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

PROVO RESERVOIR COMPANY, :
Plaintiff, :
-vs- : No. 2888 Civil.
PROVO CITY ET.AL., : ORDER TO SHOW CAUSE.
Defendants. :

The West Union Canal Company, one of the defendants herein, having filed through its duly authorized agents a petition in the above entitled cause setting forth and alleging the necessity of having the waters between it and a voluntary association known as the Smith Ditch Company, which said petition is hereby referred to and made a part of this order, and it now appearing to the above entitled court that it is necessary that the waters between the said Smith Ditch Company and the petitioner herein, the West Union Canal Company, a corporation, be divided; and it also appearing to this Court that it is necessary that an order to show cause now issue from said Court requiring all the parties interested to be and appear before the said Court at the Court Room thereof upon a certain day to show cause, if any they or either of them have, why the said division of said waters should not be made, and to further show cause, if any they or either of them have, why the costs of said division should not be assessed against one or more of said parties:

IT IS NOW THEREFORE, hereby ordered that each of the parties named in said petition, namely: Pauline Schemensky, Amos Carter, J. E. Smith, Edith R. Buss, Abram L. Smith, T. J. Smith, Clara M. Stubbs, Thomas Thornley, Richard Carter, D. N. Penrod, A. L. Tanner, Lettie York, Stephen Jones, Permelia Young, Owen

PARKER & ROBINSON
FARMERS & MERCHANTS BANK BLDG.
PROVO, UTAH

A. Baum, Wilford Penrod, A. L. Penrod, W. F. Richins, J. C. Ivie, John H. Carter, D. N. Greer, Leo. E. Smith, E. L. Dodder, F. T. Carter, D. G. Calder, Joseph T. Carter, William Gammon, J. M. Buckner, B. F. Alger, Ann Carter, D. W. Baum, Leo Baum, B. W. Baum, J. W. Smith, Eliza Carter Ashton administratrix of the estate of Aaron Carter, deceased; and Herbert D. Jobb, substituted for Cora A. Shirts, administratrix of the estate of Benjamin Shirts, deceased, or their successors or assigns, be and appear before the above entitled Court at the Court Room thereof at Provo City, Utah County, State of Utah, on the First day of April, A. D. 1923, at the hour of ten o'clock A.M., and show cause, if any said parties may have, why an order should not be made by the above entitled Court authorizing and directing a division of the waters between the West Union Canal Company and the Smith Ditch Company, and to make such further order as said Court at said hearing may deem just and equitable in the premises between said parties.

It is further ordered that a copy of this Order to Show Cause, and a copy of the petition heretofore mentioned be served either upon the attorneys of record for said parties, or upon said parties themselves.

Dated this 2nd day of March, A. D. 1923, at Provo City, Utah County, State of Utah.

Elias Hansen

JUDGE.

ATTEST:

_____.

PARKER & ROBINSON
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PROVO, UTAH

2888

IN DIST. COURT
UTAH CO., UTAH.
FILED
MAR 31 1922
Clerk.
Deputy

STATE OF UTAH,

INDEX.

County of Utah.

Dated this ____ day of March, A. D. 1922, at Provo City, Utah.

Service of foregoing Abstract of Title admitted this ____ day of March, A. D. 1922, at Provo City, Utah.

Counsel for Plaintiff.

It is hereby stipulated and agreed that the foregoing Abstract of Title may be used by either party hereto at the trial of this cause, and that a copy of said Abstract may be substituted for the original without further proof.

Counsel for Plaintiff.

Counsel for Defendant.

Now comes the plaintiff and moves the Court to strike out the Abstract of Title offered in evidence herein, for the reason that it is incomplete, and does not show a good and merchantable title in the plaintiff to the premises in controversy.

Counsel for Plaintiff