

correct typographical errors which may have occurred in the preparation of said Determination;

IT IS FURTHER ORDERED that the protests submitted by the following parties are dismissed:

Karla L. Tattersall

Emeline Mears

Henry A. Wood

Hal Smith

Belle Couch

IV.

ISSUES TO BE TRIED

1. The issue involving the following listed protestants is whether they are entitled to a water right for irrigation purposes in excess of the quantity set forth in the Revised Determination of Water Rights.

Each of the Water User's Claims involved in Category A was the subject matter of an individual protest hearing and subsequent Order of this Court in conjunction with the Original Proposed Determination of Water Rights. It is the contention of the State Engineer that the results of these prior orders have been incorporated into the Revised Determination of Water Rights and these protestants, by these prior court orders, are now limited to the quantity of water set forth in the Revised Determination.

Each of the water user's claims involved in Category B was contained in the Original Proposed Determination of Water Rights. These proposed awards were not protested and this court, by subsequent orders, affirmed the Original Proposed Determination as to the awards which had not been protested. It is the contention of the State Engineer that he has incorporated into the Revised Determination of Water Rights the same acreage for these rights as set forth in the Original Determination of Water Rights and that these protestants, by the prior orders of this court affirming the Original Proposed Determination, are now limited to the quantity of water described in the Revised Determination.

The State Engineer further contends that, in any event, none of these protestants established a valid diligence right for irrigation purposes in excess of the quantity described in the Revised Determination by diverting the water and placing it to beneficial use on or before March 22, 1935.