

3. The issue presented by the following protestants is whether they have made a valid appropriation of water on lands owned by the United States of America. Except for the claim of Milford City, which is for a recreation use, all of the uses involved in these protests are for stockwatering purposes which take place on federal lands. Each of the protestants claim to have established a valid water right in connection with their use of the federal lands as permittees or licensees of the United States of America. It is the contention of the United States of America that it has a prior right on the sources involved and that, in any event, an individual cannot establish a valid water right to use water on federal land.

The question presented is whether historic stockwatering uses on the federal public domain establishes a diligence right in the United States under State law which is superior to appropriative or other rights claimed by livestock owners who presently or at some time in the past have occupied the public domain as permittees under grazing permits issued by the Bureau of Land Management or the U. S. Forest Service.

Howard Cook
Milford City
Stanley McKnight and
Milton Albrecht
Flag Mining Company
Taft Paxton

Dee Robinson, Kenyon Robinson
and Leon Robinson
Snow Ranches, Inc.
D. Ray Tebbs and D. A. Tebbs
Cedar Sheep Association

4. JEFF BALDWIN

The State Engineer denied any further extension of time on approved Application Nos. 24560, 24561, 24562a, 24568, 24576, 24577, 24589, 24590, 24591, 24592, 24631, 24632, and 24633. The issue involved is whether protestant has shown due diligence or reasonable cause for delay in perfecting said applications.

A further issue involved in this protest is whether or not protestant is the owner of all of the applications involved and has a sufficient interest in all of the land covered by said applications to perfect a water right. Mable E., Leonard D., James C., and Charles E. Stimpson, represented by Durham Morris, have intervened in this action in regard to this latter issue.

5. J. DELMAR KIRK

The issue presented by this protest is whether protestant's claim for a right to irrigate 230.82 acres of land under Water User's Claim Nos. 614