

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH.

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In the Matter of the Appointment of a Water Commissioner For the Measurement and Apportionment of the waters adjudicated in the case of the Blue Mountain Irrigation Co. et al vs. F. J. Adams et al. had in the District Court of San Juan County, state of Utah, and in which a decree was made and entered on the 19th. day of April, 1919.

P E T I T I O N .

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To the Honorable State Engineer of the State of Utah:

The petition of the undersigned respectfully respectfully shows:

That an action was had in the District Court of San Juan County, state of Utah, for the adjudication of the water rights of the following named parties: The Blue Mountain Irrigation Co., a corporation, George A. Adams, C. R. Christensen, F. I. Jones, Nephi Bailey, F. P. Jones, and J. H. Wood (Plaintiffs), F. J. Adams, John E. Adams, George A. Adams Jr., Jos. F. Barton, Peter Bailey, Annie Bailey, Hanson Bayles, John Bailey, H. D. Dalton Jr., J. B. Decker, W. A. Frost, H. G. Green, James Hicks, Wm. B. Hyde, Jos. B. Harris, John H. Jones, Bartolo Jaramillo, W. O. Knight, Susano Manzanarez, Town of Monticello, a municipal corporation, H. E. Pearson, Hyrum Parkins Estate, J. M. Redd, L. H. Redd, Henry Rose, B. Spencer, George Spencer, Juan de la Trujillo, Ablardo Vigil, A. S. Wood, (Defendants). That a decree was made adjudicating the rights of said parties on the 19th. day of April 1919 and was thereafter recorded in Book "A" of the Judgement Records of the said Court.

The by the terms of the said decree H. L. Rath was appointed water commissioner to divide and apportion the waters in said cause adjudicated in accordance with "Sheleys Report which was embodied in and made a part of said decree.

That on the 16th. day of April, 1920 the said H.L. Rath tendered to the judge of the said Court his request that he be relieved of the duties and obligations of said appointment. That on the 22nd. day of April, 1920 the judge of the said Court made an order declaring that the said office is vacant, and Requesting that the State Engineer of the State of Utah appoint a suitable person to fill said vacancy, as will more fully appear from the certified copy of the said order hereto attached.

That on the 23rd. day of April, 1920, Charles E. Walton Jr. made application to the parties named in the above entitled action for appointment to the said office of water commissioner. That thereafter to wit: on the 24th. day of April, 1920, the Blue Mountain Irrigation Company through its secretary, Lloyd Hansen, mailed to all of the parties named in said action a notice of the application of the said Charles E. Walton and that a hearing would be had for the purpose of considering said application, on the 29th. day of April, 1920 at 2:00 o'clock P.M. at the County Court house in Monticello, as will more fully appear from the notice and certificate hereto attached.

That pursuant to said notice a hearing was had at the time and place aforesaid, and all parties who then and there appeared favored the appointment of the said Charles E. Walton Jr. to the said office of water commissioner, and there was no protest of any kind or nature.

That your petitioners are parties to the said cause. That they are informed and believe that the said Chas. E. Walton is fully qualified to perform the duties of water commissioner for the measurement and apportionment of the waters in the said cause adjudicated. That due inquiry has been made by your petitioners and that they have been unable to find any party to said cause who is opposed to the appointment of the said Charles E. Walton.

That a commissioner must be at once appointed to protect the rights of the parties to said cause.

That the said Chas. E. Walton is ready and willing to accept said appointment and to furnish a bond in such amount as the

Honorable State Engineer thinks necessary.

WHEREFORE, your petitioners pray that the Said Charles E. Walton be appointed to the office of water commissioner for the apportionment and measurement of the waters in said cause adjudicated, and for the performance of such other duties as law and the regulations of your office impose.

The Blue Mountain Irrigation Co

By H. Lloyd Hansen  
Secretary.

A. B. Barton

J. F. Johnson

C. R. Christensen