

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

PROVO RESERVOIR COMPANY,  
a corporation,

Plaintiff,

No. 2888 Civil

VS.

Order to show cause.

PROVO CITY, et al,

Defendants.

Caleb Tanner, having filed herein a verified petition requesting and petitioning the above entitled Court to make and enter herein an order directing T.F.Wentz as Commissioner to divert from Provo River in<sup>TO</sup> the Main Canal of Provo Reservoir Companys Provo "iver Irrigation System, twenty and one third acres of primary water right to be delivered into the Iona Lateral for the use of William Burr, J.D.Gatenby and Willard Bishop, or in the alternative to divert from Provo River .2 of a second foot of the waters belonging to said Caleb Tanner into the said Main Canal of Provo Reservoir Companys Provo "iver Irrigation System for the use of the parties hereinabove referred to in the Iona Lateral:

And it appearing to the Court that said Caleb Tanner is entitled to the relief prayed for;

And it further appearing to the Court from said verified petition that Provo Reservoir Company a corporation, and Provo Reservoir Water Users Company, a corporation have information as to the total number of acres of primary water right sold and disposed of by the said Provo Reservoir Company and that such information is necessary to be had that the Court may properly direct the said T. F.Wentz as such commissioner;

It is now therefor, by the Court, hereby ordered;

That the said T.F.Wentz, Commissioner, be and he is hereby required to be and appear before the above entitled Court at the

Court Room thereof, in Provo City, Utah County, State of Utah, on Friday the 5 day of ~~May~~<sup>June</sup>, 1925, at the hour of 10 O'clock A M., and then and there show cause, if any he may have, why he should not divert from Provo River into the Main Canal of Provo Reservoir Companies Provo River Irrigation System <sup>and into the Iona Lateral</sup> 'twenty and one third acres of primary water right belonging to the said Caleb Tanner, for the use and benefit of William Burr, J.D. Gatenby, and Willard Bishop, and if the Court shall not make such requirement then and in that event show cause why he, the said T.F. Wentz as such Commissioner, should not divert from Provo River into the Main Canal of said Provo Reservoir Companies Provo River Irrigation System for use of the said parties hereinabove mentioned in the Iona Lateral .2 of a second foot of the waters owned by the said Caleb Tanner which the said Caleb Tanner is entitled to take over the Olmstead dam and divert from said Provo River near the mouth of Provo Canyon.

It is further ordered that said Provo Reservoir Company and said Provo Reservoir Water Users Company be and appear before the above entitled Court on the date and at the time hereinabove mentioned and bring with them information and the records showing the total number of acres of primary water right heretofore sold by Provo Reservoir Company, a corporation.

It is hereby ordered that a copy of this order and a copy of the petition of said Caleb Tanner, be served upon each of the following named parties, to wit, T. F. Wentz, Commissioner; Provo Reservoir Company, a corporation, and Provo Reservoir Water Users Company, a corporation, and that such service be made upon each of said parties at least 5<sup>th</sup> days before the day set for the hearing hereof.

Dated Provo City, Utah, May 23<sup>rd</sup>, 1925.

By the Court,

Elias Hansen  
JUDGE

Served this Order  
Provo River and Company  
and Provo River and Water  
By R. M. Madsen, R. M. Madsen

this 25th day of May  
1925  
J. D. BOYD, SHERIFF  
State of Utah

By \_\_\_\_\_  
Deputy

RECEIVED AT  
SHERIFF'S OFFICE,  
MAY 25 1925  
AT \_\_\_\_\_ Co. \_\_\_\_\_ St.  
J. D. BOYD, SHERIFF,  
Utah County, Utah.