

of diversion provided for in the Coal Creek Decree are no longer applicable and that protestants' rights should not be limited in their rate of diversion and that the only limitation on said rights should be the duty of 4 acre feet per acre. It is the contention of the State Engineer that protestants' rights are limited as provided for in the prior decree of this court and that he is without authority to modify said prior decree. The State Engineer further contends that to abandon the rates of flow and classes of water provided for in the earlier decree would have an adverse effect on the water rights of the Coal Creek Irrigation Company.

b. Protestants also claim that South and West Field Irrigation Company does not have a valid water right as provided for in Class 4A, Water User's Claim No. 1973, of the "Coal Creek Decree" and the protestant is the owner of this water. South and West Field Irrigation Company asserts that it is the owner of said claim and has placed this water to beneficial use.

8. NORTHWEST FIELD IRRIGATION COMPANY

Protestant asserts that it has a valid right to a 1/3 interest in Water User's Claim No. 1045 in the name of the Coal Creek Irrigation Company. The State Engineer contends that the records in his office do not show protestant to have ownership of this amount of water but does agree that protestant is entitled to additional water from this source which is now reflected in Water User's Claim No. 413 in the name of Coal Creek Irrigation Company and that Claim No. 413 should be decreased .10 c.f.s. and said .10 c.f.s. added to protestant's Claim No. 534.

9. OLD FORT AND OLD FIELD RESERVOIR IRRIGATION COMPANY

Protestant asserts that the State Engineer, in defining its rights, failed to conform to certain prior decrees of this court which adjudicated the rights of protestant from this source. It is the contention of the State Engineer that while he supplied additional information to fully define protestant's water rights he did not ignore or vary the water rights awarded to protestant in the prior decrees of this court. Protestant specifically claims that it is entitled to a greater quantity of water for stockwatering purposes during the winter months than is provided for in the Proposed Determination. The State Engineer contends that the proposed stockwatering right fully incorporates protestant's historical beneficial use of water for this purpose.