

29-37

C.R.1919. Case 2888.

Provo, Utah, Jan. 17, 1920.

E.A. Wedgwood,
Chairman Commission
Drafting Decree.

Salt Lake City, Utah.

Dear Sir:

In reply to your enquiry relative to the sources of supply and more definite description of the water rights enumerated in paragraph 47 of the Tentative Decision, I submit the following:-

47. That pursuant to the terms of a stipulation presented and filed and the evidence introduced, the following named parties are entitled to, and are herein awarded water and the right to the use thereof, for the number of acres of land and the particular land herein designated, to the quantity of one second foot per sixty acres of land, and said water to be diverted through and from the ditches or channels as indicated:

- X Frederick J. Remund for 8 acres of land in the South-west 1/4, sec. 24, Tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Phil Smith Ditch.
- ✓ Philip L. Ford for 45 acres of land in the Southeast 1/4 and Southwest 1/4 sec. 24, Tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Phil Smith Ditch.
- ✓ Frederick J. Remund for 18 acres of land in the southwest 1/4 sec. 24, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Phil Smith Slough.
- ✓ Joseph Abegglen for 5 acres of land in the northwest 1/4 sec. 25, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Phil Smith Slough. .083
- ✓ Anna Elizabeth Abegglen as successor to Ulrich Abegglen, for 4 acres of land in the northwest 1/4 sec. 25, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Phil Smith Slough. .066
- ✓ Joseph Abegglen for 10 acres of land in the northwest 1/4 of sec. 25, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Abegglen Ditch. .166
- ✓ J. E. Petersen for 8 acres of land in the southwest 1/4 sec. 25, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Mitchel Ditch. .133
- ✓ Chris Mitchel for 40 acres of land in the northwest 1/4 section 25, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Mitchel Ditch. .666
- ✓ Delix Martin for 30 acres of land in the Southwest 1/4 section 25, and southeast 1/4 section 26, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Mitchel Ditch. .370
- ✓ John U. Bulher for 15 acres of land in the southwest 1/4 section 25, tp. 3 S., R. 4 E., S.L.M. From Provo River through and from the Mitchel Ditch. .250
- ✓ Jesse R. Nelson for 23 acres of land in northwest 1/4 sec. 1, tp. 4 S., R. 4 E., S.L.M. From Provo River ~~through~~ through and from the Nelson Ditch. .383
- ✓ Jesse Nelson Jr. for 20 acres of land in the southeast 1/4 section 2, tp. 4 S., R. 4 E., S.L.M. From Provo River through and from the Nelson Ditch. .333
- ✓ George Nelson for 20 acres of land in the southeast 1/4 section 2, tp. 4 S., R. 4 E., S.L.M. From Provo River through and from the Nelson Ditch. .333
- ✓ Alfred L. Alder, W.W. Alder, and James T. Alder, jointly and undivided, for 20.5 acres of land in the southeast 1/4 section 2, tp. 4 S., R. 4 E., S.L.M. From Provo River through and from the Nelson Ditch. .342

- ↘ Alonzo A. Hicken for 10.98 acres of land in the southeast 1/4 section 2, tp. 4 S., R. 4 E., S.L.M. From Provo River through and from the River Slough. 183
.092
- * Ermina C. Cummins, Lavina E. Murdock, William T. Averett, Addison Averett, Joseph D. Averett, John H. Averett, Edna Murdock, Leona Bonner, and Eustachia Averett, heirs at law of William Averett, deceased, successors to the interest of said William Averett, deceased, jointly and undivided, for 10.2 acres of land in the southeast 1/4 section 2 and northeast 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. ~~Sixwaters~~ of drainage, seepage, and spring water, as now and has existed, that arises on lands adjacent to and above said described tract of land. 160
090
- ↘ William H. Winterton for 17.75 acres of land in the northeast 1/4 and northwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Provo River through and from Meaks Bottom Slough. 296
148
- ↘ Hyrum S. Winterton for 12.5 acres of land in the northwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through ~~the~~ and from the Charleston-Midway Spring Creek Ditch. 208
104
- ↘ Joseph E. Hanks, administrator of the estate of Mrs. E.L. Hanks, deceased, for 5.85 acres of land in the southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 098
049
- ↘ William Winterton for 3.75 acres of land in the southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 063
031
- ↘ John B. Powers for 5.00 acres of land in the southeast 1/4 section 10, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 083
042
- ↘ George H. Edwards for 27 acres of land in the south half section 10 and the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 450
225
- ↘ Joseph S. Wright for 15 acres of land in the southeast 1/4 section 10 and southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 250
125
- ↘ E.L. Brown for 10.00 acres of land in the southeast 1/4 section 10, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 167
083
- ↘ Ellen C. Wright for 28.00 acres of land in the southeast 1/4 section 10 and southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 467
233
- ↘ Dermont Huffacker, administrator of the estate of D.S. Huffacker, deceased, for 15.00 acres of land in the southeast 1/4 section 10, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 250
125
- ↘ W.D. Wright for 22.50 acres of land in the southeast 1/4 section 10, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 375
187
- ↘ Hyrum Winterton for 9.00 acres of land in the southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. 150
075

- ✓ Thomas Winterton for 18.00 acres of land in the southeast 1/4 section 10, tp. 4 S., R. 4 E., S.L.M. From Spring Creek, a tributary of Provo River, through and from the Charleston-Midway Spring Creek Ditch. ^{.300} _{.150}
- ✓ William N. Casper for 15.00 acres of land in the southwest 1/4 section 1 and the southeast 1/4 section 2, tp. 4 S., R. 4 E., S.L.M. From Provo River through ~~and from the a slough, from~~ ^{through a slough} _{.300} _{.150}
- * William Winterton for 5.50 acres of land in the southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From "Upper Springs" and through the Charleston Lower Canal, that issue on said land and are now intercepted by said canal. _{.092} _{.046}
- * William Winterton for 17.58 acres of land in the southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From "Second Group of Springs" that issue on said land and below the Charleston Lower Canal. Also the right to the use of ~~said water~~ ^{said water} for two Fish Ponds located on said ~~assessible~~ land, for the purposes of fish culture. _{.293} _{.147}
- * William H. Winterton for 9.00 acres of land in the southwest 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From "Third Group of Springs" that issue on said land and below the Charleston Lower Canal. Also the right to the use of said water for two Fish Ponds located on said land, for the purposes of fish culture. _{.150} _{.075}
- (Note: In decision you will note a paragraph for William Winterton and William H. Winterton for four fish ponds, -- I have included this in the two paragraphs above.)
- * John W. Stubbs, successor to the interest of the estate of John Fowers, deceased, for 8.50 acres of land in the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. From springs and conveyed to said land through the River Ditch. _{.142} _{.071}
- * P.W. Edwards for 3.50 acres of land in the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. From Springs and conveyed to said land through the River Ditch. _{.058} _{.029}
- * John W. Stubbs, successor to the interest of the estate of John Fowers, deceased, for 2.50 acres of land in the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. From the Brown Slough, a tributary of Provo River. _{.042} _{.021}
- * P.W. Edwards, for 2.70 acres of land in the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. From ~~Springer and Tate Springs, tributaries of Provo River, and through a private ditch to said land, from Springer and Tate Springs~~ ^{tributaries of Provo River}
- * P.W. Edwards for 27.20 acres of land in the northwest 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. From ~~waters of Bonner Slough and Soldier Hollow, tributaries of Provo River.~~
- * George H. Edwards, for 10.00 acres of land in the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. From ~~waters of Bonner Slough and Soldier Hollow, tributaries of Provo River.~~
- * W.D. Wright for 28.00 acres of land in the south-half of section 10, tp. 4 S., R. 4 E., S.L.M. Of ~~waters of Bonner Slough and Soldier Hollow, tributaries of Provo River.~~
- * George H. Edwards for 5.00 acres of land in the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. Of drainage, seepage, and spring water, as now and has existed, and flowing to the ~~lands~~ said lands through and from the North Drain Ditch, a tributary of Provo River. _{.083} _{.041}
- * John B. Fowers, for 2.91 acres of land in the northeast 1/4 section 10, tp. 4 S., R. 4 E., S.L.M. Of the waters of Wootten Springs, a tributary of Provo River. _{.048} _{.024}

- * George H. Edwards for 14.00 acres of land in the east-half of section 10, Tp. 4 S., R. 4 E., S.L.M. Of the waters of "Tate Upper Springs", tributary of Provo River. 333
- * John W. Stubbs, successor to the interest of the estate of John Fowers, deceased, for 28.00 acres of land in the northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. Of the waters of Fowers Springs, a tributary of Provo River. 167
- * P.W. Edwards for 56.00 acres of land in the north-half of section 15, tp. 4 S., R. 4 E., S.L.M. Of the waters of Fowers Springs, a tributary of Provo River. 300
- * Earl Stringfellow, successor to the interest of John O. Edwards, for 10.00 acres of land in the Northeast 1/4 section 15, tp. 4 S., R. 4 E., S.L.M. Of the waters of Fowers Springs, a tributary of Provo River. 150
ALSO; (u) For 18.13 acres of land in the northeast quarter of section 15, tp. 4 S., R. 4 E., S.L.M. Of the waters of the W.D. Wright Springs, a tributary of Provo River.
- * Joseph S. Wright, successor to the rights of Joseph R. Murdock, for 23.22 acres of land in the south-half of section 15, tp. 4 S., R. 4 E., S.L.M. Of the waters of the W.D. Wright Springs, a tributary of Provo River. 1500
- Emma Kummer Bond, Admrx. of the estate of John Kummer, deceased, for 6.00 acres of land in the southwest 1/4 section 2, tp. 4 S., R. 4 E., S.L.M. From Snake Creek and through the Midway Lower Town Ditch. 750
- George R. Carlile, for 20 acres of land on the West side of Provo River, in the Northeast 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Provo River through a slough having its source in Provo River. 1500
- * George R. Carlile ALSO; for 10.00 acres of land on the East side of Provo River, in the northeast 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. Of waters from springs that issue adjacent to said land. 750
- James Casper, for 20 acres of land in the northeast 1/4 section 11, tp. 4 S., R. 4 E., S.L.M. From Provo River through and from the Hicken Slough. 1500
- J.M. Casper, for 18.00 acres of land in the north-half of section 11, tp. 4 S., R. 4 E., S.L.M. From Provo River through and from the Jack Watkins Slough. 750
- John M. Richie, for 90.00 acres of land in the west-half of section 33, tp. 4 S., R. 4 E., S.L.M. For 45.00 acres of which from a slough having its source in Provo River near the North line of said land, and 45.00 acres of which from a slough having its source in Provo River near the center of said described land. 1500
- * Joseph Hatch, for 28.00 acres of land in the northeast 1/4 section 1, tp. 4 S., R. 4 E., S.L.M. drainage, seepage, and spring water, as now and has existed, that arises on lands adjacent to and above said described land. 750
- * Elisha Webster, for 10.00 acres of land in section 11, tp 4 S., R. 4 E., S.L.M. Of the waters of Webster Springs, that issue on said land, and of waters of Provo River through and from a slough having its source in Provo River. 1500
- * William Daybell, for 28.00 acres of land in the southwest 1/4 section 22, tp. 4 S., R. 4 E., S.L.M., said land being on what is known as the "Island". Of the waters of Creamery Spring, a tributary of Provo River. 750
- * George H. Edwards, for 17.00 acres of land in the southwest 1/4 section 22, tp. 4 S., R. 4 E., S.L.M., said land being on what is known as the "Island". Of the waters of Creamery Spring, a tributary of Provo River. 1500

I think it would simplify matters to combine a number of the foregoing paragraphs, this, however is optional.

Resp. submitted, *T.F. Weing*