

in each and every year. Provided, however, that in accordance with a decree of the Court hereinbefore rendered that as between The Gardner Ditch No. 2 and the ditches owned by Kate Gorman,—The Gorman Ditch No. 1, The Gorman Ditch No. 2, The Gorman Ditch No. 3 and The Jim Ditch,—the said The Gardner Ditch No. 2 shall have the exclusive right and privilege to use and divert all of the waters flowing in said main Tallahassee Creek, for the purpose of irrigation, for five days in each and every week commencing at 6 p. m on Tuesday of each and every week to and until the hour of 6 p. m on Sunday of each and every week, and that on all other days and times the said ditches of the said Kate Gorman shall have the exclusive right and privilege to divert all of the waters flowing in said main Tallahassee Creek, for the purpose of irrigation, but, this proviso shall effect no other rights or priority than those of said The Gardner Ditch No. 2 and the said ditches of the said Kate Gorman.

No. 134—The Jake Wells Ditch.

That said ditch is entitled to Arkansas River priority No's 119 and 182, which is also Texas Creek priorities No's 18 and 41 and Spruce Creek priorities No's 1 and 7; that said ditch is owned by Thomas Balman; that said ditch takes its water from said Spruce Creek, and its headgate is situate on the North side of said Spruce Creek at a point to find which start from the $\frac{1}{4}$ Sec. corner between sections 2 and 3 in Tp. 46 N, R 12 East, thence N. 56 degrees and 43 minutes East, 13 chains and 20 links, thence N. 61 degrees and 15 minutes E 4 chains and 30 links, thence N. 59 degrees and 30 minutes East, 5 chains and 50 links to headgate; that said ditch is