

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. 11946

IN THE MATTER OF THE WEST GREAT FALLS
FLOOD CONTROL AND DRAINAGE DISTRICT

ON REHEARING

FILED

MAY 11 1972

Thomas J. Kearney
CLERK OF SUPREME COURT
STATE OF MONTANA

In the above entitled cause, an opinion was filed on December 7, 1971, and appears in 28 St.Rep. 1017. On petition for rehearing by the West Great Falls Flood Control and Drainage District, rehearing was granted by an Order dated February 8, 1972. The rehearing was granted in all matters, but the Court desired elaboration upon the affect upon current outstanding indebtedness of the District caused by any decision made.

Rehearing was had on May 5, 1972. The Court has reconsidered all matters and affirms its opinion heretofore promulgated.

As to the financial affairs of the District, during oral argument the District sought what it termed "guidance" from this Court. The district court is the proper jurisdiction to make these determinations, and we decline to discuss those matters herein.

Accordingly, the opinion heretofore promulgated is adopted and the remittitur shall issue forthwith.

DATED this 10th day of May, 1972.

L.C. Gulbrandson

Hon. L.C. Gulbrandson, District Judge,
sitting for Justice Gene B. Daly

James Harrison

Chief Justice

Frank Howell

Wesley Castles

Gene Conway Harrison

Associate Justices