

additional month from October 31 to November 30. It is the protestant's contention that he is able to beneficially use the water during this additional period. The State Engineer contends that in most years no beneficial use of water can be made during the month of November for irrigation purposes and that he has provided in the proposed determination sufficient flexibility to allow for the use of water during this month in those years when it could be beneficially used so long as this is accomplished without prejudice to other rights.

6. SAM P. PRITCHARD

Protestant claims to have a valid diligence water right for irrigation and stockwatering purposes under Water User's Claim Nos. 368 and 396. It is the contention of the State Engineer that there may have been a use established under said claims at one time but whatever right protestant may have had under said claims has been lost by abandonment and forfeiture for failure to use the water from these sources for many years.

7. THOMAS D., KENYON D., AND LEON D. ROBINSON

Protestants assert that they have established a valid irrigation right for 7.9 acres of land as set forth in Water User's Claim Nos. 1480, 1481, 1482 and 1483. It is the contention of the State Engineer that the land in question receives water by reason of natural sub-irrigation in that protestant has never diverted or otherwise placed any water to beneficial use on this property and that to award the protestant a water right would be to recognize the doctrine of riparian water rights which has been expressly rejected by the Utah Supreme Court.

8. JAMES O. TALBOT

Protestant asserts that he has a valid water right for the irrigation of 15 acres of land and that he has established a stockwatering right for a number of stock over and above the amount set forth in the Proposed Determination of Water Rights. It is the contention of the State Engineer that there is no evidence that protestant or his predecessors in interest established the irrigation right claimed and the stockwatering right set forth in the Proposed Determination of Water Rights is based upon protestant's own