

IN THE MATTER OF APPLICATION 14610)
FILED BY OSCAR RUDNICK FOR UNDER- :
GROUND WATER ("ROOSEVELT WELL"), : RULING
AND WHICH WAS PROTESTED BY W. B. MERCER)

Application 14610 was filed by Oscar Rudnick on November 3, 1952 for the waters of "Roosevelt Well" for stockwatering purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, T. 7 S., R. 40 E. This application was protested by W. B. Mercer on November 25, 1953.

RULING

The vested right of W. B. Mercer to the use of the waters of "Roosevelt Well" for mining, milling and domestic purposes is recognized; however, a multiple use of water would be of best interest to the State. Therefore, the protest of W. B. Mercer is overruled and a permit will be issued with the proviso that the prior right on the source for mining, milling and domestic purposes must be recognized.

A permit will be issued subject to the above limitations upon receipt of the statutory filing fee.

Respectfully submitted,

HUGH A. SHAMBERGER
State Engineer

By *Edmund Muth*
EDMUND MUTH
Assistant State Engineer

Dated this 29th
day of January, 1954.