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

PROVO RESERVOIR COMPANY, Plaintiff, vs. PROVO CITY, ET AL., Defendants,	NO. 2888 CIVIL. ANSWER.

Comes now East River Bottom Water Company, a corporation, of the State of Utah, one of the defendants named in the above entitled action, and makes its separate answer to the allegations of the Petition of T. F. Wentz, Commissioner, for an Order on Construction of Control Gates, and admits, denies and alleges as follows, to-wit:

1. Said defendant admits the allegations contained in Paragraphs 1, 2 and 3 of said Petition.

2. Answering the allegations of Paragraph 4 of said Petition,- "That in the year 1904, two sets of timber gates were installed leading from the tailrace of the Olmstead plant to the said Provo River." the said defendant alleges that it has no knowledge or information sufficient to form a belief as to said allegation and therefore the said defendant denies said allegation. Further answering said Paragraph 4 of said Petition said defendant generally and specifically denies that such gates have been necessary for this defendant.

3. Answering the allegations of Paragraph 5 of said Petition, said defendant alleges,- that it has no sufficient knowledge or information to form a belief as to said allegations and therefore said defendant denies generally all of the allegations set forth in Paragraph 5 of said Petition.

4. Answering the allegations of Paragraph 6 of said Petition said

defendant alleges,- that it has no sufficient knowledge or information to form a belief as to how the said Commissioner is advised, or of what said Commissioner is advised, but said defendant denies that said defendant has ever advised said Commissioner, or any one else, that said defendant admits all of the allegations contained in Paragraph 5 of said petition, and said defendant denies that it admits all, or any, of the allegations contained in paragraph 5 of said Petition.

5. Answering the allegations contained in Paragraph 7 of said Petition the said defendant alleges it has no knowledge or information sufficient to form a belief as to whether or not any of the other defendants above named acknowledge themselves responsible, or do not acknowledge themselves responsible, for the payment of the cost of the installation of said gates, or any fixed portion of said cost; but this defendant does allege that this defendant does not acknowledge itself responsible for the payment of the cost of the installation of said gates, or any fixed portion thereof, or any portion at all of the cost of the installation of said gates. The said defendant denies generally each and every other allegation contained in Paragraph 7 of said Petition.

6. Answering the allegations contained in Paragraph 8 of said Petition the said defendant denies generally and specifically each and every allegation contained in said Paragraph 8.

7. Answering the allegations contained in Paragraph 9 of said Petition, said defendant alleges that it has not sufficient knowledge or information to form a belief with respect to said allegations, therefore said defendant denies generally each and all the allegations contained in Paragraph 9 of said Petition.

WHEREFORE, the said defendant East River Bottom Water Company prays that it be hence dismissed from this citation without costs.

Jacob Coleman
C. E. Morgan
Attorneys for the Defendant
East River Bottom Water Company.

MORGAN, COLEMAN & STRAW
PROVO COMMERCIAL BANK BLDG.
PROVO, UTAH

STATE OF UTAH,)
) SS.
COUNTY OF UTAH,)

Fred Ferguson, being first duly sworn, deposes and says; that he is an officer and agent of the defendant East River Bottom Water Company, a corporation, to-wit; the President thereof; that he has read the above and foregoing Answer and knows the contents thereof; that the same is true of his own knowledge, except as to matters and things therein stated on information and belief, and as to such matters he believes it to be true.

Fred Ferguson

Subscribed and sworn to before me this 25 day of October, 1921.

Jesse Coleman
Notary Public
Provo City, Utah.

My commission expires _____.

Due and legal service had by copy received of the above and foregoing Answer this 21 day of October, 1921, is hereby admitted.

J. F. Wentz
Petitioner.

MORGAN, COLEMAN & STRAW
PROVO COMMERCIAL BANK BLDG.
PROVO, UTAH

#2888

IN DIST. COURT
UTAH CO., UTAH.
FILED
APR 24 1922
Clerk.
Deputy

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UTAH CO., UTAH.
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APR 22 1922
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