

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF UTAH, IN AND FOR BOX ELDER COUNTY

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LLOYD GARRISON, State Engineer, )  
 )  
 Plaintiff. )

vs. )

R. E. DAVIS; A. W. LOFTHOUSE; )  
 CHARLOTTE E. HUBBARD, Admx. of the )  
 Estate of D. C. Hubbard; JOHN H. )  
 ZUNDEL, Adm. of the Estate of Abra- )  
 ham Zundel; M. HYMUS DALTON; CAROLINE )  
 K. PERRY, Adm. of the Estate of L.D. )  
 Perry; WM. T. EDWARDS; J. P. KUNZLER; )  
 J. H. MASON; APPOLLAS TAYLOR; ROBERT )  
 H. MORGAN, Adm. of Estate of Edward )  
 Morgan; D. D. McKAY; ABIGAIL ZUNDEL, )

Defendants. )

.....oOo.....

*Mill Dam Distribution*



MOTION

*Copy*

Come now the petitioners, R. E. Davis, J. H. Mason and J. P. Kunzler, and move the court for the appointment of a water commissioner to distribute the waters of the Mill Dam Ditch System in accordance with the decree of this court heretofore made and entered, there being now no legal commissioner in charge of the distribution of said water, and there being dire necessity at this time for the appointment of such a person, hereby nominating Lorenzo W. Anderson, County Surveyor, or some other competent person, to act as such, and also that the court charge the water users of said Mill Dam Ditch System their several respective pro rata share of the expenses and salary of said commissioner.

Dated this 25th day of May, A.D. 1934.

Lewis Jones  
 Attorney for Petitioners.

NOTICE OF MOTION

TO THE PARTIES IN INTEREST IN SAID CAUSE AND TO THEIR ATTORNEYS:

You and each of you will please take notice that the undersigned in behalf of R. E. Davis, J. H. Mason and J. P. Kunzler will on the 29<sup>th</sup> day of May, 1934, /or as soon thereafter as counsel can be heard, present the above motion for at 10 o'clock, A.M.

an order appointing Lorenzo W. Anderson, or some other competent person, water commissioner over the Mill Dam Ditch System, and determining that said users should pay their several respective pro rata portions of his salary and expenses. Said motion is to be based on said records, files and proceedings in the above entitled cause and in particular on that certain petition filed with the Clerk of the Court on the 25th day of May, 1934, and on oral testimony in support thereof, and you will please be governed accordingly.

Dated this 25th day of May, A.D. 1934.

Lewis Jones  
 Attorney for Petitioners.