m-3

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

PROVO RESERVOIR COMPANY

A CORPORATION---PLAINTIFF

VS.

Provo City, Lincoln School District, The Provo Bench Canal & Irrigation Company, The Lake Bottom Canal Company, The Little Dry Creek Irrigation Company, The Upper East Union Irrigation Company, The Timpanogas Canal Company, the West Union Canal Company, The East River Bottom Water Company, Provo Pressed Brick Company, Utah-Idaho Sugar Company, Zion's Savings Bank & Trust Company, Spring Dell Resort Company, Wildwood Resort Company, South Fork Trout Company, Sego Irrigation Company, Knight Woolen Mills, Provo Ice & Cold Storage Company, Smoot Investment Company, E. J. Ward & Sons Company, Wasatch Irrigation Company, Timpanogas Irrigation Company, Extension Irrigation Company, North Field Irrigation Company (Reorganized), Midway Irrigation Company, Charleston Irrigation Company, Pioneer Irrigation Company, Sage Brush Irrigation Company, Spring Creek Ditch Irrigation Company, Sunrise Irrigation Company, South Kamas Irrigation Company, Washington Irrigation Company, Utah Power and LightCompany, First Ward Pasture Company, corporations.

Ruth Hatch and A. C. Hatch, as executors of the last will and testament of Abram Hatch, deceased.

Pauline Schemensky, Stephen Jones, F. T. Carter, Amos Carter, Permelia Young, D. G. Calder, J. E. Smith, Owen A. Baum, Joseph T. Carter, Edith R. Buss, Wilford Penrod, William Gammon, Abram L. Smith, A. L. Penrod, J. M. Buckner, T. J. Smith, W. F. Richins, B. F. Alger, Clara M. Stubbs, J. C. Ivie, Ann Carter, Thomas Thornley, John H. Carter, D. W. Baum, Richard Carter, D. N. Greer, Leo Baum, D. N. Penrod, Leo E. Smith, B. W. Baum, A. L. Tanner, Eliza Carter, as administratrix of the estate of Benjamin Shirts, deceased; Cora A. Shirts, as administratrix of the estate of Benjamin Shirts, deceased; E. L. Dodder, J. W. Smith and Lettie York, jointly, as members of a voluntary association, not incorporated, under the name and style of the Smith Ditch Company, and also as individual tenants in common in the Smith Ditch and the right to the use of water therein.

James L. Meldrum, John E. Booth, George James, Merrill Holden, Louis James, Isaiah B. Lott, Benjamin B. Richmond, Joseph Faucett, Walter Lott, Ada J. Hickman, and Elmer Meldrum, jointly as members of a voluntary association, not incorporated, under the name and style of Faucett Field Ditch Company and individually as tenants in common in the Faucett Field Ditch and in the right to the use of waters flowing therein.

Upton Hoover, W. E. Hoover, Webster Hoover and Frank Hoover, as partners doing business under the name of Excelsior Roller Mills; George Baum, Hetty Young Goodman, L. W. Nuttall, David S. Park, Verinus Carter, Matilda A. Carter, R. G. Carter, John H. Carter, Jr., H. E. Young, Mary Ann Emmons, Levi York, James M. Downs, James M. Bonny, Joseph Williamsen, Evan Williams, Mary E. Davis, Frederick J. Pulham, N. H. Greer, Albert Snyder, Maggie Pearl Brown, Emily E. Forsythe, Alma Brown, Charles H. Davis, J. Joseph Johnson, Marva May Spencer, Louisa J. Brown, Joseph M. Brown, Parley Lewis Jacobson, Alma J. Jorgensen, C. S. Rasmussen, Elizabeth A. Farrer, Ashted Taylor, Olive Smith, E. D. Partridge, Arthur C. Candland, Mattie C. Madsen, David H. Madsen, P. M. Madsen, Caroline H. Madsen, Parley W. Madsen, Wilhelmina Madsen, George H. Madsen, George A. Madsen, Alma J. Madsen, John W. Clark, LeRoy Dixon, George A. Clark, Minnie Hamilton, Robert Kinnear, John E. Nielson, John E. L. Nelson, Elizabeth Perry, John E. Lewis, John Ritchie, James Fisher, Anna T. Nelson, Rachel C. Ferre, Daniel H. Halladay, Enoch S. Goddard, Henry W. Goddard, Hannah M. Cook, Hansina N. Jepperson, Rudolph Riard, Ada Young Littley, D. B. McBride, Robert Cordner, Samuel Carter, David Carter, Lafayette Carter, R. D. Young, Mary E. Downs, John H. Emmons, William A. York, Esthma Tanner, Arthur Clyde, David Gourley, Isabell West, Hugh L. Syme, Mary A. Brown, Rachel E. Davis, E. V. Vincent, Wilmirth H. Brown, V. L. Bunnell, Lars Jacobson, as administrator of the estate of Lars Jacobson, deceased; James F. Clyde, Albert Jacobson, Sarah Z. Williams, Earl J. Glade as administrator of the estate of James R. Glade, deceased; Robert Birkin, Arthur N. Taylor, Mathias Knudsen, Major Pierce, N. O. Spaulding B. H. Knudsen, Reed J. Knudsen, Milton H. Knudsen, Andrew Knudsen, Herman Knudsen, W. D. Lewis, Sam E. Bunnell, Lewis Marriott, John D. Dixon, Ellen C. Johnson, George I. Taylor, Mary A. Cook, D. L. Vincent, Dominicus Snow, S. E. Perry, Franklin Spencer, Jr., Mary E. Cox, Walter Cox, Isaac P. Nelson, James E. Fisher, George W. Halladay, Robert Boardman, John J. Massey, J. W. Bates, George T. Peay, Sr., Samuel S. Bailey, Hannah C. Leonard, Edwin S. Hinckley, Charles Conrad, James R. Hooks, John W. Hoover, Daniel Peay, J. A. Spencer, Lucian N. Hinckley, Hyrum Heiselt, Charles Giles, Charles Thomas, W. W. Ercanbrack, Alexander Cordner, John H. Gordon, Rose Gordon, John H. Gordon, Jr., James A. Loveless, Jr., Joseph V. Smith, Henry V. Smith, Jr., Henry V. Smith, James C. McClellan, John R. Stubbs, W. W. Fergusen, Peter Boyce, Charles H. Taylor, J. C. Whiting, Wilford Van Wagenen, Edward V. Vincent, administrator of the estate of Charles Vincent, deceased.

Heber City, Midway Town Corporation and Town of Charleston, acting as a vountary associa-

tion, not incorporated, and doing business under the name of Heber Light and Power Plant; Emma Wherritt, Joseph Hatch, Mary Davis, Jacob Berg, Frank Fraughton, Anton Olson, Andrew Olson, Mary A. Davis, John W. Carlile, Joseph Wright Murray, S. C. Peterson, James Duncan, Mary Ann White, as administratrix of the estate of Thomas White, deceased; William Lewis, John Swift, John Leffler, Abe Leffler, Henry Bisel, Abe Leffler, Jr., Hyrum Moon, Millie Leffler, Mary A. White, Heber Moon, Frank Turnbow, Leslie Murphy, Benjamin Turnbow, Marshall Leffler, Louis Bisel, Nephi Moon, William Moon, Henry Fraughton, Fleming Barrows, Frederick Peterson, Milton O. Turnbow, George Sizemore, William Sizemore, Charles Fraughton, Alvin Leffler, Mrs. Julia Potts, Lyman Gines, Riley Fitzgerald, Owen Ellis, Samuel Gines, Jr., Esther Webb, Rasmus Larsen, Ola W. Larsen, Niels Larsen, William Larsen, Mims Lark, as administrator of the estate of William Lark, deceased; William Lemon, Mary Hunter, Jack Bates, Harold C. Best, C. T. Swan, Timothy M. Murphy, Julia M. Davis, Fannie E. O. Spencer, John Buttery, Joseph Morris, Waldemer H. Peterson, Mary Davis, Thomas S. Lowery, Samuel Lowery, Richard Wellington, George B. Jordon, Isaac R. Baum, John Burrows, Adolphus Sessions, Bishop Corbet, Mrs. Frances Page, John Bradshaw, Annie Jones, Mrs. Julia Padfield and Sons, Ernest Prescott, Alma Nielsen, Vincent Sheppard, William Sheppard, James Ure, Richard Lambert, B. H. Knudsen, George O. Ellis James Leffler, Mary Pace, Ernest Turnbow, James A. Knight, Joseph Abegglen, Frederick Remund.

Mark Jeffs, George Nelson, E. R. Bronson, James B. Hamilton, Jesse Nelson, Jesse Nelson, Jr., Orson Hicken, Alfred L. Alder, James T. Alder, W. W. Alder, J. M. Casper, James Casper, William N. Casper, George R. Carlile, Elisha Webster, J. R. All n, John Allen, Arthur Allen, T. W. Allen, John H. Murdock of Charleston, Samuel McAffee, John M. Ritchie, Henry F. Watson, George Edwards; George Daybell, George W. Daybell, Fred Daybell and Robert Daybell, as partners, doing business under the firm name of George Daybell and Sons; William Daybell, Charles Thacker, Joseph R. Murdock, John O. Edwards, P. W. Edwards; John B. Fowers and Elizabeth Fowers as executors of the last will and testament of John Fowers, deceased; George Edwards, Thomas Winterton, Joseph Wright, William Winterton, James L. Wright, Hyrum Winterton, William L. Van Wagoner, Phillip L. Ford, Effie Haws, John Sweifel, T. DeVera Smith, as administrator of the estate of Phillip L. Smith, deceased; Ulric Abegglen, Chris Mitchell, Felix Martin, J. E. Peterson, John Buhler, William Bonner, John Huber, John Kummer, Gotlieb Buehler, O. P. Mathews, Alice Schaer, Henry Watkins, Nephi Huber, Joseph Huber, J. Brigham Wilson, Andreas Burgener, Frederick Forrer, D. A. Gibson, Jacob Kummer, David McGimpsy, Thomas Monks, Henry Zenger, Mary Schoni, Joseph Schoni, Maria Mitchell, Cordelia Wilson, George Wilson, James Wilson, George H. Prescott, Amos Prescott, Jed Prescott, Heber Prescott, Mrs. Thomas McNeil, Emily Prescott, Mrs. O. A. Page, B. G. Kirkham, Mrs. J. W. Kirkham, Thomas Naylor, Ernest H. Horton, Erminnie C. Cummings, Lavina E. Murdock, William T. Averett, Addison E. Averett, Joseph D. Averett, Eustatia Averett, John H. Averett, Edna A. Murdock, Leona A. Bonner, Rosina Kummer, Edward Kummer, John Kummer, Frederick Kummer, Elizabeth Hamilton, Salina Foreman, Henry T. Coleman, as administrator of the estate of Nathan Springer, deceased; C. A. Springer, Jane McD. Johnston, William Johnston, John A. Johnston, Henry T. Coleman, Defendants.

COMPLAINT