

PROVO RESERVOIR COMPANY,
a corporation,

Plaintiff,

vs.

Provo City, et al.

Defendants.

AMENDMENT TO ANSWER OF JOSEPH HATCH et al. defendants, heretofore filed herein.

Come now the following named defendants, to wit, Joseph Hatch, Emma Wherritt, Ullie Abegglen, Joseph F. Abegglen, Chris Mitchel, Felix Martin, J.E. Peterson, John U. Buchler, Frederick Remundm, Jesse Nelson, Jesse Nelson Jr., George Nelson, Alfred L. Alder, James T. Alder, W.W. Alder, William K. Casper, J.M. Casper, James Casper, George R. Carlile, William Winterton, Myrum S. Winterton, Wm H. Winterton, William L. Vanwagoner, Mrs E.L. Hanks, E.L. Brown, George H. Edwards, John B. Fowers, John C. Edwards, P.W. Edwards, Joseph S. Wright, Joseph R. Murdock, John B. Fowers and Elizabeth Fowers as executors of the last will and testament of John Fowers, deceased, William Daybell, John M. Richie, Henry F. Watson, George Daybell, George W. Daybell, Fred Daybell and Robert Daybell as partners doing business under the name of George Daybell and Sons, Ellen, C. Wright, Dermont Huffaker as administrator of the Estate of D.S. Huffaker, deceased, W.D. Wright, John Van Wagoner, T. Fred Winterton and Moroni Winterton who have heretofore filed their answer and the following named additional defendants, to wit John Murri, Alonzo Hicken, Erminnie C. Cummings, Lavina E. Murdock, William T. Averett, Addison B. Averett, Joseph D. Averett, John H. Averett, Edna A. Murdock, Leona A. Bonner and Eustacia Averett, the last nine named defendants being heirs at law of William Averett, deceased, and file this

their amendment to the answer to said Joseph Hatch, et al., heretofore filed herein as follows, to wit:

1. That Subsection "c" of paragraph 3 of said defendants' answer be amended to read as follows:

ISLAND DITCH.

c. John Murri, 15 acres, William L. Van Wagoner and John Van Wagoner 8 acres, Myrum S. Winterton, T. Fred Winterton and Moroni Winterton 30 acres, Jesse Nelson 32 acres and William Winterton 8.90 acres, irrigated by means of what is known as the Island Ditch, which has its source in the Provo river, said ditch being owned and used in common with the Midway Irrigation Company, the waters thereof being distributed by said Midway Irrigation Company to its stockholders and these defendants herein named, according to the regulations adopted by said Midway Irrigation Company.

2. That Subsection "r" of said paragraph 3 be amended to read as follows: J.M. Casper, 18 acres, irrigated from what is known as the Jack Watkins Slough having its source from drainage, seepage, wastewater and springs from and situated on lands owned by Jesse Nelson, the Alder Bros, Watkins and others in the vicinity of said slough, said use being when ever necessary.

3. That said paragraph 3 of defendants affirmative defense be further amended by adding thereto additional subsections as follows, to wit:

x. That Alonzo A. Hicken is the owner of 10.89 acres situated in the south-east quarter of the south east quarter of section 2 Township 4 South, Range 4 East, S.L.M. irrigated from the waters of Provo river and its tributaries, when ever necessary during the irrigation season.

y. That the defendants, Erminnie C. Cummings, Lavina E. Murdock, Edna A. Murdock, Leona A. Bonner, William T. Averett, Addison B. Averett, Joseph D. Averest, Eustacia Averett, John H. Averett ~~as~~ as the heirs at law of William Averett, deceased, are the owners of 10.20 acres of land situated in sections 2 and 11 Township 4 South, Range 4 East, Salt Lake Meridian, irrigated from the waters of Provo river and its tributaries by means of seepage, drainage, wastewater and springs situated and flowing from lands owned by other parties in the vicinity of said lands so owned by these defendants.

State of Utah,

ss.

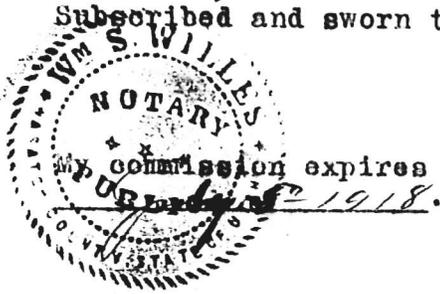
County of Wasatch.

Alonzo A. Hicken, being first duly sworn on oath says that he is one of the defendants named in the foregoing amendment to the answer of Joseph Hatch, et al., heretofore filed in the said action, that he has read the foregoing amendments to said answer and knows the contents thereof and that the same is true of his own knowledge except as to matters therein stated upon information and belief and as to those matters he verily believes it to be true.

Alonzo A. Hicken

Subscribed and sworn to before me this 8th day of July, A.D. 1914.

Wm S. Willes
Notary Public.



Due and legal service of the foregoing amendments to answer of Joseph Hatch et al this 8th day of July 1914. accepted

Al. Hatch, Jacob Evans,
A. L. Booth and A. J. Evans, & Hatch
Attorneys for Plaintiff

#2500 Civil

Fourth District Court,
State of Utah
County of Wasatch

Pro Rectoris Plaintiff
vs

Provo City et al.
Defendants

Amendment to Complaint of
Joseph H. Hale et al

IN DIST. COURT
UTAH CO., UTAH,
* FILED *

JUL 11 1914

A. W. Robinson Clerk.

J. M. Chapman Deputy.