

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

PROVO RESERVOIR COMPANY, a cor-
poration,

: Civil No. 2888

Plaintiff,

-vs-

PROVO CITY, et-al, and SMITH
DITCH COMPANY, a voluntary assoc-
iation - - - - ,

: D E M U R R E R

Defendants. :

Comes now Don York, and demurs to the petition of A. L. Tanner
in the above entitled cause, on the following grounds:

1. That said petition does not set forth sufficient facts to
constitute a cause of action against the said Don York.

2. That said petition does not set forth any facts or grounds
on which the said Don York could be brought before this Court in this
matter.

3. That all the parties necessary in order that the Court might
take any action or make any order whatsoever, based on plaintiff's
petition, are not before this Court, and therefore, there is a defect
of parties defendant herein.

4. That the Court in the above entitled action, has no jurisdic-
tion of the subject matter set forth in the petition on file herein.

WHEREFORE, said Don York prays that he may be dismissed in this
cause with his costs.

Brookbank & Pope
Attorneys for said Don York.

Received a copy of the foregoing Demurrer this 12 day of June,
A. D. 1936.

Christensen & Paul Christensen
Attorneys for A. L. Tanner.

2888

IN DIST. COURT
UTAH CO., UTAH

FILED

Calhoun
A. Hudson
Clerk
Deputy