

Illustration : — The quantity of water running in a stream being not sufficient to meet the needs of the owners of all the immovables situated along this stream, the said owners have gone to law and a judgment has been given by the Court specifying the quantity of water to which each owner is entitled. A, the owner of one of the immovables situated along the stream, cannot dispose of his right to the quantity of water assigned to him by the judgment (although he does not want it any more, because, for instance, he has given up the cultivation of his land) in favour of B, the owner of an immovable adjoining that of A, but not situated along the stream. But if A sells his land to B, the sale will include A's right to the quantity of water specified by the judgment.

133. — If the servient property be divided, the servitude as a rule continues upon all parts thereof.

If however the servitude does not rest upon any particular part and according to the circumstances cannot so rest, each owner of a portion not encumbered therewith may demand that it be extinguished as to his part.

F. 700. J. 282. S. 744. G. 1026.

Illustrations: — I. — A, the owner of a land, divides that land into two parts which he sells respectively to B and C. That land was subject to a servitude according to which A could not prevent or modify the natural off-flow of rain or flood water to the injury of an adjoining land owned by D. B and C, becoming the owners of the two parts both adjoining D's land, are both subject to the same

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