

to strike the word "minor" from the decree evidently because it is difficult to tell what is minor and what is major and thus leave the decree as if it retained jurisdiction to make not only minor but any and all corrections. To this I cannot agree.

Many times in judgments and statutes we have elastic and indefinite words. Within a certain zone of fact-situations, it is very difficult to say whether the legislature or court intended such situations to come under the indefinite word. Thus, Sec. 105-8-4, R. S. Utah 1933, states in part, "When a public offense is committed near the boundary of two or more counties the jurisdiction is in any of such counties". It may be difficult, for instance, to know whether an offense committed one mile away is "near" such boundary as meant by the legislature, but it is not difficult to say that fifty miles is not "near" and that ten feet is "near". By the same token, we may have some changes in the decree of March 31, 1927, which anyone can say are "minor" and which anyone could say were "minor", and some within the zone where opinions as to whether they were major or minor could reasonably differ. But minds could not reasonably differ on the point that a change in date of priority is a major change. The date of priority of a water right goes to the very heart of the right. I think no one could say it was minor especially where a change in the date would affect other rights as in this case. Therefore, the word "minor" must remain in the decree to exclude reconsideration of those matters in regard to which there is no doubt but that they are major; and this matter of rearranging priorities is such a matter.

I do not think we can ignore the word because in some cases it may be difficult to know whether a matter is major or minor. The point in this case is that the matter of priorities is undoubtedly not "minor" and hence as to such matter the decree of March 31, 1927 was final. Being final, it could not be changed. Otherwise, I wonder how the other water users could ever know when their rights were finally