

direction fifty (50) feet to the place of beginning, expressly reserving from the operation of this resolution the lands known as the Bishop Block or tract of land, the fee and control of which is not in the said East El Paso Town Company. In consideration whereof, the said El Paso Irrigation Company, for itself and assigns does covenant and agree with the said East El Paso Town Company that it will do and perform as follows: First: That whenever notified by the Board of Directors of said East El Paso Town Company, so to do, it will over said Canal, at all cross Streets construct good wagon bridges, not less than twenty feet wide, and maintain the same at its own expense, in equally good condition and that it will at once construct such bridges on the line of Estrella and Grama Streets. Second: That said El Paso Irrigation Company shall be liable for and shall hold the East El Paso Town Company harmless from any and all damages, costs and expenses of all kinds growing out of the construction maintenance or repair of all bridges and highways covering said canal, and from overflows, breaks or other damages from said canal or negligence of said Irrigation Company or its Agents. Third: That it will not discriminate in the use or sale of water against the inhabitants of said East El Paso claiming title under the East El Paso Town Company, but that the said inhabitants shall have the right to use the water of said Canal at reasonable times by paying therefore at the rate not to exceed ten (10) cents per thousand Cubic Feet (1000 cu ft) when lots are used singly or in less quantities than half a block, and at a rate not to exceed seven and one half ($7\frac{1}{2}$) cents per thousand cubic feet to any person using a solid tract of land or one half block or more, the maximum price of water connection is hereby fixed at twelve and one half ($12\frac{1}{2}$) dollars each which will entitle the holder or holders of said connection to water not exceeding five acres in a body. Two blocks being regarded as five acres; Provided that this price for

the Bishop Block or place of land, the fee and control of which is
relating from the operation of this resolution the range block is
direction with (20) feet to the place of beginning, expressed

water connections shall govern only until said Irrigation Company
shall have sold connections to the amount of ten thousand (10,000)
acres after which time the price paid shall conform to the market
price of water connections. The said inhabitants shall be treated
in all respects the same as the most favored consumers of water
under similar circumstances, except as to the City of El Paso.
Fourth: Any such discrimination or over charge shall subject said
Irrigation Company to a forfeiture of all rights, grants, franchises,
privileges and powers herein conferred. Fifth: That should it fail
neglect or refuse to operate said irrigation canal, or should it
allow said canal to remain dry, when there is water in the river,
for the space of three continuous months, it shall forfeit all
rights, privileges and franchises, herein granted.

W. M. James, Pres. E. El Paso
Town Co.

(SEAL)

The State of Texas)

County of El Paso) Before me, Graham Smith, a Notary Public,
in and for said County and State, on this day personally appeared
W. M. James, known to me to be the person whose name is subscribed
to the foregoing instrument, and acknowledged to me that he executed
the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 15th day
of April A. D. 1890.

Graham Smith, Notary Public in &

(SEAL)

for El Paso Co. Tex.

Filed for record January 28" 1898 at 11:06 A. M.) Park W. Pitman, C. Clerk

Recorded February 4" 1898 at 11:45 A. M.

) By B. F. Wade, Deputy.

unless after written time the price paid shall conform to the market
shall have sold connections to the amount of ten thousand (10,000)
market connections shall remain until said irrigation work

The State of Texas)
County of El Paso) I, Park W. Pitman, Clerk of the County
Court of El Paso County, Texas, do hereby certify that the fore-
going is a true and correct copy of the record of the DEED, from
East El Paso Town Company by its President W. M. James, to
the El Paso Irrigation Company, dated the 15th day of April A. D.
1890, as the same appears of record in Book 38 Page 357 of the
Deed Records of said County.

Given under my hand and seal of said Court, at
office in El Paso, this the 26th day of September, A. D. 1912.

ATTEST: Park W. Pitman, County Clerk

BY *L. E. Bowles*, Deputy.