

on the South East quarter of the North West quarter of Sec. 22, Tp. 21 South, Range 69 West, in the County of Custer, and on the West side of the creek; and that there be allowed to flow into said ditch, for the use and benefit of said Jacob A. Betts, William Smith and The Florence Oil and Refining Company, under and by virtue of said priority No. 40, four (4) cubic feet of water per second of time, or so much thereof as shall be necessary for the irrigation of one hundred (100) acres owned by said Betts, 120 owned by said Smith, and 100 acres owned by the Florence Oil and Refining Company; and that there be allowed to flow into said ditch, for the use and benefit of the Florence Oil and Refining Company, under and by virtue of said priority No. 99, the further amount of four tenths (0.4) of one cubic foot of water per second of time, or or so much thereof as shall be sufficient to irrigate thirty-two (32) acres belonging to said The Florence Oil and Refining Co.; and that there be further allowed to flow into said ditch, for the use and benefit of said The Florence Oil and Refining Co., under and by virtue of said priority No. 133, the still further quantity of eighty-six hundred and twenty-five ten thousandths (0.8625) of one cubic foot of water per second of time, or so much thereof as shall be necessary to irrigate sixty-nine (69) acres belonging to said The Florence Oil and Refining Company; the total amount of land irrigated from this ditch being four hundred and twenty-one acres and the total amount of water decreed to it may amount to but does not exceed five and twenty-six hundred and twenty-five ten thousandths cubic feet per second of time.

No. 39—The Monteville Ditch.

That said ditch is entitled to Arkansas River prior-