billbarrettcorp.com

3. The use to which the water is to be applied is Irrigation, stock, wildlife, dust suppression, and CBNG water production
(a) If more than one beneficial use of water is to be applied for, the reservoir capacity must be allocated in acre-feet to the various uses.

Active Capacity 17.78 ac-ft
Inactive Capacity 1.14 ac-ft
Irrigation, stock & wildlife, (dust suppression, construction) and CBNG water production stock and wildlife

(b) The area of the high water line of the reservoir is 3.45 acres.
(c) The total available capacity of the reservoir is 18.92 acre-feet.
(d) If enlargement, the capacity of this enlargement is --- acre-feet

4. The source of the proposed appropriation is CBNG production water Paint Brush Draw, tributary Dead Horse Creek (8-49-77), tributary Powder River, tributary Yellowstone River; and CBNG ground water wells.

5. The outlet of the proposed reservoir is located N89°12'10.3"W 578.68 feet distant from the E 1/4 corner of Section 1 T. 47 N. R. 75 W., and is in the NESE of Section 1 T. 47 N. R. 75 W., Lot Block Subdivision Name _____
Latitude (Decimal Degrees) 44.078587 44.078597 Longitude (Decimal Degrees) -105.810104 105.812306

6. Are any of the lands covered by the proposed reservoir owned by the State or Federal Government? If so, describe lands and designate whether State or Federally owned. No

7. Fill out for either (a) or (b).
(a) The reservoir is located in the channel of an unnamed tributary to Dead Horse Creek Paint Brush Draw
(b) The reservoir is to be filled through the CBNG production wells
Canal, which has a carrying capacity of --- cubic feet per second (c.f.s)

8. (a) The dam is to be constructed as follows: Suitable locally available material watered and compacted in accordance with standard embankment construction procedures. Contents = 4,816 cubic yards.
(b) The water face of the dam is to be protected from wave action in the following manner: NA
(c) The dam height, as measured by the dam crest elevation minus the lowest downstream toe elevation, is 19.4 feet.



THE STATE OF WYOMING
STATE ENGINEERS OFFICE

ss.

TEMPORARY FILING NO. 34.2/145

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the water available in the stream after all prior rights are satisfied.

This permit is granted for the storage of CBNG produced water, irrigation, industrial, stock and wildlife purposes not to exceed 18.92 acre-feet in any year (17.78 acre-feet active and 1.14 acre-feet inactive).

Water stored in this facility is surface water runoff and water provided from CBNG ground water wells.

If this reservoir will remain after CBNG production and wells are part of the source for the reservoir, the permit holder shall submit a list of wells and permit numbers to this office to amend the permit to reflect the groundwater sources.

IF at some future time it becomes necessary, the State Engineer may upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works or construction of a by-pass ditch or other means which will permit proper regulation.

A bypass facility, which is required to allow for proper regulation of this drainage, must be constructed for the purpose of conveying natural flows of Paint Brush Draw around this facility and back into the natural drainage. This bypass facility must be maintained by the holder of this permit in good condition at all times.

The holder of this permit shall inspect the spillway after each runoff event with the potential to flow through the spillway. Any erosion that has occurred shall be repaired in anticipation of the next runoff event.

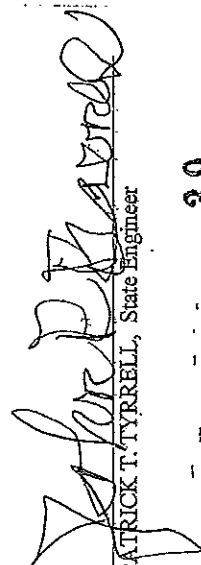
This permit is conditioned on the holder of this permit securing and/or providing free and unencumbered access to this reservoir site to allow State Engineer personnel to perform their duties as prescribed by law. These duties include, but are not limited to, construction inspections and water administration.

This reservoir stores only water that is produced as a by-product of coal bed methane production. When coal bed methane production ceases, the State Engineer may require the owner to breach the dam or reclaim the pit to allow for proper water administration. If breaching is required the reservoir owner will be required to reclaim the reservoir site.

This permit is granted subject to the terms of the Yellowstone River Compact.

The time for completing the construction of the reservoir shall terminate on December 31, 20 10.

Witness my hand this 17th day of APRIL, A.D. 2008.


PATRICK T. TYRRELL, State Engineer

PERMIT NO. 13139 RES.

G-7

PERMIT STATUS

Priority Date November 28, 2007

Approval Date April 17, 2008

NOTICE

This permit does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within the time allowed in the permit.

Notice of completion of the work described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. Upon execution, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.

NOTE: Do not fold
or print neatly with blue ink.

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

MICRO
FILMED
JUN 24 2005

APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

CWRIGHT

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT
Filing/Priority Date

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

This instrument was received and filed for record on the 19th day January, A.D.

2005, at 9:30 o'clock A M.

John R. Barnes
JOHN R. BARNES for
State Engineer

Recorded in Book 101 of Stock Reservoirs, on Page 27

Fee Paid \$ 25.00. Map filed _____.

WATER DIVISION NO. 2 DISTRICT NO. 8 Temp. 32 Filing No. 5/324

PERMIT NO. 16432 STOCK RESERVOIR

NAME OF FACILITY

THE 2-1 STOCK RESERVOIR

1. Name(s), mailing address and phone no. of applicant(s) is/are Bill Barrett Corporation
1901 Energy Court, Suite 170
Gillette, Wyoming 82718
(307) 685-4322

2. Name and address of agent to receive correspondence and notices Paul McElvey, Bill Barrett Corporation, 1901 Energy Court,
Suite 170, Gillette, Wyoming 82718. (307) 685-4322

3. The use to which the water is to be applied is in-place stock watering purposes.
(If a pipeline to additional points of storage will be used, include for SW4-A.)

4. (a) The area of the high water line of the reservoir is 3.1 acres. CW
(b) The capacity of the reservoir is 8-2746.5 acre-feet. CW
(c) Body of Reservoir: Length 750 ft Width 180 ft and Average Depth 5.3 ft

5. The source of the proposed appropriation is Natural runoff from an unnamed tributary to Dead Horse Creek, tributary to the Powder River, and discharge water from CBNG development. Piggy Draw, trib. Drawing Flies Draw, trib. Dead Horse Creek (8-49-77), trib. Powder River, trib. Yellowstone River; and ground water wells.

6. The outlet of the proposed reservoir is located in the (NE NW) LOT 7 of Section 2 DEP. RES.
T. 47 N., R. 75 W. Survey corner tie, if available. Bearing _____ distance _____
Section _____ T. _____ N., R. _____ W.
Lot _____ Block _____ Subdivision Name _____
Latitude (Decimal Degrees) _____ Longitude (Decimal Degrees) _____

7. Are any of the lands covered by the proposed reservoir owned by the State or Federal Government? If so, describe lands and designate whether State or Federally owned.
All lands privately owned.

8. Fill out for either (a) or (b).
(a) The reservoir is located in the channel of an unnamed tributary to Dead Horse Creek Piggy Draw
(b) The reservoir is to be filled through the ground water wells.
Canal, which has a carrying capacity of _____ cubic feet per second.

9. (a) The dam is to be constructed as follows: improvement of existing dam
Contents = 3253 Cubic Yards.
(b) The water face of the dam is to be protected from wave action in the following manner: N/A

(c) Dam height 20 feet.

10. 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.

11. The estimated time required for completion of construction is 1 year
Permit No. 16432 Stk. Res. _____

EXHIBIT
5d
Page No. 27
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CHA 2565
\$25.00 1/19/05

CW

CW
CW

PETITION FOR AUTHORIZATION TO
CORRECT THE RECORD FOR PERMIT
NO. 16432 STOCK RESERVOIR

BEFORE THE
STATE ENGINEER OR STATE BOARD OF CONTROL
CHEYENNE, WYOMING

STATE OF WYOMING

Certificate Record _____ Page _____, if applicable

COUNTY OF Campbell

Date Received by State Engineer _____

I/We Paul McElvery (Bill Barrett Corporation), City of Gillette, County of Campbell

Stock Reservoir under Permit

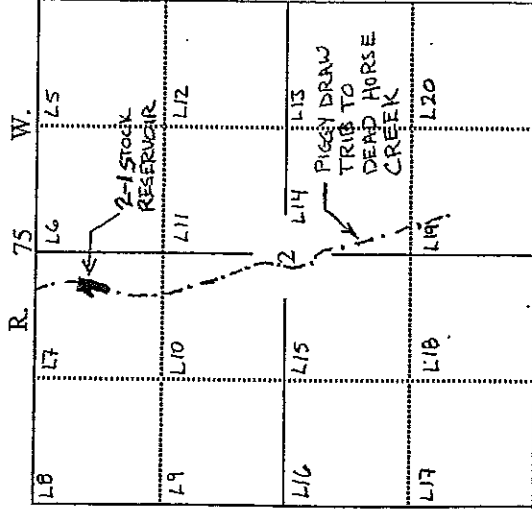
State of Wyoming, being the owner(s) of the _____

2-1 _____

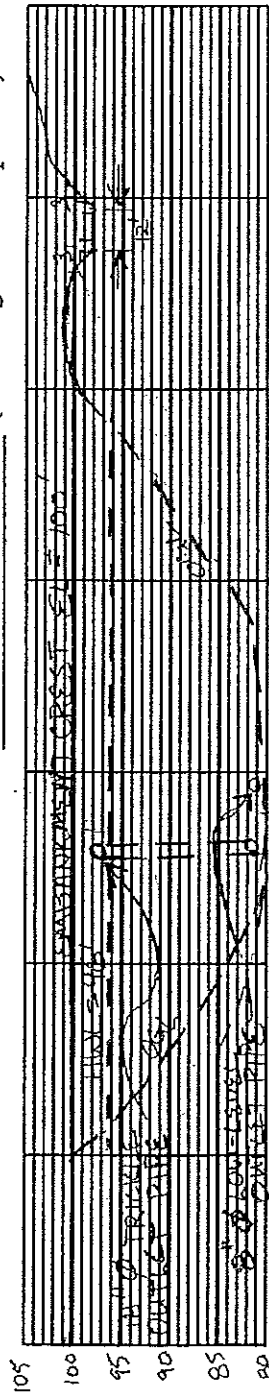
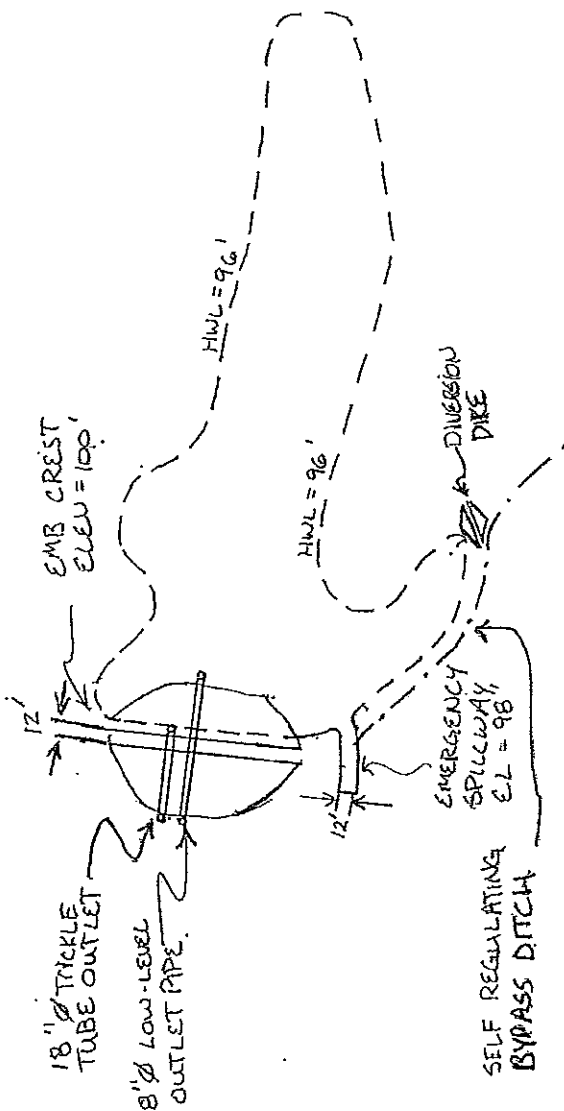
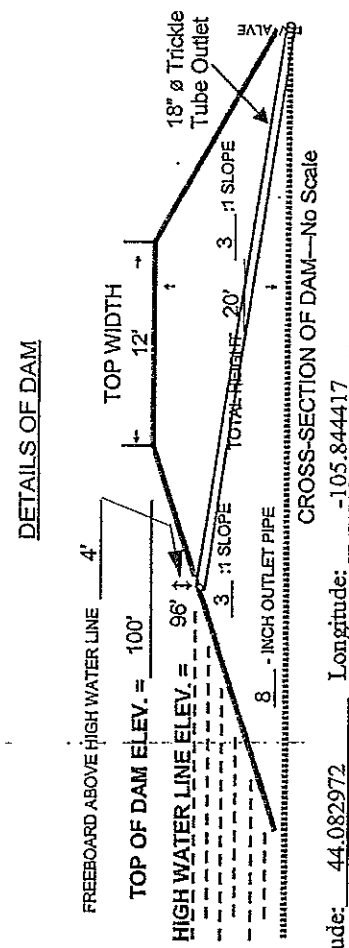
No. 16432 SR, do hereby authorize the State Engineer or State Board of Control to correct the records to correctly

describe the configuration of this reservoir as specified on the modified plans shown below.

The corrected configuration was determined by means of a field inspection conducted by WWC Engineering and this petition is deemed necessary as a result of such inspection.



PETITION GRANTED: _____
PATRICK T. TYRRELL STATE ENGINEER

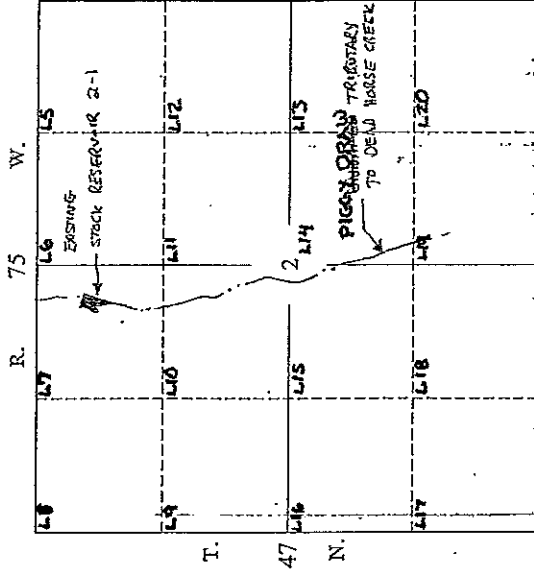


Capacity — Area x Depth = 3.1 ac x 16 ft ÷ 3 = 16.5 Acre-Feet

Paul McElvery
Signature of Inspector

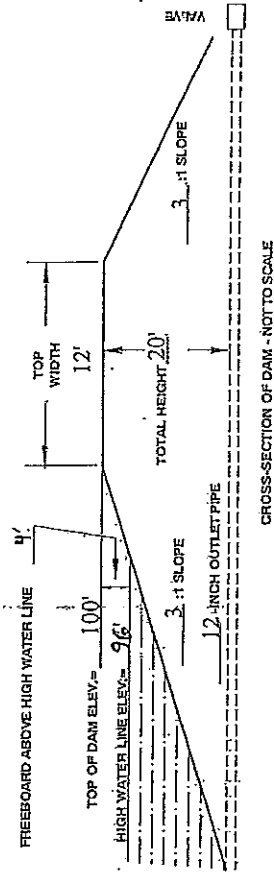
Paul McElvery
Signature of Petitioner OR Petitioner's Authorized Representative

SEE LETTER DATED JANUARY 17, 2005, REQUESTING WAIVER OF THE FIVE-FOOT MINIMUM FREEBOARD REQUIREMENT. FILED IN MISCELLANEOUS NOTICES UNDER THIS PERMIT NO. 1643(BR)

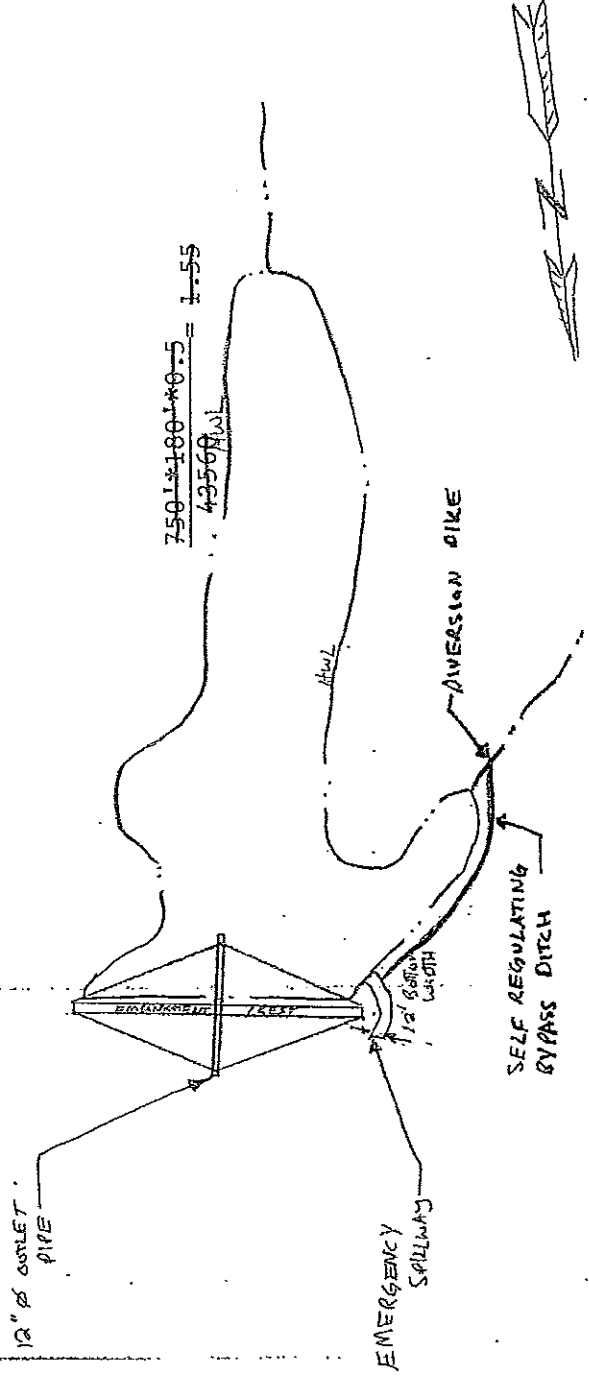


LOCATION MAP - 1" = 2,000 ft. SEE NOTE BELOW

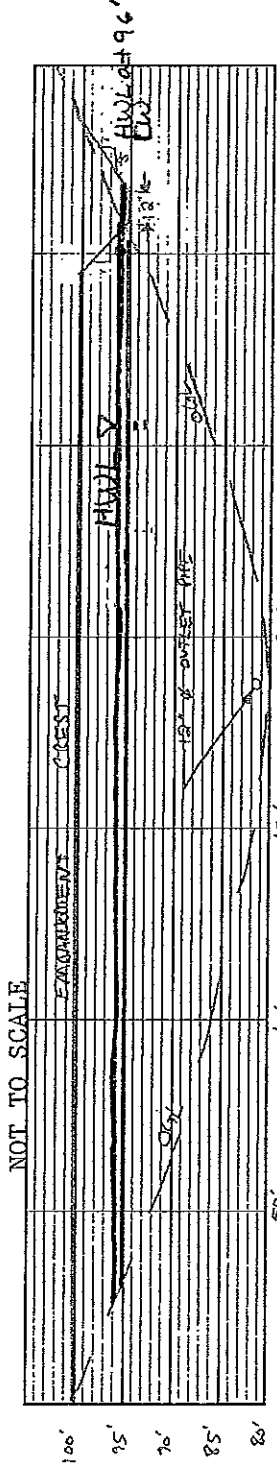
DETAILS OF DAM



* PER CONVERSATION WITH WWC AREA CALCULATED IN CAD



AREA MAP - SCALE: 1" = 200' (Use as large a scale as possible)



PROFILE OF DAMSITE (Looking Upstream) - Scale: Ver. 1"=20'; Hor. 1"= 50'

Capacity = Area x Depth = $1-55 \times 1-1 \times 3-1 \div 3 = 8-27$ 16-5 16-5 Acre-Feet

NOTE

The location map shown above is not required if the application is accompanied by an aerial photograph or a U.S.G.S. quadrangle map, prepared in accordance with the State Engineer's Instructions and Guidelines. However, the area map, cross-section of dam, profile of damsite and capacity computation must be completed in all applications.

DECLARATION

Under penalties of perjury, I declare that I have examined this application and the information contained herein, and to the best of my knowledge and belief it is true, correct and complete, and that the location of the proposed facility is accurately shown either above or on the aerial photograph or U.S.G.S. quadrangle map accompanying this application.

Paul M. Shroy

Signature of Applicant or Agent

1/12/05

Date

THE STATE OF WYOMING
STATE ENGINEER'S OFFICE

ss.

TEMPORARY FILING NO. 32.5/324

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the water available in the stream after all prior rights are satisfied.

This permit is granted for storage of 16.5 acre-feet of water from all sources in any one year, for stock watering purposes only.

Water stored in this facility is surface water runoff and water from CBNG production.

IF at some future time it becomes necessary, the State Engineer may upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works or construction of a by-pass ditch or other means which will permit proper regulation.

This permit is conditioned on the holder of this permit securing and/or providing free and unencumbered access to this reservoir site to allow State Engineer personnel to perform their duties as prescribed by Law. These duties include, but are not limited to, construction inspections and water administration.

A bypass facility, which is required to allow for proper regulation of this drainage, must be constructed for the purpose of conveying natural flows of Piggy Draw around this facility and back into the natural drainage. This bypass facility must be maintained by the holder of this permit in good condition at all times.

The applicant has requested waiver of the five-foot freeboard requirement and such waiver is granted by the State Engineer's endorsement hereon. However, such waiver does not relieve the appropriator of responsibility for safety of operation of the reservoir or of liability in case of failure of the dam.

This reservoir stores only water that is produced as a by-product of coal bed methane production. This permit will be automatically cancelled on December 31, 2020, or when the supply of water from coal bed methane production ceases, whichever occurs first. Upon cancellation of the permit the owner of this reservoir shall remove the dam and reclaim the damsite.

This permit is granted subject to the terms of the Yellowstone River Compact.

The time for completing the construction of the reservoir shall terminate on December 31, 20 04.

Witness my hand this 4TH day of APRIL, A.D. 2003.

PTC

John Tyrrell
PATRICK T. TYRRELL, State Engineer

Permit No. 16432 Stk. Res.

Page No. 27
(Leave Blank)

PERMIT NO. 16432 STK. RES.

PERMIT STATUS

Priority Date January 19, 2005

Approval Date April 6, 2005

September 29, 2006 Notice of expiration of time for completion of construction mailed.

January 8, 2007 Notice of Completion of Construction on July 1, 2006 received from agent in affidavit form.

SCANNED MAR 28 2007

NOTICE

This permit does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within the time allowed in the permit.

Notice of completion of the work described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. Should you desire adjudication, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

SCANNED

FEB 13 2008

APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

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

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 4th day of June, A.D. 2007, at 10:07 o'clock A.M.

John R. Barnes
John R. Barnes, for State Engineer

Recorded in Book 116 of Stock Reservoirs, on Page 100

Fee Paid \$ 25 Map filed

WATER DIVISION NO. 2 DISTRICT NO. 8 PERMIT NO. 18730 STOCK RESERVOIR
Temp. Filing No. 34 1/62

NAME OF FACILITY

THE Little Red

STOCK RESERVOIR

1. Name(s), mailing address and phone no. of applicant(s) is/are Bill Barrett Corporation, 1414 Lincoln Street, Gillette Wyoming 82716, (307) 685-4322

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

2. Name and address of agent to receive correspondence and notices Paul McElvery, Bill Barrett Corporation, 1414 Lincoln Street, Gillette, Wyoming 82716, (307) 685-4322

3. The use to which the water is to be applied is in-place stock watering purposes.

(If a pipeline to additional points of storage will be used, include for SW4-A.)

4. (a) The area of the high water line of the reservoir is 2.81 acres.

(b) The capacity of the reservoir is 15.0 acre-feet.

(c) Body of Reservoir: 650 ft Width 377 ft and Average Depth 5.3 ft

5. The source of the proposed appropriation is Red Draw, natural runoff from an unnamed tributary to Dead Horse Creek tributary to the Powder River and discharge water from CBNG development. (8-49-77)
Tributary Yellowstone River;

6. The outlet of the proposed reservoir is located in NW NW of Section 6

T. 47 N., R. 74 W. Survey Corner tie, if available. Bearing distance

from Section T. N., R. W.

Lot Block Subdivision Name

Latitude (Decimal Degrees) 44.082432 Longitude (Decimal Degrees) -105.805594

7. Are any of the lands covered by the proposed reservoir owned by the State or Federal Government? If so, describe lands and designate whether State or Federally owned.

All lands privately owned

8. Fill out for either (a) or (b).

(a) The reservoir is located in the channel of Red Draw unnamed tributary to Dead Horse Creek

(b) The reservoir is to be filled through the CBNG ground water wells.

Canal, which has a carrying capacity of cubic feet per second.

9. (a) The dam is to be constructed as follows: Improvement to an existing dam.

Contents = 3,200

Cubic Yards.

(b) The water face of the dam is to be protected from wave action in the following manner: N/A

(c) Dam height 19 feet.

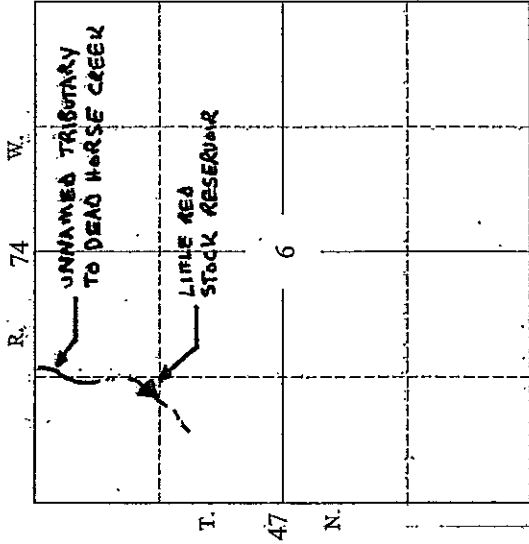
10. The accompanying map is prepared in accordance with the State Engineer's Manual of Regulations and Instructions for filing applications and is hereby declared a part of this application.

11. The estimated time required for completion of construction is 1 year

Permit No. 18730 Stk. Res.

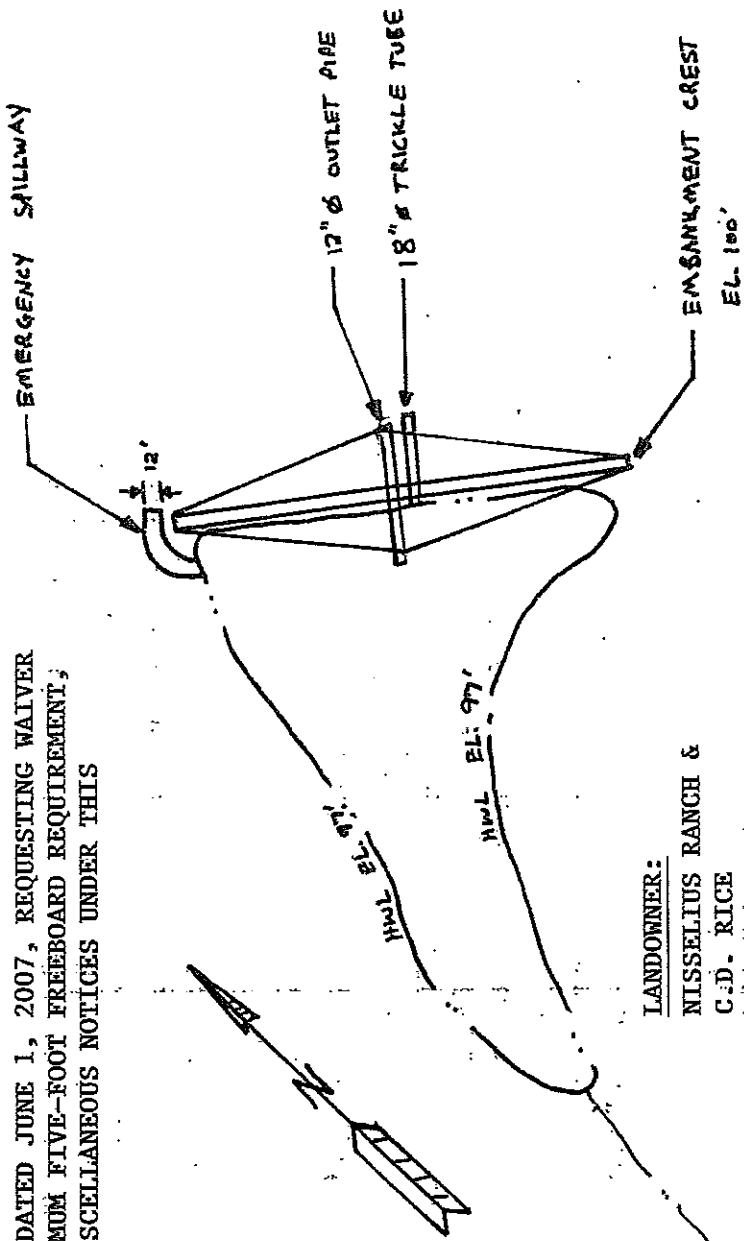
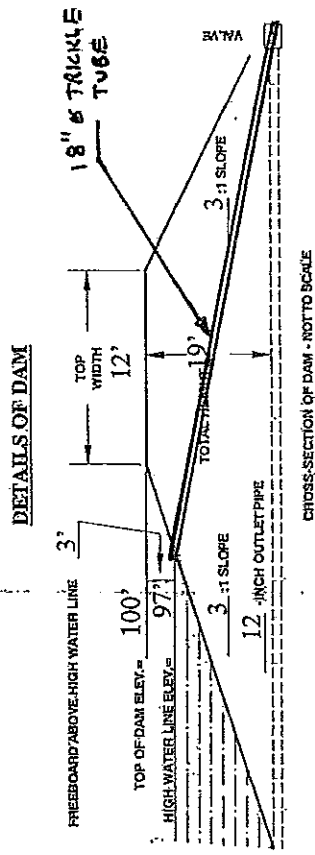
EXHIBIT

see



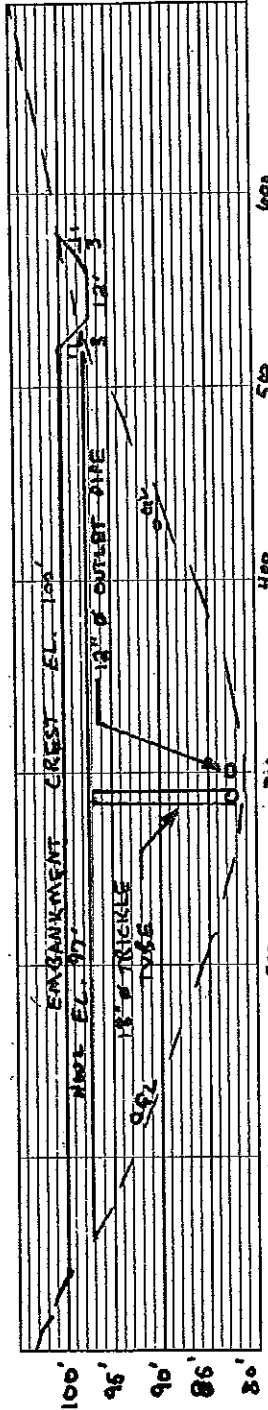
LOCATION MAP - 1" = 2,000 ft.
SEE NOTE BELOW

SEE LETTER DATED JUNE 1, 2007, REQUESTING WAIVER OF THE MINIMUM FIVE-FOOT FREEBOARD REQUIREMENT, FILED IN MISCELLANEOUS NOTICES UNDER THIS PERMIT.



LANDOWNER:
NISSELIUS RANCH &
C.D. RICE
220 MAPLER RD.
GILLETTE, WY 82718

AREA MAP - SCALE: - 1" = 200' (Use as large a scale as possible)



PROFILE OF DAMSITE (Looking Upstream) - Scale: Ver. 1"=20'; Hor. 1"= 100'

Capacity = Area x Depth = 2.81 acres x 16' ÷ 3 = 15.0 Acre-Feet

NOTE

The location map shown above is not required if the application is accompanied by an aerial photograph or a U.S.G.S. quadrangle map, prepared in accordance with the State Engineer's Instructions and Guidelines. However, the area map, cross-section of dam, profile of damsite and capacity computation must be completed in all applications.

DECLARATION

Under penalties of perjury, I declare that I have examined this application and the information contained herein, and to the best of my knowledge and belief it is true, correct and complete, and that the location of the proposed facility is accurately shown either above or on the aerial photograph or U.S.G.S. quadrangle map accompanying this application.

Brenda Lewis

Signature of Applicant or Agent

19/1/07

Date

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

TEMPORARY FILING NO. 34 1/62

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the water available in the stream after all prior rights are satisfied.

If the plans show that no outlet works are contemplated, the State Engineer may, upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works as will permit proper regulation.

This permit is granted for the storage of 15.0 acre-feet of water from all sources in any one year for stock purposes only.

Water stored in this facility is surface water runoff and water provided from CBNG ground water wells.

IF at some future time it becomes necessary, the State Engineer may upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works or construction of a by-pass ditch or other means which will permit proper regulation.

The applicant has requested waiver of the five-foot freeboard requirement and such waiver is granted by the State Engineer's endorsement hereon. However, such waiver does not relieve the appropriator of responsibility for safety of operation of the reservoir or of liability in case of failure of the dam.

The holder of this permit shall inspect the spillway after each runoff event with the potential to flow through the spillway. Any erosion that has occurred shall be repaired in anticipation of the next runoff event.

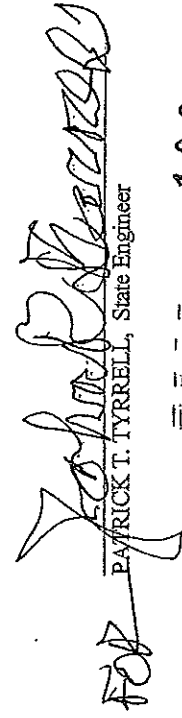
This permit is conditioned on the holder of this permit securing and/or providing free and unencumbered access to this reservoir site to allow State Engineer personnel to perform their duties as prescribed by Law. These duties include, but are not limited to, construction inspections and water administration.

This permit will be automatically cancelled on December 31, 2022, or when this facility ceases to receive CBNG water discharges, whichever occurs first. Upon cancellation of the permit the owner of this reservoir shall remove the dam and reclaim the damsite to allow for proper water administration.

This permit is granted subject to the terms of the Yellowstone River Compact.

The time for completing the construction of the reservoir shall terminate on December 31, 20 10.

Witness my hand this 12TH day of FEBRUARY, A.D. 20 09.


PATRICK T. TYRRELL, State Engineer

Permit No. 18730 Stk. Res.

Page No. 100
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PERMIT NO. 18730 STK. RES.

PERMIT STATUS

Priority Date June 4, 2007

Approval Date February 12, 2008

NOTICE

This permit, does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within the time allowed in the permit.

Notice of completion of the work described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. Should you desire adjudication, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.

CNA 1144
25.00
a11a/10

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 12th day of February
2010, at 9:28 o'clock A. M.

John R. Barnes
John R. Barnes for
State Engineer

Recorded in Book _____ of Stock Reservoir Permits on Page _____

Fee Paid \$ 25.00 Map Filed _____

WATER DIVISION NO. 2 DISTRICT NO. 8 Temp Filing No. 35 2/32

PERMIT NO. _____ STOCK RESERVOIR _____

THE JANUARY NAME OF FACILITY STOCK RESERVOIR

1. Name(s), mailing address and phone no. of applicant(s) is/are Nisselius Ranch Co. Inc.

P.O. Box 3006

Gillette, WY 82717-3006

Phone: (307) 685-3754 Gib Bell (Ranch Manager)

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

2. Name & address of agent to receive correspondence and notices Hugh W. Lowham, P.E., Lowham Engineering LLC,

205 S. Third St., Lander, WY 82520, Phone 307-335-8466 e-mail: lowhamengineering@low-water.com

3. The use to which the water is to be applied is in-place stock watering purposes. (If a pipeline to additional points of storage will be used, include form SW4-A.)

4. (a) The area of the high water line of the reservoir is 0.7 acres.

(b) The capacity of the reservoir is 1.1 acre-feet.

(c) Body of Reservoir: Length 572 ft Width 121 ft Average Depth 1.6 ft

5. The source of the proposed appropriation is _____

Drawing Flys Draw, tributary to Dead Horse Creek (8-49-77), tributary to the Powder River, tributary to the Yellowstone River.

6. The outlet of the reservoir is located in NW 1/4, NE 1/4, of Section 35,

T. 48 N., R. 75 W. Surveyed corner tie, if available. Bearing _____ distance _____ from _____, T. _____, N., R. _____ W.

Lot: Block: Subdivision Name: DEER

UTM: Zone 13, NAD 83 - Easting 433047 meters - Northing 4883126 meters

7. Are any of the lands covered by the proposed reservoir owned by the State of Federal government? If so, describe lands and designate whether State or Federally owned.

No

8. Fill out either (a) or (b).

(a) The reservoir is located in the channel of _____

(b) The reservoir is to be filled by natural runoff.

Canal, which has a carrying capacity of _____ cubic feet per second.

9. (a) The dam is to be constructed as follows: Existing earth filled dam.

Contents 980 Cubic Yards

(b) The water face of the dam is to be protected from wave action in the following manner: vegetation

(c) Dam Height 7.9 feet.

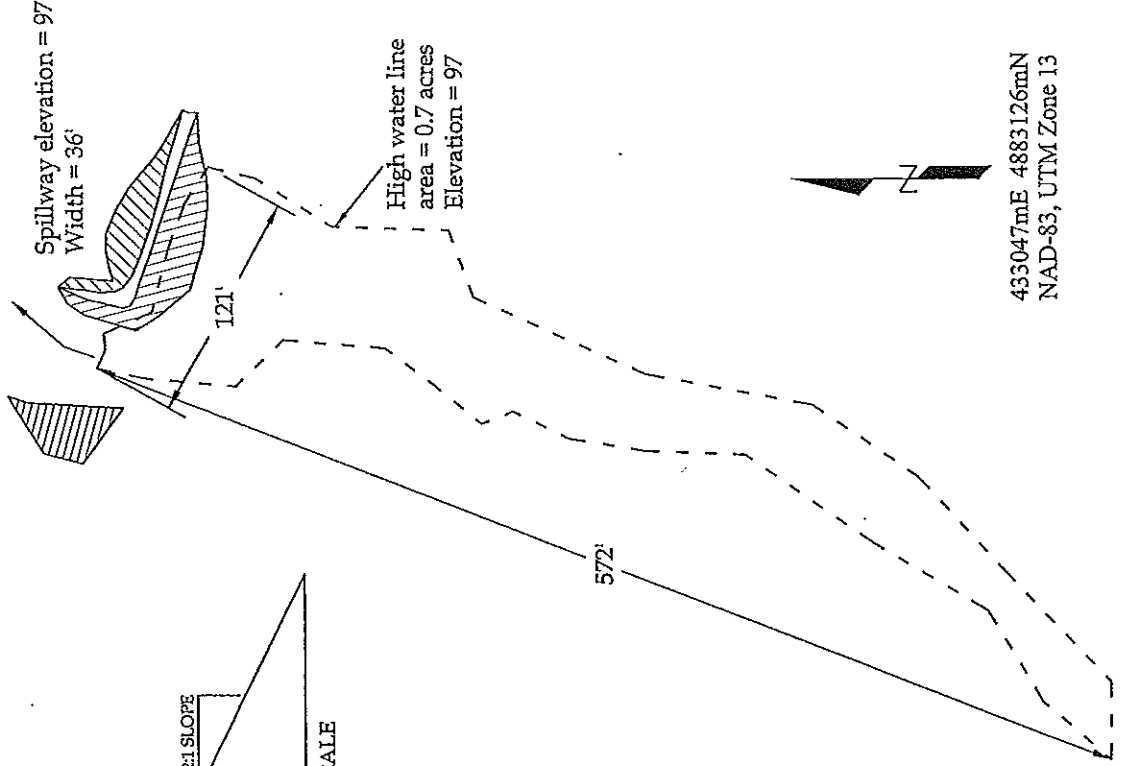
10. The accompanying map is prepared in accordance with the State Engineer's Manual of Regulations and Instructions for filing applications and is hereby declared a part of this application.

11. The estimated time required for completion of construction is complete

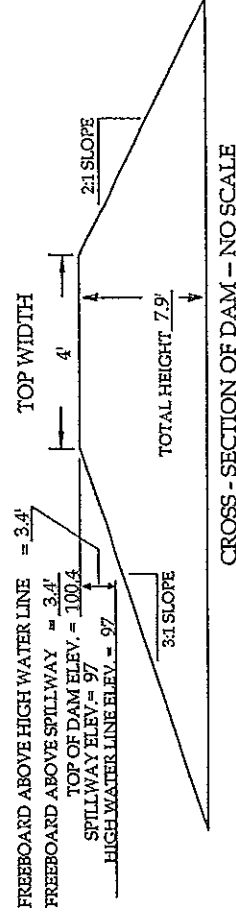
EXHIBIT

SF

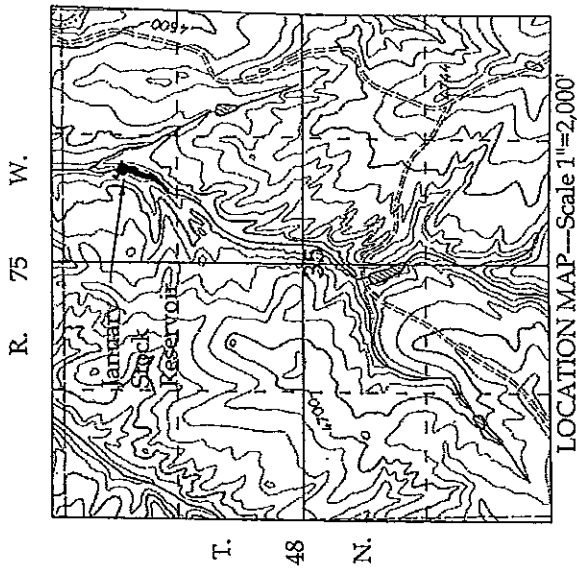
Sheet



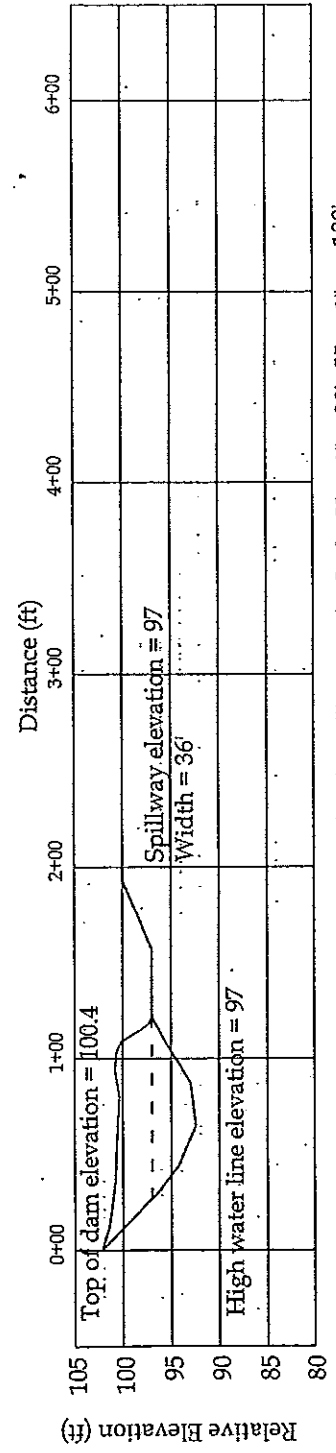
DETAILS OF DAM



CROSS - SECTION OF DAM - NO SCALE



LOCATION MAP - Scale 1"=2,000'



PROFILE OF DAMSITE (Looking Upstream) - Scale: Ver. 1" = 20'; Hor. 1" = 100'

Capacity = Area x Depth = 0.7 acres x 4.5 ft ÷ 3 = 1.1 Acre-Feet

NOTE

The location map shown above is not required if the application is accompanied by an aerial photograph or a U.S.G.S. quadrangle map, prepared in accordance with the State Engineer's Instructions and Guidelines. However, the area map, cross-section of dam, profile of damsite and capacity computation must be completed in all applications.

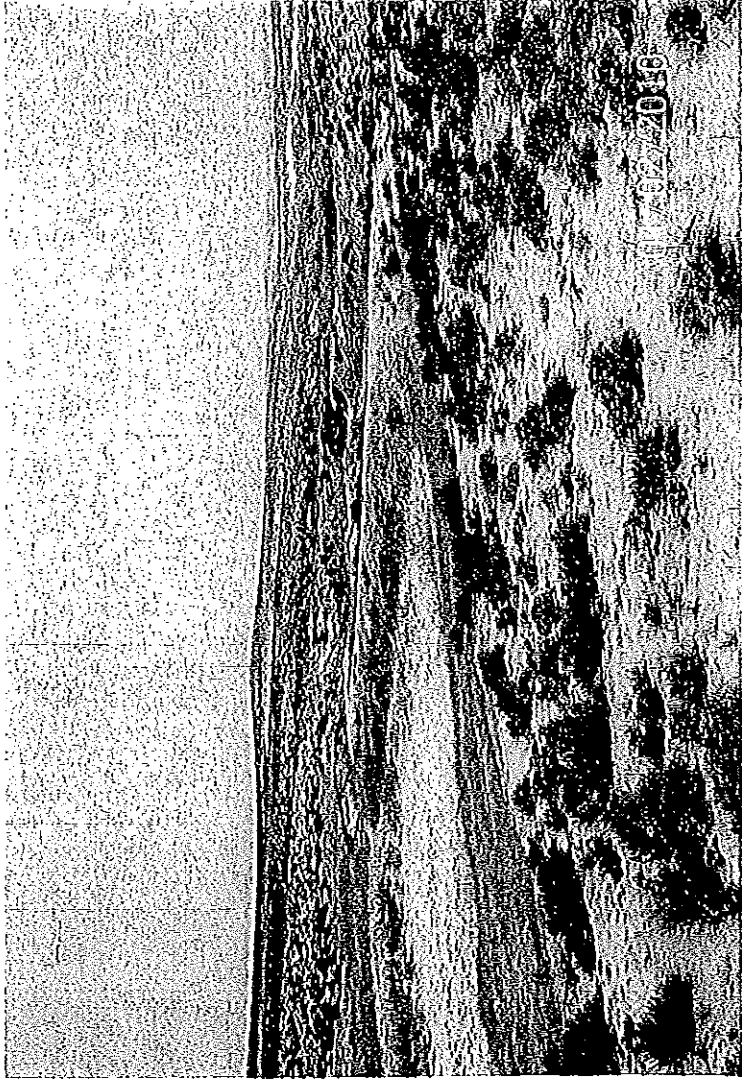
DECLARATION

Under penalties of perjury, I declare that I have examined this application and the information contained herein, and to the best of my knowledge and belief it is true, correct and complete, and that the location of the proposed facility is accurately shown either above or on the aerial photograph or U.S.G.S. quadrangle map accompanying this application.

A.T. for Loshen Engineering LLC
 Signature of Applicant or Agent

2-8-2010

Date



View is oblique at January Stock Reservoir (1/2/2010)



View is of dam at January Stock Reservoir (1/2/2010)

TF 35 2/38

CHA 25600

25.00

12123104

J. FELTNER

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER

MAY 13 2005

MICRO FILMED
APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

NOTE: Do not fold if
or print neatly Use typewriter
black ink.

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

CANCELLED

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

Filing/Priority Date

This instrument was received and filed for record on the 23rd day of December, A.D.

2004 at 10:30 o'clock A.M.

Recorded in Book 100 of Stock Reservoirs, on Page

John R. Barnes
JOHN R. BARNES for State Engineer

16

Fee Paid \$ 25.00 Map Filed

WATER DIVISION NO. 2 DISTRICT NO. 8 PERMIT NO. 16296 STOCK RESERVOIR

Temp. Filing No. 32 4/311

PERMIT NO. 16296 STOCK RESERVOIR

NAME OF FACILITY

JANUARY

STOCK RESERVOIR

1. Name(s), mailing address and phone no. of applicant(s) is/are Yates Petroleum Corporation
105 South 4th Street
Artesia, NM 88210

Attn: Lisa Norton Phone: (505) 748-4193

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

2. Name & address of agent to receive correspondence and notices Hugh W. Lowham, P.E., Lowham Engineering LLC,
PO Box 536, Gillette, WY 82717, Phone 307-680-4137 205 S. Third St. Lander, WY 82520

10/20/04
3/2/05
8/4/04
8/11-05

3. The use to which the water is to be applied is in-place stock watering purposes.

(If a pipeline to additional points of storage will be used, include form SW4-A.)

4. (a) The area of the high water line of the reservoir is 2.0 acres.

(b) The capacity of the reservoir is 10.0 acre-feet.

(c) Body of Reservoir: Length 1053' Width 181' Average Depth 5.0'

5. The source of the proposed appropriation is DRAWING FLYS DRAW,

tributary to Dead Horse Creek tributary to Powder River, TRIB YELLOWSTONE RIVER

(8-49-77) AND GROUNDWATER WELLS

6. The outlet of the proposed reservoir is located in the (NW 1/4 NE 1/4) LOT 2 of Section 35

T. 48 N., R. 75 W. Survey corner tie, if available. Bearing distance

from Section T. N., R. W.

7. Are any of the lands covered by the proposed reservoir owned by the State or Federal Government? If so, describe lands and designate whether State or Federally owned.

No.

8. Fill out either (a) or (b).

(a) The reservoir is located in the channel of DRAWING FLYS DRAW, tributary to Dead Horse Creek

(b) The reservoir is to be filled through the GROUNDWATER WELLS

Canal, which has a carrying capacity of cubic feet per second.

9. (a) The dam is to be constructed as follows: Earthfill in 6-to 8-inch lifts, with water added as necessary for adequate compaction. Fit with 12" dia siphon drain pipe. Contents= 4,730 Cubic Yards.

(b) The water face of the dam is to be protected from wave action in the following manner: Vegetation

(c) Dam Height 20 feet.

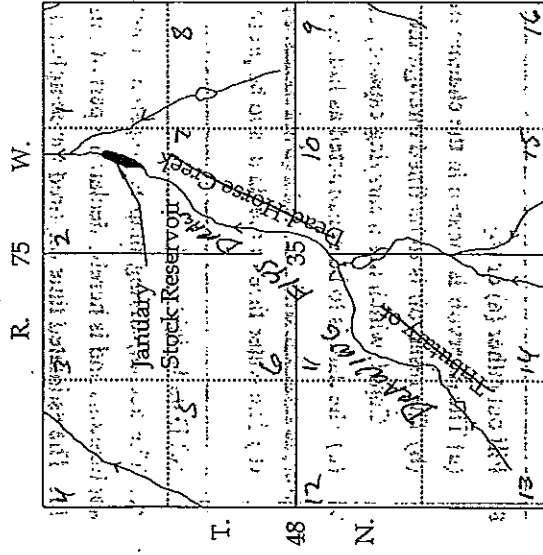
10. The accompanying map is prepared in accordance with the State Engineer's Manual of Regulations and Instructions for filing applications and is hereby declared a part of this application.

11. The estimated time required for completion of Construction is 6 months

Permit No. 16296 Stk. Res.

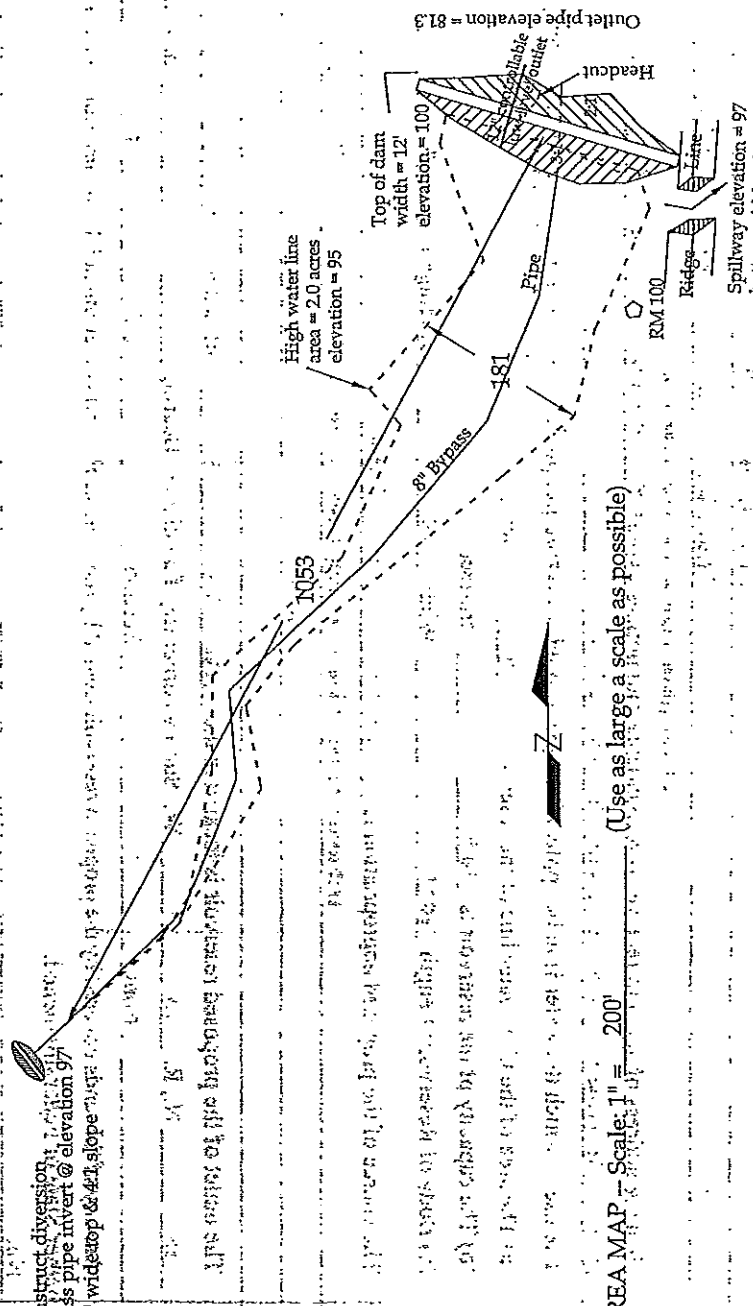
Page No. 16



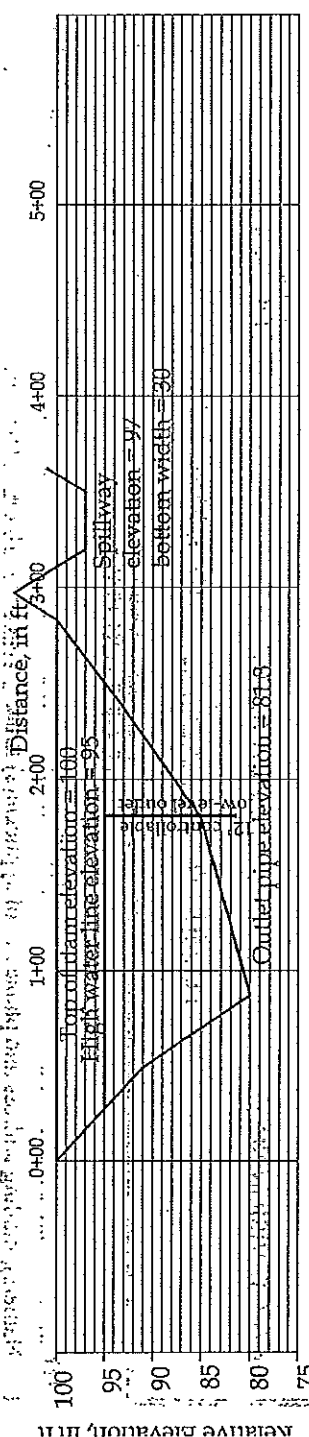


LOCATION MAP - Scale 1" = 2,000 ft. SEE NOTE BELOW

Construct diversion Bypass pipe invert @ elevation 97 w/ 4% widestop @ 4% slope up to 181



AREA MAP - Scale 1" = 200' (Use as large a scale as possible)



PROFILE OF DAMSITE (Looking Upstream) - Scale: Ver. 1" = 20'; Hor. 1" = 100'

Capacity = Area x Depth = 2.0 acres X 15 ft. ÷ 3 = 10.0 Acré-Feet

NOTE

The location map shown above is not required if the application is accompanied by an aerial photograph or a U.S.G.S. quadrangle map, prepared in accordance with the State Engineer's Instructions and Guidelines. However, the area map, cross-section of dam, profile of damsite and capacity computation must be completed in all applications.

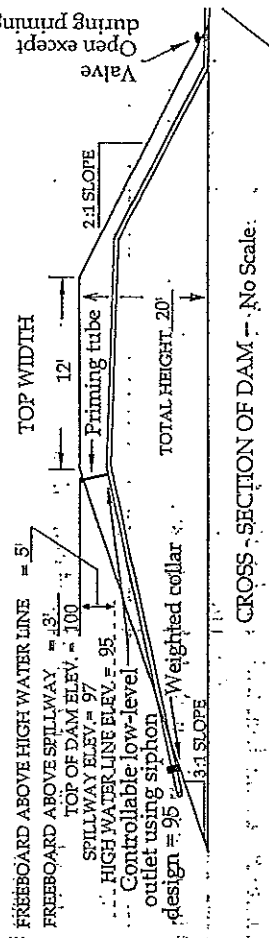
DECLARATION

Under penalties of perjury, I declare that I have examined this application and the information contained herein, and to the best of my knowledge and belief it is true, correct and complete, and that the location of the proposed facility is accurately shown either above or on the aerial photograph or U.S.G.S. quadrangle map accompanying this application.

Tim Barber
Signature of Applicant or Agent

12/01/04
Date

DETAILS OF DAM



CROSS-SECTION OF DAM - No Scale.

Outlet of pipe 10 ft. downstream of toe of dam @ FL. = 81.3

Valve Open except during printing

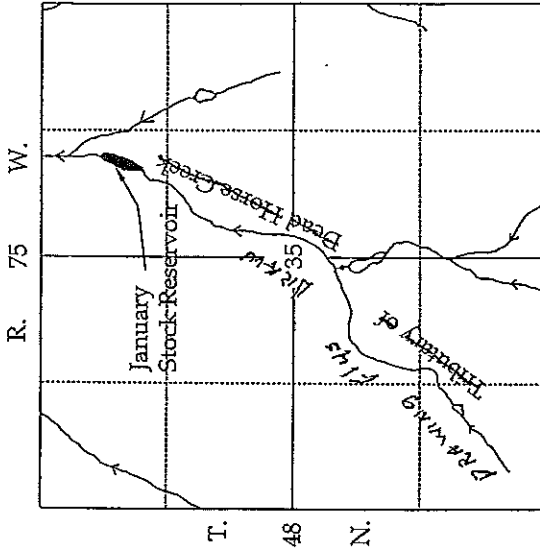
PETITION FOR AUTHORIZATION
TO CORRECT THE RECORD FOR
PERMIT NO. 16296 STOCK RESERVOIR

STATE OF WYOMING)
COUNTY OF Campbell) SS.)
)))

Date Received By State Engineer: June 9, 2005

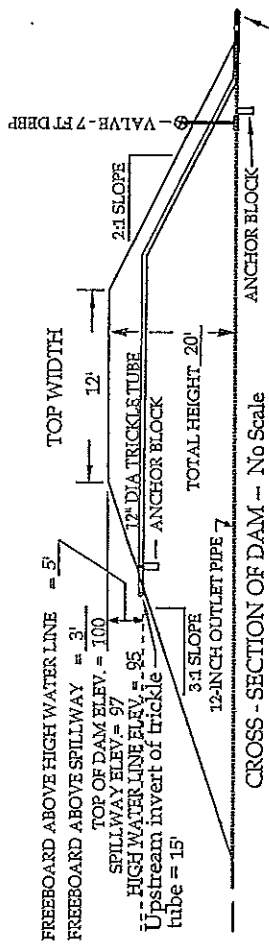
I/We Nisselius Ranch Co., City of Gillette, County of Campbell,
State of Wyoming being the owner(s) of the January Stock reservoir under Permit No. 16296 SR,
do hereby authorize the State Engineer or State Board of Control to correct the records to describe correctly the configuration of
this reservoir as specified on the modified plans shown below.

The corrected configuration was determined by means of a field inspection conducted by Lowham Engineering, LLC
and this petition is deemed necessary as a result of such inspection.

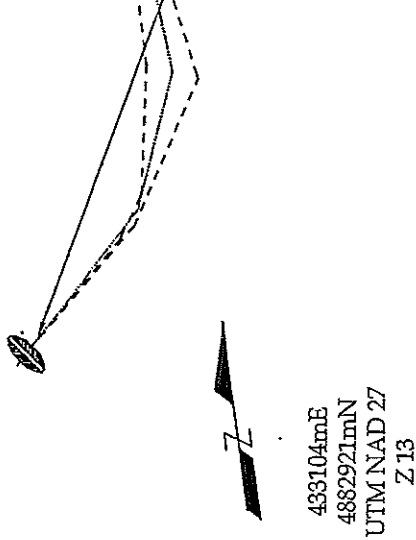


PETITION GRANTED August 27, 2005
Patrick T. Tyrrell STATE ENGINEER

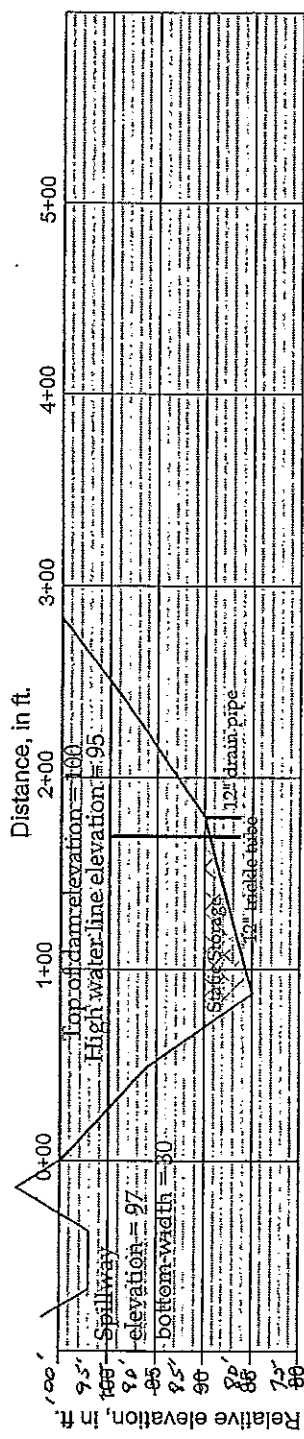
DETAILS OF DAM



Outlet of pipes 10 ft.
downstream of toe of
dam @ EL. = 81.3



AREA MAP - Scale: 1" = 200' (Use as large a scale as possible)

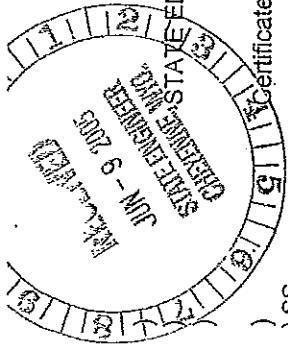


PROFILE OF DAMSITE (Looking Upstream) --- Scale: Ver. 1" = 20 ft., Hor 1" = 100 ft.

Capacity = Area x Depth = 2.0 acres X 15 ft. ÷ 3 = 10.0 Acre-Feet

Signature of Inspector Deborah W. Lowham Signature of Petitioner OR Petitioner's Authorized Representative

Permit No. 16296 Stk. Res. 10.0 Page No. 16 (Leave Blank)



RECORDED & INDEXED
JUN 9 2005
STATE ENGINEER
DEBORAH W. LOWHAM

FILED
NOV 18 2005
BEFORE THE
STATE BOARD OF CONTROL
CHEYENNE, WYOMING

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

TEMPORARY FILING NO. 32 4/311

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the water available in the stream after all prior rights are satisfied.

If the plans show that no outlet works are contemplated, the State Engineer may, upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works as will permit proper regulation.

This permit is granted for the storage of 10.0 acre-feet of water from all sources in any one year for stock purposes only.

Water stored in this facility is surface water runoff and water provided under ground water wells.

IF at some future time it becomes necessary, the State Engineer may upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works or construction of a by-pass ditch or other means which will permit proper regulation.

This permit is conditioned on the holder of this permit securing and/or providing free and unencumbered access to this reservoir site to allow State Engineer personnel to perform their duties as prescribed by Law. These duties include, but are not limited to, construction inspections and water administration.

This reservoir stores water that is produced as a by-product of coal bed methane production. When coal bed methane production ceases, the State Engineer shall require the owner to breach the dam or reclaim the pit to allow for proper water administration.

This permit is granted subject to the terms of the Yellowstone River Compact.

This permit will be automatically cancelled on December 31, 2020, unless proper request for an extension of time is submitted to the State Engineer. Upon cancellation, the facility will be breached and/or reclaimed.

The time for completing the construction of the reservoir shall terminate on December 31, 20 00.

Witness my hand this 28th day of NOVEMBER, A.D. 20 05.

Permit No. 16296 Sdk. Res.

Page No. 16
(Leave Blank)

Pat
PATRICK T. TYRRELL, State Engineer
John R. Edwards

PERMIT NO. 16296 STK. RES.


PERMIT STATUS

Priority Date December 23, 2004

Approval Date March 28, 2005

October 27, 2005 - PETITION, AUTHORIZATION TO CORRECT THE RECORD - ACR 2, GRANTED to show the changes in the outlet works and to correctly depict the spillway.

The petition is made a part of this permit and is filed herein.


JOHN R. BARNES, Administrator Surface Water and Engineering

SCANNED NOV 07 2005
MICRO
FILMED NOV 18 2005

September 29, 2006 Notice of expiration of time for completion of construction mailed.

February 7, 2007

EXTENSION GRANTED, IN RESPONSE TO REQUEST RECEIVED December 11, 2006. Time for completion of construction has been extended to **December 31, 2008**. Letter filed in Extensions Granted under Permit No. 11838R.

SCANNED MAR 16 2007


JOHN R. BARNES, Administrator Surface Water and Engineering


September 30, 2008

Notice of expiration of time for completion of construction mailed.

February 18, 2009

EXTENSION GRANTED, IN RESPONSE TO REQUEST RECEIVED December 31, 2008. Time for completion of construction has been extended to **December 31, 2010**. Letter filed in Extensions Granted under Permit No. 11838R.

SCANNED MAR 6 2009


JOHN R. BARNES, Administrator Surface Water and Engineering

NOTICE

This permit does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within the time allowed in the permit.

Notice of completion of the work described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. Should you desire adjudication, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.

December 11, 2009

This permit CANCELLED at the request of the Applicant.
A copy of the request received October 15, 2009 is
filed in Notices of Cancellation under Permit No.
16290SR.

SCANNED DEC 11 2009


PATRICK T. TYRRELL, State Engineer

PERMIT NO. 18 STOCK RESERVOIR
Notice of Completion on November 11, 1941 received January 20, 1942 from Proof Submitted
Art Misselius

Application For A Permit To Construct

THE Dead Horse STOCK RESERVOIR
Water Division No. 2 District No. 8
I, Leon White of Weston

County of Campbell, State of Wyoming, being duly sworn according to law, upon my oath say:
1. The name of the applicant Art Misselius,
The State Board of Land Commissioners.

2. The postoffice address of the applicant Gillette, Wyo.
Cheyenne, Wyo. (S-49-79)

3. The name of the stream from which the reservoir is to be filled is South Fork of Dead Horse Creek; tributary
of Dead Horse Creek

_____ , which is a tributary of Big Powder River.

4. The use to which the water is to be applied is stock purposes.

5. The outlet of the proposed reservoir is located N 50° 06' W 4886.7
feet distant from the S.E. corner of Section 36, T. 48 N., R. 75 W., and
is in the N.W. 4 N. W. 4 of Section 36, T. 48 N., R. 75 W.

The formation at the outlet consists of _____

6. Fill out either (a) or (b).

(a) The reservoir is located in the channel of South Fork Dead Horse Cr. (S-49-79)

(b) The reservoir is to be filled through the

Canal, which has a carrying capacity of _____ cubic feet per second.

7. The area of the high-water line of the reservoir is 5.74 acres.
The capacity of the reservoir is 17.6 acre-feet.

8. The dam is to be constructed as follows: Earth Fill Dam No. 2 2342.1
971.1 Contents Total 3313.2 Cubic Yards.

The water face of the dam is to be protected from wave action in the following manner:
In draws protected from prevailing winds

9. The estimated cost of said dam reservoir is \$496.98 Dollars.

10. Construction of the proposed reservoir will begin within one year from the date of approval of this application.

11. The time required for the construction of the reservoir is one year from December 31, 19 41

12. The map hereon is prepared in accordance with the law and the Regulations of the State Engineer's Office and is hereby declared a part of this application.

THE STATE OF WYOMING, }
COUNTY OF Campbell } ss.

I hereby certify that the foregoing application was signed in my presence and sworn to before me by Leon White
this 5 day of July, 19 41
(signed) Leon White

SEAL

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

This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit grants only the right to use the surplus water of the stream when all prior rights are satisfied.

If the plans show that no outlet works are contemplated the State Engineer may upon proper complaint by other interested water appropriators or appropriator, or when in his judgment it is necessary, require the later installation of such necessary outlet works as will permit proper regulation.

Construction of the proposed reservoir shall begin within one year from date of approval.

The time for completing the construction of the reservoir shall terminate on December 31, 19 42.

Witness my hand this 50th day of July, A. D., 19 41.

L. C. Bishop, STATE ENGINEER.

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

This instrument was received and filed for record on the 7th day of July, A. D., 19 41, at 8:00 o'clock A. M.

[Signature] STATE ENGINEER.

Recorded in Book _____ of Stock Reservoirs, on Page 18



11

MAP AND PLANS OF PROPOSED DEAD HORSE STOCK RESERVOIR

LOCATION MAP Scale 1"=2,000 ft.

CROSS-SECTION OF DAM—No Scale
Reservoir No. 2

AREA MAP SCALE:— 1"= 200'
(Use as large a scale as possible)
175 x 647.5 = 113,344 sq. ft. Area Feet for Res No. 1 } Total 176 A.F.
Capacity = Area x Depth = 3 = 13.9 }
200 } Area Feet for Res No. 2 }
154 } Dam No. 1

PROFILE OF DAM-SITE (Scale Vert. 1"=20'; Hor. 1"=30'.....)

STATE OF WYOMING,
COUNTY OF Campbell } ss.

I, Leon White of Weston, Wyo. do hereby certify that this map was made from notes taken during an actual survey made by me, on the 26 day of June, 1941 and that it shows accurately the location, area and capacity of the proposed stock reservoir.

CERTIFICATE NO. 96 s/ LEON WHITE Surveyor.

October 8, 1941 - Notice of commencement on September 25, 1941, received.