

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF UTAH, SITTING AT UTAH COUNTY.

Provo Reservoir Company, \*  
\*  
Plaintiff, \*  
\*  
Vs \*  
\*  
Provo City, Wilford Van \*  
Wagenen, et al, \*  
\*  
Defendants. \*

Civil Action No. 2888.

\*\*\*\*\*

Stipulation between plaintiff and Wilford Van Wagenen.

It is hereby stipulated by and between the plaintiff and the said defendant, Wilford Van Wagenen, that the said defendant Wilford Van Wagenen is entitled to the use of (2) two second feet of the waters of Deer Creek, to be measured at his land in Sections 9 and 16, Township 4 South of Range 4 East of Salt Lake Meridian, Wasatch County, State of Utah, for the irrigation of 120 acres of said lands; said right shall be prior to any right claimed <sup>by plaintiff</sup> by virtue of any application for water filed with the State Engineer of the State of Utah, *excepting storage water.*

That after the said defendant is supplied with the said two second feet, then as against the said defendant, the plaintiff is entitled to one second foot of water from the natural flow of Provo River for each seventy acres of land irrigated through the plaintiff's irrigation system; the same to be measured at the heads of the laterals diverting water from plaintiff's canal.

When said amounts have been supplied to the parties here to respectively, then the defendant Wilford Van Wagenen is entitled to sufficient additional water from said Deer Creek to fill his canal to its present full carrying capacity.

Dated this 11th day of January, A. D. 1917.

PROVO RESERVOIR COMPANY.

By

*Joseph R. Murrain*  
President.

*Alfred L. Boreth* one of the  
Attorneys for Plaintiff

*Morgan & Muffaha and Charles J. Muffaha*  
Attorneys for Defendant  
Wilford Van Wagenen.