

day of April A.D. 1927, and the case having been submitted and the Court being fully advised in the premises, NOW, upon motion of B. C. Call, counsel for defendant and in conformity with the Order and Decision of the Supreme Court, and the modified Findings of Fact and Conclusions of Law, and by reason of the law in the premises;

It is CONSIDERED, ADJUDGED AND DECREED by the Court that the plaintiff, East Grouse Creek Water Company, Limited is the owner and entitled to the management and control of all the dams, ditches and other means for the diversion and distribution of the waters of Grouse Creek and its tributaries as shown by the map referred to in the Findings of Fact and Conclusions of Law herein, excepting the Frost Ditch and the private dams and ditches of the defendant which are more particularly referred to hereafter in this Decree, and to which map reference is hereby made and by such reference said map is made a part of this Judgment and Decree; and that said defendant, his agents and servants and all persons claiming or to claim by, through or under him, be, and they are, and each of them, hereby restrained and forever enjoined from in any manner interfering with the said dams or ditches or any of them owned and controlled by the plaintiff company and from in any manner interfering with the maintenance, repair, management or control of any of said dams or ditches.

2.

It is further adjudged and decreed that the plaintiff, East Grouse Creek Water Company, Limited, is entitled to divert all of the flow of the waters of said streams and their tributaries from the first day of June to the first day of October of each and every year and to distribute the same to its stockholders for the irrigation of their lands, the watering of stock and for domestic uses, and that said plaintiff is entitled to divert all of the flow of waters in said Grouse Creek and its tributaries below the meadow lands of the defendant in Section 12 shown on said map and below the meadow lands of Thomas Thomas shown on said map and lying adjoining to and below the said lands of the defendant, after the same has first been used, or passes through the premises of the defendant Frost, and Thomas Thomas from October first of