

new Stipa Ditch. A companion petition IV-70-1-16 transfers 51.27 acres of original supply and secondary supply also to the Stipa Ditch.

6. THAT petitioners state the Geneva Ditch will be abandoned after the transfer to the Stipa Ditch, as there are no other appropriations under said Geneva Ditch.

7. THAT there are no intervening head gates or other sources of supply and no other appropriator will be injured.

8. THAT a consent to this petition was obtained from the New Fork Lake Irrigation District.

9. THAT this petition was referred to a public hearing in accordance with Section 41-213, Wyoming Statutes 1957, at Pinedale on 12 October 1970, conducted by the superintendent of Water Division Number Four. Due and legal notice of the time and place of the hearing was given in all respects as required by law. No protest to this petition was registered at this hearing or subsequent thereto.

10. THAT a properly prepared map accompanied the petition.

11. THAT the proposed amended certificates and change in point of diversion and means of conveyance have been field checked by the division superintendent and, in his opinion, the requested changes appear sensible, logical and without apparent harm to any other appropriators

CONCLUSIONS OF LAW

The Findings of Fact contain the elements necessary to comply with Section 41-213 and Section 41-10.4, Wyoming Statutes 1957, pertaining to amended certificates and change in point of diversion and means of conveyance, respectively, and petition should be granted.

ORDER

IT IS HEREBY ORDERED THAT this petition be and the same is GRANTED, without loss of priority and subject to the condition that the changes shall not adversely affect the rights of other appropriators in good standing at the time the changes are made.

IT IS FURTHER ORDERED THAT the petitioners are authorized to change the point of diversion and means of conveyance for Permit Nos. 3852 and 4853 Enl., as described below, from the Geneva Ditch, which diverts from Duck Creek, tributary West Fork New Fork River, tributary New Fork River, tributary Green River and for Permit No. 5855, as described below, with secondary supply stored in New Fork Lake Reservoir (Permit No. 480 Res.) supplied from West Fork New Fork River at a point located South 70 15' East, 570.9 feet from the North Quarter Corner of Section 6, Township 33 North, Range 109 West and situated in lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 6, to the new Stipa Ditch diverting from West Fork New Fork River at a point located North 45° 40' East, 4186 feet from the Southwest Corner of Section 5, Township 33 North, Range 109 West, and situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 5.

IT IS FURTHER ORDERED THAT an amended certificate for each appropriation be issued as follows: