

MA-2

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

Provo Reservoir Company,
a corporation,

Plaintiff

vs

No. 2888

Provo City, Caleb Tanner, et al

Defendants

STIPULATION.

It is hereby agreed and stipulated by and between the Provo Reservoir Company, the plaintiff herein, and Caleb Tanner, one of the defendants herein, as follows, to-wit:

That Caleb Tanner is the owner and entitled to the use of ten tenthousandths (0.0010) of the flowing water of Provo River when the volume of flow thereof exceeds 12,000 cubic feet per minute and eleven tenthousandths (0.0011) when the volume is less than 12,000 cubic feet per minute, to be diverted from Provo River at a point located South 9° 57' East, 2,155 feet, distant from the Northeast corner of Section 12, Township 6 South, Range 2 East, Salt Lake Base & Meridian, said point being ^{the} point of diversion of the Provo Bench Canal and conveyed to Section 25, Township and range aforesaid, for the irrigation of 18 acres of land, situated in the extreme western part of said Section 25.

It is stipulated that the participation of this defendant in the diversion and use of the flowing water of Provo River above the stage of flow of 12,000 cubic feet per minute shall continue according to the fractional volume heretofore specified ^{above} until his said volume of diversion for the irrigation of said 18 acres of land shall be in the same ratio as the court in the trial of this cause shall find reasonably necessary for the irrigation of ~~this~~ ^{the} shallow, stoney loam of the Provo Bench area or in other words, until the duty of water for said 18 acres shall be the same as for the shallow, stoney loam soil of Provo Bench.

Caleb Tanner
Defendant

Provo Reservoir Co. by Joseph R. Munsick President
Plaintiff