

any time in the future it should appear that the water supply is not adequate for such equipment, their use may be restricted or forbidden, temporarily or permanently, by following the procedures in Paragraph 4 above.

6. If any of the parties hereto or their heirs, successors or assigns, or any other person or persons abuse the water privileges granted under the terms of this Agreement, the remedies in Paragraph 7 below shall apply. Any abuse shall be deemed to be such only after following the procedure in Paragraph 4 above.

7. If any of the parties hereto or their heirs, successors or assigns, or any other person or persons shall violate or attempt to violate any of the rights, restrictions, conditions or covenants herein contained, any of the remaining parties, their heirs, successors or assigns or any other person or persons owning or having a legal or equitable interest in the real property described herein shall have the right to prosecute any lawful proceedings at law or in equity, consistent with the other provisions of this Agreement, against the person or persons violating or attempting to violate any such restrictions, rights, conditions or covenants to prevent him from doing so or continuing to do so and/or to recover damages for such violation or attempted violation; neither a delay in enforcement nor a failure to enforce any one or more of said rights, restrictions, conditions or covenants shall constitute a waiver of the right to do so thereafter as to the same or to any subsequent violation or attempted violation.

8. All provisions contained herein shall be severable, and invalidation of any one or more of them by judgment or Court Order shall in no way affect any of the others, which other provisions shall remain in full force and effect.

9. The provisions of the foregoing paragraphs and this paragraph shall be construed to be covenants running with the

3  
7  
0

4328 RV-2