

In the District Court of the Fourth Judicial District,
County of Utah, State of Utah.

66-32

Provo Reservoir Company, a
corporation,
Plaintiff.

vs

Provo City et. al.,
Defendant.

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1 No. 2888 Civil
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1 AFFIDAVIT.
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B.H. Jolly, being duly sworn, on oath deposes and says; that he is now the owner of seven acres of land in the Provo River Bottom about one mile north of Provo City, Utah; that said land, for a long time past, was owned by Frederick J. Pulham and that 6 acres of said land has been irrigated for many years last past by affiant, said Pulham and the grantors and predecessors of said Pulham: That affiant farmed said six acres and irrigated the same from the waters of Spring Creek and Provo River during the years of 1919 and 1920 and that sufficient water was allowed by the commissioner of this court with which to irrigate said six acres and affiant and said Pulham understood that this court had awarded in this cause six acres of water right to be used upon said land in accordance with the stipulation which is on file herein and affiant has just recently learned that there is but two acres of water right awarded to said land by the decree herein; that said water is supplied from what is termed in the decree herein as Spring Creek and the Provo ~~REXXXXXXXX~~ River and the same is used in common with other persons; that affiant bought said land in 1920 with the express understanding that sufficient water would be decreed to irrigate the same, or six acres thereof, and he has planted said six acres to crops and garden truck and said crops and truck are now growing thereon and if the water, herein mentioned, is not awarded then said crops will perish and four acres of said land will become valueless.

WHEREFORE, affiant prays that said Findings and Decree be amended and corrected so as to award six acres of water right instead of two acres to said Frederick J. Pulham.

B. H. Jolley

Subscribed and sworn to before me this 24th day of June, 1921.

J. H. McDonald
Notary public.

My commission expires May 6, 1923



Received copy June 25 1921

A. L. Booth

of Counsel for Plaintiff

[Faint handwritten signature]
JUN 25 1921
* RECORDED *
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