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MONTANA DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

BEFORE THE DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

STATE OF MONTANA

IN THE MATTER OF THE APPLICATION)
FOR BENEFICIAL WATER USE PERMIT)
NUMBERS 18146, 18147, 18148, 18150,)
18152, 18153 and 18154 By)
KENDRICK CATTLE COMPANY.)

ORDER OF DISMISSAL

THIS MATTER came on before the Department upon the Motion of Applicant for Withdrawal of Permit Applications of Applicant and Dismissal of Proceedings; and the Department, having reviewed said Motion, finds that the applications of Kendrick Cattle Company should be deemed withdrawn and the proceedings herein dismissed.

IT IS NOW, THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED that Application for Beneficial Water Use Permit Numbers 18146, 18147, 18148, 18150, 18152, 18153 and 18154 be adjudged withdrawn and that further proceedings on said applications be, and the same hereby are, dismissed.

DATED this 12th day of October, 1984.

HEARING EXAMINER

APPROVED AS TO FORM:

TIMOTHY J. KIRVEN
Attorney for Applicant

MICHAEL K. DAVIS
Attorney for Objectors

CASE # 18146

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
) ss.
County of Lewis & Clark)

Donna K. Elser, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on October 15, 1984, she deposited in the United States mail, certified mail, a true and accurate copy of the Order of Dismissal by the Department on the Application by Kenrick Cattle Company, Application No. 18146, 18147, 18148, 18150, 18152, 18153, 18154, for an Application for Beneficial Water Use Permit, addressed to each of the following persons or agencies:

1. Timothy J. Kirven, Kirven and Kirven, 104 Fort Street, P.O. Box 640, Buffalo, WY 82834

2. Michael Davis, Redle, Yonkee & Arney, P.O. Box 6288, Sheridan, Wy 82801

3. Keith Kerbel, Water Rights Bureau Field Office Manager, Billings, MT (inter-departmental mail

4. Sarah A. Bond, Hearing Examiner (hand deliver)

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

by Donna K. Elser

STATE OF MONTANA)
) ss.
County of Lewis & Clark)

On this 15th day of October, 1984, before me, a Notary Public in and for said state, personally appeared Donna Elser, known to me to be the Hearings Recorder of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Judy Kohn

Notary Public for the State of Montana
Residing at Montana City, Montana
My Commission expires 3-1-85

CASE # 18146

BEFORE THE DEPARTMENT
OF NATURAL RESOURCES AND CONSERVATION
OF THE STATE OF MONTANA

* * * * * * * * * *

IN THE MATTER OF THE APPLICATION FOR BENEFICIAL WATER USE PERMIT NO. 18146, 18147, 18148, 18150, 18152, 18153, 18154 BY KENDRICK CATTLE CO.	))))	PRE-HEARING ORDER

* * * * * * * * * *

Pursuant to informal telephone conference of October 14, 1983, among the Hearing Examiner, Mike Davis, Counsel for Objectors, and Tim Kirven, Counsel for Applicant, at the request of all party's counsel herein, the Pre-hearing conference previously set for October 26, 1983, is continued until 8:30 a.m. Friday, December 16, 1983, in Billings, Montana, at the Department of Natural Resources and Conservation Field Office.

DONE this 18 day of October, 1983.

Sarah A. Bond

Sarah A. Bond, Hearing Examiner
Department of Natural Resources
and Conservation
32 S. Ewing, Helena, MT 59620
(406) 444 - 6625

CASE # 18146

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
) ss.
County of Lewis & Clark)

Donna K. Elser, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on October 18, 1983, she deposited in the United States mail, First class mail mail, an order by the Department on the Application by Kendrick Cattle Co., Application No. 18146, 18148, 18147, 18150, 18152, 18153, and 18154, for an Application for Beneficial Water Use Permit, addressed to each of the following persons or agencies:

1. Michael K. Davis, Redle, Yonkee & Arney, P.O. Box 6288, Sheridan, WY 82801
2. George Huss, Brown & Huss, 507 Pleasant, Miles City, MT 59301
3. Tim Kirven, 104 Fort, Buffalo, WY 82834
4. Keith Kerbel, Billings Field Office (inter-department mail)
5. Sarah A. Bond, Hearing Examiner (hand deliver)

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

by Donna K. Elser

STATE OF MONTANA)
) ss.
County of Lewis & Clark)

On this 18th day of October, 1983, before me, a Notary Public in and for said state, personally appeared Donna K. Elser, known to me to be the Hearings Recorder of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Judy Kohn

Notary Public for the State of Montana
Residing at Montana City, Montana
My Commission expires 3-1-85

CASE # 18146