

alter the amount of water to which any of the parties are entitled to receive, regardless of where the same is diverted from the West Union Canal Company system.

18. That since the parties to this action have been using the diversion works and canal system of the West Union Canal Company for the purpose of delivering the waters to the persons entitled thereto, it has frequently happened that a number of the water users have failed and neglected to pay their just proportion of the costs of operation and maintenance of the said diversion works and canal system. Because of such failure it has been necessary for those who have been willing to bear their just proportion of such costs of maintenance to expend in money and labor not only the amount that they should justly expend, but also additional amounts for the purpose of paying the proportion that should be paid or done by others who have failed and neglected to pay or perform their just proportion of the upkeep of said canal system. The persons doing the work and paying the assessments which should have been paid or done by others, in order to make collections from those who have failed and neglected to do their proportion, have been compelled to employ attorneys for the collection of the amount which should have been paid by others, with the result that frequently the expense of making such collection has been greater than the amount collected, and therefore, in order to make it practicable for those who expend labor and money in the maintenance of said system to enforce proper contributions from those who have failed, it is necessary that