APPENDIX C

Permits for Test Well Site #2 (M12)
City of Gillette  
Attention: Charles Anderson  
P. O. Box 3003  
Gillette, WY 82717

Re: Temporary Use Permit No. 2119  
Two Madison Formation Test Wells and Access Roads

Dear Mr. Anderson:

The Board of Land Commissioners in regular session April 7, 2011, approved the above temporary use permit for a one year term. Approval was based on consideration of $4,374.55.

Enclosed for your disposition is a copy of the temporary use permit. If you have any questions, please contact this office.

Sincerely,

Jamie Van Hatten  
Real Estate Management and Farm Loans

enclosure
STATE OF WYOMING
BOARD OF LAND COMMISSIONERS

TEMPORARY USE PERMIT

PERMIT NO.: 2119  COUNTY: Crook

PERMITTEE:
NAME: City of Gillette
ADDRESS: P. O. Box 3003
               Gillette, WY 82717

PHONE: (307) 686-5200

This permit authorizes only the use indicated below:

[ ] Construction Activity
[ ] Hot mix facility
[ ] Organized recreation activity
[X] Access road
[ ] Sign board
[ ] Stockpile site
[ ] Water removal facility
[ ] Outfitting/guiding activities
[X] Other: Drill two Madison Formation Test Wells

More specifically: Two Madison Formation Test Wells for future Regional Water Supply for the City of Gillette should the test wells provide sufficient water. The permit will also include access to the test well sites.

This permit authorizes the following improvements: Two Test Wells

This permit valid only on the following state land: All of Section 36, Township 52 North, Range 67 West, 6th P.M.

This permit commences on April 1, 2011 and expires on April 1, 2012.

Permittee shall pay the Board of Land Commissioners, as consideration for this permit, the total sum of $4,374.55, $500.00 per well site plus $5.00 per rod for 674.91 rods of access road, payable in one installment of $4,374.55 due on or before April 1, 2011. If any installment payment is not received when due, this permit shall terminate immediately.

This permit is issued pursuant to Chapter 14 of the Rules and Regulations of the Board of Land Commissioners. **THIS PERMIT IS NON-TRANSFERABLE.**

Date: March 21, 2011

Preliminary Approval by
Director Office of State Lands and Investments

Date: April 7, 2011

Final Approval by
Board of Land Commissioners
TEMPORARY USE PERMIT
ADDITIONAL TERMS AND CONDITIONS

GENERAL CONDITIONS:

1. Permittee shall conduct all operations in a manner which minimizes damage to the land.

2. Permittee shall not place any improvements on the permit area other than those expressly approved within this permit, or an amendment hereto. Camping is not authorized on nonexclusive outfitting/guiding permits.

3. Permittee shall properly contain and dispose of all trash, garbage, industrial, and human waste.

4. Permittee shall properly control noxious weeds.

5. Permittee may terminate this permit prior to the expiration date by notifying the Director of the Office of State Lands and Investments in writing. In the event of termination, the Board of Land Commissioners shall not be obligated to refund any payments received.

6. The Board of Land Commissioners may cancel this permit for violation of any of the terms and conditions of this permit or of the applicable rules and regulations of the Board. The Board also reserves the right to cancel this permit on its anniversary date in order to facilitate the sale or exchange of lands within the permit area.

7. Upon termination, cancellation, or expiration of this permit, Permittee shall restore all disturbed land to a condition and forage density reasonably similar to its original condition and forage density. Permittee shall also remove all personal property from the permit area.

8. Permittee shall observe all state, federal and local laws and regulations.

9. Permittee shall legally access permit area and observe all state laws regarding trespass on adjacent or intermingled private lands.

10. Permittee agrees to indemnify and hold the State of Wyoming, its officers, agents, employees, authorized lessees and Permittees harmless against any liability or expenses arising out of the Permittee’s operation under this permit.

SPECIFIC CONDITIONS FOR TWO MADISON FORMATION TEST WELLS AND ACCESS ROADS:

1. Permittee is only authorized to drill test wells. Should the test wells prove to be a reliable source of water, the City of Gillette will apply for a special use lease prior to any further action being taken.

2. Permittee is not authorized to make any improvements to the existing roads unless absolutely necessary to get the drilling equipment to the test well sites. Permittee will make every effort to minimize damage to the roads by not using same in extremely wet conditions. If the test wells are not converted to production wells for any reason, the road will be reclaimed to the condition existing prior to the wells being drilled.

3. Permittee will be required to plug and abandon the wells properly should it be determined that they are not a reliable source of water for the City of Gillette’s Regional Water Supply System.
May 26, 2011

City Of Gillette
611 N. Exchange St.
Gillette, Wyoming 82716

Dear Applicant or Agent:

You are advised that the State Engineer approved the following application(s) to appropriate ground water for MONITOR/TEST on May 23, 2011. A copy of each permit is enclosed. Also enclosed are forms and instructions for submitting data to the State Engineer relating to the completion of the well, as required by law.

PERMIT NUMBER
U.W. 195671 & 195672

By Statute the well must be completed by DECEMBER 31, 2012. IF THE REQUIRED NOTICES ARE NOT RETURNED TO THIS OFFICE WITHIN THE STATUTORY TIME LIMITS SET FORTH, THE PERMIT(S) WILL BE SUBJECT TO CANCELLATION, WHICH ACTS AS A FORFEITURE OF THE WATER RIGHT GRANTED BY THIS PERMIT.

An extension of time may be requested for completion of work when good reason is provided. A request for such extension must be received in the State Engineer's Office prior to the expiration date shown on the permit. Requests for extension of time must indicate due diligence on the part of the applicant to comply with the time limits imposed by this permit.

Sincerely,

Lisa Lindemann, Administrator
Ground Water Division

xc: DIV 2 (7)
IMPORTANT NOTICE - PLEASE READ CAREFULLY

The approval by the State Engineer of a permit grants an appropriation of water only and does not grant any authority or permission to use the property of someone else, or the requirement to obtain other state and federal permits as required.

If the water well to be constructed will be utilized by more than one (1) landowner, a written water users agreement should be secured and filed with the State Engineer's Office stating all conditions relating to the use of the water well.

If you do not own the land upon which your facility will be constructed, you should, before starting construction, take immediate steps to secure a permanent right-of-way.

If any part of the facility is located on State Land, and you are the lessee of record, communicate with the State Land Commission for necessary applications for construction of improvements. If you are not the lessee of record, Land Board approval is needed for right-of-way across or upon the leased area.

If the facility is to be located on Federal Lands, it will be necessary that you contact the Bureau of Land Management, P. O. Box 1828, Cheyenne, WY 82003, for information as to what is needed. If lands controlled by the Forest Service are involved with this facility, the local Forest Service Office should be contacted for the proper procedure required to obtain a right-of-way.

If privately owned lands are involved with this facility, right-of-way should be secured by written agreement from the land owner, securing sufficient land to properly allow any work that may be necessary. This written agreement should be made a matter of record in the Office of the County Clerk of the County in which the land is situated and the State Engineer's Office.

Such procedure will save you a great deal of unnecessary expense in the future, as any person subsequently filing on Federal Lands or purchasing State Lands, may claim damages, unless such right-of-way is made a matter of record and patent given subject to a right-of-way for existing facilities.

Construction of this facility may require the discharge of dredged or fill material into Wyoming water bodies and wetlands, including intermittent streams, as authorized by Section 404 of the Clean Water Act (33 U.S.C. 1344), the permittee is advised to contact the nearest Corps of Engineers' office to determine if their proposed work requires authorization from that agency. The Corps office is located as follows: U.S. Army Corps of Engineers, Wyoming Regulatory Office, 2232 Dell Range, Suite 210, Cheyenne, WY 82009, 307-772-2300.

(Over)
If the water right is for a source to be developed for human consumption serving 15 or more service connections, or 25 or more persons, for 60 days or more of the year, then regulations developed under the Federal Safe Drinking Water Act apply. Specific requirements of the Act are available from the Water Supply Section, Region VIII, U. S. Environmental Protection Agency, One Denver Place, 999 18th Street., Suite 500, Denver, CO 80202-2405. The provisions of Chapter III of the Wyoming Water Quality Rules and Regulations also apply. You are advised that plans and specifications covering the proposed construction, installation, or modification of any system designed for this purpose are required to be submitted to and a permit to construct obtained prior to the start of construction from the Water Quality Division, Wyoming Department of Environmental Quality (WDEQ/WQD), Herschler Building 4th Floor West, Cheyenne, WY 82002; phone number 307-777-7781.

If construction of the facility will disturb one (1) or more surface acres, a Wyoming Pollutant Discharge Elimination System (WYPDES) storm water permit will be required by the Wyoming Department of Environmental Quality, Water Quality Division (WDEQ/WQD). If there will be any discharge of produced wastewater or drilling muds to the surface, a WYPDES permit may be required by the WDEQ/WQD. The permittee is advised to contact WDEQ/WQD, Herschler Building-4th Floor West, Cheyenne, WY 82002; phone number 307-777-7781 to determine specific WDEQ/WQD WYPDES requirements.

If the water right facilities are to be constructed in areas subject to local governmental laws and regulations, the proper authorities should be contacted to avoid violation of established laws, such as zoning.

Statutory time limits during which the project must be completed and notices filed with the State Engineer’s office are set forth for each approved permit. Failure to return the required notices within the statutorily required time limits acts as forfeiture of the water right granted by the permit and will cause the permit to be subject to cancellation.

With best regards,

Patrick T. Tyrrell,
State Engineer

Rev. 3/4/2008
INSTRUCTIONS FOR COMPLETING
STATEMENT OF COMPLETION AND DESCRIPTION OF WELL OR SPRING, FORM U.W. 6
AND
PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER, FORM U.W. 8

General Instructions
- Address all communications to the State Engineer, Hirschler Building 4-E, Cheyenne, WY 82002. Please put your Permit Number on all communications sent to this office.
- These forms must be signed in ink by the well (spring) owner or authorized agent.
- Photocopies or Poor Quality Reproductions are unacceptable.
- When a Statement of Completion is returned to the permittee or authorized agent for correction, it should be understood that the corrections are required for the protection of the applicant and in the interest of maintaining accurate records. Please make the corrections and return to this office as promptly as possible.
- The Statement of Completion is required by law to be submitted within thirty (30) days of the date that a well is completed and ready for use.
- Proof of Appropriation and Beneficial Use of Ground Water (Form U.W. 8) is required to be submitted by December 31 of the year following the year in which the permit was granted. This form is not required for wells utilized for DOMESTIC, STOCK, MONITOR, TEST or other uses where the requirement for the Proof of Appropriation and Beneficial Use of Ground Water has been waived.

STATEMENT OF COMPLETION AND DESCRIPTION OF WELL OR SPRING
(FORM U.W. 6)

- Statements of Completion must not be folded.
- Statements of Completion must not be defaced by crossing out, erasing or writing out printed matter, or by changing/cutting the form in any way. Preferably, the form should be typed. If a typewriter is not available, the form should be lettered neatly with black ink or ball point pen. (Colored inks do not microfilm)
- PLEASE NOTE: If any of the information required in the Statement of Completion is not available or is unknown, your best estimate will be acceptable.
- STATEMENTS OF COMPLETION MUST BE SIGNED IN INK ON THE 2ND SIDE BY THE PERMITTEE OR AUTHORIZED AGENT.

The Statement of Completion should be completed as follows:

- Permit No. & NAME OF WELL(SPRING) - These should be the exact permit number & name as shown on the permit.
- NAME OF OWNER - This should be the name of the original applicant (permittee) or present owner of the well.
- ADDRESS - Give the respective mailing address of each permittee or present owner. Please check the box if address has changed from that shown on permit.
- USE OF THE WATER - If use of water is not the same as shown on the approved permit, an explanatory note should be included on the back in the REMARKS section. In some cases, an ENLARGEMENT (expansion of the water right) of the original permit will be necessary.
- LOCATION OF WELL - A specific 40-acre location must be submitted. A surveyor's tie is required for all irrigation, industrial, municipal and miscellaneous use wells. If a surveyor's tie is not available, a distance measurement from a known reference point such as a section or quarter corner must be provided.
- TYPE OF CONSTRUCTION - This item is self-explanatory.
- CONSTRUCTION Method by which the well was completed.
- Total Depth of Well/Spring - How deep is the well drilled or spring dug?
- Depth in Static Water Level - Static Water Level is the level at which the water stands in a well when no water is being removed, either by pumping or by free flow. It is generally expressed as the distance from ground surface to the water level in the well. If a well/spring is flowing, the "flowing" should be written here.
- Casing Height above ground (ft.) - This item is self-explanatory.

- Diameter of borehole (feet) - What is the diameter of the crushing bit used to construct the well or spring?
- casing Schedule - This is the pipe that's placed in the borehole. Is it casing new or used? What is the diameter of the casing?
- Did the diameter of the casing change at a certain depth? If so, please show the depth.
- Joint Type - Indicate the type of joint used to connect the casing together.
- Ground Interval - Is the pipe grouted/encased below the hole? If so, what depth interval is it grouted/encased? Also, indicate the amount and type of grout/cement used.
- Type of Completion - Indicates what type of completion was made.
- Completion - What type of perforation was used? What are the sizes of the openings and at what depth are they located? How were the open holes left (casing made to allow water to flow into the pipe)?
- Open Hole - If no casing was installed, what is the open hole interval?
- Well Screen - Wells screen is a factory constructed perforated casing. If it was installed, indicate diameter slot size and interval it was set.
- Well Development Method - All new wells should be developed before being put into production. What method was used to develop the well? Overpumping, backwashing, mechanical pumping, air development, jetting, etc. How long did development last.
PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER

FORM U.W. 6

FOR ALL WELLS EXCEPT DOMESTIC, STOCK, MONITOR OR TEST

THIS FORM (U.W. 6) MUST BE SIGNED ON THE REVERSE SIDE BY THE PERMITTEE OR AUTHORIZED AGENT. Failure to do so will delay processing of the form, as it will be returned to you for signature.

PART I:
The information submitted on this form will be used as a basis for the adjudication of the ground water right. The items are self explanatory and each item should be completed as accurately and thoroughly as possible.

PART II:
For Irrigation, Industrial, Municipal and Miscellaneous Wells. If the form is stamped “MAP NOT REQUIRED”, Parts II & III of this form are waived.

THE PREPARATION OF THE PLAT. This should be read carefully BEFORE the form is completed.

CERTIFICATE OF OWNERSHIP - This may be obtained from the County Clerk’s Office showing ownership or control of lands, involved and MUST ACCOMPANY the Proof of Appropriation and Beneficial Use of Ground Water Form (U.W. 6).

Part III:
A State Engineer Representative will prepare part III at time of inspection.

PHOTOCOPIES OF THE FORMS ARE UNACCEPTABLE
MEMORANDUM
February 9, 2006

TO: State Engineer’s Office
FROM: Patrick T. Tyrrell, State Engineer
SUBJECT: State Engineer’s Office Requirements for Coordinates on Permits and Petitions

Effective Date: April 1, 2006

Background

The State Engineer’s Office (SEO) is currently implementing an information management technology system for the entire agency. This system will allow for more efficient data retrieval and is the initial step in creating a statewide geographic information system (GIS) for water rights in the state. A key component for GIS is accurate locations of the spatial data being depicted. Historically, the SEO has required maps prepared by an engineer or surveyor for larger projects to depict locations. On stock pond permits and well permits, only the Public Land Survey quarter/quarter locations have been required.

With the advent of handheld Global Positioning System (GPS) units, coordinates for specific locations are easier to acquire. As such, the SEO will begin requiring coordinates for permitting and petitioning processes in the agency. The respective divisions will be administered as follows.

Surface Water Division

Prior to the SEO issuing a new permit, the applicant shall provide coordinates on all proposed points of diversion and centerlines of dam embankments.

Ground Water Division

This division will continue to issue permits without the requirement of the applicant providing coordinates on the application form (UW-5). The permittee will be required to provide coordinates when filing the Statement of Completion (UW-6) for completed wells or spring developments. A Statement of Completion will not be considered acceptable until coordinates have been provided.
Board of Control

In the State Board of Control (BOC) Rules and Regulations, approved in November, 2004, all maps and surveys submitted to the BOC are to indicate the location of points of diversion, reservoir outlets, wells, pumps and pivot points by latitude and longitude (coordinates). The BOC considers coordinates to be an essential component of any map submitted to the BOC.

Coordinates Systems

The SRO will accept coordinates in one of three coordinate systems. They are as follows.

1. Latitude and Longitude – Preferred
2. Universal Transverse Mercator (UTM)
3. State Plane Coordinates

The adopted datums are North American Datum of 1983 (NAD83) for horizontal measurements and the North American Vertical Datum of 1988 (NAVD 88) for vertical measurements.

Accuracy

The SRO will allow two levels of accuracy to be used in providing coordinates on submittals to the agency. The accuracy level will be dependent on the type of submittal being made and described as follows:

1. For those applications, Statements of Completion, proofs, petitions, etc. that require a map prepared by a licensed surveyor or engineer, the coordinates shall be ascertained using survey-grade equipment with an accuracy of ±5 feet.
2. For those applications, Statements of Completion, etc. that do not require a detailed map (stock ponds, stock and domestic wells), the coordinates may be determined using a hand-held recreational GPS unit. Using the Wide Area Augmentation System (WAAS) feature on GPS units generally achieves an accuracy of ±10 feet and is preferred. However, coordinates generated with recreational GPS units without WAAS capability are also acceptable.
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 ink.

PERMIT NO. U.W. 195671
NAME OF WELL/SPRING MADISON 11

1. NAME OF OWNER 1) CITY OF GILLETTE 2) SBOIC

2. ADDRESS
City ____________________ State ____ Zip Code ______ Phone No. ____________

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 1/4 1/4 of Section , T N R W of the 6th P.M. (or W.R.M.)
Subdivision Name ____________________ Lot ____________________ Block ____________________
Resurvey Location Tract ____________ or Lot ____________________ Datum ____________________
Geographic Coordinates: Latitude ____________ N Longitude ____________ W (degrees, minutes, seconds)
UTM Zone ____________________ Northing ____________________ Easting ____________________
State Plane Coordinates: Zone ____________________ Northing ____________________ Easting ____________________
Land surface elevation (ft. above mean sea level) ____________________ Datum ____________________
Source □ GPS □ Map □ Survey □ Unknown □ Other □ Altimeter (for elevation only)

5. TYPE OF CONSTRUCTION □ Drilled □ Bored □ Dug □ Driven □ Other Description ____________

6. CONSTRUCTION Total depth of well/spring ____________________ ft.
Depth to static water level ____________________ ft. (below land surface) Casing height ____________________ ft. above ground
a. Diameter of borehole (ft. size) ____________________ inches
b. Casing schedule: □ New □ Used □ Joint type: □ Threaded □ Glued □ Welded
c. Diameter from ft. to ft. Material ____________________ Gage ____________________
cemented/grounded interval, from ft. to ft. ____________________ ____________________
Amount of grout used ____________________ Type ____________________ (example: 10 sacks)
d. Type of completion □ Customized perforations □ Open hole □ Factory screen
Type of perforator used ____________________
Size of perforations ____________________ inches by inches
Number of perforations and depths where perforated ____________________ perforations from ft. to ft.
e. Open hole from ft. to ft. ____________________
Well screen details
Diameter ____________________ slot size ____________________ ft. from ft. to ft. length ft.
f. Diameter ____________________ slot size ____________________ ft. from ft. to ft. length ft.

7. NAME AND ADDRESS OF DRILLING COMPANY ____________________

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

9. PUMP INFORMATION Manufacturer ____________________ Type ____________________
Source of power ____________________ Horsepower ____________________ Depth of pump setting or intake ____________________ ft.
Amount of water being pumped ____________ 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 well yields artesian flow or if spring, yield is ____________ gal./min.*. Surface pressure is ____________ lb./sq.inch, or ____________ feet of water
The flow is controlled by □ Valve □ Cap □ Plug
How well look around casing? □ Yes □ No
*If these amounts exceed permitted amounts an enlargement is required

Permit No. U.W. 195671 ____________________ Book No. 1410 ____________________ Page No. 21 ____________________

SEE REVERSE SIDE
11. IF SPRING, HOW WAS IT CONSTRUCTED? (Some method of artificial diversion, i.e., springbox, cribbing, etc., is necessary to qualify for a water right)

12. PUMP TEST Was a pump test conducted? □ Yes □ No
   If so, by whom ____________________________
   Yield _______ gal./min. with ________ ft. drawdown after ________ hours
   Yield _______ gal./min. with ________ ft. drawdown after ________ hours

13. LOG OF WELL Total depth drilled ________ ft.
   Depth of completed well ________ ft.
   Diameter of well ________ inches.
   Depth to first water bearing formation ________ ft.
   Depth to principal water bearing formation Top ________ ft. to bottom ________ ft.

   DRILL CUTTINGS DESCRIPTION:

<table>
<thead>
<tr>
<th>From Feet</th>
<th>To Feet</th>
<th>Rock Type Or Description</th>
<th>Formation</th>
<th>Water Bearing? (Yes or No)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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
   If not, do you consider the quality of water as □ Good □ Acceptable □ Poor □ Unusable
   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.)

   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.

Signature of Owner or Authorized Agent ____________________________ Date __________, 20__

FOR STATE ENGINEER’S USE ONLY

Permit No. U.W. 395671
Date of Receipt __________
Date of Priority 2/16/2011
Date of Approval __________, 20__
for State Engineer
APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

APPLICATION FOR WELLS AND SPRINGS

Note: Only in rings having 25 gallons per minute or less, where the proposed use is Domestic and/or Stock Watering, will be considered for ground water appropriations.

Temporary Filing No. U.W. 042-6-3.00c

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

FOR OFFICE USE ONLY

PERM NO. U.W. 195671
WATER DIVISION NO. 2 DISTRICT 7
U.W. DISTRICT Crook County

NAME AND NUMBER OF WELL or SPRING: Madison 11

1. Name of applicant(s) 1) City of Gillette 2) B. L. Phone (307) 686-5266
2) Hirschler Bldg., 4 W., Cheyenne, WY 82002

2. Address of applicant(s) 0611 N. Exchange St., Gillette, WY 82716
(MAILING ADDRESS)
(CITY)
(STATE)
(ZIP)

3. Name & address of agent to receive correspondence and notice: Steven L. Peterson, P.E.
PO Box 3603 Gillette WY 82717 Phone: (307) 686-5266
(MAILING ADDRESS)
(CITY)
(STATE)
(ZIP)

4. Use to which the water will be applied

[ ] Domestic: Use of water in single-family dwellings or less, noncommercial watering of lawns and gardens totaling one acre or less. Number of heancies served:

[ ] Stock Watering: Normal livestock use at tanks or wells within one mile of well or spring. Stock-watering pipelines and commercial feedlots are a Miscellaneous use. Number of stock tanks:

[ ] Irrigation: Watering of all lands for agricultural purposes not covered by the definition of domestic use (large-scale lawn watering of golf courses, landscapers, chicken farm areas, etc., and Miscellaneons uses)

[ ] Municipal: Use of water in incorporated Towns and Cities. Note 1: use of water in unincorporated towns, subdivisions, improvement districts, mobile home parks, etc. are Miscellaneons uses. Note 2: a permit may be required by the Wyoming Department of Environmental Quality (WDEQ) if the well will be developed as a public water supply under the WDEQ's rules and regulations.

[ ] Industrial: Long term use of water for the manufacture of a product or production of oil/gas or other minerals (oil field well, flood operations, power plant water supply, etc.). (Explain REMARKS)

[ ] Miscellaneous: Any type of water not defined under previous definitions such as air-conditioning pipelines, subdivisions, mine depressions, mineral-in-place exploration, etc. (Explain REMARKS)

[ ] Contaminated Water: Water produced in the production of oil and/or methane gas. Note: Wells used in the production of oil and/or methane gas will require a permit from the Wyoming Oil and Gas Conservation Commission.

5. Location of the well or spring: INCOME: Quarter-quarter (40 acres subdivision) MUST be shown. EXAMPLE: SE 1/4 NW 1/4 of Sec 12, Township 14 North, Range 68 West 1/2

CONDO: County, Sec 1/4 SE 1/4 of Sec 36, T. R. 67, W. of the 6th P.M. (W.R.M.), Wyoming. All lots in a platted subdivision shall be illustrated on Tract Tract of the Subdivision. (All Acreage) of

6. Estimated depth of the well or spring is: 3000

7. Estimated production interval is: 2500 gal in 3000 gal

8. Maximum instantaneous flow of water to be developed and beneficially used: 0 gals per minute

9. Maximum volumetric quantity of water to be developed and beneficially used per calendar year: 0

10. Circle appropriate units: [Gallons] (For Final) NOTE: A four-person family utilizes approximately one (1) acre-foot of water per year or 20,000 gallons.

8. Mark the point(s) or area(s) of use in the tabulation box below. Note: Upper row refers to the quarter of the section. Next row refers to the quarter of the section.

<table>
<thead>
<tr>
<th>Section</th>
<th>Total</th>
<th>NW</th>
<th>NW</th>
<th>SW</th>
<th>SW</th>
</tr>
</thead>
<tbody>
<tr>
<td>TEST WELL</td>
<td>PERMANENT PUMPING EQUIPMENT INSTALLED</td>
<td>AT THIS TIME</td>
<td>1410</td>
<td>21</td>
<td></td>
</tr>
</tbody>
</table>
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.

11. The well or spring is to be constructed on lands owned by the State of Wyoming. (The granting of a permit does not constitute the granting of a right-of-way. If any lease or right-of-way is necessary in connection with this application, it should be obtained from the appropriator specified herein.) A copy of the agreement should accompany this application, if the land is privately owned and the owner is not the applicant.

12. The water is to be used on land owned by Test Well - See Remarks.

REMARKS: This is a test well in conjunction with the Gillette Madison Pipeline Project. It will be converted to a functioning well for municipal purposes under a separate phase of construction, and will eventually serve lands identified within the Gillette Regional Water System Designation Area. See Exhibit A.

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.

Signature of Applicant or Authorized Agent

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

DOMESTIC AND/OR STOCK WATERING USES

COAL BED METHANE USE

IRRIGATION, MUNICIPAL, INDUSTRIAL, AND MISCELLANEOUS USES

MONITOR (for water level measurement or chemical quality sampling) OR TEST WELL USES

$50.00

$50.00

$75.00

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

STATE ENGINEER'S OFFICE

This Instrument was received and filed for record on the 16th day of February, 2011, at 9:32 a.m.

2011

Permit No. U.W. 195671

(State) for State Engineer

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 application is subject to the condition that the proposed use shall not interfere with existing rights to ground water from the same source of supply and is subject to regulation and control of the Surface Water Rights Board. No water will be exported. The use of water hereunder is subject to the further provisions of Chapter 169, Session Laws of Wyoming, 1957, and all subsequent amendments thereto.

The well is to be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.

The wells will be constructed and equipped that the flow may be shut off when not in use without loss of water. The surface water and/or ground water will be used to sub-surface formations at the site.

The application is for test purposes only. No water will be beneficially used. The approval of this test well permit does NOT OBLIGATE the State Engineer to approve the permanent production well permit. This permit will be automatically cancelled on December 31, 2011, or upon receipt of an acceptable Statement of Completion. PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER (TOWM U.W. 3)

Certified under the authority of the Board of Control to proceed with construction of the proposed well or spring. A Statement of Completion must 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 by December 31, 2012.

The amount of appropriation shall be limited to the quantity to which permit is entitled as determined at time of proof of completion of construction and beneficial use.

Witness my hand this 23rd day of May, A.D. 2011.

Signature of Applicant or Authorized Agent

LEA RICK T TIRRELL, State Engineer
PERMIT NO. U.W. 195671
T.F. No. U.W. 42-6-306

Priority Date February 16, 2011  Approval Date MAY 23, 2011

ADDITIONAL CONDITIONS AND LIMITATIONS:

1. This well will be completed as a test well of the Madison Formation. The applicant must obtain written consent from the State Engineer prior to testing of ground water from any geologic formation other than the Madison Formation.

2. This well will be cased with new or new-like quality casing and the annular space between the casing and the borehole wall shall be cemented from a depth of at least ten feet below the top of the Madison Formation to the land surface to eliminate the commingling of ground water from different aquifers. A cement bond log shall be performed from at least 10 feet below the top of the Madison Formation to land surface to insure that an adequate seal exists between the casing installed within this interval and the borehole wall to eliminate the possibility of water being produced from intervals other than the Madison formation.

3. Within 30 days of completion, Casing Collar Locator and Cement Bond Log of the well must be conducted and the results submitted to the State Engineer’s Office for review/approval.

4. A geophysical log of the well must be conducted (including, at least, Resistivity, Spontaneous Potential, Gamma-Ray and Caliper Logs plotted on the same vertical scale) and the results submitted to the State Engineer’s Office for review/approval within 30 days of completion.

5. A drilling and testing report shall be submitted to the State Engineer upon completion of the testing project. This report should include, but is not limited to, drilling and completion details, testing methodology, production testing data, drawdown and recovery data, and calculated aquifer parameters.

6. Should this well be abandoned after the testing, a report stating methods and materials used for abandonment shall be submitted within 30 days.

7. In the event that this well will be completed as a production well, the well shall be completed in the Madison Formation. Multiple formation completion or multiple formation water production from a test or production well at this location is strictly prohibited.

8. The granting of this permit creates no obligation either express or implied for the State Engineer to grant any additional permits associated with this project. This permit is approved as a TEST well only and does not allow for long term production outside of the exploration project.

9. The State Engineer may, upon written request, waive all or any portion of these conditions and limitations.

10. The permit granted herein is subject to all other applicable requirements of State law not herein specifically stated.

Date of Approval May 23, 2011

PATRICK T. TYRRELL, State Engineer
PERMIT NO. U.W. 195672 NAME OF WELL/SPRING MADISON 12

1. NAME OF OWNER CITY OF GILLETTE 2) SBOLC

2. ADDRESS
   City State Zip Code Phone No.

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

4. LOCATION OF WELL/SPRING
   [ ] 1/4  [ ] 1/4 of Section [ ] N [ ] R [ ] W., of the 8th P.M. [ ] or W.R.M.
   Subdivision Name [ ] Lot [ ] Block
   [ ] Reservoir Location
   [ ] 1/4 or Lot
   [ ] Datum [ ] NAD27 [ ] NAD83
   Geographic Coordinates: Latitude [ ] N
   Longitude [ ] W (degrees, minutes, seconds)
   UTM: [ ] Zone [ ] Northing [ ] Easting (meters)
   [ ] State Plane Coordinates: Zone [ ] Northing [ ] Easting (Feet)
   Land surface elevation (ft., above mean sea level) [ ] Datum [ ] NAVD27 [ ] NAVD88
   Source [ ] GPS [ ] Map [ ] Survey [ ] Unknown [ ] Other [ ] Altimeter (for elevation only)

5. TYPE OF CONSTRUCTION
   [ ] Drilled [ ] Auger [ ] Driven [ ] Other
   Describe

6. CONSTRUCTION
   Total depth of well/spring [ ] ft.
   Depth to static water level [ ] ft. (below land surface) [ ] Casing height [ ] ft. above ground
   a. Diameter of borehole (or size) [ ] inches
   b. Casing schedule [ ] None [ ] Used
      [ ] Joint type [ ] Threaded [ ] Glazed [ ] Welded
      [ ] Material [ ] Steel [ ] Cast iron
      [ ] Gage [ ] Schedule
      [ ] diameter from ft. to ft.
   Material [ ] Steel [ ] Cast iron
      [ ] Gage [ ] Schedule
      [ ] diameter from ft. to ft.
   c. Cemented/grooved interval, from ft. to ft.
      Amount of grout used [ ] ft.
      Type [ ] (example: 10 sacks)
   d. Type of completion [ ] Customized perforations [ ] Open hole [ ] Factory screen
      Type of perforator used [ ] (example: borehole drill)
      Size of perforations [ ] inches by [ ] inches
      Number of perforations and depths where perforated
      perforations from ft. to ft.
      perforations from ft. to ft.
      e. Open hole from ft. to ft.
      Well screen details
      Diameter [ ] in.
      Slot size [ ] in.
      set from ft. to ft.
      f. Well development method
      How long was well developed?
   f. Was a filter/gravel pack installed? [ ] Yes [ ] No
      Size of sand/gravel [ ] 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

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

9. PUMP INFORMATION
   Manufacturer [ ] Type
   Source of power [ ] Horsepower [ ] Depth of pump setting or intake [ ] ft.
   Amount of water being pumped [ ] 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 well yields artesian flow or if 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
    SEE REVERSE SIDE
11. IF SPRING, HOW WAS IT CONSTRUCTED? (Some method of artificial diversion, i.e., springbox, cribbing, etc., is necessary to qualify for a water right)

12. PUMP TEST Was a pump test conducted? □ Yes □ No
   If so, by whom ____________________________
   Yield ____________________________ gal./min. with ________ ft. drawdown after ________ hours
   Yield ____________________________ gal./min. with ________ ft. drawdown after ________ hours

13. LOG OF WELL Total depth drilled ________ ft.
   Depth of completed well ________ ft. Diameter of well ________ inches.
   Depth to first water bearing formation ________ ft.
   Depth to principal water bearing formation Top ________ ft. to bottom ________ ft.

DRILL CUTTINGS DESCRIPTION:


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 bacteriological 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 quality of 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.

______________________________  __________________
Signature of Owner or Authorized Agent  Date

FOR STATE ENGINEER'S USE ONLY

Permit No. U.W. 195672

______________________________  __________________
Date of Receipt  Date of Approval

______________________________
Date of Priority  2/16/2011

for State Engineer
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

PERMIT NO. U.W. 195672

WATR DIVISION NO. 2

DISTRICT - Crook County

NAME AND NUMBER OF WELL or SPRING

Madison 12

Use of water in 3 x 3 inch ditches or less, noncommercial watering of lawns and gardens totaling one acre or less. Number of acres served:_____

DOMESTIC

Use of water in 3 x 3 inch ditches or less, noncommercial watering of lawns and gardens totaling one acre or less. Number of acres served:_____

IMMIGRATION

Use of water in irrigation channels or the maintenance of agricultural purposes not covered by the definition of domestic use (large-scale lawn watering of golf courses, recreational areas, etc., are Miscellaneous uses).

MUNICIPAL

Use of water by a special district for the use of water for the manufacture of a product or production of utilities or public services (e.g., fire hydrant water supply, etc.). (Describe in REMARKS)

INDUSTRIAL

User of water by a special district for the use of water for the manufacture of a product or production of utilities or public services (e.g., fire hydrant water supply, etc.). (Describe in REMARKS)

MISCELLANEOUS

Any use of water not defined under previous definitions such as stock-watering pipelines, subdivisions, improvement districts, mobile home parks, etc. are Miscellaneous uses. Note: 2:1 permit may be reviewed by the Wyoming Department of Environmental Quality (WDEQ) if the well will be classed as a public water supply and under the WDEQ's rules and regulations.

COBBLE MINE

Water produced in the production of coal bed methane gas. Note: Wells used in the production of coal bed methane gas will remain under the Wyoming Oil and Gas Conservation Commission.

1. Name of applicant(s): City of Gillette

2. Address of applicant(s): 611 N. Exchange St., Gillette, WY 82716 (MAILING ADDRESS) (CITY) (STATE) (ZIP)

3. Name & address of agent to receive permits, notices, and notices: Steven L. Peterson, P.E.

PO Box 3003

Gillette, WY 82717 (MAILING ADDRESS) (CITY) (STATE) (ZIP)

4. Use to which the water will be applied

5. Location of the well or spring: Note: Quarter-quarter (40 acre subdivision) MUST be shown. EXAMPLE: SE Sec 14 NW 1/4 of Sec 15, Township 14 North, Range 99 West, Section 14, County, WY 1/4 1/4 of Sec. 14. T. 14 N., R. 99 W., of the 8th P.M. (W.R.M.) Wyoming: A parcel located in a pattern subdivision and provided Lot/Tract Block of the Subdivision (or Address) of __________ Location: Tract ______, for lot_____

6. Estimated depth of the well or spring is 3000 ft. Estimated production interval is 2500 ft. to 3000 ft.

7. (a) Maximum instantaneous rate of water to be developed and beneficially used: 2 gallons per minute or less. Maximum instantaneous rate of water to be developed and beneficially used: 2 gallons per minute or less. Note: For Domestic and/or Stock-watering use, this application will be processed for a maximum of 2 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 annual delivery of water to be developed and beneficially used per calendar year: 0

Circle appropriate units: (Gallons) (Cubic Feet) NOTE: 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. Note: Upper row refers to the quarter of the section. Next row refers to the quarter of the quarter section.

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195672

BOOK NO: 1410

Page No: 22
11. If for irrigation use, describe method of irrigation, i.e., center pivot sprinkler, flood, etc.: ________________________________________________________________________________

12. The well or spring is to be constructed on lands owned by the State of Wyoming
   (The granting of a permit does not constitute the granting of a 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.)

   REMARKS: This is a test well in conjunction with the Gillette Madison Pipeline Project. It will be converted to a functioning well for municipal purposes under a separate phase of construction, and will eventually serve lands identified within the Gillette Regional Water System Designation Area, see Exhibit A.

   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.

   Signature of Applicant or Authorized Agent

   [Signature]

   Date

   [Date]

   THIS LEGALLY REQUIRED FILING FEE MUST ACcompany THIS APPLICATION

   DOMESTIC AND/OR STOCK WATERING USES $50.00
   COAL BED METHANE USE $50.00
   IRRIGATION, MUNICIPAL, INDUSTRIAL, AND MISCELLANEOUS USES $75.00
   MONITOR (For water level measurements or chemical quality sampling) or TEST WELL USES 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 ___________ STATE ENGINEER'S OFFICE ___________
   This instrument was received and filed for record on the 16 day of February, A.D.
   20-11, at 9:32 a.m. ___________

   Permit No. U.W. ___________
   [195672]

   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 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 with surface water rights. If the ground surface water is inter-connected, the use of water hereunder is subject to the further provisions of Chapter 169, Session Laws of Wyoming, 1957, and any subsequent amendments thereof.

   Granting of a permit does not guarantee the right to have the water level or at tension pressure in the well maintained at any specific level. The well shall 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 Application Sheet. FOR ADDITIONAL CONDITIONS AND LIMITATIONS SEE ATTACHED APPENDIX SHEET. This application is for test purposes only; no water will be beneficially used. The approval of this test well permit does NOT obligate the State Engineer to approve the permanent production well permit. This permit will be automatically cancelled on December 31, 20-11 or upon receipt of an acceptable Statement of Completion. PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER (FORM NO. 8) IS REQUIRED.

   Completion and completion of the beneficial use of water for the purposes specified in item 4 of this application will be made by December 31, 20-11.

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

   Witness my hand this 23 day of May, A.D. 20-11

   [Signature]

   PATRICK T. TYRELL, State Engineer
PERMIT NO. U.W. 195672
T.F. No. U.W. 42-7-306

Priority Date February 16, 2011 Approval Date MAY 23, 2011

ADDITIONAL CONDITIONS AND LIMITATIONS:

1. This well will be completed as a test well of the Madison Formation. The applicant must obtain written consent from the State Engineer prior to testing of ground water from any geologic formation other than the Madison Formation.

2. This well will be cased with new or new-like quality casing and the annular space between the casing and the borehole wall shall be cemented from a depth of at least ten feet below the top of the Madison Formation to the land surface to eliminate the commingling of ground water from different aquifers. A cement bond log shall be performed from at least 10 feet below the top of the Madison Formation to land surface to insure that an adequate seal exists between the casing installed within this interval and the borehole wall to eliminate the possibility of water being produced from intervals other than the Madison formation.

3. Within 30 days of completion, Casing Collar Locator and Cement Bond Log of the well must be conducted and the results submitted to the State Engineer’s Office for review/approval.

4. A geophysical log of the well must be conducted (including, at least, Resistivity, Spontaneous Potential, Gamma-Ray and Caliper Logs plotted on the same vertical scale) and the results submitted to the State Engineer’s Office for review/approval within 30 days of completion.

5. A drilling and testing report shall be submitted to the State Engineer upon completion of the testing project. This report should include, but is not limited to, drilling and completion details, testing methodology, production testing data, drawdown and recovery data, and calculated aquifer parameters.

6. Should this well be abandoned after the testing, a report stating methods and materials used for abandonment shall be submitted within 30 days.

7. In the event that this well will be completed as a production well, the well shall be completed in the Madison Formation. Multiple formation completion or multiple formation water production from a test or production well at this location is strictly prohibited.

8. The granting of this permit creates no obligation either express or implied for the State Engineer to grant any additional permits associated with this project. This permit is approved as a TEST well only and does not allow for long term production outside of the exploration project.

9. The State Engineer may, upon written request, waive all or any portion of these conditions and limitations.

10. The permit granted herein is subject to all other applicable requirements of State law not herein specifically stated.

Date of Approval May 23, 2011

PATRICK T. TYRRELL, State Engineer
PERMIT NO. 11-067

City of Gillette Madison Well 12
Madison Pipeline Project

This permit hereby authorizes the applicant:

City of Gillette
P.O. Box 3003
Gillette, Wyoming 82717-3003

to drill, construct, develop, test, and plumb the City of Gillette, Madison Well 12 according to the procedures and conditions of the application number 11-067. The project is located in northeast quarter of Section 36, Township 52 North, Range 67 West, in the county of Crook, in the State of Wyoming. All construction, installation, or modification allowed by this permit shall be completed within one year of issuance (July 20, 2012).

The issuance of this permit confirms that the Wyoming Department of Environmental Quality (DEQ) has evaluated the application submitted by the permittee and determined that it meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the engineer's design are the responsibility of the permittee, owner, and operator.

Granting this permit does not imply that DEQ guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements. Compliance with discharge standards remains the responsibility of the permittee.

Nothing in this permit constitutes an endorsement by DEQ of the land application described herein. This permit verifies only that the submitted application meets the design and construction standards imposed by Wyoming statutes, rules and regulations. The DEQ assumes no liability for, and does not in any way guarantee or warrant the performance or operation of the permitted facility. The permittee, owner and operator are solely responsible for any liability arising from the construction or operation of the permitted facility. By issuing this permit, the State of Wyoming does not waive its sovereign immunity.

The permittee shall allow authorized representatives from DEQ to enter and inspect any property, premise or place on or at which the land application is located for the purpose of investigating actual or potential sources of water pollution, and for determining compliance or non-compliance with any rules, regulations, standards, permits or orders.

Nothing in this permit shall be construed to preclude the institution of any legal action or other proceeding to enforce any applicable provision of law or rules and regulations. It is the duty of the permittee, owner and operator to comply with all applicable federal, state and local laws or regulations in the exercise of its activities authorized by this permit.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
The permittee shall construct and operate the permitted facility in accordance with the statements, representations, procedures, terms and conditions of the permit application, supporting documents and permit. This permit does not relieve the permittee from any duty to obtain any other permit or authorization that may be required by any provision of federal, state or local laws.

In carrying out its activities authorized by this permit, the permittee, owner and operator shall comply with all of the following permit conditions:

1 of 5 The applicant will provide immediate oral or written notice to the Northeast District, Water Quality Division, 152 North Durbin, Suite 100, Casper, WY 82601, Phone 307-473-3465, Fax 307-473-3458, in accordance with the provisions of Section 11, Chapter 3, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.

2 of 5 Within sixty days of completion of construction of the authorized facility, the applicant will submit to the Northeast District, Water Quality Division, 152 North Durbin, Suite 100, Casper, WY 82601 a certificate of completion signed by the Engineer of Record or the owner. A form titled "Certificate of Completion" has been provided.

a. Dates that construction of the facility was completed; and
b. Date that the facility was placed in operation; and
c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer, if appropriate, is required. All modifications or deviations from the authorized plans must be highlighted.
e. Submit the following information with the Certificate of Completion:
   1) As-built construction documents;
   2) All logs including driller/geologists: logs, geophysical logs, and bond logs; and
   3) A plumbness/alignment test;
   4) An aquifer test that meets the requirements of DEQ regulations of a constant rate (minimum 1.5 x design rate) for 24 hours, with drawdown and recovery records and aquifer/hydraulic properties;
   5) A copy of the water quality analytical testing for the required constituents and disinfection information;
   6) Any other applicable information/documentation.

3 of 5 Disinfection, in accordance with Chapter 12, Section 9(b)(A)(II), Wyoming Water Quality Rules and Regulations, shall be performed.

4 of 5 The applicant will perform yield and drawdown tests in accordance with Chapter 12, Section 9(b)(ii). Results of these tests are to be provided with the Certificate of Completion.
The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

AUTHORIZED BY:

John F. Wagner
Administrator
Water Quality Division

John V. Corra
Director
Department of Environmental Quality

Date of Issuance: 7/20/11

JDL/m/11-0682

cc: WDEQ Casper Field Office
STATEMENT OF BASIS

1. Permit Number: 11-067

2. Application reviewed for compliance with the following applicable regulations:
   a. Chapter 3, 12, and 26 Wyoming Water Quality Rules and Regulations

3. Does the permit comply with all applicable regulations identified above?
   Yes

4. Facility includes components not specifically covered or differing from applicable regulations and approval is based on deviation in accordance with Section 5.

   Facility will have a variance of Section 9 (b) (iii) (c) (IV), lightweight cement slurry. The lightweight cement slurry will be required to meet Wyoming Oil and Gas Commission rules Section 22(a)(ii) and be approved by WDEQ before being used in the well construction.

5. Documentation of Statement of Basis.

   The archive file for this permit will include adequate documentation of all sections of this Statement of Basis.

CERTIFICATION

The issuance of this permit is based upon a review of the application package submitted in accordance with the requirements of Section 6, Chapter III, Wyoming Water Quality Rules and Regulations. This review was performed by Dennis Lamb, and completed on July 20, 2011. Permit issuance is recommended based upon statements, representations, and procedures presented in the permit application and supporting documents permit conditions, and the items identified in this "Statement of Basis."
GILLETTE MADISON PIPELINE PROJECT TEST WELLS - 07EN58

DESCRIPTION OF PROJECT

Drilling test well Madison 12 into the Madison Aquifer in conjunction with the Gillette Madison Pipeline Project.

LOCATION:

County: Crook
Latitude: N44°17'09" Long: W104°50'44"
Legal Description (1/4 Section, Section, Township and Range or Lot No. and Subdivision)
NE 1/4 of Sec 36, T. 52 N., R. 67 W.

SIGNATURES:

All undersigned agree to comply with applicable Wyoming Statutes and Regulations and to allow the activities described in this application.

Real Estate Owner

The real estate owner or the grantee of the applicable easement must sign this form

City of Gillette

Authorized by

Printed Name: Steve Peterson, PE

Operator or Developer

(Print same as real estate owner this space may be left blank)

Director

Department of Environmental Quality

Permit No.

Printed Name: Casey Hanson

Firm Name: Morrison Maierle, Inc.

Address: 315 N. 25th St, Ste 102
City: Billings
State: MT
ZIP Code: 59101
Phone Number: (406) 656-6000

Please complete information on the second page or the back of this form
The Wyoming Environmental Quality Act, W.S. 35-11-101 and Wyoming Environmental Quality Act, Article 3, W.S. 35-11-301 mandates that permits are required for construction or modification of public water supplies, wastewater facilities, land application systems, and confined swine feeding operations. W.S. 18-5-306 requires the review of the safety and adequacy of proposed sewage systems and water systems in new subdivisions by the Department of Environmental Quality.

All Wyoming Water Quality Regulations are available at http://deq.state.wy.us/wqd/WQDRules/index.asp

Chapter 3 of the Wyoming Water Quality Division Rules and Regulations defines the permitting process.

Specific chapters of the Wyoming Water Quality Rules and Regulations have been developed for each of the areas that require a permit. The regulatory chapters for types of projects that this application is to be used for are listed below. Please check all that apply to your project.

<table>
<thead>
<tr>
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<th>Description</th>
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<tr>
<td>11</td>
<td>Design and Construction Standards for Sewerage Systems, Treatment Works. Disposal System of other Facilities Capable of Causing or Contributing to Pollution, includes septic tanks/leach fields, monitoring wells, and road application of wastewater</td>
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<tr>
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<td>Design and Construction Standards for Public Water Supplies, includes subdivision water supplies and water line extensions</td>
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<tr>
<td>21</td>
<td>Standards for the Reuse of Treated Wastewater</td>
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<td>Minimum Standards for Subdivision Applications</td>
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<td>Other</td>
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### Previous or Associated State of Wyoming Permits

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<td>WQD Permit to Construct</td>
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<td>State Engineers Surface Water Right or Well Permit</td>
<td>UW 5 (Pending)</td>
</tr>
<tr>
<td>WQD Underground Injection Control</td>
<td>Will be obtained by Contractor</td>
</tr>
<tr>
<td>WYPDES (discharge permit)</td>
<td>Will be obtained by Contractor</td>
</tr>
<tr>
<td>US EPA Public Water Supply (PWS) Number</td>
<td>WY5600019C</td>
</tr>
</tbody>
</table>
CERTIFICATION OF COMPLETION

In accordance with the condition of the Wyoming Department of Environmental Quality/Water Quality Division Permit to Construct No. _______, requiring submittal of this Certification of Completion within sixty (60) days of completion of the facility, I hereby certify:

1. Construction of the permitted facility was completed on ___________ (DATE) and the facility was placed in operation on ________________ (DATE).

2. Construction was completed in accordance with the following: (Check the appropriate option)

- The facility was constructed in compliance with all terms and conditions of the permit including the design report, plans and specifications, design data or other information submitted in support of the application.

- The facility was constructed with changes or modifications in accordance with the provisions of Section 9, Chapter 3, Wyoming Water Quality Rules and Regulations. As-built plans and specifications, certified by a registered professional engineer (certification by an engineer is not required if the original application was not certified by an engineer) are enclosed.

Facility Owner (print or type)_________ Date ___________

Owners Signature

Engineer (print or type)_________________________________________ Date __________________

Engineers Signature
CITY OF GILLETTE
NOTICE TO PROCEED

To: Layne Christensen Company
Contractor

Address: 17000 East 24 Ave
Aurora, CO 80011

Project Name: Gillette Madison Pipeline Project Test Wells

Project No: 07EN58 - Contract #1

You are notified that the Contract Times under the above contract will commence to run on October 4, 2011. On that date, you are to start performing your obligations under the Contract Documents. In accordance with Article 4 of the Agreement, the number of days to achieve Substantial Completion is 110 calendar days, and the number of days to achieve readiness for final payment is 130 calendar days.

Also, before you may start any Work at the Site, you must:

Coordinate access with the Property Owner.
Jerry and Sharon Kinney, 307.786.3227 (p.), and
Johnny and Janet Harde, 307.756.7934 (p.)
60824 US Hwy 14
Hoopeston, Wyoming 82721

City of Gillette
Owner
By: Utility Project Manager

October 4, 2011
Date

ACCEPTANCE OF NOTICE

RECEIPT OF THE ABOVE NOTICE TO PROCEED IS HEREBY ACKNOWLEDGED.

By: Layne Christensen Co., this 11th day of October 2011
Contractor

By: JERI NABB
Name: Account Manager
Title:
August 29, 2012

Steven Costello
Layne Christensen Company
11001 Etiwanda Avenue
Fontana, California 92337

RE: Authorization under the Wyoming Pollutant Discharge Elimination System (WYPDES) General Permit for Temporary Discharges, WYG720291

Dear Mr. Costello:

The General Permit for Temporary Discharges is scheduled to expire on August 31, 2012. The WYPDES Program has developed three draft general permits to address temporary discharges to surface waters of the state. The draft permits cover existing categories of temporary discharges except discharges associated with swimming pools. In addition, there are several new categories of discharges that are also being proposed under the draft general permits. Below is a summary of types of activities covered by each draft general permit.

<table>
<thead>
<tr>
<th>General Permit for Temporary Discharge Involving Ground Water Remediation</th>
<th>General Permit for Temporary Discharge Involving Construction Activities</th>
<th>General Permit for Ground Water Well Pump Testing and Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discharges from gasoline and diesel ground water contamination remediation projects managed by Wyoming Department of Environmental Quality</td>
<td>Discharges associated with construction dewatering of non-contaminated ground water</td>
<td>Discharges associated with domestic use water well pump tests</td>
</tr>
<tr>
<td>Discharges associated with construction dewatering of gasoline and diesel contaminated ground water</td>
<td>Discharges associated with disinfection of potable water lines</td>
<td>Discharges associated with oil and gas well development</td>
</tr>
<tr>
<td>Discharges associated with construction dewatering of ground water contaminated with constituents other than, or in addition to, gasoline and diesel</td>
<td>Discharges associated with hydrostatic testing of pipes, tanks, or other similar vessels</td>
<td>Discharges associated with well pump test for uranium wells</td>
</tr>
</tbody>
</table>

However, these permits will not be issued prior to the expiration date of the General Permit for Temporary Discharges. As a result, the WYPDES Program has continued the General Permit for Temporary Discharges until the new permits can be issued (see attached memo). Once the new general permits are issued, the WYPDES Program will send you a new Notice of Intent that you must complete and submitted in order to be authorized by the new general permit(s). If your discharge has ceased and coverage under the General Permit for Temporary Discharges is no longer needed, please complete the enclosed Notice of Termination.

If you have any questions, please contact Leah Coleman at (307)777-7093.

Sincerely,

[Signature]
Leah Coleman
WYPDES Permitting Supervisor
Water Quality Division
How to complete the new Paper DMRs for Wyoming DEQ wqD WYPDES Permits

1. If the outfall is discharging, you need to fill out all of the boxes next to the parameters.

2. If the outfall did not discharge during the entire reporting period, check the No Discharge for Period box. If the outfall has not been constructed yet, check the Outfall not Constructed box. Both of these boxes can be found on the top of the DMR.

3. If the outfall discharged during a portion of the monitoring period, write NO DISCHARGE on the parameter lines that were not able to be sampled because the outfall was not discharging. After filling out all of the NO DISCHARGE lines, fill out the remaining boxes for the parameters as described below.

4. For Discharging Outfalls: You are required to fill out the Sample Frequency (SmpFreq), Value, and the Number of Excursions (#Exc's).

5. For SmpFreq report how many samples were collected, and how many days the outfall discharged or how many days were in the monitoring period if the number of days discharged is unknown. For example, if 5 samples were collected in a 60 day monitoring period (BegDate-ENDDate) the sample frequency would be 5/60. If the outfall only discharged 10 days during the 60 day monitoring period, the sample frequency should be reported as 5/10 - for 5 samples taken during a 10 day period. If one sample was collected in a year, the sample frequency should be reported as 1/365 - 1 sample taken in 365 days of discharge. If the outfall was only discharging 200 days during the year, the sample frequency should be reported as 1/200 - 1 sample taken during 200 days of discharge. Keep in mind, the number of samples collected for each parameter during the monitoring period must be reported in the sample frequency box.

6. The value (Value) to be reported is the greatest value received from samples tested during the monitoring period. If only one sample was taken during the monitoring period, report the one sample value on the DMR. If more than one sample was taken, report the greatest value. The only exception to this rule is for the minimum pH reporting requirement, report the smallest value taken during the monitoring period (the maximum pH reporting requirement should be the greatest value tested). If there is an average sample, please refer to your permit to figure out how to report your average.

7. The Number of Excursions (#Exc's) is defined as the total number of sample measurements that exceed the daily maximum, daily minimum, 7-day (weekly) average permit limit. DO NOT include monthly average or daily average violations in this field. If none, enter "0". Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.

8. For noncompliance issues such as missing a sample, effluent exceedance, etc., address the issue(s) in a cover letter. Explain the deficiency, and any corrective actions taken to address the issue. Include a time frame in which the non-compliant issue will be corrected.

9. When the DMR is properly and completely filled, legibly print your name (must be an authorized signatory or be authorized to sign DMRs), sign your name and legibly fill out your phone number, and date the form.

If you need any additional help the following link may be able to address your problems, <http://deq.state.wy.us/wqD/WYPDES_Permitting/index.asp>

Look for the section titled Discharge Monitoring Report Forms and Information

Any other questions or concerns regarding DMR completion and submittal please contact Kevin Campbell at 307-777-2431 or at <kcampb@wyo.gov>
**Discharge Monitoring Report (DMR)**

**Submission Period:** 1 mo(s) | **SEPT 1-30/2012**

<table>
<thead>
<tr>
<th>BegDate</th>
<th>EndDate</th>
<th>Comment</th>
<th>SmpTy</th>
<th>SmpFreq</th>
<th>#Exc's</th>
<th>Parameter (Loc)</th>
<th>SBCode</th>
<th>Limit</th>
<th>Units</th>
<th>Discharge Note</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>01/01</td>
<td></td>
<td></td>
<td>INSTAN</td>
<td></td>
<td></td>
<td>Flow (Effluent Gross)</td>
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<td></td>
<td>Daily MX Report</td>
<td>gal/min</td>
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<td></td>
<td>MO AVG Report</td>
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<td></td>
<td>GRAB</td>
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<td></td>
<td>pH (Effluent Gross)</td>
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<td>INST MIN &gt;= 6.5 SU</td>
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<td>GRAB</td>
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<td>Solids, total dissolved (Effluent Gross)</td>
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<tr>
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<td></td>
<td></td>
<td>GRAB</td>
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<td>Solids, total suspended (Effluent Gross)</td>
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<td>Daily MX &lt;= 90 mg/L</td>
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<td>MO AVG &lt;= 30 mg/L</td>
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<td></td>
<td>WKLY AVG &lt;= 45 mg/L</td>
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</tr>
</tbody>
</table>

**Signature of Principal Executive Office or Authorized Agent:**

11/20/20  | 2:40:11 PM  | Page 1 of 1
# Discharge Monitoring Report (DMR)

**Submission Period:** 1 mo(s) | **Date:** Oct 1-31/2012

**No Discharge For Period** | **Outfall Not Constructed**

<table>
<thead>
<tr>
<th>SampTy</th>
<th>SmpFreq</th>
<th>#Exc's</th>
<th>Parameter (Loc)</th>
<th>SBCode</th>
<th>Limit</th>
<th>Units</th>
<th>Discharge Note</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>INSTAN</td>
<td>01/01</td>
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<td>Flow (Effluent Gross)</td>
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<td></td>
<td>MO AVG Report</td>
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</tr>
<tr>
<td>GRAB</td>
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<td>pH (Effluent Gross)</td>
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<td>&lt;= 9</td>
<td>SU</td>
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<td></td>
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<td>INST MAX &lt;= 9</td>
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<td>mg/L</td>
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<td>WKLY AVG &lt;= 45</td>
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</tbody>
</table>

**NAME/TITLE PRINCIPAL EXECUTIVE OFFICER:**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<table>
<thead>
<tr>
<th>SIGNATURE OF PRINCIPAL EXECUTIVE OFFICE OR AUTHORIZED AGENT</th>
<th>TELEPHONE</th>
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<tbody>
<tr>
<td></td>
<td>DATE</td>
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## Discharge Monitoring Report (DMR)

**Submission Period:** 1 mo(sl) | **Nov 1 - 30, 2012**

**No Discharge For Period** | **Outfall Not Constructed**

**WYG720291 - 001**

<table>
<thead>
<tr>
<th>SmpTy</th>
<th>SmpFreq</th>
<th>#Exc's</th>
<th>Parameter (Loc)</th>
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<td>Report</td>
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**NAME/TITLE/PRINCIPAL EXECUTIVE OFFICER**

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**SIGNATURE OF PRINCIPAL EXECUTIVE OFFICE OR AUTHORIZED AGENT**

11/20/20  2:40:11PM

Page 1 of 1