

ditch, for the use of said owner, under and by virtue of priority No. 213; one cubic foot of water per second of time for as many periods in each year, of two days each, as shall be sufficient to irrigate said four acres of land.

No. 257—The Gardner Ditch No. 3.

That said ditch is entitled to Arkansas River priorities No's 214, and 310, which are also main (or North Fork of) Tallahassee Creek priorities No's 12 and 17; that said ditch is owned by Martin B. Gardner and Leonard W. Gardner; that the head gate of said ditch is located on the South side of said creek at a point from which the quarter section corner on the line between sections 15 and 22, Tp. 17 S, R. 73 W, bears S. 3 degrees W, distant 1680 feet; that said ditch is used for the irrigation of four and one half acres of land; that there be allowed to flow into said ditch for the use of the said owners thereof, under and by virtue of said priority No. 214, three fourths of one cubic foot of water per second of time for as many periods in each year of two days each, as shall be necessary to irrigate three and one half acres of land; and that said quantity of water be further allowed to flow into said ditch, under and by virtue of said priority No. 310 for such additional periods in each year, of one days each, as shall be sufficient for the irrigation of one acre of land.

Provided, however, that as between the said The Gardner Ditch No. 3 and the ditches of Kate Gorman herein decreed on the Gardner Ditch No. 3 shall have the exclusive right and privilege to use and divert all of the waters flowing in said main (or North Fork of) Tallahassee Creek, for the purpose