

the owners of the said enlargement and extension; that said ditch takes water from said Hardscrabble Creek; that said ditch is used for the irrigation of forty (40) acres owned by said M. S. Jennings, for the irrigation of forty (40) acres owned by said Linsley, and for the irrigation under said enlargement and extension, of thirty-five acres owned by said Emmet E. Jennings and sixty-six (66) acres owned by said Mary C. Jennings; that said ditch has its headgate on the East side of said Hardscrabble Creek; and that there be allowed to flow into said ditch for the use aforesaid and the benefit of said M. S. Jennings and Harvey Linsley, one cubic foot of water per second of time, or so much thereof as shall be necessary for the irrigation of eighty (80) acres of land; and that said cubic foot of water per second of time, or so much as shall be necessary, be so allowed to flow into said ditch for three days in every four days under and by virtue of said priority No. 77 and for the remainder of the time under and by virtue of priority No. 129; and that there be allowed to flow into said ditch, for the use aforesaid and for the benefit of said Emmet E. Jennings and M. C. Jennings, and under and by virtue of said priority No. 367, the further amount of one and twenty-six hundred and twenty-five ten thousandths (1.2625) cubic feet of water per second of time, or so much thereof as shall be necessary for the irrigation of one hundred and one (101) acres.

No. 78—The Likely & McCormick Ditch.

That said ditch is entitled to Arkansas River priority No. 74, which is also Texas Creek priority No. 5; that said ditch is owned by H. N. Likely and D. B. McCormick, each of whom owns an undivided one half thereof; that said ditch takes water from said