

STATE BOARD OF CONTROL ORDER RECORD NO. 22, PAGE 573

THAT the portion of the appropriation to be abandoned is as follows:

<u>Township 32 North, Range 106 West</u>
<u>Section 30: Lot 4 (SW$\frac{1}{4}$SW$\frac{1}{4}$) 36 acres</u>
<u>Section 30: Lot 4 (SW$\frac{1}{4}$SW$\frac{1}{4}$) 36 acres</u>
<u>Total SE$\frac{1}{4}$SW$\frac{1}{4}$ 32 acres</u>
<u>68 acres (0.97 c.f.s.)</u>

THAT the remaining 789 acres (11.27 c.f.s.) of this appropriation are not affected by this petition.

4. THAT the 68 acres to be abandoned have other water rights adjudicated to the same subdivisions under the following two water rights:

a. Part of the Lizzie E. Allen Appropriation diverting from East Fork New Fork River through the Enl. Rocky Mountain Ditch, Permit No. 539 Enl., priority May 23, 1900, Proof No. 5463, for the following lands:

Township 32 North, Range 106 West

Section 30: Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) 36 acres

b. Part of the Elbert Allen Appropriation diverting from East Fork New Fork River through the Enl. Rocky Mountain Ditch, Permit No. 434 Enl., priority May 31, 1899, Proof No. 5459, for the following lands:

Township 32 North, Range 106 West

Section 30: SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres

5. THAT petitioner states the two subdivisions have historically and are presently being irrigated through the Rocky Mountain Ditch and have not and are not being irrigated through the Jorgensen Ditch; and, therefore, declares her intention to voluntarily abandon that portion of the East Fork Cattle Company Appropriation, Permit No. 1687, for the 68 acres described in paragraph 3 above, in order to clear the conflict which now exists in the records.

CONCLUSIONS OF LAW

THAT the Findings of Fact contain the elements necessary to comply with Section 41-47.1, Wyoming Statutes 1957, pertaining to abandonment, and the petition should be granted.

ORDER

IT IS HEREBY ORDERED THAT this petition be and the same is GRANTED.