

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

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PROVO RESERVOIR COMPANY,  
a corporation, Plaintiff.

VS

ORDER

Provo City et al Defendants.

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Upon reading the verified petition of Caleb Tanner, and it appearing to this Court that the Court has heretofore ordered T.F. Wentz, Commissioner, to turn 20 and one third acres of primary water from Provo River into the main canal of the Provo Reservoir Companys Provo River Irrigation System for the use, in the Iona Lateral, of J.D. Gatenby, William Burr and Willard Bishop, and that said 20 and one third acres are an equivalent of .2 of one second foot; and it further appearing to the Court that the said T.F. Wentz, Commissioner has turned into said main canal the said .2 of one second foot of water as required by the Court, and that said .2 of one second foot of water is now in said canal and passing the headgate of said Iona Lateral; and it further appearing that J.W. Gillman is making distribution from the said main canal of the waters thereof into the laterals of said system and apportioning to the various laterals, including the said Iona Lateral, the waters which should flow therein and that said Caleb Tanner is entitled to have the said .2 of one second foot of water turned therein and therein kept for his use and benefit and the benefit of his lessees on such waters; and it further appearing that said J.W. Gillman has refused to make such diversion of said .2 of one second foot of water from said main canal into the said Iona Lateral; and it further appearing to the Court that said Caleb Tanner cannot make such diversion of said waters

without tending to create a breach of the peace;

It is now therefore hereby ORDERED;

That the said J.W.GILLMAN upon receipt of a certified copy of this order immediately divert from the said main canal of the said Provo Reservoir Company's Provo River Irrigation System into the said Iona Lateral the said .2 of one second foot of water belonging to the said Caleb Tanner for the use of the lessees of said Caleb Tanner in said Iona Lateral as hereinabove referred to;

And if said J.W.Gillman shall fail to so divert such water as herein required, it is further ORDERED;

That he be and appear before the above entitled Court in the Court room thereof at Provo City, Utah County, State of Utah, at the hour of 10 o'clock A.M. on Monday the 29th day of June, 1925, and then and there show cause why he has not done so;

And it appearing to the Court that good reason exists therefor, it is hereby ordered that the time for hearing on this order and the notice thereof be shortened so that service hereof on the 26th day of June, 1925, shall be due and legal notice and service hereof, and that a copy of this order and the petition of said Caleb Tanner be served forthwith on said J.W.Gillman.

Dated Provo Utah, this 26th day of June, 1925.

By the Court,

*Elias Hansen*  
JUDGE

#3941

Subscribed this 26th day of June  
*J. N. Gellman*

is 56. June 1925  
*Bindon*  
J. D. BOYD, SHERIFF.

*S. A. Willes*

RECORDED AT  
SHERIFF'S OFFICE,  
JUN 26 1925

AT \_\_\_\_\_  
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