

IN THE MATTER OF APPLICATION NO. 21334)  
FILED BY RIO KING LAND AND INVESTMENT )  
CO. TO CHANGE THE POINT OF DIVERSION, )  
MANNER AND PLACE OF USE OF WATER HERE- )  
TOFORE APPROPRIATED UNDER PERMIT NO. )  
16401. )

R U L I N G

Application No. 21334 was filed June 7, 1963, by Rio King Land and Investment Co. to change the point of diversion, manner and place of use of water heretofore appropriated under Permit No. 16401. The proposed point of diversion is described as being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 27, T. 45 N., R. 33 E., M.D.B.&M. The proposed place of use is 240 acres within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 22, E $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 27, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 26, all in T. 45 N., R. 33 E., M.D.B.&M.

Application 16401 was approved September 9, 1957, for 3.5 c.f.s. of water for irrigation purposes. Permit 16401 was cancelled on May 26, 1965, because of failure to comply with provisions of permit.

RULING

Application 21334 is herewith denied on the grounds the applicant has no water right to be changed, and the approval of this application, under these conditions, would be detrimental to the public welfare.

Respectfully submitted,

  
ROLAND D. WESTERGARD  
State Engineer

RDW:RED:jw

Dated this 26th day  
of February, 1969.