

Other rights of record for the appropriation of the waters of Currant Creek are as follows:

Amended Certificiate 273 issued under Permit 928 is for the appropriation of 79.28 acre-feet of water for storage and the irrigation of 19.82 acres of land located in the NW $\frac{1}{4}$ of Section 18, T.11N., R.59E., M.D.B.&M. The conditions under which water can be diverted from Currant Creek and stored in the reservoir are spelled out in the decree. The owners of record of the appropriation are Cazier Brothers, the apparent predecessors in interest to John Manzonie.

Kenneth W. McLartry is the owner of record of Permit 25050, which was granted to appropriate 2.5 cfs of the "Flood" waters of Currant Creek for the irrigation of 320 acres of land within the S $\frac{1}{2}$ of Section 12, T.10N., R.57E., M.D.B.&M. The point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T.10N., R.58E., M.D.B.&M. The permit was issued with the provision, "This permit is further subject to an existing decree on the source and is issued with the understanding that there will be no regulation of decreed rights for the benefit of this permit."

Permit 24488, issued for 5.4 cfs of water from an underground source within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T.10N., R.58E., M.D.M., is also appurtenant to the W $\frac{1}{2}$ of the said Section 7, which are the same lands proposed to be irrigated under Application 25434. The owner of record is Patricia M. Davies. Permit 24488 is in good standing.

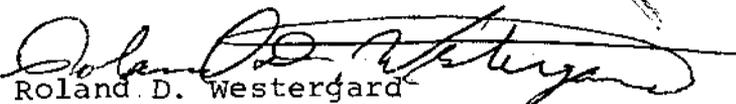
The proposed point of diversion under Application 25434 is downstream from the points of diversion under the decree and downstream from that proposed under Mr. McLartry's permit 25050.

A field investigation in the matter of Application 25434 was held on October 1, 1970. The protestants McCuin and Manzonie stated that they had no objection to the granting of a permit, if issued under the same terms and conditions as Permit 25050.

--RULING--

A permit will be issued, subject to existing rights, and further subject to the provision that there will be no regulations of decreed rights for the benefit of the permit, upon payment of the statutory permit fees.

Respectfully submitted


Roland D. Westergard
State Engineer

Dated This 4th
day of January 1971

RDW:JCP:in