

of continuous flow as outlined in the determination. Where it is not feasible to combine the flow determined to several rights it is recommended that the flow distributed to isolated rights be increased to give a stream sufficient for practical irrigation purposes and the time decreased in such a way as to deliver to such rights the same amount of water as would be delivered if the continuous flow determined to the right should be distributed.

Such combination of rights and flow are matters of practical distribution and should be under control of the river water commissioner, who is under the jurisdiction of the State Engineer.

That notwithstanding this determination of water rights users of water shall at no time divert more water than can be beneficially used and waste of water should be prohibited.

That it is recommended that the rights to the use of water in the Sevier River System be decreed to the various parties substantially as set forth in this determination but it is further recommended that the court retain jurisdiction of this case for a period of five years for the purpose of making adjustments in the duty of water, correction of errors and for such other purposes as time may indicate to the court as proper and just. In all matters whatsoever pertaining to this determination and the decree to be ren-

dered the services and advice of the State Engineer are at all times available to the court.

It is further recommended that the quantity of water allowed under this proposed determination be measured at or near the point or points of diversion unless otherwise specified, also that there be installed and maintained in good condition at all times suitable measuring devices at or near said point or points of diversion, and that said diverting works be maintained in such condition as will prevent an unreasonable loss of water.

XI.

That the rights declared herein which are founded upon appropriation of said water by application to the State Engineer of the State of Utah, are subject in their exercise to, and are conditioned upon compliance with the terms of the application upon which each respective appropriation is based and upon compliance with the provision of the laws of the State of Utah relating thereto, and proof of appropriation shall be made to the State Engineer in compliance with said laws. At the end of the five year period above mentioned, the status of said application shall be reported, by the State Engineer, to the court at which time the final decree will be made to agree with the records of said application as shown by the records in the State Engineer's office.