

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix of the  
Estate of James Young, Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of DANIEL LUNN, deceased,  
et al,

Defendants.

ORDER

Case No. 4449.

Pursuant to application on file herein, and good  
cause appearing therefor,

IT IS HEREBY ORDERED that T. F. McDONALD be, and  
he hereby is, appointed Water Commissioner in the above entitled  
cause to have charge of the distribution of all waters according  
to the decree heretofore entered and filed in the above entitled  
cause and to act as said Water Commissioner during the year 1932,  
or until further order of this Court.

DATED APRIL 11<sup>th</sup> 1932.

*Duplicate*

BY THE COURT:

*David W. McFar*  
JUDGE.

*W. A. Crutcher*  
Deputy Clerk

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix of the  
Estate of James Young, Deceased,  
Plaintiff,  
vs  
WILLIAM GORDON, Executor of the  
Estate of Daniel Lunn, Deceased,  
et al.  
Defendants.:

ORDER.  
Case No. 4449.

*Copy*

Pursuant to application on file herein, and good  
cause appearing therefor,

IT IS HEREBY ORDERED that T. F. McDONALD be, and  
he hereby is, appointed Water Commissioner in the above entitled  
cause to have charge of the distribution of all waters according  
to the decree heretofore entered and filed in the above entitled  
cause and to act as said Water Commissioner during the year 1933,  
or until further order of this Court.

DATED JULY <sup>21</sup> 19, 1933.

BY THE COURT:

*Roger J. McDonough*  
JUDGE.

ATTEST  
ALONZO MACKAY,  
Clerk

By *Frank Orcher*  
Deputy Clerk

*Seal*

IN THE DISTRICT COURT OF THE STATE OF UTAH

Third Judicial District

IN AND FOR THE COUNTY OF SALT LAKE

----- ooOoo -----

MARTHA YOUNG, Administratrix :  
of the estate of James Young, :  
deceased, :

Plaintiff, :

-vs-

: D E M U R R E R

WILLIAM GORDON, Executor of :  
the Estate of Daniel Lund, :  
deceased; UTAH POWER and LIGHT :  
COMPANY, a corporation, et al., :

Defendants. :

----- ooOoo -----

Comes now the Utah Power and Light Company, a corporation, defendant, and demurs to the petition of the Lower Mill Creek Irrigation Company, a corporation, filed in the above entitled action on the 3rd day of September, 1930, and for grounds of demurrer says:

1. That said petition does not state facts sufficient to constitute a cause of action against this defendant.
2. That said petition is vague, uncertain and unintelligible in this that while it is alleged in said petition that petitioner is the owner and beneficial user of certain waters described in said petition, it does not appear from said petition that petitioner is the owner of any lands or other property upon which petitioner does or might use and employ said waters.
3. That paragraph 7 of said petition is vague, uncertain and unintelligible in this that while it is alleged in said paragraph that defendant, Utah Power and Light Company, has failed and neglected to pump water from Mill Creek into its pipe line, it is not alleged in said petition, nor can it be determined therefrom, whether there are sufficient waters in Mill Creek to enable this defendant to pump them, and if so it is not alleged where said waters are in said creek.
4. Defendant, Utah Power and Light Company, demurs particularly to paragraph 9 of said petition upon the ground that while said paragraph of said petition alleges that some of its stock-

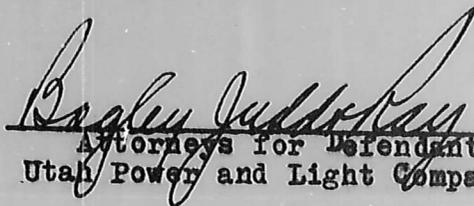
holders are at times deprived of their water turns and others are subject to destructive floods, it does not appear how petitioner is thereby injured, nor does it appear what stockholders are injured, nor in what particulars they are injured.

5. Defendant demurs particularly to paragraph 14 of said petition upon the ground and for the reason that the same is vague, uncertain and unintelligible in this that it cannot be determined therefrom how or in what manner the petitioner, Lower Mill Creek Irrigation Company, was injured in the sum of \$10,000.00, or any other amount.

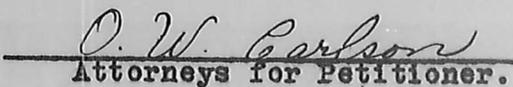
6. Defendant demurs to paragraph 15 of said petition upon the ground that it cannot be determined therefrom what particular acts or things this defendant did to constitute a wrongful or unlawful appropriation of water.

7. Defendant further demurs to said petition upon the ground that said petition was filed in the contempt proceeding and petitioner mistook its remedy in this that it cannot recover damages in such proceedings.

W H E R E F O R E, defendant, Utah Power and Light Company, prays that the petition of Lower Mill Creek Irrigation Company be dismissed and that it take nothing by said petition.

  
Attorneys for Defendant  
Utah Power and Light Company

Received a copy of the foregoing Demurrer this 25 day of September, 1930.

  
Attorneys for Petitioner.

1930.

Received a copy of the foregoing petition this 22<sup>nd</sup> day of September,

ALVIN WALKER and JOHN WALKER  
DEFENDANTS

being so designated and that to take nothing of said petition.  
complainant. Being that the petition of COMEL MITT CLEEK petition com-  
plainant, defendant, ALVIN WALKER and JOHN WALKER  
in said proceedings.

Defendant further states in this that it cannot recover damages  
because said petition was filed in the correct proceedings and

1. Defendant further demands to said petition upon the  
lawful application of matter.

444

for acts of things this defendant did to constitute a violation of the  
upon the showing that it cannot be determined whether or not

2. Defendant demands to varyably to of  
other amount.

complainant, was injured in the sum of \$10,000.00  
injured the defendant now or in what manner the defendant, COMEL MITT CLEEK  
alike, uncertainty and uncertainty in this that it cannot be deter-  
said petition upon the showing and for the reason that the same is

3. Defendant demands varyably to varyably to of  
not in what varyably they are injured.  
thereby injured, nor does it appear what proceeds are injured,  
and that to defendant goods, it does not appear how defendant is  
proceeds are at times deprived of their matter things and others are

FILED IN THE CLERK'S OFFICE  
of Salt Lake County Utah  
SEP 25 1930  
ALVIN WALKER and JOHN WALKER  
Defendants  
By \_\_\_\_\_  
Clerk

IN THE DISTRICT COURT OF THE STATE OF UTAH  
Third Judicial District  
IN AND FOR THE COUNTY OF SALT LAKE

----- ooOoo -----

MARTHA YOUNG, Administratrix  
of the estate of James Young,  
deceased, :

Plaintiff, :

-vs- :

M O T I O N

WILLIAM GORDON, Executor of  
the estate of Daniel Lund,  
deceased; UTAH POWER and LIGHT  
COMPANY, a corporation, et al., :

Defendants. Q:

----- ooOoo -----

Comes now the Utah Power and Light Company, by its attorneys, Bagley, Judd & Ray, and moves the court to vacate and set aside the order to show cause and restraining order heretofore made and entered in the above entitled case on the 3rd day of September, 1930. This motion will be based upon the files and records in this case.

*Bagley Judd & Ray*  
Attorneys for Defendant  
Utah Power and Light Company

Received a copy of the foregoing Motion this 25 day of September, 1930.

*O. W. Carlson*  
Attorney for Petitioner.

1930

Received a copy of the foregoing motion with date of September

DEAN BOWEN AND TRUST COMPANY  
VERIFICATION FOR RESIDENCE

In this case

September, 1930. This motion will be based upon the titles and records made and entered in the above entitled case on the 23rd day of September and the order to show cause and restraining order heretofore

granted by the court to assist and assist in the same and

4449

----- 00000 -----

Defendants:

COMBINA, a corporation, et al.,  
deceased: DEAN BOWEN and TRUST  
and estate of DEANET BOWEN,  
MIRIAM BOWEN, Executor of

-18-

Plaintiff:

deceased,  
of the estate of JAMES DOWNE,  
MARILYN DOWNE, Administratrix

----- 00000 -----

IN AND FOR THE COUNTY OF SALT LAKE

Third Judicial District

IN THE DISTRICT COURT OF THE SEVER OF DEAN

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah  
SEP 25 1930  
ALONZA MURPHY, CLERK  
By *[Signature]* Deputy Clerk

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY  
STATE OF UTAH.

Martha Young, Administrator of  
the Estate of James Young, De-  
ceased,

Plaintiff,

-vs-

William Gordon, Executor of the  
Estate of Daniel Lund, Deceased,  
et al,

Defendants.

ORDER TAXING COSTS FOR  
THE YEAR 1917.

Case No. 4449.

The Court having heretofore appointed Peter M. Hixson water master in the above entitled case for the year 1917, at the fixed salary of Five Hundred Dollars, and it appearing that Peter M. Hixson has employed Allen T. Sanford as attorney to prepare this order, and that Twenty-Five Dollars is a reasonable attorney's fee in preparing the order and presenting the same to the Court:

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the parties using the water of Mill Creek Canyon Stream, shall pay the amount set after their respective names for the costs of a water master and attorney's fee for the year 1917, and judgment is hereby entered against said parties for said amounts, viz:

Utah Power and Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate	6.30
Moses Estate	9.12
Frank Russell	2.94
James Russell	5.50
J. E. Morris	2.40
B. S. Hinkley and Ferry Young, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.83
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	.63
Caroline Soderland	2.90
George Airis, successor to B.A.M. Foriseth	1.22
Brigham Stillman, successor to Daniel Russey	.80

Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore,	.60
E. F. Chamberlain	2.22
D. C. Brown,	.60
Osguthorpe & Skidmore Surplus	6.30
Franklin and John Neff Ditch	20.23
Amos Neff Ditch	24.01
Kellor Ditch	28.25
Brigham Young Ditch	92.42
Lower Mill Creek Irrigation Company	159.26
White Ditch	39.95
The following parties successors to the	
Tripp Ditch:	
A. B. Irvine	.21
J. E. Burbridge	.11
George E. Airis	.21
A. B. Child	.11

It is further expressly ordered and adjudged that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this order, and in the orders and decree heretofore entered and the full amount of costs and taxed against such ditch in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same, and it is further ordered that the right to discontinue the distribution of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution issued on this

order and the orders heretofore entered.

It is further ordered that where costs are taxed against a ditch in this order and in the orders and decree heretofore entered, and the full amount of costs and taxed against such ditch in this order and in the orders and decree heretofore entered shall not have been paid, then execution may be immediately levied upon said ditch for the full amount due under this order and under the orders and decree heretofore entered.

Done in open Court, this - 18<sup>th</sup> day of Sept.

1917.

W. H. Prasad  
Judge.

ATTEST  
THOS. HOMER,  
CLERK.  
R. C. Clark  
Clerk.



IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY,  
STATE OF UTAH.

MARTHA YOUNG, Administrator of )  
the Estate of JAMES YOUNG, )  
Deceased, )

Plaintiff, )

-vs-

WILLIAM GORDON, Executor of the )  
Estate of DANIEL LUND, Deceased, )  
et al, )

Defendants. )

PETITION FOR COSTS

FOR 1918.

Comes now John T. Guest and respectfully represents.

1st. That he is the duly and regularly appointed and acting water master for Mill Creek, for the year 1918, at the fixed salary of \$500.00. That he has acted during the entire irrigation season as such water master, and he is entitled to his compensation for such services. Your petitioner further represents that in order to expedite the payment of his compensation, an order requiring the parties using the waters of Mill Creek to pay the same should be entered before the close of the irrigation season.

2nd. Your petitioner further represents that there has been a great deal of difficulty in collecting the fees for water master and other expenses incurred in the past, and your petitioner believes that the payment of the fees due him, as well as the uncollected fees for the past years, can be expedited by authorizing execution to be issued for the amount due, and that such execution may issue against any ditch for the delinquencies on that ditch, as well as against the delinquent individual. Also, that the water master should be authorized to turn off the water of any delinquent until payment of the amount due under any order which may be entered for your petitioner's compensation, as well as any amount that may be due on orders heretofore entered, and that the water master should be authorized to turn the water off of any

ditch as long as there may be any delinquencies among those using water from said ditch.

3rd. Your petitioner further alleges that it has been necessary for him to employ an attorney to prepare his petition and secure his order, and that he has employed Allen T. Sanford, and a reasonable fee for his services is the sum of Twenty-five (\$25.00) Dollars, which he asks to have taxed as a part of the costs.

4th. Your petitioner further represents that the costs payable by the different parties and ditches in accordance with the proportion of the water decreed to them are as follows:-

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman State	6.30
Moses Estate	9.12
Frank Russell	2.94
James Russell	5.50
J. E. Morris	2.40
B. S. Hinkley and <del>George Young</del> , successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbridge <i>of corners</i>	.63, 63
Carolina Soderland	2.90
George Airis, successor to B. A. M. Foriseth	1.22
<del>Joseph</del> Stillman, successor to Daniel Hussey	.80
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore	.60
<del>Joseph Stillman</del> , successor to <del>C. J. Chamberlain</del>	2.22
D. C. Brown	.60
Osguthorpe & Skidmore Surplus	6.30
Franklin and John Neff <i>Ditch</i>	20.23
Amos H. Neff <i>Ditch</i>	24.01
Keller Ditch	28.25
Brigham Young Ditch	92.42
Lower Mill Creek Irrigation Company	159.26
White Ditch	39.95
The following parties successors to the	
Tripp Ditch:	
A. N. Irvine	.21
J. E. Burbridge	.11
George E. Airis	.21
A. B. Child	.11

and in the event any of said parties has sold his water right, your petitioner represents that the order should require the

successor in interest to pay said amount.

WHEREFORE, your petitioner prays that the Court may enter an order requiring the parties to pay the amount hereinabove stipulated at once, and providing for execution and turning off of water.

Allen T. Sanford

Attorney for Petitioner.

STATE OF UTAH, :  
:SS.  
COUNTY OF SALT LAKE.:

JOHN T. GUEST, being first duly sworn, deposes and says that he is the petitioner above named; that he has read the foregoing petition, knows the contents thereof, and that the matters therein stated are true according to his best knowledge, information and belief.

John T. Guest

Subscribed and sworn to before me this 16 day of Aug,

A. D., 1918.

Allen T. Sanford

Notary Public.

4449

Normal Range

1918

1918

Information and Report

Information and Report

Information and Report

Filed in the Clerk's Office  
Salt Lake County, Utah

AUG 28 1918

THOMAS HANSEN, Clerk Third Dist. Court

*Thomas Hansen*

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY,  
STATE OF UTAH.

MARTHA YOUNG, Administrator of  
the Estate of JAMES YOUNG,  
Deceased,

Plaintiff,

-vs-

WILLIAM GORDON, Executor of the  
Estate of DANIEL LUND, Deceased,  
et al,

Defendants.

ORDER TAKING COSTS FOR  
THE YEAR 1918.

The court having heretofore appointed John T. Guest water master in the above entitled case for the year 1917, at the fixed salary of five Hundred Dollars, and it appearing that John T. Guest has employed Allen T. Sanford as attorney to prepare this order, and that Twenty-five Dollars is a reasonable attorney's fee in preparing the order and presenting the same to the Court:

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the parties under the water of Mill Creek Canyon Stream, shall <sup>to the County Clerk</sup> pay the amount set after their respective names for the costs of a water master and attorney's fee for the year 1918, and judgment is hereby entered against said parties for said amounts, viz:

Utah Power and Light Company	\$105.00 ✓
Pleasant View Park Company	4.00 ✓
Stillman Estate	6.30 ✓
Moses Estate	9.12 ✓
Frank Russell	2.94 ✓
James Russell	5.50 ✓
J. E. Morris	2.40 ✓
B. S. Hinkley <del>and Xxxxx Xxxxx</del> , successors to Salt Lake County, each one-half	.60 ✓
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90 ✓
Edward Kersley	.63 ✓
George H. Airis	1.90 ✓
A. B. Irvine	1.26 ✓
J. H. Burbidge	.63 ✓
Caroline <del>xxxx</del> C. J. Coumers	.63 ✓

Caroline Soderland	\$ 2.90 ✓
George Airis, Successor to B.A.M. Foriseth	1.22 ✓
<i>Joseph</i> Stillman, Successor to Daniel Hussey	.80 ✓
Samuel Stillman	2.75 ✓
Thomas Osgathorpe	.20 ✓
B. S. Hardy, successor to H. B. Skidmore	.60 ✓
<i>Joseph Stillman, successor to E. F. Chamberlain</i>	2.22 ✓
D. C. Brown	.60 ✓
Osguthorpe & Skidmore Surplus	6.20 ✓
Franklin & John <i>Neff Ditch</i>	20.23 ✓
Amos <i>Neff Ditch</i>	24.01 ✓
Keller Ditch	28.25 ✓
Brigham Young Ditch	92.42 ✓
Lower Mill Creek Irrigation Company	159.26 ✓
White Ditch	39.95 ✓
The following parties successors to the	
Tripp Ditch:	
A. B. Irvine	.21 ✓
J. E. Burbridge	.11 ✓
George E. Airis	.21 ✓
A. B. Child	.11 ✓

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It is further expressly ordered and adjudged that in

the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this Order, and in the orders and decree heretofore entered and the full amount of costs are taxed against each ditch in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same, and it is further ordered that the right to discontinue the distribution of the water as herein provided

shall be considered a cumulative remedy in addition to the right to have execution issued on this order and the orders heretofore entered.

It is further ordered that where costs are taxed against a ditch in this order and in the orders and decree heretofore entered, and the full amount of costs taxed against such ditch in this order and in the orders and decree heretofore entered shall not have been paid, then execution may be immediately levied upon said ditch for the full amount due under this order and under the orders and decree heretofore entered.

Done in open Court, this 28<sup>th</sup> day of August, 1918.

W. H. [Signature]  
Judge.

FILED IN THE COURT OF THE DISTRICT OF COLUMBIA  
AUG 28 1918  
JUDGE [Signature]

44149

Filed in the Clerk's Office  
Salt Lake County, Utah

AUG 28 1918

THOMAS HANSEN, Clerk Third Dist. Court

By *[Signature]*  
County Clerk

C.P.

44149

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, administrator of  
the estate of James Young,  
Deceased,

Plaintiff,

-vs-

WILLIAM GORDON, Executor of the  
estate of Daniel Lund, Deceased,  
et al,

Defendants.

O R D E R

29947

It appearing that Peter M. Hixson has received moneys from various parties to the above entitled action and upon demand that he has failed and neglected to render an account to the County Clerk of the moneys received by him and the names of the persons paying the same.

NOW, THEREFORE, IT IS HEREBY ORDERED that Peter M. Hixson show cause, if any he has, before this Court on Saturday, the <sup>24</sup>~~26th~~ <sup>nov</sup> day of October, 1918, at ten o'clock A. M., why he should not render to the County Clerk a full and complete account of all the moneys received by him in the above entitled case, together with the names of the persons paying the same.

Done in open court this 30<sup>th</sup> day of October, 1918.

*W. H. Brand*

J U D G E.

STATE OF UTAH )  
COUNTY OF SALT LAKE ) SS. SHERIFF'S OFFICE.

I hereby certify and return that I received the within and hereto annexed Order on the 30th day of October, 1918, and served the same upon Peter M. Hixson, personally, by showing the original and delivering to and leaving with said Peter M. Hixson, in Salt Lake County, Utah, a true copy of said Order on the 1st day of November, 1918. together with a copy of the Affidavit upon which said Order is based.

Dated at Salt Lake City, Utah, this 2nd day of November, 1918.

JOHN S. CORLESS, Sheriff of Salt Lake County, State of Utah.

By J. A. Arton Deputy Sheriff.

SHERIFF'S FEES.

Service	\$ .50
Mileage	<u>1.80</u>
Total	\$2.30

Total \$5.30  
 Amount 7.80  
 Balance 2.50

SHERIFF'S OFFICE

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

4449

JOHN S. CONGRESS, Sheriff of Salt Lake County, State of Utah,  
 do hereby certify that a copy of the within and above  
 return was filed in the office of the Clerk of the Court  
 at Salt Lake City, Utah, on the 10th day of November, 1918.  
 In testimony whereof, I have hereunto set my hand and  
 the seal of said County at Salt Lake City, Utah, this 10th day  
 of November, 1918.  
 JOHN S. CONGRESS, Sheriff  
 By \_\_\_\_\_ Deputy Sheriff

Filed in the Clerk's Office  
 Salt Lake County, Utah  
 NOV 14 1918  
 THOMAS HOMER, Clerk Third Dist. Court  
 By \_\_\_\_\_ Deputy Clerk

COUNTY OF SALT LAKE }  
 OFFICE OF SHERIFF }  
 SHERIFF'S OFFICE

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE  
OF UTAH, IN AND FOR THE COUNTY  
OF SALT LAKE.

*James* YOUNG

VS

*Sevrit* LUNN Et al

ORDER.

No. 4449.

It appearing that there is now in the hands of the Clerk of this court the sum of \$300.00, which is properly due and payable to John T. Guest, Commissioner of this Court in the above entitled cause, it is hereby

ORDERED, That the said sum be paid over to the said John T. Guest by the said Clerk, and that the said amount be charged against the ordered compensation provided in a previous order of this court.

Dated this 2d day of November, 1918.

*James*

JUDGE.

ADJ. CLERK  
THEOB. H. [unclear]  
[unclear]

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23 22228 " 626  
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38 24028 " 626

44449

Filed in the Clerk's Office  
Salt Lake County, Utah

NOV 2 1948  
THOMAS HOWER, Clerk Third Dist. Court

*[Signature]*  
Deputy Clerk

R.D.

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, administrator of  
the estate of James Young,  
Deceased,

Plaintiff,

-vs-

WILLIAM GORDON, Executor of the  
estate of Daniel Lund, Deceased,  
et al,

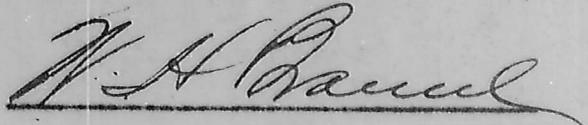
Defendants.

ORDER

It appearing that Peter M. Hixson has received moneys from various parties to the above entitled action and upon demand that he has failed and neglected to render an account to the County Clerk of the moneys received by him and the names of the persons paying the same.

NOW, THEREFORE, IT IS HEREBY ORDERED that Peter M. Hixson show cause, if any he has, before this Court on Saturday, the ~~24th~~<sup>25th</sup> day of ~~October~~<sup>Nov</sup>, 1918, at ten o'clock A. M., why he should not render to the County Clerk a full and complete account of all the moneys received by him in the above entitled case, together with the names of the persons paying the same.

Done in open court this 30-day of October, 1918.



J U D G E.

449

*[Faint handwritten notes and scribbles]*



IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH,  
IN AND FOR THE COUNTY OF SALT LAKE,  
STATE OF UTAH.

*James* YOUNG, *etc et al* )  
-vs- )  
*David* LUNDA, *etc et al* )  
----- )

No. 4449

It appearing that certain sums of money are now in the hands of the County Clerk, due and payable to certain water commissioners in the above entitled case,

IT IS ORDERED that the following payments be made by the said clerk to the commissioners:

John T. Guest.....\$43.87  
Wm. Carlson..... 12.81  
A. T. Sanford, to be charged  
to P. Hixson..... 25.00

Dated this 24th day of December, 1918

*J. Louis Brown*  
Judge.

4449

Filed In the Clerk's Office  
Salt Lake County, Utah

DEC 24 1948

THOMAS HOLMAN, Clerk-Tax & Fish Dept.

By [Signature]  
Deputy Clerk

LB





IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF  
THE STATE OF UTAH SALT LAKE COUNTY.

-----oo00oo-----

JAMES M. YOUNG, et al.

plaintiffs,

vs

DANIEL LUNN, eta al.

Defendants.

No. 4449.

PETITION FOR  
APPOINTMENT OF  
WATER COMMISSIONER.

-----oo00oo-----

We, the undersigned, being users of the waters of Mill Creek respectfully represents to the court as follows:

That pursuant to the order of court, rendered in the above entitled case, it is the privilege and duty to appoint each year, a suitable person to act as water commissioner for the distribution of the waters of Mill Creek.

Wherefore petitioners respectfully request that the court appoint John T. Guest as said commissioner for the year 1919.

It is respectfully represented with reference to Mr. Guest that he has heretofore served in the capacity above named for many years, and is, in consequence, familiar with the waters of Mill Creek and that he can properly perform the duties of such commissioner.

LOWER MILL CREEK IRRIGATION COMPANY

BY

Stephen Richards  
President.

and

Noel S. Pratt  
Secretary.

White Ditch Irrigation Co.

Edward White  
Pres.

*Handwritten notes and signatures at the top of the page, including a signature that appears to be "J. E. Clark".*

*Faint, mostly illegible typed text, likely the body of a legal document or court order.*

*4449*

*Additional faint typed text, possibly a signature block or a list of names.*

**FILED IN THE CLERK'S OFFICE**  
Salt Lake County, Utah,  
**APR 13 1919**  
J. E. CLARK, Clerk 3rd Dist. Court  
By *H. M. Donough*  
Deputy Clerk.

*Faint text at the bottom of the page, possibly a footer or a reference to a court case.*

HORACE H. CUMMINGS  
GENERAL SUPERINTENDENT L. D. S. SCHOOLS  
ROOM 30 P. B. O. BUILDING, 40 N. MAIN ST.  
SALT LAKE CITY, UTAH  
REMOVED TO ROOM 205  
47 EAST SOUTH TEMPLE ST.

September 21, 1917.

Thomas Homer,  
Clerk of the District Court,  
Salt Lake City.

Dear Sir;

Your letter of September 11th came during my absence and in reply will beg to say that I have been to your office three times now, to settle up that account and have made payments each time. I never saw public accounts kept in such a reckless, slipshod manner as they are. For that reason, I have received two or three notices to pay bills which are already paid. I settled up entirely all that your deputy could find against the estate of Julian Moses, over a year ago when that estate was settled up and divided. If you can give me a statement of my account and the details of the various sums that that estate is owing on this lawsuit and the payments that have been made I will be very glad to make any further payments that may fall to the lot of the one third owned by my wife. Without such a statement I am utterly at sea, having only my return checks to prove what I have paid, and some of them may have been miss laid because they were paid ten years ago. Kindly send me an itemized statement of the account of that estate and I'll take the matter up at once and if any more is due you I'll be very glad to pay it. I am sure, however, that you could not make any collections on the account with such accounts as I helped your deputy to go through for a day or two down in the office.

Yours most respectfully,

*Horace H. Cummings*

September 24, 1917.

Mr. Horace H. Cummings,  
Room 205, 47 E. So. Temple St.,  
City.

Dear Sir:-

Yours of September 21st carefully considered,  
and in reply:

Following are the assessments under Court  
orders, years as shown:

			Cr.
1910	\$31.77	Jan 14, 1910	\$31.77
1911	19.65	Dec. 20, 1910	1.30
1913	62.93		
1914	12.19		
1915	9.12		
1916	9.12	Balance	111.71
	<hr/>		<hr/>
	\$144.78		\$144.78

The accounts as stated have been audited and  
the above is the balance owed by the Moses Estate, \$111.71.  
The responsibility for the collection of these accounts  
does not rest upon this office, but upon the water users.  
Your proportion amounts to \$37.24.

ALLEN T. SANFORD  
ATTORNEY AT LAW  
SALT LAKE CITY, UTAH  
BOSTON BUILDING

Sept. 12, 1917.

Mr. Chas. Pulver,  
City.

Dear Sir:--

In looking over my records I find copy of the receipt which Mr. Russell gave you, and on the books, under date of July 22nd, in one line I find Frank Russell, \$10.03, costs, \$1.44, fee, carried out \$11.47. In the line below he is credited with \$6.55, and on July 28, 1914, I find the entry \$13.90, costs and \$4.80 fee. I might say that I was attorney for these people, and I collected the money because by so doing I was collecting my fee, so that he would be entitled not to the full credit in the County Clerk's office, but only for the net amount. Also I find a copy of a letter written him April 22, 1914, telling him that the amount taxed for water distribution and other expenses for the past four years was \$25.40, of which he had paid \$6.55, leaving a balance due of \$18.85, and I find a letter addressed to Mr. Palmer, dated Dec. 5, 1914, enclosing \$6.55, the amount taxed against Frank Russell, under order dated May, 1911. I have not run across copies of my letters, but I am confident that I remitted to the Clerk the amount. So with these figures before you, kindly look over my letters to the Clerk and see what they disclose. I have copies of the lists for a number of years, including the attorney's fees and costs, but a good many of them are not dated. But I notice, in 1910, there was taxed against Mr. Russell \$10.03, and \$1.44 costs, so apparently the payment which he made on July 22, 1911, covered the 1910 amount, and \$6.55, which in my letter of Dec. 5, 1914, I said was paid under the order of May, 1911. Also, in going through this mass of papers, I ran across an order given by Mr. Taylor to Joseph Alexander, which was allowed as a credit to Joseph Alexander, and should be charged to Mr. Taylor. The letter is self-explanatory, and I think you had better keep it in your records.

Sincerely yours,

*Allen T. Sanford*

Salt Lake City  
Dec. 9, '07.

Mr. Joseph Alexander  
Murry, Utah.

Dear Sir:-

Please write and let me know  
where you will be about Christmas.

I will send the money to you for  
making that box for the aea-meter.

Yours respectfully,

Geo. F. Taylor  
240 Commercial Club Bldg.  
Salt Lake City.

1 day service with team @ 4.50	
Material (Lumber)	2.60
" (Nails)	.50
Total	\$7.60 -

Chq Taylor acct

Handwritten signature or name, possibly "H. H. H."

Main body of handwritten text, appearing to be a list or account with multiple columns and entries.

Handwritten text at the bottom right corner, possibly a date or reference number.

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY,  
STATE OF UTAH

JAMES YOUNG,

Plaintiff,

-vs-

DANIEL LUNN, et al,

Defendant.

O R D E R

This matter coming on regularly to be heard on the petition of part of the users of the waters of Mill Creek, asking that John T. Guest, the appointed water master, and the court being ~~set~~ <sup>tried</sup> in the premises.

NOW, THEREFORE, it is hereby ordered that John T. Guest be and he is hereby appointed to act as water master at Mill Creek until the further order of the court, at a salary of \$500 per year, the same to be paid in the same proportion as has been heretofore fixed.

Done in open court this 26<sup>th</sup> day of April, A. D., 1919.

ATTEST  
J. E. CLARK,  
CLERK,

By H. M. Donough  
Deputy Clerk.

W. H. Bramm  
Judge.

4449

\_\_\_\_\_

*Book 28  
Page 625  
Page 619*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah,

APR 26 1919

J. E. CLARK, Clerk 3rd Dist. Court.

By *H. M. [Signature]*  
Deputy Clerk.

*L. S.*

BILL OF SALE

-o-

Know all men by these presents:- That I, Nephi Smart, widower, of East Mill Creek, Salt Lake County, Utah, party of the first part, for and in consideration of the sum of One dollar and other valuable considerations, to me in hand paid by Herbert Smart of East Mill Creek, Salt Lake County, Utah, the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey, unto the party of the second part, his heirs and assigns, those certain waters and water rights in the Franklin Neff Mill Creek Ditch consisting of two hours first class and two hours second class rights in the waters of Mill Creek and said Ditch, and all rights to use the same or convey the same for use in connection with the lands belonging to the second party hereto. And the said party of the first part hereby warrants the title to the above described property unto the said party of the second part and to his heirs and assigns forever.

In witness whereof I have hereunto set my hand and seal this Nineteenth day of July 1917.

Signed, Sealed and Delivered  
in the presence of

W B Harkness

Nephi Smart

4449

36  
11/2 Dec  
36

32  
1/2  
R

5  
" 22  
See from

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah,

APR 30 1919

J. E. CLARK, Clerk 3rd Dist. Court,

By *J. E. Clark*  
Deputy Clerk.

# Warranty Deed

Herbert Smart, unmarried, ----- grantor  
of -----, County of Salt Lake State of Utah, hereby

Convey and Warrant to R.B. Harkness -----

----- grantee  
of Salt Lake City, Salt Lake County, Utah, ----- for the sum of  
Twenty (\$20.00) and other valuable considerations ----- DOLLARS,

the following described tract of land in Salt Lake County ----- County,  
State of Utah: Commencing at the Northwest Corner of the South Half of the  
Southeast Quarter of Section 34, Township 1 South of Range 1 East, Salt  
Lake Meridian, in the center of a County Road, thence East 23.4 rods, thence  
South 16 and 3/4 degrees East 24 rods, thence South 76 and 1/2 degrees West  
17 rods, more or less, to the center of said County Road, thence North along  
the center of said County Road 27.2 rods to the place of beginning.

Also commencing at the Northwest Corner of the South Half, of the same  
Southeast Quarter of Section 34, Township 1 South of Range 1 East, Salt Lake  
Meridian, thence East ~~XXXXXXXX~~ 23.4 rods, thence North 2 rods, thence West  
23.4 rods, thence South 2 rods to the place of beginning. With the above  
parcels of land there is also conveyed all the water and water rights be-  
and belonging to said land and used thereon  
longing to the grantor herein and particularly all the Mill Creek water rights  
which are described as being two hours first and two hours second class rights  
in the Franklin-Neff Mill Creek Ditch.

Witness, the hand - of said grantor - , this Nineteenth day of  
July -----, A. D. 1917.

Signed in the presence of

*[Signature]*

*Herbert Smart*

State of Utah,

County of SALT LAKE

ss.

On the Nineteenth day of July A. D. 1917

personally appeared before me Herbert Smart, unmarried,

the signer of the within instrument, who duly acknowledged to me that he executed the same.

*[Signature]*

Notary Public.

My commission expires

*3/12/20*

*both 7/17*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah,

APR 30 1919

J. E. CLARK, Clerk, 3rd Dist. Court.

*[Signature]*  
Deputy Clerk.

No. 381700

**Warrantly Bond**

To

Dated \_\_\_\_\_ 19\_\_

Recorded at the Request of

*R. B. Parkhurst*

JUL 19 1917

A. D. 19\_\_

at 41 min. past 3 o'clock A.M.,

in Book "10-70" of Deeds,

page 440/120

Recorder, Salt Lake County, Utah

Recorded by *[Signature]*  
County.

#140 Pembroke Stationery Co., Salt Lake City—1903

85-124 *CR*

712

RECORDED MEMO  
SEARCHED INDEXED  
SERIALIZED FILED  
AUG 1 1917  
CLERK'S OFFICE  
SALT LAKE COUNTY, UTAH  
PAGED 88  
ENTERED IN WATER INDEX #1318

leg on 13 shares of B/T 614 14 x 15 So on road next  
in Murphy Rites  
In the District Court in and to Salt Lake County, State of Utah. County Recd

Term, 191.....

Hon. JUDGES OF SAID COUNTY.

James Young,

Plaintiff.....

against

Daniel Lunn, et al.,

Defendant s.....

# EXECUTION

#4449.

## THE STATE OF UTAH.

To the Sheriff of Salt Lake County, State of Utah, Greeting:

WHEREAS, judgment was rendered by this Court in said County, wherein is the judgment roll, on the ..... day of ..... 191....., for the sum of \$ 24.39 and \$ ..... cost of suit and the amount actually due thereon is \$ 24.39, and the same is payable by Christian Voss and Erma L. Voss under and by virtue of the Court Orders in the above entitled case, said orders being of different dates and amounts, the total being as stated above ) and in favor of ..... John T. Guest, Water Commissioner appointed by the said Court,

THESE ARE, THEREFORE, to command you to collect the aforesaid judgment and costs, together with the costs of this execution, and that you levy on and sell enough of the ~~unscripted~~ <sup>right, title</sup> and interest in certain waters used upon the said property of the said ~~personal property, or if enough unscripted personal property cannot be found, then of the un-~~ Christian Voss and Erma L. Voss, and sell sufficient of said water ~~accepted real property of the said~~ or water stock to pay the above amount, \$24.39, and all costs of levy and sale.

to satisfy the same with all legal costs accruing hereon, and this shall be your sufficient warrant for so doing. And within thirty days make due returns for this writ with your doings in the premises hereon endorsed. WHEREOF FAIL NOT.

Given under my hand and the Seal of said Court, this

13th day of August, A. D. 1918.

THOS. HOMER, Clerk.  
By [Signature] Deputy Clerk.

SHERIFF'S OFFICE, SALT LAKE COUNTY, UTAH.

To Christian Voss by Kate Voss

Please take notice that all moneys, goods, credits, effects, debts due or owing, or any other personal property, or all stocks or shares or interest in stocks or shares of the

Company in your possession or under your control, belonging to the within named Defendant or either of them, are attached by virtue of a Writ, of which the within is a copy, and you are notified not to pay over or transfer the same to anyone but myself.

Please furnish a Statement.

John S Corless  
Sheriff of Salt Lake County.

Per F M Mathews  
Deputy.

F M Mathews  
29038  
10/12

No. ....  
**DISTRICT COURT**  
IN AND FOR  
SALT LAKE COUNTY,  
STATE OF UTAH.

Plaintiff

RECEIVED  
SHERIFF'S OFFICE  
against  
AUG 13 1918

LOCK

Defendant

**EXECUTION**

Filed ..... 191

Clerk.

By .....

Deputy Clerk.

Accruing Costs, \$ .....

Levy on water stock  
held by Christian Voss  
of Corral L. P.O. 8/13 1918

8/21-  
Received  
Execution P.O.  
by Kate Voss

200  
100  
100

EXECUTION

STATE OF UTAH )  
                  ) ( SS. SHERIFF'S OFFICE.  
COUNTY OF SALT LAKE )

I hereby certify and return that I received the within and hereto annexed Writ of Execution on the 13th day of August, 1918, and by virtue thereof, on the 21st day of August, 1918, I levied upon certain water stock described in the within Writ, which stock I am holding subject to the further orders of the Court.

The life of said Writ having expired, I now return the same without further service by me and with judgment wholly unsatisfied.

Dated at Salt Lake City, Utah, this 2nd day of June, 1919.

JOHN S. CORLESS, Sheriff of Salt Lake County, State of Utah.

SHERIFF'S FEES.  
Levy \$2.00  
Mileage 1.60  
Total \$3.60

By J. M. Matthews Deputy Sheriff.

RECORDED  
INDEXED  
JUN 10 1919  
SALT LAKE COUNTY, UTAH

4449

LOST \$3.00  
WITNESS 1.00  
FEE \$5.00  
SHERIFF'S FEE

BY Wm. W. ... Deputy Clerk

JOHN S. COYNE, Sheriff of Salt Lake County, State of Utah

Dated at Salt Lake City, Utah, this 2nd day of June

1919, I have and with judgment wholly unassisted

the title of said writ herein exhibited, I now return the same to the  
orders of the Court.

described in the within writ, which stock I am holding subject to the further  
direction of the State of Utah, 1919, I related upon certain water stock

annexed writ of execution on the 13th day of August, 1918, and by virtue  
I hereby certify and return that I received the within and hereto

COUNTY OF SALT LAKE )  
SHERIFF OF SALT LAKE ) ( ss. SHERIFF'S OFFICE )

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah,  
JUN 9 - 1919  
J. E. CLARK, Clerk 3rd Dist. Court,  
Deputy Clerk

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY,  
STATE OF UTAH.

MARTHA YOUNG, Administrator of )  
the Estate of JAMES YOUNG, )  
Deceased, )

Plaintiff, )

vs. )

PETITION FOR COSTS

WILLIAM GORDON, Executor of the )  
Estate of DANIEL LUND, Deceased, )  
et al, )

FOR 1919.

Defendants. )

Comes now John T. Guest and respectfully represents:

FIRST. That he is the duly and regularly appointed and acting water master for Mill Creek, for the year 1919, at the fixed salary of \$500.00. That he has acted during the entire irrigation season as such water master, and he is entitled to his compensation for such services. Your petitioner further represents that in order to expedite the payment of his compensation, an order requiring the parties using the waters of Mill Creek to pay the same should be entered before the close of the irrigation season.

SECOND. Your petitioner further represents that there has been a great deal of difficulty in collecting the fees for water master and other expenses incurred in the past, and your petitioner believes that the payment of the fees due him, as well as the uncollected fees for the past years, can be expedited by authorizing execution to be issued for the amount due, and that such execution may issue against any ditch for the delinquencies on that ditch, as well as against the delinquent individual. Also, that the water master should be authorized to turn off the water of any delinquent until payment of the amount due under any order which may be entered for your petitioner's compensation, as well as any amount that may be due on orders heretofore entered, and that the water master should be authorized to turn the water off of any ditch as long as there may be any delinquencies among those using

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY,  
STATE OF UTAH.

MARTHA YOUNG, Administrator of )  
the Estate of JAMES YOUNG, )  
Deceased, )

Plaintiff, )

vs. )

WILLIAM GORDON, Executor of the )  
Estate of DANIEL LUND, Deceased, )  
et al, )

Defendants. )

PETITION FOR COSTS  
FOR 1919.

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FIRST. That he is the duly and regularly appointed and acting water master for Mill Creek, for the year 1919, at the fixed salary of \$500.00. That he has acted during the entire irrigation season as such water master, and he is entitled to his compensation for such services. Your petitioner further represents that in order to expedite the payment of his compensation, an order requiring the parties using the waters of Mill Creek to pay the same should be entered before the close of the irrigation season.

SECOND. Your petitioner further represents that there has been a great deal of difficulty in collecting the fees for water master and other expenses incurred in the past, and your petitioner believes that the payment of the fees due him, as well as the uncollected fees for the past years, can be expedited by authorizing execution to be issued for the amount due, and that such execution may issue against any ditch for the delinquencies on that ditch, as well as against the delinquent individual. Also, that the water master should be authorized to turn off the water of any delinquent until payment of the amount due under any order which may be entered for your petitioner's compensation, as well as any amount that may be due on orders heretofore entered, and that the water master should be authorized to turn the water off of any ditch as long as there may be any delinquencies among those using

water from said ditch.

THIRD. Your petitioner further alleges that it has been necessary for him to employ an attorney to prepare his petition and secure his order, and that he has employed Allen T. Sanford, and a reasonable fee for his services is the sum of Twenty-five Dollars ( \$25.00), which he asks to have taxed as a part of the costs.

FOURTH. Your petitioner further represents that the costs payable by the different parties and ditches in accordance with the proportion of the water decreed to them are as follows:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
George Taylor, part of Stillman Estate,	1.21
J. J. Stillman, " " " "	3.98
and Hussey and Chamberlain rights,	1.21
Brigham Stillman, part of Stillman Estate,	4.25
F. N. Stillman, " " " "	1.46
Cyrus Stillman, " " " "	.25
John Simpers, part of Chamberlain Estate,	3.04
Mrs. H. H. Cummings, part of Moses Estate,	3.04
Mrs. Etta Swain, part of Moses Estate,	2.94
Frank Russell	5.50
James Russell	1.07
George E. Olmstead, part of J. E. Morris right,	1.32
x B. S. Hinckley, part of Salt Lake County and Morris Estate,	.30
K. L. Morris, part of J. E. Morris right	.30
Ferry Young, part of Salt Lake County right,	
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:	
A. B. Child	2.01
Frank Murphy	.63
George E. Airis	3.33
A. B. Irvine	1.47
J. E. Burbidge	.74
J. C. Conners	.63
J. O. Smith, half of Carolina Soderland right,	1.45
Carolina Soderland	1.45
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, succe sor to H. B. Skidmore,	.60
D. C. Brown	.60
Osguthorpe and Skidmore surplus	6.30
Frank and John Neff ditch	20.23
Amos H. Neff ditch	24.01
Keller ditch	28.25
Brigham Young ditch	92.42
Lower Mill Creek Irrigation Company	159.26
White ditch	39.95

and in the event any of said parties has sold his water right, your petitioner represents that the order should require the successor in interest to pay said amount.

WHEREFORE, your petitioner prays that the Court may enter an

order requiring the parties to pay the amount hereinabove stipulated at once, and providing for execution and turning off of water.

Allen T. Sanford  
Attorney for Petitioner

STATE OF UTAH            )  
                                  ) ss.  
COUNTY OF SALT LAKE )

JOHN T. GUEST, being first duly sworn, deposes and says that he is the petitioner above named; that he has read the foregoing petition, knows the contents thereof, and that the matters therein stated are true according to his best knowledge, information and belief.

John T. Guest

Subscribed and sworn to before me  
this <sup>10th</sup> 10 day of September, 1919.

Allen T. Sanford  
Notary Public



IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY,

STATE OF UTAH.

MARTHA YOUNG, Administrator of )  
 the Estate of JAMES YOUNG, )  
 Deceased, )

Plaintiff, )

vs. )

WILLIAM GORDON, Executor of the )  
 Estate of DANIEL LUND, Deceased, )  
 et al, )

Defendants. )

ORDER TAKING COSTS FOR  
 THE YEAR 1919.

The court having heretofore appointed John T. Guest water  
 above  
 master in the entitled case for the year 1918, at the fixed salary  
 of Five Hundred Dollars (\$500), and it appearing that John T. Guest  
 has employed Allen T. Sanford as attorney to prepare this order,  
 and that Twenty-five Dollars (\$25.00) is a reasonable attorney's  
 fee in preparing the order the presenting the same to the Court:

NOW THEREFORE IT IS HEREBY ORDERED AND ADJUDGED that the  
 parties under the water of Mill Creek Canyon Stream, shall pay to  
 the County Clerk the amount set after their respective names for  
 the costs of a water master and attorney's fees for the year 1919,  
 and judgment is hereby entered against said parties for said  
 amounts, viz:

7 Utah Power & Light Company	\$105.00 ✓
9 Pleasant View Park Company	4.00 ✓
11 George S Taylor,, part of Stillman Estate,	1.21 ✓
13 J. J. Stillman, " " " "	
and Hussey and Chamberlain rights,	3.98 ✓
15 Brigham Stillman, part of Stillman Estate,	1.21 ✓
17 F. N. Stillman, " " " "	4.25 ✓
19 Cyrus Stillman, " " " "	1.46 ✓
21 John Simpers, part of Chamberlain Estate,	.25 ✓
23 Mrs. H. H. Cummings, part of Moses Estate,	3.04 ✓
25 Mrs. Etta Swain, " " " "	3.04 ✓
27 Frank Russell	2.94 ✓
29 James Russell	5.50 ✓
31 George E. Olmstead, part of J. E. Morris right	1.07 ✓
33 B. S. Hinkley, part of Salt Lake County and Morris Estate,	1.32 ✓
35 K. L. Morris, part of J. E. Morris right,	.30 ✓
37 Ferry Young, part of Salt Lake County right,	.30 ✓
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:	
39 A. B. Child	2.01 ✓
41 Frank Murphy	.63 ✓
43 George E. Airis	3.33 ✓
45 A. B. Irvine	1.47 ✓
47 J. E. Burbidge	.74 ✓
49 J. C. Conners	.63 ✓

51 J. O. Smith, half of Carolina Soderland right,	1.45✓
53 Carolina Soderland	1.45✓
55 Samuel Stillman	2.73✓
57 Thomas Osguthorpe	.60✓
59 B. S. Hardy, successor to H. B. Skidmore,	.60✓
61 D. C. Brown	.60✓
63 Osguthorpe and Skidmore surplus	6.30✓
65 Franklin and John Neff ditch	20.23✓
67 Amos H. Neff ditch	24.01✓
69 Keller ditch	28.25✓
71 Brigham Young ditch	92.42✓
73 Lower Mill Creek Irrigation Company	159.26
75 White ditch	39.95

It is further expressly ordered and adjudged that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this Order, and in the orders and decrees heretofore entered and the full amount of costs are taxed against each ditch in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same, and it is further ordered that the right to discontinue the distribution of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution on this order and the orders heretofore entered.

It is further ordered that where costs are taxed against a ditch in this order and in the orders and decree heretofore entered, and the full amount of costs taxed against such ditch in this order and in the orders and decree heretofore entered shall not have been paid, then execution may be immediately levied upon

said ditch for the full amount due under this order and under the orders and decree heretofore entered.

Done in open Court, this 11<sup>th</sup> day of ~~September~~ <sup>October</sup>, 1919.

*W. H. [Signature]*  
J U D G E

ATTEST  
J. E. CLARK,  
CLERK.  
*[Signature]*  
Deputy Clerk.

FILED IN THE CLERK'S OFFICE  
OCT 11 1919  
J. E. CLARK, CLERK OF THE COURT

4449

*[Faint signature and stamp]*

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah,

OCT 11 1919  
J. E. CLARK, Clerk 3rd Dist. Court,

By *[Signature]*  
Deputy Clerk.  
L. D.

*[Faint signature]*

Done in open Court, this 11th day of October, 1919.  
The order of the Court is hereby entered.  
The Clerk of the Court is hereby notified of the above and the same is hereby filed.

Guest  
No 2218-M

105.00\*  
4.00  
1.21  
3.98  
1.21  
4.25  
1.46  
25.  
3.04  
3.04  
2.94  
5.50  
1.07  
1.32  
30  
30  
201  
63  
3.33  
1.47  
74  
63  
1.45  
1.45  
2.73  
60  
60  
60  
6.30  
20.23  
24.01  
28.25  
92.42  
159.26  
39.95

525.53\*

No. 1231

# COUNTY CLERK'S OFFICE

Salt Lake City, Utah,

9/28 191

RECEIVED OF

*John S. Leavess*

*Two & 32/100*

DOLLARS

*Maith Young*

*Daniel Lunn et al*  
*Call on Ex*

Case No.

*4449*

\$

*2.32*

*J. Clark*

Clerk.

By

*L. B. Kristensen* Deputy

# In the District Court in and for Salt Lake County, State of Utah

*Lawson*

Term, 192

Hon. JUDGES OF SAID COUNTY

*Jud. 132  
Ex. 100  
Min 20  
in \$ 252*

MARTHA YOUNG, ADMINISTRATRIX ETC

**RECEIVED**  
SEP 28 1920

Plaintiff

**EXECUTION**

against

No. 4449

DANIEL LUNN ET AL

Defendant

## THE STATE OF UTAH.

To the Sheriff of Salt Lake County, State of Utah, Greeting:

an order was entered by Hon. W.H. Bramel, Judge, in  
WHEREAS, ~~Judgment was rendered by~~ this Court in said County, wherein is the judgment roll, on the 11th day of October, 1919, ~~1920~~, for the sum of \$ 1.32 and \$ cost of suit

and the amount actually due thereon is \$ 1.32 and the same is payable by B.S. Hinckley under and by virtue of an order in the above entitled case, and interest as stated below against B.S. Hinckley, and in favor of John T. Guest, Water Commissioner appointed by the said Court,

*Total \$ 2.52*

THESE ARE, THEREFORE, to command you to collect the aforesaid judgment and costs, together with the costs of this execution, and that you levy on and sell enough of the unexempted personal property, or if enough unexempted personal property cannot be found, then of the unexempted real property of the said B. S. Hinckley.

to satisfy the same with all legal costs accruing hereon, and this shall be your sufficient warrant for so doing. And within ~~thirtysixty~~ days make due returns for this writ with your doings in the premises hereon endorsed. WHEREOF FAIL NOT

Given under my hand and the Seal of said Court, this 15th day of September, A. D., 1920

J. E. CLARK, Clerk.

By *Osabel J. Nations* Deputy Clerk.

**SHERIFF'S OFFICE, SALT LAKE COUNTY, UTAH.**

To .....

Please take notice that all moneys, goods, credits effects, debts due or owing, or any other personal property, or all stocks or shares or interest in stocks or shares of the .....

Company in your possession or under your control, belonging to the within named Defendant or either of them, are attached by virtue of a Writ, of which the within is a copy, and you are notified not to pay over or transfer the same to anyone but myself.

Please furnish a Statement.

.....  
Sheriff of Salt Lake County.

Per .....  
Deputy.

No. 4449

**DISTRICT COURT  
IN AND FOR  
SALT LAKE COUNTY.  
STATE OF UTAH**

MARTHA YOUNG, ETC

Plaintiff.....

against

DANIEL LUNN, ET AL

Defendant.....

**EXECUTION**

Accrued Costs \$ 1.00

Allen T. Sanford

Attorney for Plaintiff.....

**RECEIVED  
AT SHERIFF'S OFFICE**

SEP 15 1920

AT ..... O'CLOCK..... M

JOHN S. CORLESS,  
Sheriff Salt Lake County Utah

EXECUTION

in the District Court in and for Salt Lake County, State of Utah

STATE OF UTAH                    )  
  ) SS. SHERIFF'S OFFICE .  
COUNTY OF SALT LAKE        )

I hereby certify and return that I received the within and hereto annexed Execution on the 15th day of September, 1920, and served the same upon the within named, B. S. Hinckley, by delivering to and leaving with said B. S. Hinckley personally, a true copy of said Execution, in Salt Lake City, Salt Lake County, State of Utah, on the 20th day of September, 1920.

I further certify that by virtue of such service said B. S. Hinckley paid to me the sum of \$2.52, which amount, less Sheriff's Fees amounting to \$.20, to-wit: \$2.32, I have paid over to the Clerk of the District Court, whose receipt I now hold.

I now return said Execution without further service by me.

DATED at Salt Lake City, Utah, this 24th day of September, 1920

JOHN S. CORLESS, Sheriff of Salt Lake County, State of Utah.

BY Ed. Larson Deputy Sheriff

SHERIFF'S FEES.

Mileage .20

1920

SEPTEMBER 8

IN SENATE

SEPTEMBER 8, 1920

I HEREBY CERTIFY AND RECORD THAT I RECEIVED THE MATTER

OF THE ESTATE OF JOHN A. CONNORS, DECEASED, BY WILL, BY THE

TESTAMENTARY EXECUTOR THEREOF, JOHN A. CONNORS, JR.,

ON THE 28TH DAY OF SEPTEMBER, 1920, AT SALT LAKE CITY,

UTAH, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7400,

CHAPTER 10, TITLE 74, COMPILATION OF LAWS OF THE STATE OF

UTAH, 1917, AS AMENDED, AND IN ACCORDANCE WITH THE

PROVISIONS OF SECTION 7401, CHAPTER 10, TITLE 74, COMPILATION

OF LAWS OF THE STATE OF UTAH, 1917, AS AMENDED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND

THE SEAL OF THE CLERK OF SAID COURT, AT SALT LAKE CITY,

UTAH, THIS EIGHTH DAY OF SEPTEMBER, 1920.

J. E. CLARK, Clerk 3rd Dist. Court,

Deputy Clerk.

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah,

SEP 28 1920

44449

Book 28  
Page 28

*[Handwritten signature]*

J. E. CLARK, Clerk 3rd Dist. Court,  
Deputy Clerk.

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administrator of :  
the Estate of JAMES YOUNG, :  
Deceased. :

Plaintiff, :

vs. :

PETITION FOR COSTS

WILLIAM GORDON, Executor of the :  
Estate of DANIEL LUND, Deceased, :  
et al, :

FOR 1920.

Defendants, :

Comes now John T. Guest and respectfully represents:

First. That he is the duly and regularly appointed and acting water master for Mill Creek, for the year 1920, at the fixed salary of \$500.00. That he has acted during the entire irrigation season as such water master, and he is entitled to his compensation for such services. Your petitioner further represents that in order to expedite the payment of his compensation, an order requiring the parties using the waters of Mill Creek to pay the same should be entered before the close of the irrigation season.

Second. Your petitioner further represents that there has been a great deal of difficulty in collecting the fees for water master and other expenses incurred in the past, and your petitioner believes that the payment of the fees due him, as well as the uncollected fees for the past years, can be expedited by authorizing execution to be issued for the amount due, and that such execution may issue against any ditch for the delinquencies on that ditch, as well as against the delinquent individual. Also, that the water master should be authorized to turn off the water of any delinquent until payment of the amount due under any order which may be entered for your petitioner's compensation, as well as any amount that may be due on orders heretofore entered, and that the water master should be authorized to turn the water off of any ditch as long as there may be any delinquencies among those

using water from said ditch.

Third. Your petitioner further alleges that it has been necessary for him to employ an attorney to prepare his petition and secure his order, and that he has employed Allen T. Sanford, and a reasonable fee for his services is the sum of Twenty-five Dollars (\$25.00) which he asks to have taxed as a part of the costs.

Fourth. Your petitioner further represents that the costs payable by the different parties and ditches in accordance with the proportion of the water decreed to them are as follows:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
George Taylor, part of Stillman Estate,	1.21
J. J. Stillman, " " " "	
and Hussey and Chamberlain rights,	3.98
Brigham Stillman, part of Stillman Estate,	1.21
F. N. Stillman, " " " "	4.25
Cyrus Stillman, " " " "	1.46
John Simperts, part of Chamberlain Estate,	.25
Mrs. H. H. Cummings, part of Moses Estate,	3.04
Mrs. Etta Swain, part of Moses Estate,	3.04
Frank Russell	2.94
James Russell	5.50
George E. Olmstead, part of J. E. Morris right,	1.07
B. S. Hinckley, part of Salt Lake County and Morris Estate,	1.32
K. L. Morris, part of J. E. Morris right	.30
Ferry Young, part of Salt Lake County right	.30
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:	
A. B. Child	2.01
Frank Murphy	.63
George E. Airis	3.33
A. B. Irvine	1.47
J. E. Burbidge	.74
J. C. Conners	.63
J. O. Smith, half of Carolina Soderland right,	1.45
Carolina Soderland	1.45
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore,	.60
D. C. Brown	.60
Osguthorpe and Skidmore surplus	6.30
Franklin & John Neff ditch	20.23
Amos H. Neff ditch	24.01
Keller ditch	28.25
Brigham Young ditch	92.42
Lower Mill Creek Irrigation Company	159.26
White ditch	39.95

and in the event any of said parties has sold his <sup>water</sup> right, your petitioner represents that the order should require the successor in interest to pay said amount.

WHEREFORE, your petitioner prays that the Court may enter an order requiring the parties to pay the amount hereinabove stipulated at once, and providing for execution and turning off of water.

Allen J. Sanford  
Attorney for Petitioner

STATE OF UTAH  
( SS.  
COUNTY OF SALT LAKE

John T. Guest, being first duly sworn, deposes and says: that he is the petitioner above named; that he has read the foregoing petition, knows the contents thereof, and that the matters therein stated are true according to his best knowledge, information and belief.

John T. Guest

Subscribed and sworn to before me this 9 day of October, 1920.

Allen J. Sanford  
Notary Public.

4449

Book 58  
Page

*Wm. S. ...*

*Wm. S. ...*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah,

OCT 18 1920

J. E. CLARK, Clerk 3rd Dist. Court,

By *H. M. ...*  
Deputy Clerk.

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administrator of  
the Estate of JAMES YOUNG,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of DANIEL LUND,  
Deceased, et al.

Defendants,

ORDER TAKING COSTS FOR

THE YEAR 1920.

The court having heretofore appointed John T. Guest water master in the above entitled case for the year 1920, at the fixed salary of five hundred dollars (\$500), and it appearing that John T. Guest has employed Allen T. Sanford as attorney to prepare this order, and that Twenty-five dollars (\$25.00) is a reasonable attorney's fee in preparing the order the presenting the same to the Court:

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the parties using the water of Mill Creek Canyon Stream, shall pay to the County Clerk the amount set after their respective names for the costs of the water master and attorney's fees for the year 1920, and judgment is hereby entered against said parties for said amounts, viz:

✓Utah Power & Light Company	\$105.00
✓Pleasant View Park Company	4.00
✓George Taylor, part of Stillman Estate,	1.21
✓J. J. Stillman " " " "	
and Hussey and Chamberlain rights,	3.98
✓Brigham Stillman, part of Stillman Estate,	1.21
✓F. N. Stillman, " " " "	4.25
✓Cyrus Stillman " " " "	1.46
✓John Simperts, part of Chamberlain Estate,	.25
✓Mrs. H. H. Cummings, part of Moses Estate,	3.04
✓Mrs. Etta Swain, " " " "	3.04
✓Frank Russell	2.94
✓James Russell	5.50
✓George E. Olmstead, part of J. E. Morris right	1.07
✓B. S. Hinckley, part of Salt Lake County and Morris Estate	1.32
✓K. L. Morris, part of J. E. Morris right	.30
✓Ferry Young, part of Salt Lake County right,	.30
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:	
✓A. B. Child	2.01

✓Frank Murphy	163✓
✓George E. Airis	3.33
✓A. B. Irvine	1.47
✓J. E. Burbridge	.74
✓J. C. Conners	.63
✓J. O. Smith, half of Carolina Soderland right	1.45
✓Carolina Soderland	1.45
✓Samuel Stillman	2.73
✓Thomas Osguthorpe	.60
✓B. S. Hardy, successor to H. B. Skidmore	.60
✓D. C. Brown	.60
✓Osguthorpe and Skidmore surplus	6.30
✓Franklin and John Neff ditch	20.23
✓Amos H. Neff ditch	24.01
✓Keller ditch	28.25
✓Brigham Young ditch	92.42
✓Lower Mill Creek Irrigation Company	159.26
✓White ditch	39.95

It is further expressly ordered and adjudged that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this order, and in the orders and decrees heretofore entered and the full amount of costs are taxed against each ditch in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same, and it is further ordered that the right to discontinue the distribution of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution on this order and the orders heretofore entered.

It is further ordered that where costs are taxed against a ditch in this order and in the orders and decree heretofore entered, and the full amount of costs taxed against such ditch in

this order and in the orders and decree heretofore entered shall not have been paid, then execution may be immediately levied upon said ditch for the full amount due under this order and under the orders and decree heretofore entered.

Done in open Court this 18<sup>th</sup> day of October, 1920.

ATTEST  
J. H. OLARK,  
CLERK,  
by H. C. McJannet  
Deputy Clerk

[Signature]  
Judge.

FILED IN THE CLERK'S OFFICE  
OCT 19 1920  
SALT LAKE CITY, UTAH

4449

RECEIVED  
SALT LAKE COUNTY

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah,

OCT 18 1920

J. E. CLARK, Clerk 3rd Dist. Court,

By *[Signature]*  
Deputy Clerk.

*[Large handwritten scribble]*

10500\*

400

121

398

121

425

146

25

304

304

294

550

107

132

30

30

201

163 ✓

333

147

74

63

145

145

273

60

60

60

630

2023

2401

2825

9842

15925

3995

52653\*

100

32653

COPY of Letter send to all parties named in order of  
Judge Bramel, dated Oct. 18, 1920, in case #4449.

October Twenty-fifth  
Nineteen Twenty

Dear

RE: YOUNG VS. LUNN, ET AL NO. 4449

Pursuant to an order signed by Hon. W. H. Bramel, Judge,  
on October 18, 1920, your proportion of the Water  
Master's salary for the year 1920, is \$ \_\_\_\_\_

This amount is now due and payable at my office.

Yours truly,

J. E. CLARK, CLERK.

BY \_\_\_\_\_  
DEPUTY CLERK.

JPE/IN

THIS

4249

\_\_\_\_\_

Atank

\_\_\_\_\_

Jan. 22. 1921  
Received of J. P. Fanning  
for J. E. Clark 304 by  
check No 198.

P. M. Hipson

MARTHA YOUNG, Administrator of :  
the Estate of JAMES YOUNG, :  
Deceased, :

Plaintiff, :

vs. :

WILLIAM GORDON, Executor of the :  
Estate of DANIEL LUND, Deceased, :  
et al. :

Defendants. :

PETITION FOR COSTS

FOR 1921.

Comes now John T. Guest and respectfully represents:

1. That he is the duly and regularly appointed and acting water master for Mill Creek, for the year 1921, at the fixed salary of \$500.00. That he has acted during the entire irrigation season as such water master, and he is entitled to his compensation for such services. Your petitioner further represents that in order to expedite the payment of his compensation, an order requiring the parties using the waters of Mill Creek to pay the same should be entered before the close of the irrigation season.

2. Your petitioner further represents that there has been a great deal of difficulty in collecting the fees for water master and other expenses incurred in the past, and your petitioner believes that the payment of the fees due him, as well as the uncollected fees for the past years, can be expedited by authorizing execution to be issued for the amount due, and that such execution may issue against any ditch for the delinquencies on that ditch, as well as against the delinquent individual. Also, that the water master should be authorized to turn off the water of any delinquent until payment of the amount due under any order which may be entered for your petitioner's compensation, as well as any amount that may be due on orders heretofore entered, and that the water master should be authorized to turn the water off of any ditch as long as there may be any delinquencies among those using

water from said ditch.

3. Your petitioner further alleges that it has been necessary for him to employ an attorney to prepare his petition and secure his order, and that he has employed Allen T. Sanford, and a reasonable fee for his services is the sum of Twenty-five Dollars (\$25.00) which he asks to have taxed as a part of the costs.

4. Your petitioner further represents that the costs payable by the different parties and ditches in accordance with the proportion of the water decreed to them are as follows:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
George Taylor, part of Stillman Estate	1.21
J. J. Stillman, " " " "	
and Hussey and Chamberlain rights,	3.98
Brigham Stillman, part of Stillman Estate,	1.21
F. N. Stillman, " " " "	4.25
Cyrus Stillman, " " " "	1.46
J. J. Stillman, part of Chamberlain Estate,	.25
Mrs. H. H. Cummings, part of Moses Estate,	3.04
Mrs. Etta Swain, part of Moses Estate,	3.04
Frank Russell	2.94
James Russell	5.50
George E. Olmstead, part of J. E. Morris right,	1.07
B. S. Hinckley, part of Salt Lake County and Morris Estate,	1.32
K. L. Morris, part of J. E. Moss right	.30
Ferry Young, part of Salt Lake County right	.30
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:	
A. B. Child	2.01
Frank Murphy	.63
George E. Airis	3.33
A. B. Irvine	1.47
J. E. Burbidge	.74
J. C. Conners	.63
J. O. Smith, half of Carolina Soderland right	1.45
DeWitt Polker	1.45
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore,	.60
D. C. Brown	.60
Osguthorpe and Skidmore surplus	6.30
Franklin & John Neff ditch	20.23
Amos H. Neff ditch	24.01
Keller ditch	28.25
Brigham Young ditch	92.42
Lower Mill Creek Irrigation Company	159.26
White ditch	39.95

and in the event any of said parties has sold his water right, your petitioner represents that the order should require the successor in interest to pay said amount.

WHEREFORE, your petitioner prays that the Court may enter an order requiring the parties to pay the amount hereinabove stipulated at once, and providing for execution and turning off of water.

Allen T. Sanford  
Attorney for Petitioner.

STATE OF UTAH  
( SS.  
COUNTY OF SALT LAKE

John T. Guest, being first duly sworn, deposes and says: that he is the petitioner above named; that he has read the foregoing petition, knows the contents thereof, and that the matters therein stated are true according to his best knowledge, information and belief.

John T. Guest

Subscribed and sworn to, before me this 21 day of September, 1921.

Allen T. Sanford  
Notary Public, Residing at  
Salt Lake City, Utah.

4449

*Handwritten signature*

*Handwritten signature*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah,

SEP 23 1921

CLARENCE J. [Signature]

BY [Signature] Deputy Clerk.

RECEIVED  
SEP 23 1921

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administrator of  
the Estate of JAMES YOUNG,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of DANIEL LUND,  
Deceased, et al.

Defendants.

ORDER TAKING COSTS FOR  
THE YEAR 1921.

The court having heretofore appointed John T. Guest water master in the above entitled case for the year 1921, at the fixed salary of five hundred dollars (\$500.00), and it appearing that John T. Guest has employed Allen T. Sanford as attorney to prepare this order, and that Twenty-five dollars (\$25.00) is a reasonable attorney's fee in preparing the order and presenting the same to the Court;

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the parties using the water of Mill Creek Canyon Stream, shall pay to the County Clerk the amount set after their respective names for the costs of the water master and attorney's fees for the year 1921, and judgment is hereby entered against said parties for said amounts, viz:

Utah Power & Light Company	\$105.00 *
Pleasant View Park Company	4.00 *
George Taylor, part of Stillman Estate,	1.21 *
J. J. Stillman " " " "	
and Hussey and Chamberlain rights,	3.98 *
Brigham Stillman, part of Stillman Estate,	1.21 *
F. H. Stillman, " " " "	4.25 *
Cyrus Stillman " " " "	1.46 *
J.J. Stillman, part of Chamberlain Estate	.25 *
Mrs. . H. Cummings, part of Moses Estate	3.04 *
Mrs. Etta Swain " " " "	3.04 *
Frank Russell	2.94 *
James Russell	5.50 *
George E. Olmstead, part of J.E. Morris right	1.07 *
B. S. Hinckley, part of Salt Lake County and Morris Estate	1.32 *
K. L. Morris, part of J. E. Morris right	.30 *
Ferry Young, part of Salt Lake County right,	.30 *
The following parties are successors to Alexander Estate, Tripp ditch, and other rights;	
A. B. Child	2.01 *

Frank Murphy	.63	X
George E. Airis	3.33	X
A. B. Irvine	1.47	X
J. E. Burbidge	.74	X
J. C. Comers	.63	X
J. O. Smith, half of Carolina Soderland right	1.45	X
DeWitt Folker	1.45	X
Samuel Stillman	2.73	X
Thomas Osguthorpe	.60	X
B. S. Hardy, successor to H. B. Skidmore	.60	X
D. C. Brown	.60	X
Osguthorpe and Skidmore surplus	6.30	X
Franklin and John Neff ditch	20.23	X
Amos H. Neff ditch	24.01	X
Keller ditch	28.25	X
Brigham Young ditch	92.42	X
Lower Mill Creek Irrigation Company	159.26	X
White ditch	39.95	X

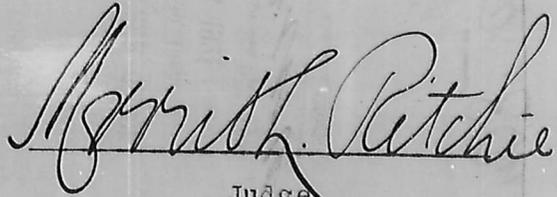
In the event any of the above named parties shall have transferred their rights, then the order and judgment shall be against their respective transferees.

It is further expressly ordered and adjudged that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this order, and in the orders and decrees heretofore entered and the full amount of costs are taxed against each ditch in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same, and it is further ordered that the right to dis-

continue the distribution of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution on this order and the orders heretofore entered.

It is further ordered that where costs are taxed against a ditch in this order and in the orders and decree heretofore entered, and the full amount of costs taxed against such ditch in this order and in the orders and decree heretofore entered shall not have been paid, then execution may be immediately levied upon said ditch for the full amount due under this order and under the orders and decree heretofore entered.

Done in open Court this 23<sup>rd</sup> day of September, 1921.

  
Judge.

*4444*

RECEIVED  
SEP 23 1921  
*Seb*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah

SEP 23 1921

CLARENCE E. ... and DIST. COURT.

Deputy Clerk

*Clarence E. ...*

*J. M. ...*

MARTHA YOUNG, Administrator of  
the Estate of JAMES YOUNG,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, Deceased,  
et al.

Defendants.

PETITION FOR COSTS

FOR 1922.

Comes now John T. Guest and respectfully represents:

1. That [redacted] is the duly and regularly appointed and acting water master for Mill Creek, for the year 1922, at the fixed salary of \$500.00. That he has acted during the entire irrigation season as such water master, and he is entitled to his compensation for such services. Your petitioner further represents that in order to expedite the payment of his compensation, an order requiring the parties using the waters of Mill Creek to pay the same should be entered before the close of the irrigation season.

2. Your petitioner further represents that there has been a great deal of difficulty in collecting the fees for water master and other expenses incurred in the past, and your petitioner believes that the payment of the fees due him, as well as the uncollected fees for the past years, can be expedited by authorizing execution to be issued for the amount due, and that such execution may issue against any ditch for the delinquencies on that ditch, as well as against the delinquent individual. Also, that the water master should be authorized to turn off the water of any delinquent until payment of the amount due under any order which may be entered for your petitioner's compensation, as well as any amount that may be due on orders heretofore entered, and that the water master should be authorized to turn the water off of any ditch as long as there may be any delinquencies among those using water from said ditch.

3. Your petitioner further alleges that it has been necessary for him to employ an attorney to prepare his petition and secure his order, and that he has employed Allen T. Sanford, and a reasonable fee for his services in the sum of Twenty-five Dollars (\$25.00) which he asks to have taxed as a part of the costs.

4. Your petitioner further represents that the costs payable by the different parties and ditches in accordance with the proportion of the water decreed to them are as follows:

Utah Power & Light Company	\$105.00
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George Taylor, part of Stillman Estate	1.21
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and Hussey and Chamberlain rights	3.98
Brigham Stillman, part of Stillman Estate,	1.21
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Cyrus Stillman, " " " "	1.46
J.J. Stillman, part of Chamberlain Estate,	.25
Mrs. H.H. Cummings, part of Moses Estate,	3.04
Mrs. Etta Swain, part of Moses Estate,	3.04
Frank Russell	2.94
James Russell	5.50
George E. Olmstead, part of J. E. Morris right	1.07
B. S. Hinckley, part of Salt Lake County and Morris Estate,	1.32
K. L. Morris, part of J. E. Moss right	.30
Ferry Young, part of Salt Lake County right	.30
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:	
A. B. Child	2.01
Frank Murphy	.63
George E. Airis	3.33
A. B. Irvine	1.47
J. E. Burbidge	.74
J. C. Conners	.63
J. O. Smith, half of Carolina Soderland right	1.45
DeWitt Folker	1.45
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H.B. Skidmore	.60
D. C. Brown	.60
Osguthorpe and Skidmore surplus	6.30
Franklin & John Neff ditch	20.23
Amos H. Neff ditch	24.01
Keller ditch	28.25
Brigham Young ditch	92.42
Lower Mill Creek Irrigation Company	159.26
White ditch	39.95

and in the event any of said parties has sold his water right, your petitioner represents that the order should require the successor in interest to pay said amount.

WHEREFORE, your petitioner prays that the Court may

enter an order requiring the parties to pay the amount herein-  
above stipulated at once, and providing for execution and  
turning off of water.

Allen T. Sanford  
Attorney for Petitioner.

STATE OF UTAH,  
COUNTY OF SALT LAKE (SS.)

John T. Guest, being first duly sworn, deposes and  
says: that he is the petitioner above named; that he has read  
the foregoing petition, knows the contents thereof, and that the  
matters therein stated are true according to his best knowledge,  
information and belief.

John T. Guest

Subscribed and sworn to before me this 16 day of October, 1922.

Allen T. Sanford  
Notary Public, Residing at  
Salt Lake City, Utah.

SALT LAKE CITY, Utah.  
MORNING STAR, Residing at

Subscribed and sworn to before me this 25th day of October, 1922.

information and belief.

Matters therein stated are true according to his best knowledge,  
the foregoing petition, knows the contents thereof, and that the  
facts therein stated are true according to his best knowledge,  
and that he is the petitioner above named; that he has read and

understands the contents thereof, and that he has read and

COPIES OF THIS PETITION  
FILED IN THE CLERK'S OFFICE  
SALT LAKE COUNTY, UTAH  
OCT 25 1922

RECEIVED  
OCT 35 1922

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FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah.

OCT 25 1922

CLARENCE BOWMAN, Clerk 3rd Dist. Court.

By: *Clarence Bowman*  
Deputy Clerk

Attorney for Petitioner

returning off of matter.

above stipulated at once, and providing for execution and

enter an order compelling the parties to pay the amount herein-

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH.

-----

MARTHA YOUNG, Administrator of :  
the Estate of JAMES YOUNG, :  
Deceased, :  
  
Plaintiff, :  
  
vs. : ORDER TAKING COSTS FOR  
: THE YEAR 1922.

WILLIAM GORDON, Executor of :  
the Estate of DANIEL LUND, :  
Deceased, et al. :  
  
Defendants. :

-----

The court having heretofore appointed John T. Guest water master in the above entitled case for the year 1922, at the fixed salary of five hundred dollars (\$500.00), and it appearing that John T. Guest has employed Allen T. Sanford as attorney to prepare this order, and that Twenty-five dollars (\$25.00) is a reasonable attorney's fee in preparing the order and presenting the same to the Court;

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the parties using the water of Mill Creek Canyon Stream, shall pay to the County Clerk the amount set after their respective names for the costs of the water master and attorney's fees for the year 1922, and judgment is hereby entered against said parties for said amounts, viz:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
George Taylor, part of Stillman Estate	1.21
J. J. Stillman " " " "	
and Hussey and Chamberlain rights	3.98
Brigham Stillman, part of Stillman Estate,	1.21
F. N. Stillman, " " " "	4.25
Cyrus Stillman " " " "	1.46
J. J. Stillman, part of Chamberlain Estate	.25
Mrs. H. H. Cummings, part of Moses Estate	3.04
Mrs. Etta Swain " " " "	3.04
Frank Russell	2.94
James Russell	5.50
George E. Olmstead, part of J.E. Morris right	1.07
B. S. Hinckley, part of Salt Lake County and Morris Estate	1.32
K. L. Morris, part of J.E. Morris right	.30
Ferry Young, part of Salt Lake County right	.30
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:	
A.B. Child	2.01

Frank Murphy	.63
George E. Airis	3.33
A. B. Irvine	1.47
J. E. Burbidge	.74
J. C. Conners	.63
J. O. Smith, half of Carolina Soderland right	1.45
DeWitt Folker	1.45
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H.B. Skidmore	.60
D. C. Brown	.60
Osguthorpe and Skidmore surplus	6.30
Franklin and John Neff ditch	20.23
Amos H. Neff ditch	24.01
Keller dtich	28.25
Brigham Young ditch	92.42
Lower Mill Creek Irrigation Company	159.26
White ditch	39.95

In the event any of the above named parties shall have transferred their rights, then the order and judgment shall be against their respective transferees.

It is further expressly ordered and adjudged that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this order, and in the orders and decrees heretofore entered and the full amount of costs are taxed against each ditch in this order and the orders and decree heretofore entered shall <sup>not</sup> have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same, and it is further ordered that the right to discontinue the distribution of the water as herein

provided shall be considered a cumulative remedy in addition to the right to have execution on this order and the orders heretofore entered.

It is further ordered that where costs are taxed against a ditch in this order and in the orders and decree heretofore entered, and the full amount of costs taxed against such ditch in this order and in the orders and decree heretofore entered shall not have been paid, then execution may be immediately levied upon said ditch for the full amount due under this order and under the orders and decree heretofore entered.

Done in open Court this 25<sup>th</sup> day of October, 1922.

OLYBENCE GOWAN  
BY [Signature]  
DEPUTY CLERK

[Signature]  
Judge.

Page 2

done in open court this 25 day of October 1922.

under the orders and decrees heretofore entered.

Leaves from the order for the full amount due under the

order shall be given, then execution may be had thereon.

And in the orders and decrees heretofore entered

and that the full amount of costs taxed against

the order and in the orders and decrees heretofore

It is further ordered that where costs are taxed

shall be entered.

the right to have execution on this order and the orders heretofore

of motion in the event of a default in compliance with the

444

RECEIVED  
OCT 25 1922

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah.

OCT 25 1922

CLARENCE SOWARD, Clerk 3rd Dist Court

Deputy Clerk

*[Handwritten signature]*

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH.

\*\*\*\*\*

MARTHA YOUNG, Administrator of :  
The Estate of JAMES YOUNG, :  
Deceased, :

Plaintiff, :

-vs- :

PETITION FOR COSTS

WILLIAM GORDON, Executor of the: :  
Estate of Daniel Lund, Deceased, :  
et al. :

FOR 1923.

Defendants. :

\*\*\*\*\*

Comes now John T. Guest and respectfully represents:

1. That he is the duly and regularly appointed and acting water master for Mill Creek, for the year 1923, at the fixed salary of \$500.00. That he has acted during the entire irrigation season as such water master, and he is entitled to his compensation for such services. Your petitioner further represents that in order to expedite the payment of his compensation, an order requiring the parties using the waters of Mill Creek to pay the same should be entered before the close of the irrigation season.

2. Your petitioner further represents that there has been a great deal of difficulty in collecting the fees for water master and other expenses incurred in the past, and your petitioner believes that the payment of the fees due him, as well as the uncollected fees for the past years, can be expedited by authorizing execution to be issued for the amount due, and that such execution may issue against any ditch for the delinquencies on that ditch, as well as against the delinquent individual. Also, that the water master should be authorized to turn off the water of any delinquent until payment of the amount due under any order which may be entered for your petitioner's compensation, as well as any amount which may be due on orders heretofore entered, and that the water master should be authorized to turn the water off of any ditch as long as there may be any delinquencies among those using water from said ditch.

3., Your petitioner further alleges that it has been necessary for him to employ an attorney to prepare his petition and secure his order, and that he has employed Allen T. Sanford, and a reasonable fee for his services in the sum of Twenty-five Dollars (\$25.00) which he asks to have taxed as part of the costs.

4. Your petitioner further represents that the costs payable by the different parties and ditches in accordance with the proportion of the water decreed to them are as follows:

Utah Power & Light Company	\$ 105.00
Pleasant View Park Company	4.00
George Taylor, part of Stillman Estate	1.21
J. J. Stillman " " " "	3.98
and Hussey and Chamberlain rights	1.21
Brigham Stillman, part of Stillman Estate	4.25
F. N. Stillman, " " " "	1.46
Cyrus Stillman, " " " "	.25
J. J. Stillman, part of Chamberlain Estate	3.04
Mrs. H. H. Cummings, part of Moses Estate	3.04
Mrs. Etta Swain " " " "	2.94
Frank Russell	5.50
James Russell	1.07
George E. Olmstead, part of J. E. Morris right	1.32
B. S. Hinckley, part of Salt Lake County and Morris Estate	.30
K. L. Morris, part of J. E. Morris right	
The following parties are successors to Alexander Estate, Tripp Ditch, and other rights:	
A. B. Child	2.01
Frank Murphy	.63
George E. Airis	3.33
Preston Cannon	2.10
J. E. Burbidge Estate	.74
J. O. Smith, half of Carolina Soderland right	1.45
DeWitt Folker	1.45
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore	.60
D. C. Brown	.60
Osguthorpe and Skidmore surplus	6.30
East Mill Creek Irrigation Company, successor to Franklin and John Neff, Amos H. Neff, and Brigham Young Ditch, c/o David Neff, R.D.#1, East Mill Creek	136.66
Keller Ditch	28.25
Lower Mill Creek Irrigation Company	159.26
White Ditch	39.95

In the event any of said parties has sold his water right, your petitioner represents that the order should require the successor in interest to pay said amount.

WHEREFORE, your petitioner prays that the Court may enter an order requiring the parties to pay the amount hereinabove stipulated at once, and providing for execution and turning off

of water.

Allen T. Sanford  
Attorney for Petitioner.

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF SALT LAKE        )

John T. Guest, being first duly sworn, deposes and says: That he is the petitioner above named; that he has read the foregoing petition, knows the contents thereof, and that the matters therein stated are true according to his best knowledge, information and belief.

John T. Guest

Subscribed and sworn to before me, this 15<sup>th</sup> day of October, 1923.

Allen T. Sanford  
Notary Public, residing at  
Salt Lake City, Utah.



IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH.

\*\*\*\*\*

MARTHA YOUNG, Administrator of :  
 the Estate of JAMES YOUNG, :  
 Deceased, :

Plaintiff, :

-vs- :

WILLIAM GORDON, Executor of :  
 The estate of DANIEL LUND, :  
 Deceased, et al. :

ORDER TAKING COSTS FOR  
 THE YEAR 1923.

Defendants:

\*\*\*\*\*

The court having heretofore appointed John T. Quest water master in the above entitled case for the year 1923, at the fixed salary of five hundred dollars (\$500.00), and it appearing that John T. Quest has employed Allen T. Sanford as attorney to prepare this order, and that Twenty-five Dollars (\$25.00) is a reasonable attorney's fee in preparing the order and presenting the same to the Court:

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the parties using the water of Mill Creek Canyon Stream, shall pay to the County Clerk the amount set after their respective names for the costs of the water master and attorney's fees for the year 1923, and judgment is hereby entered against said parties for said amounts, viz:

Utah Power & Light Company	\$ 105.00	✓
Pleasant View Park Company	4.00	✓
George Taylor, part of Stillman Estate	1.21	✓
J. J. Stillman " " " "		
and Hussey and Chamberlain rights	3.98	✓
Brigham Stillman, part of Stillman Estate	1.21	✓
F. N. Stillman, " " " "	4.25	✓
Cyrus Stillman, " " " "	1.46	✓
J. J. Stillman, part of Chamberlain Estate	.25	✓
Mrs. H. H. Cummings, part of Moses Estate	3.04	✓
Mrs. Etta Swain " " " "	3.04	✓
Frank Russell	2.94	✓
James Russell	5.50	✓
George E. Olmstead, part of J. E. Morris right	1.07	✓
B. S. Hincley, part of Salt Lake County and Morris Estate	1.32	✓
K. L. Morris, part of J. E. Morris right	.30	✓
The following parties are successors to Alexander Estate, Tripp ditch, and other rights:		
A. B. Child	2.01	✓
Frank Murphy	.63	✓
George E. Airis	3.33	✓
Preston Cannon	2.10	✓

J. E. Burbidge Estate	.74	✓
J. O. Smith, half of Carolina Soderland right	1.45	✓
DeWitt Folker	1.45	✓
Samuel Stillman	2.73	✓
Thomas Osguthorpe	.60	✓
B. S. Hardy, successor to H. B. Skidmore	.60	✓
D. C. Brown	.60	✓
Osguthorpe and Skidmore surplus	6.30	✓
East Mill Creek Irrigation Company, successor to Franklin and John Neff, Amos H. Neff and Brigham		
Young Ditch, c/o David Neff, R.D.#1, East Mill C.	136.66	✓
Keller Ditch	28.25	✓
Lower Mill Creek Irrigation Company	159.26	✓
White Ditch	39.95	✓

In the event any of the above named parties shall have transferred their rights, then the order and judgment shall be against their respective transferees.

It is expressly ordered and adjudged that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this order, and in the orders and decrees heretofore entered and the full amount of costs are taxed against each ditch in this order, and in the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same, and it is further ordered that the right to discontinue the distribution of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution on this order and the orders heretofore entered.

It is further ordered that where costs are taxed against a ditch in this order and in the orders and decree heretofore entered, and the full amount of costs taxed against such ditch in this order and in the orders and decree heretofore entered shall not have been paid, then execution may be immediately levied upon said ditch for the full amount due under this order and under the orders and decree heretofore entered.

Done in open court this 11<sup>th</sup> day of October, 1923.

ATTEST  
CLARENCE COWAN, Clerk,  
BY E. R. Warner  
DEPUTY CLERK.

W. M. Warner  
Judge.

4449

Done in open court this 17th day of October 1923.  
under the orders and decree heretofore entered.  
Declaratory upon said order for the full amount due under this order and  
order shall not have been paid, then execution may be immediately  
issued in this order and in the orders and decree heretofore en-  
terd entered, and the full amount of costs taxed against such  
against a writ in this order and in the orders and decree here-  
It is further ordered that where costs are taxed

order.

FILED IN THE CLERK'S OFFICE

U.S. DISTRICT COURT, WASH.

OCT 17 1923

RECEIVED BY THE CLERK

*E. A. Mather*

U.S. DISTRICT COURT

1923.

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, Deceased,  
et al.,

Defendant.

*for 1927 + 1928*

ORDER TAXING COSTS  
FOR THE YEAR 1928.

No 4449

The Court having heretofore appointed William Carlson water master in the above entitled case for the year 1928, at the fixed salary of Five Hundred Dollars, and it appearing that William Carlson has employed James M. Carlson as attorney to prepare this order and that twenty-five dollars is a reasonable attorney's fee in preparing the order and presenting the same to the Court.

NOW THEREFORE , it is hereby ORDERED and ADJUDGED, that the parties using water of Mill Creek Canyon Stream, shall pay the amount set after their respective names for the costs of a water master and attorney's fee for the year 1928, and judgment is hereby entered against the said parties for said amount, viz,:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Successors, Joseph Stillman, Mrs. Brigham Stillman and Elizabeth Stillman	6.30
Moses Estate and Successors, Mrs. E. B. Swain and Mrs. Cummings	9.16
Frank Russell and Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and Successors	2.40
Ferry Young and B. S. Hinckley, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.23
Brigham Stillman and Brigham Stillman ect., successor to Daniel Hussey	.80
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore	.60

E. F. Chamberlin and successor, Joseph Stillman	2.22
D. C. Brown	.60
Osguthorpe and Skidmore, Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, the East Mill Creek Water Co.	136.70
Keller Ditch	28.75
Lower Mill Creek Irrigation Company & Salt Lake City	159.26
White Ditch Irrigation Company	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	.21
J. E. Burbidge	.11
George E. Airis and Minnie Jackson	.21
A. B. Child	.11

It is further expressly ORDERED and ADJUDGED, that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch or company in this order and the orders and decree heretofore entered and the full amount of costs taxed against such ditch or company in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs fixed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such cost, in the proportion in which they shall pay the same; and it is further ordered that the rights to discontinue the distribution of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution issued on this order and the orders heretofore entered.

*Ephraim Hanson*  
Judge.

Done in open Court this 17 day of November, 1928.

ATTEST

ALONZO MACKAY,  
CLERK

By *E. Warner*  
Deputy Clerk

FILED

IN THE CLERK'S OFFICE

*[Handwritten signature]*

NOV 17 1923

*[Faint, illegible text]*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah

NOV 17 1923

*[Handwritten signature]*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah

NOV 17 1923

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IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
Deceased,

Plaintiff,

vs.

WILLIAM FORDON, Executor of the  
Estate of Daniel Lund, Deceased,  
et al.,

Defendant.

ORDER TAXING COSTS  
FOR THE YEAR 1927

No. 4449

The court having heretofore appointed William Carlson water master in the above entitled case for the year 1927, at the fixed salary of Five Hundred Dollars, and it appearing that William Carlson has employed Carlson & Carlson as attorneys to prepare this order and that Twenty-five Dollars is a reasonable attorneys' fee in preparing the order and presenting the same to the court.

NOW THEREFORE, it is hereby ORDERED and ADJUDGED, that the parties using water of Mill Creek Canyon Stream, shall pay the amount set after their respective names for the costs of a water master and attorneys' fee for the year 1927, and judgment is hereby entered against the said parties for said amount, viz.:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Joseph, Brigham and Elizabeth Stillman	6.30
Moses Estate and successors, E. B. Swain and Mrs. Cummings	9.16
Frank Russell and Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and successors	2.40
B. S. Hinkley and Ferry Young, successors To Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	.63

Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.22
Brigham Stillman, successor to Daniel Hissey	.80
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore	.60
E. F. Chamberlain and successor, Joseph Stillman	2.22
D. C. Brown	.60
Osguthorpe and Skidmore Surplus	61.30
Franklin & John Neff Ditch, Amos H. Neff and successors, The East Mill Creek Water Co.	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Company	159.26
White Ditch Irrigation Company	39.95
The following parties successor to the Tripp Ditch:	
A. B. Irvine	.21
J. E. Burbidge	.11
George E. Airis	.21
A. B. Child	.11

It is further expressly ORDERED and ADJUDGED, that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch or company in this order and the orders and decree heretofore entered and the full amount of costs taxed against such ditch or company in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs fixed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such cost, in the proportion in which they shall pay the same; and it is further ordered that the rights to discontinue the distribution of the water as herein provided shall

be considered a cumulative remedy in addition to the right to have execution issued on this order and the orders heretofore entered.

Ephraim Hanson  
Judge.

Done in open court this 2<sup>nd</sup> day of October, 1927.

ALONZO MACKAY,  
Clerk

By L. Bradford

FILED IN THE CLERK'S OFFICE  
NOV 3 1927  
2nd Lake County Jail  
ALONZO MACKAY, Clerk of the Court  
Hanson

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4449

*[Faint handwritten signature]*

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah

NOV 2 1927

ALONZO MACKAY, Clerk 3rd Dist. Court

By *[Signature]*  
Deputy Clerk

Done in open court this 5<sup>th</sup> day of October, 1927.

*[Signature]*  
Judge

referred.

These executions issued on this order and the orders heretofore entered are considered a complete remedy in addition to the right to

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of Daniel Lund,  
Deceased, et al,

Defendant.

PETITION FOR ORDER TAXING COSTS.  
Case #4449.

Comes now William Carlson of Salt Lake County, Utah,  
petitioner herein, and respectfully represents to the court as  
follows:

1. That your petitioner was appointed by this court  
water master of water commissioner in the above entitled case for  
the year 1927 at the fixed salary of Five Hundred (\$500.00) Dollars.
2. That in pursuance of said appointment your petitioner  
has diligently and continuously from the time of his appointment  
to the date hereof performed his duties as water master of the  
waters of Mill Creek Canyon Stream.
3. That the irrigation season for the water users of  
the waters of Mill Creek Canyon Stream for the year 1928 is now  
closed.
4. That the sum of \$25.00 is a reasonable attorney's fee  
for the preparation of this petition and the rendering of legal  
services in the prosecution of the same.
5. Attached hereto is a list of the users of the waters  
of said Mill Creek Stream and the equitable share or amount of the  
costs that should be borne by each user.

WHEREFORE, your petitioner prays that the parties using  
the waters of Mill Creek Canyon Stream shall be ordered to pay such  
amounts respectively as may be necessary for the payment of the  
said salary of your petitioner and an attorney's fee for the prepara-  
tion and presentation of this petition and services in the prosecu-  
tion of the same; and that each user be taxed the amount set opposite



Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Successors, Joseph Stillman, Mrs. Brigham Stillman and Elizabeth Stillman	6.30
Moses Estate and Successors, Mrs. E. B. Swain and Mrs. Cummings	9.16
Frank Russel and Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and Successors	2.40
Ferry Young and B. S. Hinckley, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.22
Brigham Stillman and Brigham Stillman ect., successor to Daniel Hussey	.80
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore	.60
E. F. Chamberlain and successor, Joseph Stillman	2.22
D. C. Brown	.60
Osguthorpe and Skidmore Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, the East Mill Creek Water Co.	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Company & Salt Lake City	159.26
White Ditch Irrigation Company	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	.21
J. E. Burbidge	.11
George E. Airis and Minnie Jackson	.21
A. B. Child	.11

4449

Page 580

Revised 1038

V. E. SMITH  
 GEORGE E. VILTA and MINNIE JACKSON  
 J. E. SMITH  
 V. E. SMITH  
 J. E. SMITH

THE FOLLOWING BEING SUCCESSORS TO THE  
 ABOVE SAID PARTITION COMPANY

LOUIS WILL CLARK PARTITION COMPANY and SAID PARTITION  
 COMPANY  
 SUCCESSORS: THE FIRST WILL CLARK PARTITION CO.  
 WILL CLARK and PARTITION COMPANY and SAID  
 PARTITION COMPANY and SAID PARTITION COMPANY and SAID  
 PARTITION COMPANY and SAID PARTITION COMPANY

J. E. SMITH  
 V. E. SMITH and SUCCESSORS: JOSEPH SMITH  
 J. E. SMITH, SUCCESSORS TO J. E. SMITH  
 PARTITION COMPANY  
 SUCCESSORS TO PARTITION COMPANY  
 PARTITION COMPANY and PARTITION COMPANY and  
 GEORGE VILTA, SUCCESSORS TO J. E. SMITH PARTITION  
 COMPANY and PARTITION COMPANY

V. E. SMITH  
 GEORGE E. VILTA  
 JOSEPH SMITH  
 V. E. SMITH

ALEXANDER PARTITION COMPANY:  
 THE FOLLOWING BEING SUCCESSORS TO THE  
 SAID PARTITION COMPANY, EACH AND ALL  
 PARTITION COMPANY and J. E. SMITH, SUCCESSORS TO  
 J. E. SMITH and SUCCESSORS  
 PARTITION COMPANY  
 PARTITION COMPANY and PARTITION COMPANY  
 and PARTITION COMPANY  
 PARTITION COMPANY and SUCCESSORS: J. E. SMITH  
 PARTITION COMPANY  
 PARTITION COMPANY and PARTITION COMPANY and  
 PARTITION COMPANY and SUCCESSORS: JOSEPH  
 PARTITION COMPANY and PARTITION COMPANY  
 PARTITION COMPANY and PARTITION COMPANY

FILED IN THE CLERK'S OFFICE  
 Salt Lake County, Utah  
 NOV 13 1928  
 410276  
 D. J. [Signature]

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of Daniel Lund,  
Deceased, et al,

Defendant.

N O T I C E.

No. 4449

To the Utah Power & Light Co, The East Mill Creek Water  
Co., The Lower Mill Creek Irrigation Co., Salt Lake City, and the  
White Ditch Irrigation Co.:

You and each of you will please take notice that on the  
17th day of November at the hour of 10 A. M. of said day or as  
soon thereafter as council can be heard, William Carlson, water  
commissioner of the Mill Creek stream will request an order in  
accordance with his petition on file in the above entitled cause  
fixing the amount that each of you shall pay toward defraying  
expenses of the said water commissioner's salary for the year 1928.

*James M. Carlson*  
Attorney for William Carlson,  
Water Commissioner.

Place on Judge Hanson's calendar.  
J.M.C.

STATE OF UTAH ( )  
COUNTY OF SALT LAKE ( ) ss

AFFIDAVIT.

Virginia Wright, being first duly sworn, deposes and says:  
That she is the stenographer for James M. Carlson; That on the 10th  
day of November, 1928, she mailed a true and correct copy of the  
attached notice to the following: Utah Power & Light Company,  
East Mill Creek Water Company, Lower Mill Creek Irrigation Company  
and the White Ditch Irrigation Company; that said notice was  
mailed in an envelope properly addressed and stamped to the above-  
named companies.

Virginia Wright

Subscribed and sworn to before me this 10th day of November, 1928.

James M. Carlson  
Notary Public, residing at Salt  
Lake City, Utah.

My commission expires  
September 16, 1932.



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of Daniel Lund,  
Deceased, et al,

Defendant.

P E T I T I O N

Comes now William Carlson of Salt Lake County, Utah,  
petitioner herein, and respectfully represents to the court as  
follows:

1. That your petitioner was appointed by this court  
water master or water commissioner in the above entitled case for  
the year 1927 at the fixed salary of Five Hundred (\$500.00) Dollars.

2. That in pursuance of said appointment your petitioner  
has diligently and continuously from the time of his appointment  
to the date hereof performed his duties as water master of the  
waters of Mill Creek Canyon Stream.

3. That the irrigation season for the water users of  
the waters of Mill Creek Canyon Stream for 1928 is now closed.

4. That the sum of \$25.00 is a reasonable attorney's  
fee for the preparation of this petition and the rendering of  
legal services in the prosecution of the same.

5. Attached hereto is a list of the users of the waters  
of said Mill Creek Stream and the equitable share or amount of the  
costs that should be borne by each user.

WHEREFORE, your petitioner prays that the parties using  
the waters of Mill Creek Canyon Stream shall be ordered to pay such  
amounts respectively as may be necessary for the payment of the

said salary of your petitioner and an attorney's fee for the preparation and presentation of this petition and services in the prosecution of the same; and that each user be taxed the amount set opposite his or its name in the list hereto attached.

Carlson & Carlson  
Attorneys for Petitioner

Wm. Carlson  
Petitioner

STATE OF UTAH                    )  
  (    SS.  
COUNTY OF SALT LAKE        )

William Carlson, being first duly sworn, deposes and says: That he is the petitioner above named, and that he has read the foregoing Petition, knows the contents thereof; that the same is true of his own knowledge, except as to matters therein stated on information and belief, and as to those matters he believes them to be true.

William Carlson

Subscribed and sworn to before me this 26<sup>th</sup> day of October, 1927.

J. M. Carlson  
Notary Public, residing at  
Salt Lake City, Utah

My commission expires

August 26, 1928

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Successors, Joseph Stillman, Brigham Stillman and Elizabeth Stillman	6.30
Moses Estate and Successors, Mrs. E. B. Swain and Mrs. Cummings	9.16
Frank Russell and Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and Successors	2.40
Ferry Young and B. S. Hinckley, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.22
Brigham Stillman, successor to Daniel Hussey	.80
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore	.60
E. F. Chamberlain and successor, Joseph Stillman	2.22
D. C. Brown	.60
Osguthorpe and Skidmore Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, the East Mill Creek Water Co.	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Company	159.26
White Ditch Irrigation Company	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	.21
J. E. Burbidge	.11
George E. Airis and Minnie Jackson	.21
A. B. Child	.11

4449

V. B. SMITH  
George E. Villa and Minnie Jackson  
J. E. Walbridge  
V. B. Thayer

31  
31  
31  
31

DEEDS DISTRICT:  
The following parties are successors to the  
Mines and Smelting Company  
Thomas Hill Creek Mining Company  
Kettle District  
Successors, the West Hill Creek Water Co.  
Mell District and William John District and their  
beneficiaries and John Hill District, Union H. Hill and  
Oak Grove and adjacent lands

22.32  
122.32  
33.32  
122.40

D. C. Brown  
E. E. Cunningham and Successors, former Settlers  
B. S. Hilda, Successors to H. B. Skidmore  
former Oak Grove  
Settlers  
William Settlers, Successors to Daniel H. H. H.  
George Villa, Successors to D. V. H. H. H.  
Settlers

9.20  
9.00  
23.32  
9.00  
206.27 1927  
9.00  
9.00  
9.00

J. E. Walbridge  
V. B. Thayer  
George E. Villa  
Minnie Jackson  
V. B. SMITH

Successors, former Settlers:  
The following parties are successors to the  
Hill Lake Company, their heirs, assigns  
and assigns  
J. E. Hilda and Successors  
James Hilda  
Hill Lake and William Settlers  
and Hill Settlers  
Hill Lake and Successors, Mrs. E. B. Smith  
Settlers  
Settlers, former Settlers and  
Successors, Hill Lake Company  
Hill Lake and Settlers Company

9.00  
3.40  
2.20  
3.34  
3.75  
9.30  
4.00  
209.00

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah

OG 127 1927

ALONZO MACKAY, Clerk 3rd Dist, Utah  
By *[Signature]*  
Deputy Clerk

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
Deceased,

Plaintiff,

vs.

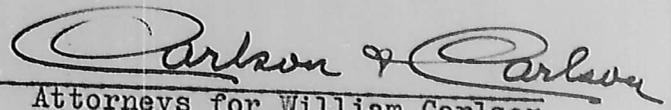
WILLIAM GORDON, as Executor  
of the Estate of Daniel Lund,  
Deceased, et al.,

Defendant.

N O T I C E

TO THE UTAH POWER & LIGHT COMPANY, THE EAST MILL CREEK WATER COMPANY,  
THE LOWER MILL CREEK IRRIGATION COMPANY, THE WHITE DITCH IRRIGATION  
COMPANY, AND ALL OTHER USERS OF WATER ON THE MILL CREEK STREAM:

You and each of you will please take notice that the undersigned as attorneys for William Carlson, the duly appointed water commissioner on said Mill Creek Stream, have petitioned the court for a decree apportioning the fee that each user on said stream shall pay toward the salary of said water commissioner for the year 1927. Petitioner will ask that the apportionment be made the same as the decree of apportionment for the year 1926. Said petition will be heard on Wednesday, November 2, 1927, at the hour of 1:45 P. M.

  
Attorneys for William Carlson,  
Petitioner

STATE OF UTAH )  
{ SS.  
COUNTY OF SALT LAKE )

AFFIDAVIT

Verna Bailey, being first duly sworn, deposes and says:  
That she is the stenographer for the firm of Carlson & Carlson;  
that on the 26th day of October, 1927, she mailed a true and  
correct copy of the attached notice to the following: Utah Power &  
Light Company, East Mill Creek Water Company, Lower Mill Creek  
Irrigation Company and the White Ditch Irrigation Company; that  
said notice was mailed in an envelope properly addressed and stamped  
to the above-named companies.

Verna Bailey

Subscribed and sworn to before me this 26th day of October, 1927.

J. M. Carlson  
Notary Public, residing at  
Salt Lake City, Utah

My commission expires

August 26, 1928

August 28, 1927

My commission expires

2017 Lake City, Utah  
Morrill Wright, residing at

subscribed and sworn to before me this 27th day of October,

to the above-named companies.

said notice was mailed in an envelope properly addressed and directed  
to the following companies: the White Pine Irrigation Company; the  
Great Salt Lake Creek Water Company; Power Mill Creek

collect copy of the attached notice to the following: Utah Power &  
that on the 27th day of October, 1927, are mailed a true and

that are in the above-captioned for the term of six months & six months:

Let the parties, being that duly sworn, defend and save:

COUNTY OF SALT LAKE )  
STATE OF UTAH ) ss.

VERIDVALE

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah  
OCT 27 1927  
ALONZO JACKAY, Clerk 3rd Dist. Utah  
by *[Signature]* Clerk

4449

*[Handwritten mark]*

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
Deceased,

Plaintiff,

vs.

N O T I C E  
4449

WILLIAM GORDON, Executor of  
the Estate of Daniel Lund,  
Deceased, et al,

Defendant.

To the Utah Power & Light Co., the East Mill Creek Water  
Co., The Lower Mill Creek Irrigation Co., Salt Lake City, and  
the White Ditch Irrigation Co:

You and each of you will please take notice that on the  
9th day of November at the hour of 10 A. M. of said day or as  
soon thereafter as council can be heard, William Carlson, water  
commissioner of the Mill Creek stream will request an order in  
accordance with his petition on file in the above entitled cause  
fixing the amount that each of you shall pay toward defraying  
expenses of the said water commissioner's salary for the year 1929.

*James M. Carlson*  
Attorney for William Carlson,  
Water Commissioner.

STATE OF UTAH

ss.

COUNTY OF SALT LAKE

Florence Anderson, being first duly sworn, says that she  
is the stenographer employed by James M. Carlson; that on the  
2nd day of November, 1929, she mailed a copy of the foregoing  
notice to the Utah Power & Light Company, the East Mill Creek  
Water Co., The Lower Mill Creek Irrigation., Salt Lake City,  
and the White Ditch Irrigation Co; that said copies were in-  
closed in envelopes, properly addressed to said companies, and  
properly stamped.

Subscribed and sworn to before me this 2nd day of November, 1929

My Commission Expires Nov. 16th, 1931.

*Florence Anderson*  
Notary Public, residing at  
Salt Lake City, Utah.

67776

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah

NOV 2 1929

ALONZO WALKER, County Clerk

By *Alonzo Walker*  
Deputy Clerk

Wh

on

11

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of Daniel Lund,  
Deceased, et al,

Defendant.

PETITION FOR ORDER TAXING COSTS.  
Case #4449.

Year 1929

Comes now William Carlson of Salt Lake County, Utah,  
petitioner herein, and respectfully represents to the court as  
follows:

1. That your petitioner was appointed by this court  
water master of water commissioner in the above entitled case for  
the year 1929 at the fixed salary of Five Hundred (\$500.00) Dollars.

2. That in pursuance of said appointment your petitioner  
has diligently and continuously from the time of his appointment to  
the date hereof performed his duties as water master of the waters of  
Mill Creek Canyon Stream.

3. That the irrigation season for the water users of the  
waters of Mill Creek Canyon Stream for the year 1929 is now closed.

4. That the sum of \$25.00 is a reasonable attorney's fee for  
the preparation of this petition and the rendering of legal services  
in the prosecution of the same.

5. Attached hereto and made a part hereof is a list of the  
users of the waters of said Mill Creek Stream and the equitable share  
or amount of the costs and said salary that should be borne by each user.

WHEREFORE, your petitioner prays that the parties using the  
waters of Mill Creek Canyon Stream shall be ordered to pay such amounts  
respectively as may be necessary for the payment of the said salary of  
your petitioner and an attorney's fee for the preparation and present-  
ation of this petition and services in the prosecution of the same;  
and that each user be taxed the amount set opposite his or its name  
in the list hereto attached; and that your petitioner be continued

as water commissioner for the year 1930.

William Carlson  
Petitioner

James M. Carlson  
Attorneys for Petitioner

STATE OF UTAH            )  
                                  ) ss.  
COUNTY OF SALT LAKE(

William Carlson, being first duly sworn, deposes and says:  
That he is the petitioner above named, and that he has read the fore-  
going Petition, knows the contents thereof; that the same is true of  
his own knowledge, except as to matters therein stated on information  
and belief, and as to those matters he believes them to be true.

William Carlson

Subscribed and sworn to before me this 2<sup>nd</sup> day of November, 1929

J. M. Carlson  
Notary Public, residing at  
Salt Lake City, Utah

My commission expires  
September 16, 1932

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Successors, Joseph Stillman, Mrs. Brigham Stillman and Elizabeth Stillman	6.30
Moses Estate and Successors, Mrs. E. B. Swain and Mrs. Cummings	9.16
Frank Russel and Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and Successors	2.40
Ferry Young and B. S. Hinckley, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.23
Brigham Stillman and Brigham Stillman etc., successor to Daniel Hussey	.80
Samuel Stillman	2.73
Thomas Osguthorpe	.60
B. S. Hardy, successor to H. B. Skidmore	.60
E. F. Chamberlain and successor, Joseph Stillman	2.22
D. C. Brown	.60
Osguthorpe and Skidmore, Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, the East Mill Creek Water Co.	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Company & Salt Lake City	159.26
White Ditch Irrigation Company or Salt Lake City	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	.21
J. E. Burbidge	.11
George E. Airis and Minnie Jackson	.21
A. B. Child	.11

4449

THE STATE OF UTAH  
 COUNTY OF KANE  
 IN SENATE  
 SENATE CHAMBER  
 SALT LAKE CITY  
 NOVEMBER 2, 1929  
 REPORT OF THE COMMISSIONERS OF THE LAND OFFICE  
 CONCERNING THE LANDS BELONGING TO THE STATE OF UTAH  
 AND THE PROCEEDINGS OF THE COMMISSIONERS THEREON  
 FROM JANUARY 1, 1928, TO DECEMBER 31, 1928  
 PREPARED BY THE COMMISSIONERS OF THE LAND OFFICE  
 SALT LAKE CITY, UTAH  
 1929

FILED IN THE CLERK'S OFFICE  
 Salt Lake County, Utah

NOV 2 1929

ALONZO S. GARDNER, Clerk of the Court  
*Alonzo S. Gardner*

38  
 574

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT, IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

\*\*\*\*\*

MARTHA YOUNG, Administratrix :  
of the estate of James Young, :  
deceased, :  
Plaintiff, :

-vs-

: P E T I T I O N

WILLIAM GORDON, Executor of :  
the estate of Daniel Lund, :  
deceased, et al, :  
Defendant. :

4449

\*\*\*\*\*

Comes now William Carlson, Water Commissioner  
for the Mill Creek Stream, Salt Lake County, Utah and represents  
as follows:

1. That he was duly appointed by the Third  
Judicial District Court as Water Commissioner of the Mill Creek  
stream, Salt Lake County, Utah on the 2nd day of April  
1924, and ever since has continuously been and is now the duly  
appointed, authorized and acting Water Commissioner on said  
stream.

2. That on August the 1st, 1913, the said  
Third Judicial District Court made, filed and entered a Decree  
in the above entitled cause; that under the terms of said  
Decree and in Paragraph 10 thereof, it is provided as follows:

"That for the purpose of making the measurements  
and distribution as herein provided, this court  
retains jurisdiction of the subject matter, hereof,  
and a commissioner shall be appointed by this court  
from time to time, with full power and authority  
to make the distribution of the waters as is herein  
provided, and to require the owners of the ditches  
to install such weirs and measuring devices as may  
be necessary and proper in order to fully execute  
and carry out this decree, such commissioner to  
receive such reasonable compensation as may be allowed  
shall be taxes as costs against all parties of this  
action according to their several respective rights  
and until the further order of this court is hereby  
appointed such commissioner."

3. That your Petitioner has continuously been the duly appointed, authorized and acting Water Commissioner on the said Mill Creek stream for 5 years last past. That during said period, weirs and measuring devices have been necessary and proper in order that your Commissioner might fully execute and carry out the purposes and requirements of said Decree; and frequently during said period, your Petitioner has requested that the owners of the ditches diverting water from the said Mill Creek stream install necessary and proper weirs and measuring devices that your Petitioner might more satisfactorily measure water and perform his duties under the terms of said Decree; but at all times, said owners of ditches as aforesaid have failed, neglected and refused to install such weirs and measuring devices. That your Petitioner, however, has made measurements and distribution of water as best he could under the circumstances that have obtained during the past. Yet it is now and for sometime past has been imperative that necessary and proper weirs and measuring devices be installed for the proper measuring and distribution of water under and pursuant to the terms of said Decree.

4. That in the opinion of your Petitioner, it is necessary and proper that weirs and measuring devices be installed and maintained at approximately the following places and on the following ditches, to-wit: At or near the intakes or points of diversion of all the ditches extending from the Mill Creek stream.

5. That your Petitioner has put forth his best efforts to induce and require the owners of ditches diverting water from said Mill Creek stream to install said necessary weirs and measuring devices, but because said owners fail and refuse as aforesaid, it is necessary that your Petitioner thus report to the Court and ask that the Court direct and command said owners to install and maintain said weirs and measuring devices or authorize your Petitioner as Commissioner as aforesaid, to install said weirs and measuring

devices at the expense of the owners and users of the ditches of the said Mill Creek stream and the parties hereto and that the cost of the installation of such weirs and measuring devices be assessed and taxed as costs herein and that the payment of the same be required to be made on or before a certain day and that in the event payment is not made on or before such day that your Commissioner be authorized and directed to withhold distribution of water to such owners and parties as fail and neglect to pay said costs until payment thereof is fully made and that the withholding of the distribution of water as aforesaid, shall be considered a cumulative remedy in addition to the right to have execution issue. That the approximate cost of the said weirs and measuring devices will be \$3000.00 dollars.

6. That your Petitioner has necessarily employed counsel to prepare this petition and take charge of and conduct all proceedings in connection therewith. Your Petitioner is also under the necessity of employing an engineer to work out the engineering phases relative to the installation and maintenance of said weirs and measuring devices; but your Petitioner has no funds with which to pay counsel or engineering fees and other expenses in the premises.

7. That the owners of said ditches and the users of water through the same where weirs and measuring devices are required as aforesaid, are as follows:

CRISMON & RUSSELL DITCH:

Jas. Russell Estate represented by Mrs. Jas. Russell- R.D. #1  
Salt Lake County, Utah.

Pleasant View Park Company - E. W. Kelly - 1475 Princeton  
Avenue, Salt Lake County, Utah.

CHAMBERLAIN DITCH:

Joseph Stillman - Sugar R D #1, Salt Lake County, Utah  
Utah Power & Light Company - Salt Lake County, Utah

STILLMAN & HUSSY DITCH:

Joseph Stillman - Sugar R F D #1, Salt Lake County, Utah  
Samuel Stillman - Sugar R F D #1, Salt Lake County, Utah

OSGUTHORPE - SKIDMORE DITCH:

Thos. Osguthore - Sugar R D #1	
B. J. Hardy - 1/2 Geo. H. Hardy-1117 East 21st South, Salt Lake City, Utah.	
Nellie & Mabel Brown - 1421 So. Main St. Salt Lake City, Utah	
Jas. Young Estate. by Jas. Young - Sugar R D #1	
Oscar Capson -	" " " "
Jos. G. Rank Estate by Jos. G. Rank Jr. - Sugar R D #1	
Jos Osguthorpe -	" " " #1
Albert Osguthorpe -	" " " #1
Mrs. Carl Capson -	" " " #1
Albert Capson -	" " " #1
Andrew Godwin -	" " " #1

STILLMAN - RUSSELL DITCH:

Matilda S. Taylor	Sugar R D #1
Geo. Taylor	" " 1
Brigham Stillman	" " 1
Mrs. Forest Stillman	" " 1
Samuel Stillman	" " 1
Mrs. Cyrus Stillman	Richfield, Utah
Barbara M. Cummings	1030 East 1st South Street, City
Albert Swain	240 South 8th East Street, City
Franklin Russell	Sugar R D #1
Jas Russell Estate, by Mrs. Jas Russell-	Sugar R D 1
Bryant S. Hinckley	840 East 7th South Street, City
F. C. Capson	State Prison Farm, Salt Lake City
Miss Henderson	Salt Lake City
Mrs. Minnie Johnson	Sugar R D #1
Nathaniel Baldwin	" " 1
A. B. Irvine	" " 1
Mrs. W. H. Child	" " 1
Geo. E. Airis	" " 1
D. Folker	" " 1
J. O. Smith	" " 1

TRIPP DITCH:

Mrs. Minnie Johnston	Sugar R D #1
Nathaniel Baldwin	" " 1

FRANKLIN-JOHN NEFF-AMOS H. NEFF-BRIGHAM YOUNG DITCHES:

East Mill Creek Water Co.-Albert Capson, Pres.- Sugar R D #1

KELLAR DITCH:

Kellar Estate. by Mrs. Eliza Kellar and A. W. Kellar	Sugar R D #1
Andrew Bagley	" " 1
J. H. Osguthorpe	" " 1
Logan Wiseman	" " 1
Joseph Oliver	" " 1
Wm. Berg	" " 1
B. H. Jacobson	3361 Hyland Drive, Salt Lake City
E. S. Rich	249 Douglas Street, City
Alfred Pritchard	Sugar R D #1
Mrs. Augusta M. Last	" " 1
Wm. Trublood	" " 1
C. J. Collyer	" " 1
Ed. Barry	" " 1
Mrs. Frede Knudsen	" " 1
Edgar Debenham	" " 1

WHITE DITCH:

White Ditch Irrigation Co.-Mathew White, Pres.-Sugar R D # 1  
3067 So. 17th East, City

HOAGLAND - MURPHY DITCHES:

Lower Mill Creek Irrigation Co.-D. J. Davis-1635 E. 33rd South  
Sugar R D # 1

AMOS H. NEFF-SUSAN EMERY HOLMES HOUSE USE STREAM:

David Neff	Sugar R D # 1
Samuel Neff	" " 1
Mrs. Wm. J. O'Connor	" " 1

SUSAN EMERY HOLMES HOUSE USE STREAMS:

Mrs. Wm. J. O'Connor Sugar R D # 1

SEYMOUR H. NEFF HOUSE USE STREAMS (Two):

L. L. Bagley	1087 So. 11th East St., City
Jeremiah Stokes	Sugar R D # 1
Eugene J. Neff	" " 1

AMOS B. NEFF HOUSE USE STREAM:

Amos B. Neff Estate by Ferris Neff-2690 Dearborn Street, City

JAMES RUSSELL HOUSE USE STREAM:

James Russell Estate, by Mrs. Jas. Russell, Sugar R D # 1

WHEREFORE, your petitioner prays that this court direct and command the installation and maintenance of necessary and proper weirs and measuring devices in order that proper distribution and measurement of water might be made pursuant to the Decree of this court made, filed and entered herein as aforesaid and that an order be made by and issue from this court directing and commanding said owners of and users of water through said ditches to show cause before this court at a time and place to be fixed by the court why they and each of them should not be required to install and maintain reasonable and proper weirs and measuring devices on and in the Mill Creek stream at such places and in such manner and form as to enable the proper measuring and distribution of water of the said Mill Creek stream under and pursuant to the Decree of this court made, filed and entered on August 1st, 1913 as aforesaid or that your Commissioner be authorized and directed to install said weirs and measuring devices as

aforesaid, at the expense and cost of said owners and users and parties hereto and that such expense and cost be made payable on or before a certain day and in the event such are not paid on or before such day then your commissioner be authorized and directed to withhold distribution of water to such persons and parties as may be delinquent in the payment of said costs and expenses until the payment thereof is fully made, and that such other and further relief be accorded as may be deemed necessary in the premises.

William Carlson  
Petitioner

Oscar W. Carlson  
Attorney for Petitioner

STATE OF UTAH            )  
                                  ) SS.  
COUNTY OF SALT LAKE )

WILLIAM CARLSON, being first duly sworn, deposes and says: That he is the above named Petitioner; that he has read the foregoing petition and knows the contents thereof; that the same is true to the best of his knowledge, information and belief.

x William Carlson

Subscribed and sworn to before me this 14<sup>th</sup> day of January, 1930.

Braderson  
Notary Public, residing at Salt  
Lake City, Utah.

My Commission expires:  
July 12 1932

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76

*Handwritten signature*

*Referred to  
Page 5*

*1/21/30*

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah

JAN 23 1930

*Paul B. Brassett*

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of Daniel Lund,  
Deceased, et al.,

Defendant.)

ORDER TAXING COSTS  
FOR THE YEAR 1929.

No. 4449

The Court having heretofore appointed William Carlson water master in the above entitled case for the year 1929, at the fixed salary of Five Hundred Dollars, and it appearing that William Carlson has employed James M. Carlson as attorney to prepare this order and that twenty-five dollars is a reasonable attorney's fee in preparing the order and presenting the same to the Court.

NOW THEREFORE, it is hereby ORDERED and ADJUDGED, that the parties using water of Mill Creek Canyon Stream, shall pay the amount set after their respective names for the costs of a water master and attorney's fee for the year 1929, and judgment is hereby entered against the said parties for said amount, viz,:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Successors, Joseph Stillman, Mrs. Brigham Stillman and Elizabeth Stillman	6.30
Moses Estate and Successors, Mrs. E. B. Egan and Mrs. Cummings	9.16
Frank Russell and Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and Successors	2.40
Ferry Young and B. S. Hinckley, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.23
Brigham Stillman and Brigham Stillman ect., successor to Daniel Hussey	.80
Samuel Stillman	2.73
Thomas Osguthorpe	.60

B. S. Hardy, successor to H. B. Skidmore	.60
E. F. Chamberlin and successor, Joseph Stillman	2.22
D. C. Brown	.60
Osguthorpe and Skidmore, Surplus	6.30
Franklin & Hohn Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, the East Mill Creek Water Co. and Salt Lake City	136.70
Keller Ditch	28.75
Lower Mill Creek Irrigation Company & Salt Lake City	159.26
White Ditch Irrigation Company & Salt Lake City	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	.21
J. E. Burbidge	.11
George E. Airis and Minnie Jackson	.21
A. B. Child	.11

It is further expressly ORDERED and ADJUDGED, that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch or company in this order and the orders and decree heretofore entered and the full amount of costs taxed against such ditch or company in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs fixed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such cost, in the proportion in which they shall pay the same; and it is further ordered that the rights to discontinue the distribution

of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution issued on this order and the orders heretofore entered.

ATTEST  
ALONZO MACKAY,  
CLERK

*Frank Traher*

Deputy Clerk

*David W. Hoffat*  
Judge

Done in open Court this 9<sup>th</sup> day of November, 1929.

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FILED IN THE CLERK'S OFFICE  
NOV 11 1929

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*[Handwritten signature]*

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah

NOV 9 1929

ALONZO MURPHY, Clerk of the Court

*[Handwritten signature]*  
Deputy Clerk



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
deceased.

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Danial Lund, deceased,  
et al,

Defendant.

ORDER

It is hereby ordered that the clerk of the above en-  
titled court pay to William Carlson, Water Commissioner, the  
moneys paid in by Thomas Osguthorpe to apply on commissioner's  
salary as decreed herein. The sum of said payments amount to  
\$13.80.

ATTEST  
CLARENCE COWAN,  
CLERK

*Frank Archer*  
Deputy Clerk

*Ephraim Hanson*  
Judge

4449

*[Large, illegible handwritten signature]*

**FILED IN THE CLERK'S OFFICE**  
**Salt Lake County, Utah,**

**DEC 31 1926**

**CLARENCE COWAN, Clerk Salt Lake County**

*[Handwritten signature: Thule Bassett]*  
**Deputy Clerk**

sdL

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of )  
the Estate of James Young, )  
Deceased. )

Plaintiff, )

vs. )

WILLIAM GORDON, Executor of the )  
Estate of Daniel Lund, Deceased, )  
et al., )

Defendant. )

ORDER TAXING COSTS  
FOR THE YEAR 1926

No. 4449

The court having heretofore appointed William Carlson water master in the above entitled case for the year 1926, at the fixed salary of Five Hundred Dollars, and it appearing that William Carlson has employed Carlson & Carlson as attorneys to prepare this order and that Twenty-five Dollars is a reasonable attorneys' fee in preparing the order and presenting the same to the court.

NOW, THEREFORE, it is hereby ORDERED and ADJUDGED that the parties using water of Mill Creek Canyon Stream, shall pay the amount set after their respective names for the costs of a water master and attorneys' fee for the year 1926, and judgment is hereby entered against the said parties for said amount, viz.:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Joseph, Brigham & Elizabeth Stillman	6.30
Moses Estate and successors, E. B. Swain and Mrs. Cummings	9.16
Frank Russell & Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and successors	2.40
B. S. Hinckley and Ferry Young, successors to Salt Lake County, each one-half	0.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	0.63
George E. Airis	1.90

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of )  
the Estate of James Young, )  
Deceased. )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
WILLIAM GORDON, Executor of the )  
Estate of Daniel Lund, Deceased, )  
et al., )  
 )  
Defendant. )

ORDER TAXING COSTS  
FOR THE YEAR 1926

No. 4449

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A. B. Child	1.90
Edward Kersley	0.63
George E. Airis	1.90

A. B. Irvine	1.26
J. E. Burbidge	0.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.22
Brigham Stillman, successor to Daniel Hussey	0.80
Samuel Stillman	2.73
Thomas Osguthorpe	0.60
B. S. Hardy, successor to H. B. Skidmore	0.60
E. F. Chamberlain and successor, Joseph Stillman	2.22
D. C. Brown	0.60
Osguthorpe & Skidmore Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and successors, The East Mill Creek Water Company	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Company	159.26
White Ditch Irrigation Company.	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	0.21
J. E. Burhidge	0.11
George E. Airis	0.21
A. B. Child	0.11

It is further expressly ORDERED and ADJUDGED that in the event any of the parties shall fail to pay the amount of costs taxes against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch or company in this order and the orders and decree heretofore entered and the full amount of costs taxed against such ditch or company in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs fixed herein and heretofore, and the others using waterffrom said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such cost, in the proportion in which they shall pay the same and it is further ordered that the right to discontinue the distribution

A. B. Irvine	1.26
J. E. Burbidge	0.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.22
Brigham Stillman, successor to Daniel Hussey	0.80
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Thomas Osguthorpe	0.60
B. S. Hardy, successor to H. B. Skidmore	0.60
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of the water as herein provided shall be considered a cumulative remedy in addition to the right to have execution issued on this order and the orders heretofore entered.

*E. H. Hanson*  
Judge

Done in open court this \_\_\_\_ day of October, 1926.

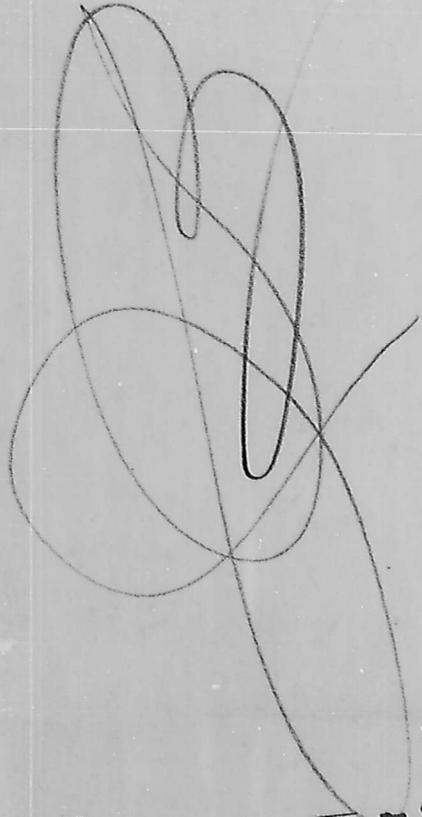
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DO NOT WRITE IN THESE SPACES  
OCT 20 1926  
CITY OF LOS ANGELES  
COURT HOUSE

*[Faint handwritten scribbles]*

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FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah

OCT 30 1926

CLARENCE SOWALL, Clerk, 3rd Dist. Court

By E. B. Warner  
Deputy Clerk.

done in open court this 30th day of October, 1926.

order and the orders heretofore entered.

remedy in addition to the right to have execution returned on this  
of the matter as herein provided shall be considered a complete

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
deceased,

Plaintiff

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, deceased,  
et al,

Defendant.

PETITION.

Comes now William <sup>Carlson</sup> Gordon of Salt Lake County, Utah,  
petitioner herein, and respectfully represents to the court as  
follows:

1. That your petitioner was appointed by this court  
water master or water commissioner in the above entitled case for  
the year 1926 at the fixed salary of Five Hundred (\$500.00) Dollars.
2. That in pursuance of said appointment your petitioner  
has diligently and continuously from the time of his appointment  
to the date hereof performed his duties as water master of the  
waters of Mill Creek Canyon Stream.
3. That the irrigation season for the water users of  
the waters of Mill Creek Canyon Stream for 1926 is now closed.
4. That the sum of \$25.00 is a reasonable attorneys  
fee for the preparation of this petition and the rendering of  
legal services in the prosecution of the same.
5. Attached hereto is a list of the users of the waters  
of said Mill Creek Stream and the equitable share or amount of the  
costs that should be borne by each user.

WHEREFORE, your petitioner prays that the parties using  
the waters of Mill Creek Canyon Stream shall be ordered to pay such  
amounts respectively as may be necessary for the payment of the

said salary of your petitioner and an attorneys fee for the prepara-  
tion and presentation of thispetition and services in the prosecu-  
tion of the same. And that each user be taxed the amount set  
opposite his or its name in the list hereto attached.

William Carlson  
Petitioner

STATE OF UTAH                    )  
  {    SS.  
COUNTY OF SALT LAKE        )

William Carlson, being first duly sworn, deposes and  
says: That he is the petitioner above named, that he has read the  
foregoing Petition, knows the contents thereof and the same is true  
of his own knowledge, except as to matters therein stated on  
information and belief and as to those matters he believes them  
to be true.

William Carlson

Subscribed and sworn to before me this 23<sup>rd</sup> day of October, 1926

J. M. Carlson  
Notary Public, residing at  
Salt Lake City, Utah

My commission expires

August 26, 1928

Utah Power and Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Successors, Joseph Stillman, Brigham Stillman and Elizabeth Stillman	6.30
Moses Estate and Successors, Mrs. E. B. Swain and Mrs. Cummings	9.12
Frank Russell	2.94
James Russell	5.50
J. E. Morris and successors	2.40
B. S. Hinckley and Perry Young, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	0.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	0.63
Caroline Soderland	2.90
George Airis, successor to B.A.M. Forseith	1.22
Successors to Daniel Hussey being Brigham Stillman and Joseph Stillman	1.26
Samuel Stillman	2.73
Thomas Osguthorpe	0.60
B. S. Hardy, successor to H. B. Skidmore	0.60
Joseph Stillman, successor to E. F. Chamber- lain	2.22
D. C. Brown	0.60
Osguthorpe & Skidmore Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, the East	
Mill Creek Water Company	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Co.	159.26
White Ditch Irrigation Co.	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	0.21
J. E. Burbidge	0.11
George E. Airis and Minnie Jackson	0.21
A. B. Child	0.11

4449

V. B. SMITH  
 GEORGE P. VILLYS and MARYE JACKSON 0.71  
 J. P. WATKINS 0.31  
 A. B. PLATT 0.71  
 the above listed:  
 the following parties successors to  
 WHITE BROS. ILLINOIS CO. 38.82  
 FOMER MILL CREEK ILLINOIS CO. 108.78  
 KELLER BROS. 58.82  
 MILL CREEK BROS. COMPANY 108.40  
 BROS. and their successors the year  
 1921 and 1922 BROS. and their  
 BROTHERS & JOHN HELL BROS. and H.  
 BROTHERS & BROTHERS BROTHERS  
 B. B. BROTHERS 0.30  
 JOHN 0.00  
 FOMER BROTHERS successors to B. B. BROTHERS  
 B. B. BROTHERS successors to H. B. BROTHERS  
 BROTHERS BROTHERS 0.00  
 BROTHERS BROTHERS 0.00  
 BROTHERS BROTHERS and FOMER BROTHERS  
 successors to BROTHERS BROTHERS  
 BROTHERS  
 GEORGE VILLYS successors to B. B. BROTHERS  
 BROTHERS BROTHERS  
 J. P. WATKINS  
 A. B. PLATT  
 GEORGE P. VILLYS  
 BROTHERS BROTHERS  
 V. B. SMITH  
 the Alexander estate listed:  
 the following parties as successors to  
 GEORGE  
 successors to JOHN BROS. COMPANY BROS.  
 B. B. BROTHERS and JOHN BROS.  
 J. P. WATKINS and successors  
 JOHN BROTHERS  
 JOHN BROTHERS  
 B. B. BROTHERS and JOHN BROTHERS  
 JOHN BROTHERS and successors JOHN  
 and BROTHERS BROTHERS  
 FOMER BROTHERS BROTHERS BROTHERS  
 BROTHERS BROTHERS and successors  
 BROTHERS BROTHERS BROTHERS  
 JOHN BROS. and JOHN BROTHERS  
 JOHN BROS. and JOHN BROTHERS

FILED IN THE CLERK'S OFFICE  
 Salt Lake County, Utah,  
 OCT 30 1926  
 CLARENCE BOWMAN, Clerk 8th Dist. Court  
 By *Ed Warner*  
 Deputy Clerk.

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, deceased,  
et al,

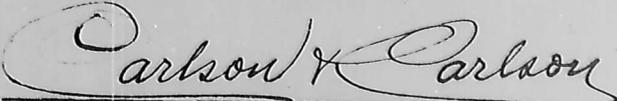
Defendant.

N O T I C E

Case No. 4449

TO THE UTAH POWER AND LIGHT COMPANY, THE EAST MILL CREEK WATER CO.,  
THE LOWER MILL CREEK IRRIGATION COMPANY, THE WHITE DITCH IRRIGATION  
COMPANY AND ALL OTHER USERS OF WATER OF WHAT IS KNOWN AS THE  
MILL CREEK STREAM:

You and each of you will please take notice that on  
Saturday the 30th day of October, 1926 at the hour of 10 A.M. on  
said day, the undersigned, attorneys for the water commissioner  
appointed by the above entitled court, will petition said court for  
an order taxing costs against the water users of said Mill Creek  
Canyon Stream for the year 1926 to cover water commissioner's  
salary.

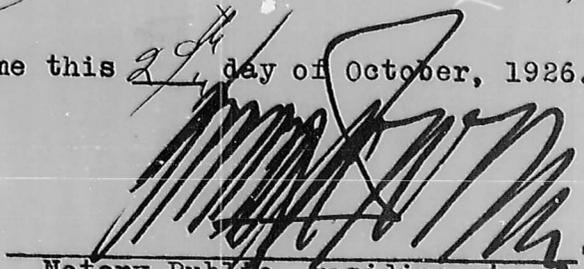
  
Attorneys for William Carlson,  
Water Commissioner

STATE OF UTAH )  
 )  
COUNTY OF SALT LAKE ) SS.

J. M. Carlson, being first duly sworn, deposes and says: That he is the attorney for William Carlson, water commissioner of the Mill Creek Stream; that on the 23rd day of October, 1926 he served the attached notice upon the Utah Power and Light Company by leaving a copy of said notice with George R. Corey, attorney for said company. That affiant served the Lower Mill Creek Irrigation Company, The White Ditch Irrigation Company and the East Mill Creek Water Company, and the water master of the Keller Ditch by mailing copies of the attached notice to them and the secretaries of said companies on the 23rd day of October, 1926.

  
\_\_\_\_\_

Subscribed and sworn to before me this 24<sup>th</sup> day of October, 1926.

  
\_\_\_\_\_

Notary Public, residing at  
Salt Lake City, Utah

My commission expires

November 16<sup>th</sup> 1927.

BY COMMISSIONER EXHIBIT

FILED IN THE CLERK'S OFFICE  
SALT LAKE COUNTY, UTAH

NOTICE TO SHOW CAUSE TO REVOKE THE WRIT OF HABEAS CORPUS

TO THE CLERK OF THE DISTRICT COURT

IN RE: THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

AND THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

AND THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

AND THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

AND THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

AND THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

AND THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

AND THE WRIT OF HABEAS CORPUS FOR THE BODY OF

JOHN W. HARRIS, PETITIONER, VS. THE STATE OF UTAH, RESPONDENT.

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah  
OCT 30 1926  
CLARENCE G. WALKER, Clerk and Dist. Court  
By: *Edwards*  
Deputy Clerk.

67774

*Full*

COMMISSIONER OF STATE PRISON  
SALT LAKE CITY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, deceased,  
et al.,

Defendants.

ORDER TAXING COSTS  
FOR THE YEAR 1925

No. 4449

The court having heretofore appointed William Carlson water master in the above entitled case for the year 1925, at the fixed salary of Five Hundred Dollars, and it appearing that William Carlson has employed Carlson & Carlson as attorneys to prepare this order and that Twenty-five Dollars is a reasonable attorneys' fee in preparing the order and presenting the same to the court:

NOW, THEREFORE, it is hereby ORDERED and ADJUDGED that the parties using water of Mill Creek Canyon Stream, shall pay the amount set after their respective names for the costs of a water master and attorneys' fee for the year 1925, and judgment is hereby entered against said parties for said amount, viz.:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Joseph, Brigham & Elizabeth Stillman	6.30
Moses Estate and successors, E. B. Swain and Mrs. Cummings	9.16
Frank Russell & Brigham Stillman	2.94
James Russell	5.50
J. E. Morris and successors	2.40
B. S. Hinckley and Perry Young, successors to Salt Lake County, each one half	0.60
The following parties as successors to the Alexander Estate right:	
A. B. Chidd	1.90
Edward Kersley	0.63
George E. Airis	1.90

A. B. Irvine	1.26
J. E. Burbidge	0.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.22
Brigham Stillman, successors to Daniel Hussey	0.80
Samuel Stillman	2.73
Thomas Osguthorpe	0.60
B. S. Hardy, successor to H.B. Skidmore	0.60
E. F. Chamberlain and successor, Joseph Stillman	2.22
D. C. Brown	0.60
Osguthorpe & Skidmore Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, The East Mill Creek Water Company	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Company	159.26
White Ditch Irrigation Company	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	0.21
J. E. Burbidge	0.11
George E. Airis	0.21
A. B. Child	0.11

It is further expressly ORDERED and ADJUDGED that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch or company in this order, and in the orders and decree heretofore entered and the full amount of costs taxed against such ditch or company in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs fixed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such cost, in the proportion in which they shall pay the same and it is further ordered that the right to discontinue the distribution of the water as herein provided shall be considered a cumulative



44449

Book 38 page 579

Handwritten checkmark

JAN 30 1926

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah

JAN 30 1926

CLARENCE POWELL, Clerk and Dist. Court

By Ed. Warner  
Deputy Clerk.

CLARENCE POWELL  
CLERK

order and the orders heretofore entered.

remedy in violation of the right to have execution issued on this

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
Deceased,

Plaintiff,

vs.

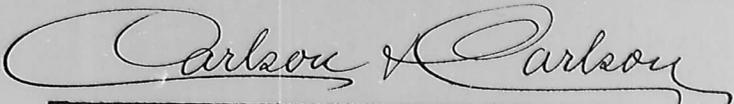
WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, deceased, et  
al,

Defendants.

N O T I C E

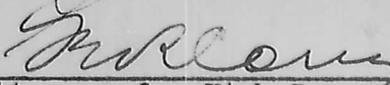
TO THE ABOVE NAMED PARTIES AND TO THE LOWER MILL CREEK IRRIGATION  
COMPANY, THE WHITE DITCH IRRIGATION COMPANY, THE EAST MILL CREEK  
WATER COMPANY, THE UTAH POWER & LIGHT COMPANY, AND OTHER USERS  
OF WATER OF THE MILL CREEK CANYON STREAM;

You and each of you will please take notice that William  
Carlson, the appointed and acting water commissioner and water  
master of the Mill Creek Stream, will, on the 30th day of January,  
1926, at the hour of 9:45 A. M., ask the court to enter an order,  
or judgment, taxing against the various users of waters of the  
Mill Creek Stream costs for himself as water master and water  
commissioner for the year 1925 in the sum of \$500.00 and \$25.00  
attorney's fees for preparing, serving and securing said order.

  
Attorneys for William Carlson

Received copy of the above Notice this 23<sup>rd</sup> day of  
January, 1926.

  
Secretary, Lower Mill Creek Irr. Co.

  
Asst. Attorney for Utah Power & Light Co.

  
For East Mill Creek Water Co.

AFFIDAVIT OF SERVICE.

STATE OF UTAH )  
 )  
COUNTY OF SALT LAKE. ) SS.

J. M. Carlson, being first duly sworn, deposes and says: That he is the attorney for petitioner, William Carlson, Water Commissioner on the Mill Creek Stream. That he served the attached notice upon the White Ditch Irrigation Company by mailing to John White, secretary of said company, a copy of the attached notice. That said notice so mailed was enclosed in an envelope duly addressed to his residence and stamped to John White, secretary of said company. *on Jan 23, 1926.*

And affiant further served the attached notice upon the East Mill Creek Water Company by leaving a copy of the attached notice with the secretary and attorney of said company, L. L. Bagley, on the 23rd day of January, 1926.

*J. M. Carlson*  
\_\_\_\_\_

Subscribed and sworn to before me this *26<sup>th</sup>* day of January, 1926

*[Signature]*  
\_\_\_\_\_  
Notary Public, residing at  
Salt Lake City, Utah.

My commission expires  
*November 16<sup>th</sup> 1927.*

*[Faint handwritten text]*

*[Faint mirrored text]*

*[Faint mirrored text]*

*[Faint mirrored text]*

**FILED**  
JAN 26 1926

64449

BR 3-8-579

*[Handwritten signature]*

**FILED IN THE CLERK'S OFFICE**

Salt Lake County, Utah,

JAN 26 1926

CLARENCE COWAN, Clerk 5th Dist. Court

By *[Signature]*  
Deputy Clerk

*[Faint mirrored text]*

*[Faint mirrored text]*

R.

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, deceased,  
et al,

Defendant.

PETITION.

#4449

Comes now William Carlson of Salt Lake County, Utah,  
petitioner herein, and respectfully represents to the court as  
follows:

1. That your petitioner was appointed by this court  
water master or water commissioner in the above entitled case for  
the year 1925 at the fixed salary of Five Hundred (\$500.00) Dollars.
2. That in pursuance of said appointment your petitioner  
has diligently and continuously from the time of his appointment  
to the date hereof performed his duties as water master of the  
waters of Mill Creek Canyon Stream.
3. That the irrigation season for the water users of  
the waters of Mill Creek Canyon Stream for 1925 is now closed.
4. That the sum of \$25.00 is a reasonable attorneys  
fee for the preparation of this petition and the rendering of  
legal services in the prosecution of the same.
5. Attached hereto is a list of the users of the waters  
of said Mill Creek Stream and the equitable share or amount of the  
costs that should be borne by each user.

WHEREFORE, your petitioner prays that the parties using  
the waters of Mill Creek Canyon Stream shall be ordered to pay such  
amounts respectively as may be necessary for the payment of the

said salary of your petitioner and an attorneys fee for the preparation and presentation of this petition and services in the prosecution of the same.

William Carlson  
Petitioner.

STATE OF UTAH,                    )  
  (  
COUNTY OF SALT LAKE.        )       SS.

William Carlson, being first duly sworn, deposes and says: That he is the petitioner above named, that he has read the foregoing petition, knows the contents thereof and the same is true of his own knowledge, except as to matters therein stated on information and belief and as to those matters he believes them to be true.

William Carlson

Subscribed and sworn to before me this 23<sup>rd</sup> day of January, 1926.

J. M. Carlson  
Notary Public, residing at  
Salt Lake City, Utah.

My commission expires  
August 26, 1928

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and Successors, Joseph Stillman, Brigham Stillman and Elizabeth Stillman	6.30
Moses Estate and Successors, Mrs. E. B. Swain and Mrs. Cummings	9.12
Frank Russell	2.94
James Russell	5.50
J. E. Morris and successors	2.40
B. S. Hinckley and Ferry Young, successors to Salt Lake County, each one-half	.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	0.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	0.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forseith	1.22
Successors to Daniel Hussey being Brigham Stillman and Joseph Stillman	1.26
Samuel Stillman	2.73
Thomas Osguthorpe	0.60
B. S. Hardy, successor to H. B. Skidmore	0.60
Joseph Stillman, successor to E.F. Chamber- lain	2.22
D. C. Brown	0.60
Osguthorpe & Skidmore Surplus	6.30
Franklin & John Neff Ditch, Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors, the East Mill Creek Water Company	136.70
Keller Ditch	28.25
Lower Mill Creek Irrigation Co.	159.26
White Ditch Irrigation Co.	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	0.21
J. E. Burbidge	0.11
George E. Airis and Minnie Jackson	0.21
A. B. Child	0.11



IN THE THIRD JUDICIAL DISTRICT COURT,  
COUNTY OF SALT LAKE, STATE OF UTAH.

\*\*\*\*\*

MARTHA YOUNG, Administrator of  
the Estate of James Young,  
Deceased,  
Plaintiff.

-vs-

NOTICE.

WILLIAM GORDEN, Executor of the  
Estate of Daniel Lunn, Deceased,  
et al,  
Defendants.

\*\*\*\*\*

To the above named parties, and to the Lower Mill Creek  
Irrigation Company; the Utah Power and Light Company; the East  
Mill Creek Water Company; the White Ditch Company; A. B. Irvine;  
Samuel Thurman, and other users of said water;

You are hereby notified that on June <sup>20<sup>th</sup></sup> ~~13<sup>th</sup>~~ 1925, at 10:00  
A.M. of said day, the petition of Peter M. Hoxson asking for his  
appointment as Water Commissioner for the year 1925, at a salary  
to be approved by the Court, will come up for hearing.

*Bayley Ed Schiess*  
Attorneys for Petitioner.

Received a copy of the foregoing notice this <sup>20<sup>th</sup></sup> 10 day of June, 1925.

LOWER MILL CREEK IRRIGATION COMPANY,

By *O. W. Carlson*

UTAH POWER AND LIGHT COMPANY,

By *W. W. [unclear]*

*ant atty*





IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix of  
the Estate of James Young,  
deceased,  
  
Plaintiff,  
  
vs.  
  
WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, deceased,  
et al.  
  
Defendants.

ORDER TAXING COSTS  
FOR THE YEAR 1924

Case No. 4449

The court having heretofore appointed William Carlson water master in the above entitled case for the year 1924, at the fixed salary of Five Hundred Dollars, and it appearing that William Carlson has employed Carlson & Carlson as attorneys to prepare this order and that Twenty-five Dollars is a reasonable attorneys' fee in preparing the order and presenting the same to the court:

NOW, THEREFORE, it is hereby ORDERED and ADJUDGED that the parties using the water of Mill Creek Canyon Stream, shall pay the amount set after their respective names for the costs of a water master and attorneys' fee for the year 1924, and judgment is hereby entered against said parties for said amount, viz:

Utah Power & Light Company	\$105.00
Pleasant View Park Company	4.00
Stillman Estate and George Taylor	6.30
Moses Estate and successors	9.12
Frank Russell	2.94
James Russell	5.50
J. E. Morris and successors	2.40
B. S. Hinckley and Ferry Young, successors to Salt Lake County, each one-half	0.60
The following parties as successors to the Alexander Estate right:	
A. B. Child	1.90
Edward Kersley	0.63
George E. Airis	1.90
A. B. Irvine	1.26
J. E. Burbidge	0.63
Caroline Soderland	2.90
George Airis, successor to B. A. M. Forsieth	1.22

Brigham Stillman, successor to Daniel Hussey	0.80
Samuel Stillman	2.73
Thomas Osguthorpe	0.60
B. S. Hardy, successor to H. B. Skidmore	0.60
E. F. Chamberlain, <i>Jos. Stillman</i>	2.22
D. C. Brown	0.60
Osguthorpe & Skidmore Surplus	6.30
Franklin & John Neff Ditch	
Amos H. Neff and Neff Ditch and Brigham Young Ditch and their successors the East Mill Creek Water Company	136.70
Keller Ditch	28.25
Lower Mill Creek Irrig. Company	159.26
White Ditch Irrigation Company	39.95
The following parties successors to the Tripp Ditch:	
A. B. Irvine	0.21
J. E. Burbidge	0.11
George E. Aitis	0.21
A. B. Child	0.11

It is further expressly ordered and adjudged that in the event any of the parties shall fail to pay the amount of costs taxed against them herein, or the costs heretofore taxed under the orders and decree of the court heretofore made, the payment of which they are delinquent herein, that no water shall be delivered to such person or persons until the entire amount of costs taxed herein and heretofore shall have been paid in full, and where costs are taxed against a ditch in this order, and in the orders and decree heretofore entered and the full amount of costs taxed against such ditch in this order and the orders and decree heretofore entered shall not have been paid, then no water shall be delivered to such ditch until said costs taxed herein and heretofore are paid in full, and in the event any person entitled to water from said ditch shall fail to pay the portion of costs taxed herein and heretofore, and the others using water from said ditch shall pay such portion, then no water shall be delivered to such delinquent person, but the portion which such delinquent person is entitled to, shall be delivered to the others on said ditch who shall have paid such costs, in the proportion in which they shall pay the same and it is further ordered that the right to discontinue the distribution of the water as herein provided shall be considered a cumulative

remedy in addition to the right to have execution issued on  
this order and the orders heretofore entered.

ATTEST  
CLARENCE COWAN,  
CLERK.

By E. Warner  
Deputy Clerk.

Ephraim Nason  
JUDGE

Done in open court this 24 day of January, 1925.

11/17/25

RECORDED IN THE CLERK'S OFFICE  
JAN 24 1925  
CLARENCE COWAN  
CLERK

67449

FILED IN THE CLERK'S OFFICE

Salt Lake County, Utah,

JAN 24 1925

CLARENCE *Edwards*, Clerk of Dist. Court,

BY *Edwards* Deputy Clerk

Done in open court this 24th day of January, 1925.

*Edwards*  
CLARENCE EDWARDS  
CLERK  
SALT LAKE COUNTY, UTAH

*Edwards*  
CLARENCE EDWARDS  
CLERK  
SALT LAKE COUNTY, UTAH

This order and the orders heretofore entered.

remedy in addition to the right to have execution issued on

IN THE THIRD JUDICIAL DISTRICT COURT,  
COUNTY OF SALT LAKE, STATE OF UTAH.

\*\*\*\*\*

MARTHA YOUNG, Administrator of  
the Estate of James Young,  
Deceased.

Plaintiffs.

-vs-

WILLIAM GORDEN, Executor of  
the Estate of Daniel Lunn,  
Deceased, et al,  
Defendants.

P E T I T I O N .

# 4449

\*\*\*\*\*

Comes now Peter M. Hixson of 27 East 33rd South Street,  
Salt Lake County, State of Utah, and petitions the Court that  
he be appointed Water Commissioner for the year 1925 at a sal-  
ary to be approved by the Court.

P. M. Hixson  
Petitioner.

Bagley & Schiess  
Attorneys for Petitioner.

White Irrigation Co., does hereby app-  
prove of the foregoing petition and recommends that petitioner  
be appointed Water Commissioner for the year 1925.

John W. White Pres.

East Mill Creek Water Co, does hereby ap-  
prove of the foregoing petition and recommends that petitioner  
be appointed Water Commissioner for the year 1925.

L. L. Orain Bagley  
Secretary

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix  
of the Estate of JAMES YOUNG,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of DANIEL LUND, deceased,  
et al,

Defendants.

NOTICE

TO THE ABOVE NAMED PARTIES AND TO THE LOWER MILL CREEK IRRIGATION  
COMPANY, THE WHITE DITCH IRRIGATION COMPANY, THE EAST MILL CREEK  
WATER COMPANY, THE UTAH POWER & LIGHT COMPANY, A. B. IRVINE AND  
OTHER USERS OF WATER OF THE MILL CREEK CANYON STREAM.

You and each of you will please take notice that  
William Carlson, the appointed and acting water commissioner and  
watermaster of the Mill Creek Stream, will, on the 24th day of  
January, 1925 at the hour of 9:45 A. M. ask the court to enter  
an order taxing costs for himself as watermaster and water com-  
missioner for the year 1924 in the sum of \$500.00 and \$25.00  
to Carlson & Carlson as attorneys' fees for preparing, serving and  
securing said order.

*Carlson & Carlson*  
Attorneys for William Carlson

Received copy of the above notice this 22 day of  
January, 1925.

*D. J. Davis v. p.*  
Sec. Lower Mill Creek Irr. Co.

*Jno. Machuga*  
Attorney for Utah Power &  
Light Company.

*Allen S. Dargatz*  
For Pls.  
Attorney for White Ditch Irr. Co.

*James E. ...*  
Attorney for East Mill Creek  
Water Company



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of  
the Estate of Daniel Lund,  
deceased, et al,

Defendants.

PETITION

Comes now William Carlson of Salt Lake County, Utah,  
petitioner herein, and respectfully represents to the court as  
follows:

1. That your petitioner was on March 29, 1924 appointed  
by this court water master in the above entitled case for the  
year 1924 at the fixed salary of Five Hundred (\$500.00) Dollars.
2. That in pursuance of said appointment your petitioner  
has diligently and continuously from the time of his appointment  
to the date herof performed his duties as water master of the  
waters of Mill Creek Canyon Stream.
3. That the irrigation season for the water users  
of the waters of Mill Creek Canyon Stream is now closed.
4. That the sum of \$25.00 is a reasonable attorneys  
fee for the preparation of this petition and the rendering of  
legal service in the prosecution of the same.

WHEREFORE, your petitioner prays that the parties herein  
using the waters of Mill Creek Canyon Stream shall be ordered to  
pay such amounts respectively as may be necessary for the payment  
of the said salary of your petitioner and as attorneys fee for  
the preparation and presentation of this petition and services  
in the prosecution of the same.

William Carlson  
Petitioner

STATE OF UTAH, )  
( SS.  
COUNTY OF SALT LAKE. )

William Carlson, being first duly sworn, deposes and says: That he is the petitioner above named, that he has read the foregoing petition, knows the contents thereof and the same is true to the best of his knowledge, information and belief.

William Carlson

Subscribed and sworn to before me this 22 day of January, 1925

J M Carlson  
Notary Public, residing at  
Salt Lake City, Utah.

My commission expires

August 26, 1928.

August 29, 1888  
My commission expires

64449



Handwritten signature and illegible text.

subscribed and sworn to before me this 22 day of

the foregoing position, knows the contents thereof and the  
says: that he is the Registrar above named, that he has read  
the foregoing petition, and that he has read and approved the

**FILED IN THE CLERK'S OFFICE**  
**Salt Lake County, Utah,**  
**JAN 24 1925**  
**CLARENCE B. STEWART, Deputy Clerk**

COUNCIL OF STATE CLERKS }  
STATE OF UTAH }

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT,  
IN AND FOR SALT LAKE COUNTY,  
STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the Estate of James Young,  
deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lund, deceased,  
et al,

Defendants.

O R D E R

Upon the verified petition of the Lower Mill Creek Irrigation Company, a corporation, and the White Ditch Irrigation Company, a corporation, which has been filed herein and a copy of which petition is attached hereto, it is ordered that the said Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff, and each of you, show cause before this court on Friday the 22<sup>nd</sup> day of August, 1924 in the court room of said court at the City and County Building, Salt Lake City, Salt Lake County, Utah, at the hour of 10 A. M., why you, and each of you, should not be punished for contempt of court because of using and interfering with the waters of said petitioners as in said petition alleged and also to show cause at said time and place why you, and each of you, should not be restrained from the diversion and use of the waters of said Mill Creek Stream belonging to said petitioners as in said petition alleged, and for such other and further relief as to this court may seem equitable and proper in the premises.

*Chris Matheson*

JUDGE.

Done in open court this 11 day of August, 1924.

55670

RECEIVED  
AT SHERIFF'S OFFICE  
AUG 11 1924

BENJAMIN H. HARRIS  
Sheriff, Salt Lake County, Utah.

*[Signature]*

4449

FILED IN THE CLERK'S OFFICE  
Salt Lake County, Utah,

AUG 11 1924

CLARENCE W. ...  
County Clerk

*[Signature]*

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT



STATE OF UTAH }  
COUNTY OF SALT LAKE } ss. SHERIFF'S OFFICE.

I hereby certify and return that I received the within and hereto annexed Order on the 11th day of August, 1924, and served the same upon Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff, ~~the within named Defendant,~~ personally, by showing the original ~~each of said named persons,~~ and delivering to and leaving with ~~said Defendant in Salt Lake City,~~ Salt Lake County, State of Utah, a true copy of said Order ~~together with /~~ a copy of the Petition referred to in said Order, on the 13th day of August, 1924.

Dated at Salt Lake City, Utah, this 13th day of August, 1924.

BENJAMIN R. HARRIES, Sheriff of Salt Lake County, State of Utah.

By H. H. Harries Deputy Sheriff.

SHERIFF'S FEES

Service	\$	4.00
Mileage	\$	1.20
Total	\$	<u>5.20</u>

10  
 DEPOSIT \$ 2.50  
 INTEREST \$ 1.50  
 BALANCE \$ 4.00  
 SHERIFF'S OFFICE

BY H.H.H. HARRIS Deputy Sheriff

BENJAMIN B. HARRIS, Sheriff of said Lake County, State of New York

Dated at said Lake City, New York, this 15th day of August, 1924.

do hereby certify that on the 15th day of August, 1924,

a copy of the petition returned to in said order

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

and returned to the court at said Lake City, New York

4449

FILED IN THE CLERK'S OFFICE  
 Lake County, New York  
 AUG 16 1924  
 CLERK OF COURT  
 Deputy Clerk

COUNTY OF LAKE }  
 STATE OF NEW YORK } ss. SHERIFF'S OFFICE

RECEIVED  
 AUG 16 1924

Return on Order



Wheat, Lucy E. Neff and Ferris Neff are now and forseveral months last past have been wrongfully and unlawfully and in violation of the rights of said petitioners taking and conducting waters from said Mill Creek Stream a part of which is now and was owned and beneficially used by petitioners as aforesaid, and the said Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff are so taking and conducting waters from said Mill Creek Stream without any right whatsoever and are applying and using said waters for their own benefit and purposes. That the waters taken and being taken by Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff as aforesaid, are diverted by them at a point located at what is known as Oakwood on said Mill Creek Stream and in close proximity to that point on said stream where the waters are divided by a concrete weir between what is known as the Brigham Young Ditch and the natural channel of the Mill Creek Stream which carries waters to the White-Hoaglund & Murphy Ditches, through which said last named ditches your petitioners have been at all times and are now conducting the waters to which they are entitled as aforesaid.

4. That the said Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff, so your petitioners are informed and believe and therefore upon information and belief aver, will continue wrongfully and unlawfully and without any right whatsoever and in violation of the rights of petitioners herein to divert the waters from the said Mill Creek Channel at said point and place unless restrained by this court. That the said wrongful and unlawful taking and diverting of the waters from said stream by the said Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff have caused and will, if continued by the said Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff, cause petitioners herein irreparable injury and damage. That said petitioners have not a speedy, adequate and complete remedy at law.

5. That the above entitled court in the above entitled cause did on the 14<sup>th</sup> day of May 1907 enter

a decree in said cause whereby the rights to the use and ownership of all the waters of the said Mill Creek Stream were determined and fully adjudicated and that the use and diversion of the waters of the Mill Creek Stream by the said Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff are in violation of and contrary to the terms ~~of~~ and adjudications in said decree. That the said court has at all times herein and does now retain and have jurisdiction over the said Mill Creek Stream and the use and diversion of the waters thereof for the purpose of enforcing the terms of said decree as well as for such other purposes as may be deemed equitable and proper by the court in the premises.

WHEREFORE, your petitioners pray that the said Samuel Neff, Claude Wheat, Lucy E. Neff and Ferris Neff, their tenants, agents and employees, be cited into court to show cause why they should not be punished for contempt of court and also to show cause why they should not be restrained from the unlawful and wrongful diversion of the waters of said Mill Creek Stream belonging to the said petitioners as aforesaid.

Carlson & Carlson  
Attorneys for Petitioners.

STATE OF UTAH, )  
 )  
COUNTY OF SALT LAKE. ) SS.

D. J. Davis, being first duly sworn,  
deposes and says:

That he is an officer of the Lower Mill Creek Irrigation Company, to-wit: Vice President and as such officer he makes this verification for and on behalf of the said Lower Mill Creek Irrigation Company, one of the petitioners in the foregoing petition. That he has read the foregoing petition, knows the contents thereof and that the same is true, except as to matters therein stated on information and belief, and as to such matters he believes them to be true.

D. J. Davis

Subscribed and sworn to before me this 9<sup>th</sup> August, 1924.

[Signature]  
Notary Public, residing at  
Salt Lake City, Utah.

My Commission Expires Nov. 16th, 1927.



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND  
FOR SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the estate of James Young,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lunn, Deceased,  
et al,

Defendants.

ORDER.

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William Carlson having filed his petition for his appointment as water commissioner for the year 1924 and the said petition coming on regularly for hearing this 27th day of March, 1924, and it appearing that the commissioner John T. Guest, heretofore appointed and acting is now deceased, and good cause appearing for the granting of said petition, it is hereby ordered that William Carlson be and is hereby appointed water commissioner to measure the water of the Mill Creek Stream at a yearly salary of \$500.00.

ATTEST  
CLARENCE J. JAMES  
*Clarence J. James*  
DEPUTY CLERK

*W. R. McLean*  
JUDGE.

RECEIVED  
OFFICE OF THE  
DIRECTOR  
MAY 10 1914

ORDER  
MAY 10 1914

THIS ORDER IS ISSUED IN VOUCHER NUMBER 1000-30.  
IT IS HEREBY ORDERED THAT THE AMOUNT OF \$100.00  
BE PAID TO THE ORDER OF THE DIRECTOR OF THE  
BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE  
INTERIOR, WASHINGTON, D. C., FOR THE PURPOSES  
OF THE NATIONAL MONUMENT ACT, AND THAT THE  
SAYED AMOUNT BE PAID TO THE ORDER OF THE  
DIRECTOR OF THE BUREAU OF LAND MANAGEMENT,  
WASHINGTON, D. C., FOR THE PURPOSES OF THE  
NATIONAL MONUMENT ACT.

FILED IN THE OFFICE OF THE  
DIRECTOR OF THE BUREAU OF LAND  
MANAGEMENT, DEPARTMENT OF THE  
INTERIOR, WASHINGTON, D. C.,  
MAY 10 1914

Wm. C. Zimmerman  
Director

4449

ORDER

TO THE DIRECTOR OF THE BUREAU OF LAND  
MANAGEMENT, DEPARTMENT OF THE  
INTERIOR, WASHINGTON, D. C.

AS

ORDER

TO THE DIRECTOR OF THE BUREAU OF LAND  
MANAGEMENT, DEPARTMENT OF THE  
INTERIOR, WASHINGTON, D. C.

ORDER

FOR THE PURPOSES OF THE NATIONAL MONUMENT ACT.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administrator  
of the estate of James Young,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
estate of Daniel Lunn, Deceased,  
et al,

Defendants.

ORDER.

William Carlson and George F. Taylor, both having filed applications for their appointment as water master, provided for in the decree in the above entitled cause, and both petitions coming on regularly for hearing before the court this 4th day of April, 1924, and the court being fully advised in the premises, now finds that the petition of William Carlson should be granted and the petition of George F. Taylor be denied;

NOW, THEREFORE, it is ordered that William Carlson be and is hereby appointed Water Commissioner to measure and divide the water of the Mill Creek Stream of Salt Lake County at a yearly salary of \$500.00 and \$25.00 attorney's fees incurred herein to be taxed as costs. Said appointment shall continue in force and effect until further order of this court.

It is further ordered that said commissioner keep an accurate record of his measurements.

Dated this 4th day of April, 1924.

ATTEST  
CLARENCE COOPER  
Clerk  
*E. P. Warner*

*Ephraim Hanson*  
JUDGE.

6449

Faint, mostly illegible text, possibly bleed-through from the reverse side of the page.

DECLASSIFIED  
DATE 10/10/2001 BY SP-6 BJS/STW

OK

FILED IN THE RECORDS SECTION  
APR 9 - 1924  
C. P. Warren  
Deputy Chief

IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, UTAH.

---

MARTHA YOUNG, Administrator of :  
THE ESTATE OF JAMES YOUNG, :  
Deceased. :

Plaintiff. :

vs. :

William Gordon, Executor of the :  
ESTATE OF DANIEL LUND, Deceased, :  
et al. :

Defendants. :

PETITION.

---

TO THE HONORABLE JUDGES OF THE DISTRICT COURT.

\*\*\*\*\*

We, the undersigned water users under the Mill  
Creek system, respectfully request and petition that GEORGE  
F. TAYLOR, be appointed water commissioner, under the decree,  
to succeed John T. Guest, deceased.

Mr. Taylor is a trained engineer, experienced in the  
handling and distribution of water and we believe competent in  
every way for this position.

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SIGNERS.

Jas. A. Wilkinson

Seymour H. Miff

G. J. Watson

Sarah V. Burdige

Edwin E. Johnson

Oswald A. Eldridge

East Mill Creek Water Co

B

L. L. Evans Bagley

Amos Miff Miff

F. J. Miff Miff

B. J. Miff

Wm. Simpson

A. J. Kagg

John L. Johnson

Mark. Nipson

A. L. Woods

Phillip D. Osborne

D. L. Brown

J. L. Russell

James Russell

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IN THE DISTRICT COURT IN AND FOR SALT LAKE COUNTY, UTAH.

MARTHA YOUNG, Administrator of :  
THE ESTATE FO JAMES YOUNG, :  
Deceased. :

Plaintiff. :

vs. :

William Gordon, Executor of the :  
ESTATE OF DANIEL LUND, Deceased, :  
et al. :

PETITION.

Defendants. :

TO THE HONORABLE JUDGES OF THE DISTRICT COURT.

\*\*\*\*\*

We, the undersigned water users under the Mill  
Creek system, respectfully request and petition that GEORGE  
F. TAYLOR, be appointed water commissioner, under the decree,  
to succeed John T. Guest, deceased.

Mr. Taylor is a trained engineer, experienced in the  
handling and distribution of water and we believe competent in  
every way for this position.

Elizabeth Brown  
R. Stephensen  
W. D. Drisdell  
D. W. H. Foster  
T. J. Bridgley  
Robert Hodgen

Suzanne L. Capron  
John S. Capron  
Walter D. Pack  
Cyril J. Colledge  
Wm. Clay Lovit  
Frank C. Capron

SIGNERS.

Albert Leason Jr.

Frank L. Huber

David Hoff President East  
Mill Creek Lumber  
Company

N. Baldwin

Leith Chamberlin

W. S. Chamberlain

Mrs E. A. Roberts

D. Whipple

L. C. Hengly

C. E. Law

O. H. Carson

Mrs Ellen Chapman

James Young

W. Stittman

William Stittman

Wm. Woodell

J. M. Fisher Jr.

Elaine M. Bagley

B. J. Stittman

Barbara M. Taylor

Edmund Young

J. G. Ranck Jr.

Oscar Carson

Alva W. Keller

Ed. Keller

Maudie Taylor

Alberta Hintze

R. H. Bagley

A. M. Lard

J. H. O'Quithorpe

Edw. O'Quithorpe

F. D. Heath

Horace Oldredy

Logan Wiseman

E. B. Woods

Albert A. Capson

4449

FILED IN THE OFFICE OF THE

MAR 31 1924

*W. J. ...*

STAMPED



STATE OF UTAH :  
: SS.  
SALT LAKE COUNTY :

George F. Taylor, petitioner in the above named petition,  
first being duly sworn deposes and says: That he has read the foregoing  
petition, knows the contents thereof and the matters therein stated  
are true according to his best knowledge, information and belief.

Geo. F. Taylor

Subscribed and sworn to before me this 28th day of March, 1924.

Allen J. Davenport  
Notary Public, Salt Lake City, Utah

64449

PAID BY THE CASHIER

MAR 31 1924

MAR 31 1924

*J. J. Cashier*  
Cashier

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH.

MARTHA YOUNG, Administratrix  
of the Estate of Jane Young,  
Deceased,

Plaintiff,

vs.

WILLIAM GORDON, Executor of the  
Estate of Daniel Lunn, Deceased,  
et al,

Defendants.

PETITION FOR APPOINTMENT  
OF WATER COMMISSIONER

Case No. 4449.

Comes now William Carlson of 707 East 53rd South,  
Salt Lake County, Utah, and respectfully petitions the court  
in the above entitled cause to be appointed water commissioner  
in the above entitled cause for the year 1934 at such salary  
as the court may determine.

William Carlson

The Lower Mill Creek Irrigation Company does  
hereby approve the foregoing application and recommend the  
appointment of William Carlson, the said applicant.

THE LOWER MILL CREEK IRRIGATION COMPANY

BY J. D. Cummings PRESIDENT

The White Ditch Irrigation Company does hereby  
approve the foregoing application and respectfully request  
the appointment of William Carlson, said applicant.

THE WHITE DITCH IRRIGATION COMPANY,

John W. White PRESIDENT.

*[Faint handwritten signature]*

THE UNITED STATES IMMIGRATION SERVICE  
has the honor to acknowledge the receipt of your letter of the 10th day of March 1924 and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

*[Faint handwritten signature]*

Very respectfully,  
Special Agent in Charge

*[Faint handwritten signature]*

Yours faithfully,  
Special Agent in Charge

4449

RECORDED  
INDEXED  
MAR 21 1924  
U.S. DEPARTMENT OF JUSTICE  
IMMIGRATION SERVICE

MAR 21 1924  
U.S. DEPARTMENT OF JUSTICE  
IMMIGRATION SERVICE  
*[Signature]*

Very truly yours,  
Special Agent in Charge

38  
~~1/2~~ 579

James Young et al.

vs

Daniel Lunn et al.

No. 4449

This record begins with  
the assessment of 1919,  
entered under order of  
court, dated Oct 11-1919

---

For all other assessments,  
payments etc see  
Registers of Actions

21

2

Axis Geo. E  
{ Knox & Neff }  
Dutch

43

Cash

MM

\$ 6

Cummings, Mrs. H. H.

23

67

Child, A. B.

39

Carricks, J. R.

49

Carlam, Jas.

41

Cannon, Preston

A  
B  
C  
D

13

3

Bushidge, J. E.

47

Brown, D. C.

61

Brigham Young  
{ Dutch }

71

E

J

East Mill River Irrigation Co 65 Franklin & John  
(Jeff Dutch)

65

Jalber De Witt

53

Q  
Guest, John T

X  
Kneley, B.S. 33  
Haray, B.S. 59

E  
F  
G  
H

2

J

June, A.D.

45

K

Keller Ditch

L

69 Lower Mill Creek  
{ Irrigation Co }

73

L K J I

M

Morris, K. L.  
Murphy, Frank

35

41

Mr.

N

①

Mess Franklin & John Ditch 65 Pleasant View Park Co  
Mess Anna & Ditch 67

9

M  
M  
N  
O  
P

O

Olinstead, Geo E 31  
Ogithorpe, Ned. 57  
Ogithorpe }  
(Shamondrupus) 63

2

R  
Russell, Frank 27  
Russell, James 29

S

T

Sanford, Abner D	3	Taylor, Geo. J.	11
Sillman, J.	13		
Sillman, Brigham	15		
Sillman, J. N.	14		
Stylian, Gaus	19		
Simper, John	21		
Swain, Nettie	25		
Smith, J. O.	51		
Stesland, Carolina	53		
Stilman, Samuel	55		

Q  
R  
S  
T

9

2

Wm. C. & S. Light Co

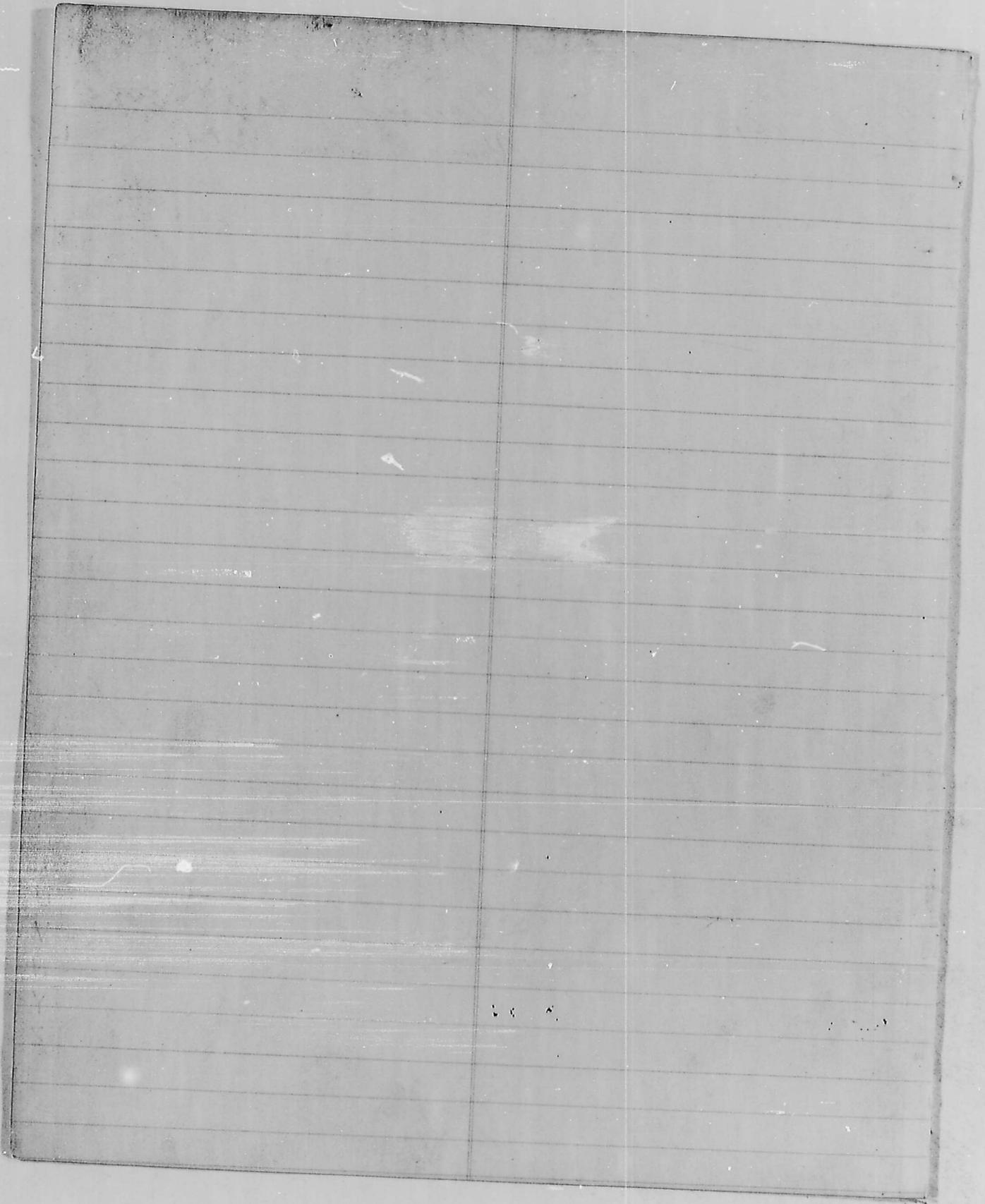
7

24  
White Detach

25  
Young Ferry 34  
Young Bingham Detach

3

U  
V  
W  
Y  
Z



# John Guest

3042 4th East

<p>1920</p> <p>Jan 7 Cash #92 343 19</p> <p>July 16 Cash 155 72</p> <p>11/29/20 Cash (P.H.) 498 91</p> <p>10/1/20 Balance 30</p> <hr/> <p style="text-align: right;">500 53</p>	<p>1919</p> <p>Oct 20 Order 8/11/19 500 53</p> <p>10/1/20 Balance 30</p> <hr/> <p style="text-align: right;">500 53</p>
---	---

<p>11/29/20 Cash 177 61</p> <p>2/2/21 Cash 112 78</p> <p>3/14/21 B.Y. Ditch 92 42</p> <p>8/5/21 Amos &amp; Meff 240 1</p> <p>8/20/21 Cash 276 96</p> <p>Balance 1920 17 05</p> <hr/> <p style="text-align: right;">500 83</p>	<p>10/18/20 Order 500 53</p> <p>10/1/20 Balance 1919 30</p> <hr/> <p style="text-align: right;">500 83</p>
---	--

<p>11/25/21 Cash 282 40</p> <p>Aug 9 1944 117 56</p> <p>Oct 7 137 86</p> <p>Dec 18 22 16</p> <p>1/4/23 264 56</p> <p>Feb 74</p> <p>May 1 34 95</p> <p>Aug 27 37 20</p> <p>Oct 4 94 44</p> <p style="text-align: right;">994 11</p>	<p>Balance 1920- 17 05</p> <p>9/23/21 Order 500 53</p> <p>1944</p> <p>Oct 25 500 00</p> <p>1943</p> <p>Oct 17 1017 58</p> <p>500 00</p> <p>1517 54</p>
--	--



Allen P Sanford  
1120 Boston Building  
1919

9/8/20 Cash 25.00 Oct 30 Order 10/11/19 25.00

5/18/21 Cash 25.00 10/18/20 Order 25.00

9/23/21 Order 25.00



# Cash

1919		
Oct 27	W. P. Co	105 00 ✓
	2 James Russell	55 0 ✓
	28 J. Connor	63 ✓
	29 Geo Ellis	333 ✓
10/29/19	D. Brown	60 ✓
11/1/19	Sam M. C.	159 26 ✓
11/5/19	Geo Taylor	121 ✓
11/10/19	Geo. Deatrick	107 ✓
11/17/19	J. Williamson	425 ✓
11/12/19	J. Burdige	74 ✓
11/17/19	W. J. Irvine	147 ✓
11/20/19	John Thompson	25 ✓
11/26/19	B. Williamson	121 ✓
11/28/19	Wm. W. Cunningham	304 ✓
11/29/19	Samuel Williams	243 ✓
12/2/19	B. Y. Ditch	50 00 ✓
12/23/19	Caroline Alexander	145 ✓
12/23/19	J. O. Smith	145 ✓
2/3/20	B. Y. Ditch	343 19 ✓
4/28/20	Walter Ditch	25 00 ✓
5/24/20	Walter Ditch	2825 ✓
5/24/20	B. Y. Ditch	1742 ✓
5/24/20	Mrs. O. Guthrie	60 ✓
5/24/20	B. S. Hardy	60 ✓
12/1/20	Various	49 76 ✓
	Forward	4643 2 ✓
		343 19

# Cash

7/12/20 Various	464 32	7/16/20 John P. Guest	343 19
7/16/20 Various	32 54	7/16/20 John P. Guest	155 72
7/28/20 B. H. Huxley	496 86	7/18/20 Megan P. Sanford	598 01
	27 05	7/29/20 John P. Guest	25 00
	1 32		523 91
	525 73		1 32
			525 73

1920		1920	
Nov 5 Lower Mill Creek	159 26	11/29/20 John P. Guest	177 61
9 L. A. Brown	60	2/1/21 John P. Guest	112 78
12 James Fussell	550		290 39
12 B. Stillman	121		
13 Geo. Ellis	333		
15 Geo. E. Whitten	107		
13 J. E. Connors	63		
15 Rev. J. Taylor	121		
22 A. B. Chica	201		
24 B. H. Huxley	132		
26 A. B. Irvine	147		
Dec 10 Jas. Coulson	177 61		
	63		
11 W. P. Co	105 00		
16 J. Smith	145		
16 Caroline S. Ireland	145		
17 J. W. Stillman	425		
	290 39		

Bal. forward (Page 77)

# Yeast Cancer & Light Company

1919		1919			
Oct 20	Order <sup>10/19</sup>	105 00	Oct 27 Cash	105 00	
10/18/20	Order	105 00	10/11/20	Cash	105 00
<hr/>			<hr/>		
7/23/21	Order	105 00	10/20/21	Cash	105 00
Oct 25	Order	105 00	Dec 19	By Cash	105 00
Oct 17	Order	105 00	Nov 4	By Cash	105 00



# Pleasant View Park Company

Engine Wacey (Mullett Ferry Co.)

1914			
Oct 20	Order 10/19	4.00	11/25 Cash 4.00
10/18	pro Order	4.00	5/18/21 Cash 4.00
<hr/>			
4/23	Order	4.00	1922 June 16 By check 4.00
10/25	Order	4.00	June 11 1923 By check 4.00
Oct 17	Order	4.00	1923



George J Taylor  
Sugar Station RD No. 1

1919				
Oct 20	Order	121	11/5/19	Cash 121
10/18	20 Order	121	11/16/20	Cash 121
9/20	Order	121	10/24/21	Cash 121
1921				
Oct 28	Order	121	Dec 9	By Cash 121
1923				
Oct 19	Order	121	Nov 7	By Cash 121



J. J. McCann  
Sugar Station RD #1

1919 Oct 20 Order 10/11/19	398	11/20 Cash	398
Oct 1820 Order	398	5/19/20 Cash	398
9/22/21 Order	398	1922 Aug 9 By check	423
1922	423		
Oct 25 Order	398		423
25 "	25		
1923 Oct 17 "	398		
17 "	25		



Bingham Silliman  
Sugar Station No. 1

<del>1919</del> Oct 20 Order <sup>1919</sup>	121	11/24/19 Cash	121
Oct 20 Order	121	11/30/20 Cash	121
9/23/21 Order	121	10/5/21 Cash	121
10/25 Order	121	1922 Dec 4 By Cash	121
10/23 Order	121	1923 Oct 25 By Cash	121



J. N. Stearns  
Lumber Station Rd no. 1

1919 Oct 20 Order 10/1/19	4 25	11/12/19 Cash	4 25
Oct. 18 20 Order	4 25	12/7/20 Cash	4 25
9/23/21 Order 14 25/21	4 25	10/31/21 Cash	4 25
Oct 20 '25 Order	4 25	Dec 15 '25 By bank	4 25
Oct 19 Order	4 25	Nov 30 '23 By bank	4 25



Cyrus Stillman

c/o 327 Stillman Sugar Station RD No. 1

1919			
Oct 20	Order <sup>10/19</sup>	146	10/20 Cash 146
Oct. 18	20 Order	146	5/18/21 Cash 146
<hr/>			
1/23	Order	146	1922 Aug 9 By Cash 146
39	Order	146	
19 23	Order	146	
Oct 17	"	146	



John Limpers  
Sugar Station Rd #1

1919 Oct 20 Order 10/11/19	25	11/20/19 Cash	25
Oct 18 20 Order	25	5/10/21 Cash	25



Wm. N. Cummings  
1030 E. 1st South - City

1919				
Oct 20	Order	304	10/28/19	Cash 304
Oct 18	20 Order	304		Balance 1920 304
Balance 1920		304		
9/23/21	Order	304	10/31/21	Cash 608
Balance 1920		608		
1922	Oct 25	Order	304	Dec 4 By Cash 304
1923	Oct 17	Order	304	1923 7/27 By Cash 304



Mrs. Ethel Swain  
259 1/2 St East



City

Oct 20 Order <sup>10/19</sup> 304 16/20 Cash (P. Duffin) 304

Oct. 18 20 Order 304 Balance 1920 304

Balance 1920	3.04	1924	
9/30/24 Order	3.04	Oct 10	By Cash 1216
11/22 Order	304		
Oct 25 Order	304		
1923			
Oct 17	304		
	1216		1216



Frank Russell  
Super Station RD no 1

10/20/19 Order <sup>10/11/19</sup> 294 10/20 Cash 294

Oct. 18 20 Order 294 10/14/21 Cash 294

9/23/21 Order 294 <sup>1922</sup> Aug 9 By Cash 294

Oct 25 Order 294 <sup>1923</sup> Aug 27 By Cash 294

Oct 17 Order 294

The image shows a sheet of graph paper with a grid pattern. A horizontal line is drawn near the top, and a vertical line runs down the center, creating a table-like structure. The grid consists of small squares. There are some faint smudges and marks on the paper, particularly in the center and lower-left areas.

James Russell ✓  
 Super Station RD No 1

10/20/19 Order 10/19	550	1919 Oct 29 Cash	550
Oct 18 20 Order	550	11/12/20 Cash	550
<hr/>			
9/23/21 Order	550	1922 Jul 1 By bank	550
Oct 19 21 Order	550	Dec 13 By bank	550
1920 Oct 17 Order	550	1923 Nov 9 By bank	550



George E. Linstead  
Hotel No 2 - Gasfield - Wash

Phone Bk

10/19 Order 10/11/19	1.07	11/10/19	Cash	1.07
10/18 20 Order	1.07	11/5/20	Cash	1.07
9/23/21 Order	1.07	10/6/21	Cash	1.07
Oct 25 Order	1.07	Dec 4	By bank	1.07
Oct 17 Order	1.07	Oct 27	By bank	1.07



B. S. Kinckley of L. D. University  
~~Secretary~~ ✓

10/20/19 Order <sup>10/11/19</sup>

132 7/28/20 By Execution Cash 132

10/18 20 Order

132 11/24/20 Cash 132

9/23/21 Order

132 11/19/21 Cash 132

<sup>19/22</sup> Oct 25 Order

132 19/22 Nov 24 By Cash 132 ✓

Oct 17 Order

132 19/23 Oct 22 By Cash 132 ✓



J. L. Morris  
Sugar Station RD No. 1

10/20/19 Order 10/1/19 30 10/20 Cash 30

10/18 20 Order 30 7/9/21 Cash 30

1/23/21 Order 30 10/29/21 Cash 30

Oct 19 25 Order 30 Jan 9 Cash 30

Oct 17 Order 35



Jerry Young  
York State Prison

10/20/19 Order 10/1/19 30

10/18 20 Order 30

Balance 1919 & 1920 60

Balance 1919 & 1920 60

9/23/21 Order 30

1922  
Oct 25 Order 30



✓  
A B Child  
Sugar Station RD No 1

10/20/19 Order <sup>10/1/19</sup>

201

2/10/20 Cash

201

10/18 20 Order

201

11/23/20 Cash

201

4/23/21 Order

201

1922  
Aug 4 By Cash

201

<sup>1922</sup>  
Oct 25 Order

201

<sup>1923</sup>  
Aug 27 By Cash

201

<sup>1923</sup>  
Oct 17 Order

201



✓  
Frank Murphy  
Supt Station  
Joe Coulson  
21 S. York St

10/20/19 Order <sup>10/11/19</sup> 63 10/20 Cash 63

10/18 20 Order 63 10/20 Cash 63

12/23/21 Order 63 10/23/21 Cash 63

<sup>19/22</sup> Dec 25 Order 63 Dec 15 By Cash 63

<sup>19/23</sup> Oct 17 Order 63 Nov 29 By Cash 63



George E. Harris  
Hogan Station RD No. 1

10/20/19 Order <sup>10/11/19</sup>	333	10/21/19 Cash	333
10/18/20 Order	333	11/13/20 Cash	333
9/23/21 Order <sup>1922</sup>	333	10/12/21 Cash	333
Oct 25 Order <sup>1923</sup>	333	Nov 28 By Cash	333
Oct 17 Order	333	Oct 20 By Cash <sup>1923</sup>	333



R. B. Irvine ✓  
% ~~Wagoner, Sherman & Co~~ - Hader Paul Bay

10/20/19 Crd 10/11/19 147 11/17/19 Cash 147

10/18/20 Order 147 11/30/20 Cash 147

9/23/21 Order 147 10/31/21 Cash 147  
1922  
Oct 25 Order 147



J. E. Burbridge  
Sugar Station Rd No. 1

10/30/19 Order	74	11/12/19 Cash	74
10/18/20 Order	74	Balance 1920	74

Balance 1920	74	1922 June 26 By bank	148
9/23/21 Order	74		
1922	148		148
Oct 25 Order	74		
1923	74		
Oct 17 Order	74		



J L Connors  
Sugar Station RD No. 1

10/20/19 Order <sup>10/11/19</sup>

63

<sup>10/19</sup> Oct 28 Cash

63

10/18/20 Order

63

11/2/20 Cash

63

11/23/21 Order

63

12/22/21 Order

63



J. O. Smith  
Super Station RD No. 1

10/20/19 Order <sup>10/1</sup> 145 10/20/19 Cash 145

10/18/20 Order 145 10/16/20 Cash 145

11/23/21 Order 145 1922 Aug 9 By Cash 145

1923 Oct 25 Order 145

1923 Oct 17 Order 145



Caralpa Feder Camp  
Sugar Station R.D. No. 1

10/20/19 Order <sup>10/11/19</sup>	145	11/22/19 Cash	145
10/18/20 Order	145	10/16/20 Cash	145

De Witt Folkes  
Sugar Station R.D. No. 1

9/23/21 Order <sup>1922</sup>	145	June 26 By back	145
Oct 25 Order <sup>1923</sup>	145		
Oct 17 Order	145		



✓  
Samuel Stillman  
Sugar Station Rd no. 1

10/20/19 Order 10/11/19 273 11/29/19 Cash 273

10/18/20 Order 273 Balance 1920 273

Balance 1920 273  
11/22/21 Order 273 11/29/21 Cash 546

1922 546

Oct 25 1923 Order 273  
Oct 17 1923 Order 273

546



Thomas Southorpe  
Sugar Station Rd No. 1

10/20/19 Order <sup>10/11/19</sup>	60	5/24/20 By Cash	60
10/18/20 Order	60	5/18/21 Cash	60
<hr/>		<hr/>	
9/23/21 Order	60	1920 Aug 9 By Cash	60
1923 Oct 25 Order	60	10/18/23 Apr 18 By Cash	120
1923 Oct 17 Order	60		
	120		120



B. L. Karyay ✓  
c/o William Thomas - Super Station RD No. 1

10/20/19 Order <sup>10/11/19</sup>	60	5/24/20 By Cash	60
10/18/20 Order	60	Balance 1920	60
Balance 1920	60	1922 ✓ Oct 24 By Cash	120
9/23/21 Order	60		
1922 ✓ Oct 25 Order	60	1922 ✓ <del>Oct 24 By Cash</del>	120
1923 Oct 17 Order	60		120



D C Brown ✓  
Sugar Station RD No. 1

10/20/19 Order 10/11/19	60	10/24/19 Cash	60
10/18/20 Order	60	11/8/20 Cash	60
9/23/21 Order	60	10/22/21 Cash	60
19 23 Oct 25 Order	60	Dec ✓ By cash	60
19 23 Oct 17 Order	60	19 23 Oct 21 By cash	0 60



✓  
 Outhorpe & Kilmaree Supplies  
 20 Outhorpe - Sugar Section RD No. 1

10/20/19 Order 10/11/19	630	11/18/20 Cash	630
10/18/20 Order	630	Balance 1920	630
Balance 1920	630	1922	
11/23/21 Order	630	Aug 9 By Cash	1260
1922	1260		1260
Oct 25 Order	630	1925	
1923	630	Apr 18 By Cash	1260
Oct 17 Order	630		
	1260		1260

The image shows a page of graph paper with a grid pattern. A vertical line runs down the center, dividing the page into two columns. The grid consists of small squares. There are some faint, light-colored smudges and marks scattered across the grid, particularly in the middle and lower sections. The page number '64' is printed in the top left corner.

Franklin John Neff Ditch  
% P M Season Sugar Station RD No. 1

10/20/19 Order <sup>10/11/19</sup> 2023 7/12/20 Cash 2023

10/18/20 Order 2023 8/5/21 Cash 2023

9/23/21 Order 2023  
1922 Oct 4 Pay Cash 2023  
Oct 25 Order 2023

East Mill Creek Irrigation Co of David Neff  
(successor to Franklin & John Neff, Amos R Neff & Cuyshaw Young Ditch)  
East Mill Creek RD 1

1923  
Oct 17 Court Order 13666

This image shows a blank ledger page with a grid layout. The page is divided into two main columns by a vertical line down the center. Each of these columns is further subdivided into smaller cells by horizontal lines. The top of the page has a header section, and the number '66' is printed in the top left corner. The grid is empty, with no data or text entered.

67  
% J. F. Hengley  
R. D. No 1

✓  
James W. Jeff Ditch Sugar Station  
~~to L. D. Hengley Department Bay City~~

Apr 19 Order <sup>10/11/19</sup>	24 01	7/16/20 Cash	24 01
10/18/20 Order	24 01	8/5/21 J. F. Fresh	24 01
4/23/21 Order <sup>19<sup>th</sup></sup>	24 01	19 <sup>th</sup> Oct ✓ By Cash	24 01
Oct 20 Order	24 01		



# Kelly Ditch

90 Logan Reservoir Sugar Station RD No. 1

10/20/19 Order 10/1/19	2825	4/28/20 Cash	2825
10/18/20 Order	2825	5/24/20 Cash	2825

4/23/21 Order 1922	2825	1922 May 2nd By Cash	2825
Oct 25 Order 1923	2825	May 15 By Cash	2825
Oct 17 Order	2825		

This image shows a blank ledger page with a grid pattern. The page is divided into two main columns by a vertical line down the center. Each of these columns is further subdivided into smaller, uniform rectangular cells, creating a grid for data entry. The top of the page has a header section, and the number '70' is printed in the upper left corner. The page is otherwise empty of any text or markings.

Bingham Yarn & Ditch  
% J. M. Fisher - Sugar Station R.D. No. 1

10/20/19 Order	9242	12/23/19 By Cash	5000
5/24/20		2/3/20 ✓ ✓	2500
		5/24/20 ✓ ✓	1942
			9242
Oct 18-20 Order	9242	3/4/21 John G. Guest	9242
9/23/21 Order	9242	1922 Oct 4 By Cash	9242
1922 Oct 25 Order	9242	1923 Oct 2 By Cash	9242

Preston Yarn

1923			
Oct 1923 Order	210		



✓  
Laney Mill Creek Irrigation Co.  
46 Red Gate - 54 S Main St - City

10/20/19 Order <sup>10/11/19</sup> 15926 11/1/19 Cash 15926

10/18/20 Order 15926 11/5/20 Cash 15926

9/23/21 Order 15926 10/1/21 Cash 15926

1922  
Oct 25 Order 15926 Dec 29/22 By check 15926

1923  
Oct 17 Order 15926 Oct 26/23 By check 15926



White Ditch ✓  
c/o M.M. White Supply Station RD No 1

10/20/19 Order <sup>10/11/19</sup> 3995 10/20 Cash 3995

10/18/20 Order 3995 8/5/21 Cash 3995

7/20/21 Order 3995 1922 Aug 9 By Cash 1921 3995

Oct 25 Order 3995 1923 May 1 By Cash 3995

Oct 17 Order 3995



# Cash -

From Page 6 -

2/9/21	K. L. Morris	30
3/4/21	Frank Russell	294
5/4/21	Beck and Dick	28 25
5/18/21	Peasants Park U. Co	4 00
5/18/21	May Ogden Hooper	60
5/18/21	John Lingers	25
5/18/21	Cyrus Sullivan	1 46
5/18/21	J. Freeman	3 98
8/5/21	W. J. Neff	20 23
8/5/21	White Ditch	31 95
		<u>101 96</u>

5/18/21	A. J. Sanford	25 00
8/20/21	J. J. Guest	46 96
		<u>101 96</u>

10/4/21	Lowry Mill Creek	159 26
10/5/21	Bryham Sullivan	1 21
10/6/21	Geo. A. Omstead	10 77
10/24/21	Geo. F. Taylor	1 21
10/30/21	Utah Power & L Co	105 00
10/27/21	A. Brown	60
10/27/21	Joe Conner	63
10/31/21	H. C. Cummings	6 08
10/31/21	J. M. Stillman	4 25
10/31/21	A. B. Irvine	14 77
10/24/21	K. L. Morris	30
11/19/21	B. J. Hendrick	1 37
	Forward	<u>282 40</u>

11/25/21	John T. Guest	282 40
		<u>282 40</u>

Cash

11/29/21	J. Stillman	546
12/13/21	G. E. Lewis	333

# BLANK PAGES

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FROM PAGE:

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