that point for about 60 days; while in the other years the time did not exceed 30 days, which was during the high-water season.

It is important to bear in mind that from the foregoing measurements, which are not disputed by anyone, there was no time, so far as the record shows, when the natural state of the water in Utah Lake was such as would permit a natural flow into Jordan river and from thence into the diverting ditches of appellants of the quantity of water claimed by them, namely, 828 cubic feet per second. The highest amount that would thus flow was during parts of the months of June and July, 1895, and May, 1897, at which times, however, less than 800 second feet would flow into the Jordan river. During 2 other months the flow of water was slightly in excess of 600 feet, and during 11 months more the flow was between 500 and 600 feet, while during all the remainder of the time between December, 1887, and December, 1900, covering the whole period of the measurements, the flow was less than 500 cubic feet per second into the Jordan river from the lake. Moreover, taking the period from 1893 to 1906, during which time an attempt was made to show the quantity of water that appellants diverted from their ditches and actually applied to a useful and beneficial purpose, the clear weight of the evidence is to the effect that appellants did not at any time take or use water in the amount allowed them in the decree by the trial court. In referring to the findings, it is manifest that the court allowed appellants all that the evidence showed that they were entitled to. Indeed, in the tenth finding which is excepted to, the court among other things found "that the aggregate number of acres which have been brought under irrigation by the plaintiffs (appellants) other than Salt Lake City is 49,000 acres, and the maximum contemplated interests of the plaintiff (appellant) Salt Lake City will be fully satisfied by a quantity of water equal to 56,000 acre feet supply during the irrigating season as heretofore defined at the head of said plaintiff's canal. * * * That 56,000 acre feet, measured at the headgates of its canal, and used in such volume as from time to time may be necessary through the irrigation season, is a sufficient quantity of water to satisfy all the needs and necessities of the plaintiff Salt Lake City. That 185,000 acre feet, measured at the headgates of their canals, is a sufficient quantity of water, when used at such times and in such quantities as their necessities require, to satisfy the needs and necessities of the plaintiffs in this action for irrigation, municipal, culinary, and all domestic purposes; the same being an equivalent of a continuous flow of approximately 515 cubic feet of water per second during the irrigation season of 180 days." The court also found that the highest amount of water that appellants took from the lake in any one year by means of their pumps and otherwise was in the 1905, which approximately amounted to 156,000 acre feet or an equivalent of a continuous flow of about 575 cubic feet per second for a period of 180 days during the irrigation season. The findings go into great detail and will be referred to hereafter only in a general way.