

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, STATE OF  
UTAH, IN AND FOR UTAH COUNTY.

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PROVO RESERVOIR COMPANY, )  
Plaintiff, )  
vs. ) NO. 2888 CIVIL.  
PROVO CITY, ET AL., )  
Defendants, ) ANSWER.

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Comes now Provo City, a Municipal Corporation of the State of Utah, one of the defendants named in the above entitled action, and makes its separate answer to the allegations of the Petition of T. F. Wentz, Commissioner, for an Order on Construction of Control Gates, and admits, denies and alleges as follows, to-wit:

1. Said defendant admits the allegations contained in Paragraphs 1, 2 and 3 of said Petition.

2. Answering the allegations of Paragraph 4 of said Petition,—"That in the year 1904, two sets of timber gates were installed leading from the Tailrace of the Olmstead plant to the said Provo river," The said defendant alleges that it has no knowledge or information sufficient to form a belief as to said allegation and therefore the said defendant denies said allegation. Further answering said Paragraph 4 of said Petition said defendant generally and specifically denies that such gates have been necessary for this defendant.

3. Answering the allegations of Paragraph 5 of said Petition, said defendant alleges, - that it has no sufficient knowledge or information to form a belief as to said allegations and therefore said defendant denies generally all of the allegations set forth in Paragraph 5 of said Petition.

4. Answering the allegations of Paragraph 6 of said Petition said

defendant alleges,- that it has no sufficient knowledge or information to form a belief as to how the said Commissioner is advised, or of what said Commissioner is advised, but said defendant denies that said defendant has ever advised said Commissioner, or any one else, that said defendant admits all of the allegations contained in Paragraph 5 of said petition, and said defendant denies that it admits all, or any, of the allegations contained in Paragraph 5 of said Petition.

5. Answering the allegations contained in Paragraph 7 of said Petition the said defendant alleges it has no knowledge or information sufficient to form a belief as to whether or not any of the other defendants above named acknowledge themselves responsible, or do not acknowledge themselves responsible, for the payment of the cost of the installation of said gates, or any fixed portion of said cost; but this defendant does allege that this defendant does not acknowledge itself responsible for the payment of the cost of the installation of said gates, or any fixed portion thereof, or any portion at all of the cost of the installation of said gates. The said defendant denies generally each and every other allegation contained in Paragraph 7 of said Petition.

6. Answering the allegations contained in Paragraph 8 of said Petition the said defendant denies generally and specifically each and every allegation contained in said Paragraph 8.

7. Answering the allegations contained in Paragraph 9 of said Petition, said defendant alleges that it has not sufficient knowledge or information to form a belief with respect to said allegations, therefore said defendant denies generally each and all the allegations contained in Paragraph 9 of said Petition.

WHEREFORE, the said defendant Provo City prays that it be hence dis-

missed from this citation without costs.

Jacob Coleman  
A. B. Morgan  
Attorneys for the Defendant  
PROVO CITY.

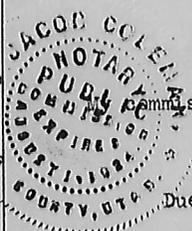
STATE OF UTAH, )  
                  ) SS.  
COUNTY OF UTAH,)

Thomas C. Thompson, being first duly sworn, deposes and says; that he is an officer and agent of the defendant Provo City, to-wit: a City Commissioner thereof; that he has read the above and foregoing Answer and knows the contents thereof; that the same is true of his own knowledge, except as to matters therein stated on information and belief, and as to such matters he believes it to be true.

Thomas C. Thompson

Subscribed and sworn to before me this 30 day of September, 1921.

Jacob Coleman  
Notary Public.  
Provo City, Utah.



Commission expires \_\_\_\_\_.

Due and legal service had by copy received of the above and foregoing Answer this 28 day of September, 1921, is hereby admitted.

T. F. Wertz  
Petitioner.