

3. THAT the petitioners requested voluntary abandonment of the following described portion of the Mary E. O'Neil appropriation, Permit No. 11079, Proof No. 13198:

<u>Township 29 North, Range 111 West</u>	
Section 8: NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.04 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	29.00
Total	30.04 acres (0.43 c.f.s.)

4. THAT the reason for this voluntary abandonment is the petitioners propose to construct a subdivision on the lands described above and to comply with Section 18-5-306, Wyoming Statutes 1977, the petitioners are requesting the abandonment. The lands for which voluntary abandonment is sought will not be irrigated in the future and water will not be applied beneficially to these lands.

5. THAT the petitioners declared their intentions to voluntarily abandon that portion of the Mary E. O'Neil appropriation described above and requested that an order of the Board be entered declaring such voluntary abandonment.

CONCLUSIONS OF LAW

1. THAT the State Board of Control has jurisdiction both to consider the petitioners' request for voluntary abandonment and to prepare and promulgate the order hereinafter set forth disposing of said petition.

2. THAT the Findings of Fact contain the elements necessary to comply with Section 41-3-401, Wyoming Statutes 1977, pertaining to abandonment of water rights and the petition should be granted.

ORDER

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

IT IS FURTHER ORDERED THAT the following described portion of the Mary E. O'Neil appropriation, Permit No. 11079, Proof No. 13198 be and the same is ABANDONED:

<u>Township 29 North, Range 111 West</u>	
Section 8: NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.04 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	29.00
Total	30.04 acres (0.43 c.f.s.)