

on the 16th day of September, 1969 as reported in 23 Utah 2d 97, 458 P.2d 861, thereby remanding this case for further proceedings and settlement of the rights of the parties in conformity with the principles set forth in its Opinion, and the remittitur having been accordingly filed and this matter having been assigned to the Honorable D. Frank Wilkins, District Judge, and the Court now being fully advised in the premises and based upon the record and the evidence now before it, and having made and entered its Amended Findings Of Fact And Amended Conclusions Of Law herein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the Complaint of plaintiffs be, and the same is hereby dismissed with prejudice.
2. That Change Application No. a-3887 be, and the same is hereby approved and the Decision of the State Engineer of the State of Utah, dated May 28, 1962, approving said Change Application No. a-3887 be, and the same is hereby affirmed.
3. That each party shall bear his and its own costs.

Dated this \_\_\_\_\_ day of October, 1972.

BY THE COURT

\_\_\_\_\_  
District Judge

Mailed a copy of the foregoing Amended Decree to Mr. E. J. Skeen, attorney for plaintiffs, 536 East 400 South, Salt Lake City, Utah 84102 and to Mr. Dallin W. Jensen, Assistant Attorney General, attorney for Utah State Engineer, 236 State Capitol, Salt Lake City, Utah 84114 this 29<sup>th</sup> day of September, 1972 prior to signature and entry.

*Joseph D. Peral*  
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Attorney