At all events, appellants' pumps are all now so set that, if the water falls to about 4.66 feet below compromise point, their capacity to draw from the lake and to discharge water into the Jordan river so that it may reach the diverting canals of plaintiffs may be seriously affected, and thus appellants may be prevented from obtaining the water necessary to supply their wants unless and until they make some alterations in or in some way again make available for use their pumping plant by dredging the bottom of the lake so as to cause the water to flow to the pumps.

To install the pumping plant as it was at the time of trial, appellants necessarily expended about $112,000. To change it in case the water fell below the point stated so as to make it again available for pumping would no doubt entail an outlay of an additional large sum of money, and with respect to dredging the bottom of the lake the evidence is in hopeless conflict, and the conditions assumed by the several experts are at such variance that it seems to us no one in advance can say either what the cost or the duration of such an experiment would be. While so far as the evidence shows, and unless conditions change, appellants' rights to the use of the quantity of water to which they are entitled would perhaps not be interfered with although respondents are permitted to draw 40 cubic feet per second from the lake, yet those conditions may change and the evidence leaves but little room to doubt that they may so change at most any time and may thus affect appellants in their rights in case present methods of drawing water from the lake are continued. As we view the evidence, such interference will perhaps only arise in extraordinary or abnormal conditions; but appellants' rights should be protected under such conditions if they arise as well as under natural or normal conditions.

By the foregoing we do not mean that, in view of the natural precipitation and the consequent inflow of water from that source into the lake, the amount of water in the lake, when considered as a whole, will be so diminished by any act of respondents as will prevent appellants from obtaining in some manner the amount of water from the lake to which they are entitled by their prior rights. What we do mean is that, by reason of the acts of respondents in drawing their water from the lake, appellants may not at all times be able by their present means and methods to draw and obtain from the lake the amount of water awarded to them by the court, and in order to obtain water sufficient for their needs, and to which they have a prior right, they may be required to apply additional mechanical energy and expend additional large sums of money annually. The question, therefore, that present themselves, are: (1) In view that appellants may be affected in their rights as aforesaid, shall respondents therefore be denied the right to draw any water from the lake, and thus leave a large amount of water useless which otherwise will be put to a useful and beneficial purpose; or (2) shall respondents be permitted to draw the surplus water from the lake, and in doing so make appellants assume the risks incident thereto as outlined above; or (3) shall respondents be given the right to the use of the surplus water to the extent asked for by them, and in so doing be required to assume all the risks incident thereto, and in case any of appellants' rights are invaded which can be protected