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Minutes of a meeting of Parties interested in the waters of Provo River, held May 16, 1912, at 8:00 p.m.

Jos. B. Keeler continued as chairman; ~~C. S. J.~~ C. S. Jarvis as Secretary.

Plaintiffs Exhibit 3
Case No. 858 Civil.
[illegible] Court Reporter.

* Minutes of ~~the~~ meeting of May 9, of same parties, read and amended by inserting "after the Bench is thoroughly soaked up with high water" in connection with the statement of James A. Loveless regarding a duty of 60 acres per second-foot being sufficient on Provo Bench ~~and~~

On motion of J. B. Walton, the minutes were approved as corrected.

~~E. D.~~ Clyde reported that the Summit County interests were opposed to the ~~hydrographic survey and to the~~ appointment of a District Water Commissioner for the whole of Provo River. Would be satisfied with the action of the Summit County Water Commissioner acting with the Commissioner from Wasatch or Utah Counties, in dividing the waters

Would favor a hydrographic survey; as they felt hopeful that a duty of less than 60 acres per second foot would be allowed for their lands, if examined by a skilled and competent engineer.

Would favor two ~~districts of~~ in the Provo River System, with the Wasatch Dam as the dividing line.

Reports were called for from the various canal companies, as to ~~the~~ a basis of agreement.

E. D. Clyde reported that a duty of 50 acres per second-foot was favored by interests in Wasatch County; but no ~~[illegible]~~ more definite action was taken.

L. J. Nuttal reported that no official action had been taken.

Mr. J. Wm. Carter reported that no meeting had been held; but the best evidence obtained by Mr. Carter showed that a duty of 60 acres per second-foot would not be satisfactory.

J. Wm. Carter opposed the plan for a hydrographic survey, as it would bring into question all of the rights to water and require a readjustment of all water rights. Concurred in by Atty Morgan. J. R. Murdock took issue with that view.

Reference to the law was made, and the general opinion seemed to be among all except the Provo Res. Co. that the hydrographic survey would be a source of trouble, causing a readjustment of rights.

Atty Morgan made a motion that Provo City and each canal Co. and private interests in Utah, Wasatch, & Summit Co., be invited to appoint one representative from each to form a working agreement for this year, eliminating question of hydrographic survey and State Water Commissioner, confirm the appointment of the County Water Commissioner making them Court Commissioners on Provo River, and that we request County Com. to appoint water commissioners, and that the District Court be requested to confirm these appointments, making them court commissioners etc.

Sprints several copies

Jas. A. Loveless spoke against the hydrographic Survey.

J. Wm. Carter spoke in favor of the motion.

Atty. Morgan spoke in favor of the motion, in the interests of harmony.

E. D. Clyde stated that the Summit Co. people are not in favor of a lawsuit; but will probably be governed by some working agreement. Spoke in favor of a ~~a working~~ a improved system of water measurement. Declared that ~~that~~ the use of water is generally excessive in the early part of the season, to the detriment of the crops. Spoke in favor of respecting the higher duties of water, such as the specialists and experts have found sufficient, such as 60 or 70 acres per sec. ft.

Showed that the new canal companies, in Wasatch Co., with rights dating since 1880, are willing to shut off the water in part as the water recedes according to acreage supplied.

J. Wm. Carter stated that the present water Com. for State Co. regulates the water for the companies at a trifling expense; and a State appointee would be employed @ $10 per day, and would probably work for 6 months at such a rate, thus increasing the cost.

#/ Atty. A. B. Morgan conceded that a State appointed commissioner would be most effective, if all the water were decreed by court; but as things are now the high water would have to be distributed by stipulation, and that therefore we must arrange to form an agreement among ourselves; and our local commissioner can handle the problem of distribution.

J. R. Murdock spoke in favor of the motion of Mr. Morgan.

~~Jas. H. Fowler~~

J. B. Walton reported a preliminary meeting of Provo City and Canal Companies, in which the points were discussed as to hydrographic survey, State appointed water Commissioner; and division of the water during the 10 day period; sentiment was against

all these propositions, tho' formal motion made, however.

The only other point remaining is the appointment of a committee, as contemplated by the motion.

Charles G. Johnson spoke in favor of the motion. Carried unanimously.

Time appointed for committee to meet, ~~May~~ 23 1902 8:00 P.M., at Provo Reservoir Co.

C. S. Jarvis
Secy.

300
200
300
400
12
8
20,
20
40,000.
20
1,000,000.

(50) 1200
60. sec

Com named
Com. Goddard for Prov city
J. W. Loveless Provo Bench canal
J B Walton Pump can co

* Present

Maj. Cooper Anderson, representing Telluride Power Co

J. B. Walton, Jas. Meldrum — Timpanogos

Fred Ferguson, Wm Ferguson, F. J. Foote

L. J. Nuttal, J. Wm Carter — West Union

Com. H. J. H. Goddard and Atty A. B. Morgan, Provo City

W. K. Farrer, Little Dry Creek

Jas. A. Loveless, John R. Park

Chas. G. Johnson — Provo Bench Canal

John M. Ritchie — Individual Interest

J. R. Murdock, J. B. Keeler, F. H. Kirkham,

R. J. Murdock, — Provo Res. Co.

E. D. Clyde, ~~Wasatch~~ Wasatch Canal Co.

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4) Meeting of committee of Water Users of Provo - May 23rd 1912 - at 8 P.M. J. B. Keeler Pres. - A. B. Morgan temporary sec'y - Minutes of meeting of May 16 1912 approved -

Plaintiff's Exhibit 4
Case No. 2877 Civil.
Court Reporter.

Interests represented -

Provo City - Commissioner L. J. H. Goddard -

East Union by A. M. Carter -

Little Dry Creek - H. K. Farrer -

Provo Bench - by J. A. Fowles -

Pimpanogas - A. B. Morgan.

Charleston Irrigation Co - & individual interests - J. M. Rushie -

Provo Reservoir Co - J. R. Murdock

2/

and A. J. Evans—

Utah Lake Irrigation Co—Jas. B. Ke

Land owner on West side of Prov
below Midway—and Stewart Bro
irrigating about 600 acres of lan
above Woodland—represented b
J. R. Murdoch—

Fort Field Company by—
H. J. H. Goddard—

Timpanagos Co—& Extension
Irrigation Co—~~of Hawaiian~~ by
J. R. Murdoch—

J. B. Keeler made some remarks
on general situation—X

No one should advocate taking
away that which belongs to a neighbor
but if there are waste waters they

3/ should be utilized –

Anything done here should be understood as not to jeopardize anyones rights. nor should anything here ~~be~~ said be understood as evidence affecting the rights of any of the interested parties.

Would like to see all parties come together and effect a working agreement.

A. M. Carter & H. J. H. Goddard –

J. M. Richie & Jas. A. Sowless spoke

J. R. Murdock spoke on duty of water, and explained the different attitude of the courts now and 15 years ago

[redacted]

Moved by A. B. Morgan that each company and interest report to the committee in two weeks the approximate number of acres watered under each canal and private interest – Seconded carried –

5)

Provo June 6, 1912

Meeting of Committee of Water Useres of Provo river met June 6 - 1912 at 8 P.M. Res Co. office.

Jos R Murdock, was elect Chairman and R J Murdock was elected temporary Secy.

Minutes of meeting held May 23, 1912 read and approved.

Plaintiffs Exhibit 5
Case No. 2888 Civil.
DWR Court Reporter.

Interests represented.

Provo City - Communion H J W. Goddard.
West Union - by A. M. Carter,
Little Dry Creek - by W. K. Farrer.
Provo Bench - by Pres Jas A Loveless.
Timpanogas Irr Co - by A B Morgan,
Charleston Irr Co & Individuals interest J M Ritchie
Utah Lake Irr Co.
Provo Res Co by Jos R Murdock.

Land owners on West side of Provo river blow midway & Stewart ~~Bros~~ above Woodw

It was reported by J M Pilcher & Jno R Murdock that blow the Midway lower dam down to the Wright Estate there is approximately 2000 a of land irrigabil. ~~with~~ canals have a capacity of 100 s-f.

A. M. Carter of West Union reported progress and up to date they had measured 1700 a of their land. & would report balance later.

Little Dry Creek by W. K. Faust, reported that they had about 600 a under their canal.

Commissioner Goddard reported for the City & stated that they were irrigating about 3000 a.

Four Field by ~~Com~~ Mr Goddard reported an acreage of about 400 a.

Jas A Loveless, of the Boise Bench reported an acreage of about 4800 a.

Timpanogar Irr Co. estimated about 700 a
by Jos R Murdock,
Upper Eair Union ——— 713 a
River Bottom ——— 1000. a
Total ——— 12,913

John M. Ritchie refered to the fact that this was the 4th meeting and he hoped that we could get together on some working agreement for the present year.

Remarks made by Jos R. Murdock, W. K. Farrer and Jos B Keiler, Jas A Loveless regarding regarding the duty of water during the period of time between high water and low water period.

Mr. Murdock stated that the Res Co wanted the other companies to let the B. C. Canal Co have at right to high water as it was intended that they should have by the decree.

Jos. R. Murdock was released as temporary chairman & Jos B Keiler, was elected as temporary chairman in his place.

The following resolution was unanimously adopted:

Be it the sense of this meeting that the waters of Provo river during the period when the river begins to fall, between high water and dessed nights, be distributed among the various users from the Midway dam in Wasatch County to Utah Lake in Utah County on a basis of one second foot of water for fifty five acres of land; and that we use our influence with the various companies and individuals users to defer this arrangement for this present year, 1912.

moved by W. K. Farrer & seconded by H. J. W. Goddard

Be it the sense of this meeting that we use our influence with our Companies to have the County Commissioners of Summit, Wasatch and Utah Counties appoint a water commissioner for their respective Counties, (where one is not already appointed) and ask the District Court to confirm each commissioner, so appointed, as court commissioners; the said three commissioners to regulate & distribute the water during the season of 1912, according to the foregoing resolution.

Moved by Jos R Murdock & sec by Jno M Ritchie that the two foregoing resolutions be published in the Wasatch Wave & the Provo papers.

Moved and carried that we ask each of the Companies & private interests interested in the waters of Provo river to file with the Secy a statement of the Number of acres irrigated under their perspective Canals, and in order to get the average of each, the following persons were appointed to assist, H J W Goddard, W. R Farrer, & Jas A Loveless for Utah Co; John M Ritchie Jos R Murdock & Robt Ross for Wasatch Co

Upon motion meeting adjourned for 2 weeks. June 20, 1912

R J Murdock
Secy