

42-345. Certain agreements between proprietors not allowed; proceedings to annul. The proprietors of any canal or other works not party to such agreement, or any consumer of water therefrom, shall be entitled to make application to the judge of the district court in and for the county wherein said applicant shall reside, asking that such agreement be annulled. Reasonable notice of every such application shall be given to the proprietors of the canals and other works, parties to such agreement, and the judge of the district court may require like notice to be given to all others in interest, by application, as may by him or her be prescribed.

The proprietors of any such canal or other works, or any consumer of water, or person entitled to the use of water from any such works, shall be heard, and the judge of the district court shall make such order in the premises as right and justice may require. During the pendency of any such application the waters allotted to the canals, ditches, or other works, the proprietors whereof are parties to such agreement, shall be distributed and rotated conformably to such agreement.

History: L. 1891, ch. 133, art. 4, § 27; R.S. 1923, 42-345; L. 1976, ch. 145, § 196; Jan. 10, 1977.