

IN THE MATTER OF APPLICATION 20711 FILED
BY LAURA A. ALLERMAN ON SEPTEMBER 17, 1962
FOR THE WATERS OF UNNAMED SPRING, ALSO
KNOWN AS LAURA SPRING, ALSO KNOWN AS HAASE
SPRING, ALSO KNOWN AS HANSEN SPRING.

RULING

General:

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Application 20711 was filed by Laura A. Allerman to appropriate 0.10 c.f.s. of the waters of Laura Spring for stock watering and domestic purposes. The point of diversion is described as being in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T. 13 N., R. 19 E., M.D.B.&M., and the place of use as the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 13 N., R. 19 E., M.D.B.&M. The period of use is year around.

Application 20777 was filed by Edwin and Janice Haase to appropriate 0.10 c.f.s. of the waters of Haase Spring for domestic use. The point of diversion is described as being in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T. 13 N., R. 19 E., M.D.B.&M., and the place of use as the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T. 13 N., R. 19 E., M.D.B.&M. The period of use is year around.

Application 20778 was filed by Hugh W. Hansen to appropriate 0.10 c.f.s. of the waters of Hansen Spring for stock watering and domestic purposes. The point of diversion is described as being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T. 13 N., R. 19 E., M.D.B.&M., and the place of use as the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 13 N., R. 19 E., M.D.B.&M. The period of use is year around.

Protests to the granting of a permit under Application 20711 were filed on March 12, 1963 by Edwin Haase and Janice Haase and Hugh W. Hansen, claiming prior appropriative rights which are vested in nature.

A field investigation in the matter of Application 20711 was made on September 25, 1963. Conditions in the field indicated that the water from this spring has been diverted in the past by Mr. Hugh W. Hansen or his predecessors in title and a vested right does exist. Mr. Hansen also claims a vested right and does not waive this claim by virtue of filing Application 20778.

RULING

Application 20711 is hereby denied on the grounds that

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its granting would tend to impair the value of existing vested rights, the limit and extent of which have not been determined.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer

BY


Roland D. Westergard
Assistant State Engineer

RDW/PGM/wij

Dated this 20th day of
January, 1965.