

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

* * * * *

IN THE MATTER OF THE APPLICATION)
FOR BENEFICIAL WATER USE PERMIT) FINAL ORDER
NO. 29841-S76H BY ROY A. MORTON)

* * * * *

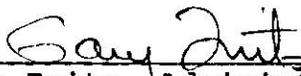
There being no objections or exceptions to the Proposal for Decision entered in this matter on January 11, 1982, the same is hereby made final and is expressly incorporated herein.

WHEREFORE, Application for Beneficial Water Use Permit 29481-s76H by Roy A. Morton is hereby denied and dismissed in its entirety without prejudice to said Applicant to reapply for a water use permit at some subsequent time.

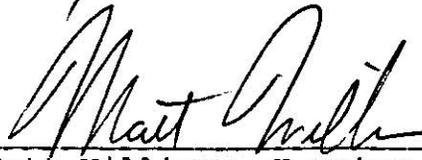
NOTICE

The Department's Final Order may be appealed in accordance with the Montana Administrative Procedures Act by filing a petition in the appropriate court within thirty (30) days after service of the Final Order.

DONE this 26th day of January, 1982.



Gary Fritz, Administrator
Department of Natural
Resources and Conservation
32 S. Ewing, Helena, MT
(406) 449 - 2872



Matt Williams, Hearing Examiner
Department of Natural Resources
and Conservation
32 S. Ewing, Helena, MT 59620
(406) 449 - 3962

CASE # 29841

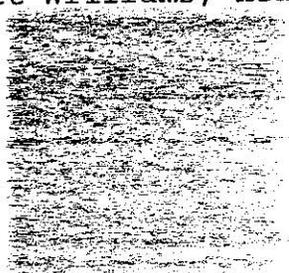
AFFIDAVIT OF SERVICE

final order

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

Beverly J. Jones, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says: That pursuant to the requirements of Section 85-2-309, MCA, on January 27, 1982, he deposited in the United States mail, "certified mail", an Order by the Department on the application by Roy Arthur Morton, Application No. 29841, for a Permit to Appropriate Water, addressed to each of the following persons or agencies:

1. Roy Arthur Morton, Star Route, Box 57, Lyman, WY 82937
2. Hector Rasmussen, Niel Corsun, Arthur Rasmussen, Corvallis, MT 59828
3. Wallace and Marjorie Crawford, 1420 NE Willow Cr. Rd., Corvallis, MT
4. Elmroe H. Tintzman, 1361 Willow Creek Rd., Corvallis, MT 59828
5. Bill M. Holt, 1223 NE Willow Creek Rd., Corvallis, MT 59828
6. Thomas P. Koch, Margaret H. Koch, D. W. McKenna, Rosanne C. McKenna, Peter Koch, Doris Koch, Gail H. Goheen, Stephen S. Goheen, John E. Koch, Paula Koch, Box 289, Hamilton, MT 59840
7. Joseph F. DeMasi, Box 411, Corvallis, MT 59828
8. Dave Pengelly, Missoula Field Office (regular department mail)
9. Matt Williams, Hearing Examiner, DNRC, Helena (hand deliver)



DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

by *Beverly J. Jones*

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

On this 27th day of Janauary, 1982, before me, a Notary Public in and for said State, personally appeared Beverly J. Jones, known to me to be the Hearing 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.

Frank P. Gilman
Notary Public for the State of Montana

Residing at Helena, MT

My Commission Expires 1/21/84

29841

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

* * * * *

IN THE MATTER OF THE APPLICATION)
FOR BENEFICIAL WATER USE PERMIT) PROPOSAL FOR DECISION
NO. 29841-s76H BY ROY A. NORTON)

* * * * *

By order of November 19, 1981, the Applicant herein was accorded ten (10) days from receipt of said order to designate the date for hearing in this matter within two (2) months of the date of said order. The Applicant has not responded to this order, and has not otherwise indicated an intent to proceed with the application in this matter. Said failure constitutes grounds for denying the present application, without prejudice to this Applicant to reapply for a water use permit at such time that he can proceed with reasonable diligence in the implementation of his water scheme.

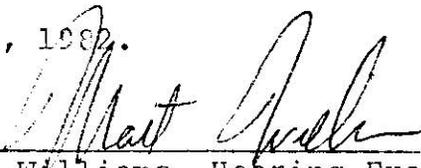
WHEREFORE, Application for Beneficial Water Use Permit No. 29841-s76H by Roy A. Norton is hereby denied and dismissed in its entirety.

NOTICE

This Proposal for Decision is offered for the review and comment of all parties of record. Comments and objections must

be filed with and received by the Department of Natural Resources
on or before the 25th day of January, 1982.

DONE this 11th day of January, 1982.


Matt Williams, Hearing Examiner
Department of Natural Resources
and Conservation
32 S. Ewing, Helena, MT 59620
(406) 449 - 3962

CASE # 29841

AFFIDAVIT OF SERVICE
(Proposal For Decision)

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

Beverly J. Jones, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says: That pursuant to the requirements of Section 85-2-309, MCA, on January 11, 1981, he deposited in the United States mail, "certified mail", an Order by the Department on the application by Roy Arthur Morton, Application No. 29841, for a Permit to Appropriate Water, addressed to each of the following persons or agencies:

1. Roy Arthur Morton, Box 73I, RRI, Stevensville, and Star Route, Box 57, Lyman, WY 82937
2. Hector Rasmussen, Niel Corsun, Arthur Rasmussen, Corvallis, MT 59828
3. Wallace and Marjorie Crawford, 1420 NE Willow Cr. Rc., Corvallis, MT 59828
4. Elmore H. Tintzman, 1361 Willow Creek Rd., Corvallis, MT 59828
5. Bill M. Holt, 1223 NE Willor Creek Rd., Corvallis, MT 59828
6. Thomas P. Koch, Margaret H. Koch, D.W. McKenna, Rosanne C. McKenna, Peter Koch, Doris Koch, Gail H. Goheen, Stephen S. Goheen, John E. Koch, Paula Koch, Box 289, Hamilton, MT 59840
7. Josph F. DeMasi, Box 411, Corvallis, MT 59828
8. Dave Pengelly, Missoula Field Office (regular department mail)
9. Matt Williams, Hearing Examiner, DNRC, Helena, (hand deliver)

Certified #12 52399-52406

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

STATE OF MONTANA)

by Beverly J. Jones

) ss.

County of Lewis & Clark)

On this 11th day of January, 1981, before me, a Notary Public in and for said State, personally appeared Beverly J. Jones, known to me to be the Hearing 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.

[Signature]
Notary Public for the State of Montana

Residing at Helena, MT

My Commission Expires 1/21/84

CASE # 29841