<table>
<thead>
<tr>
<th>Code</th>
<th>Owner</th>
<th>Operator</th>
</tr>
</thead>
<tbody>
<tr>
<td>3A</td>
<td>M. D. Benedict</td>
<td>Same</td>
</tr>
<tr>
<td>3A, 3B, 4B, 10A, 11A</td>
<td>Johnson &amp; Eckern</td>
<td>&quot;</td>
</tr>
<tr>
<td>3A, 4A</td>
<td>Matt &amp; Katherina Penicu.</td>
<td>&quot;</td>
</tr>
<tr>
<td>10B, 14B, 15A</td>
<td>Lena Redfield</td>
<td>&quot;</td>
</tr>
<tr>
<td>No.</td>
<td>Name of Appropriator</td>
<td>Name of Stream</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>114</td>
<td>Carroll, L. Ray</td>
<td>Minerva Creek</td>
</tr>
<tr>
<td>115</td>
<td>Munroe, Sarah J.</td>
<td>Minerva Creek</td>
</tr>
<tr>
<td>169</td>
<td>Anderson, Norman</td>
<td>Pole Creek</td>
</tr>
<tr>
<td>172</td>
<td>Elliott, Agnes</td>
<td>Pole Creek</td>
</tr>
<tr>
<td>174</td>
<td>Elliott, John</td>
<td>Pole Creek</td>
</tr>
<tr>
<td>175</td>
<td>Elliott, William D.</td>
<td>Pole Creek</td>
</tr>
<tr>
<td>176</td>
<td>Fitch, Esther L.</td>
<td>Pole Creek</td>
</tr>
<tr>
<td>177</td>
<td>Freeman, Henry</td>
<td>Pole Creek</td>
</tr>
<tr>
<td>231</td>
<td>Broad, Albert</td>
<td>Whoop Up Creek</td>
</tr>
<tr>
<td>232</td>
<td>Johnson, Roy S.</td>
<td>Whoop Up Creek</td>
</tr>
<tr>
<td>253</td>
<td>Elliott, Bessie J.</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>254</td>
<td>Elliott, Jas.B.</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>255</td>
<td>Elliott, James B.</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>256</td>
<td>Elliott, James B.</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>258</td>
<td>Elliott, Mae A.</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>272</td>
<td>Ivacic, Joe</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>280</td>
<td>Munro, Sahara C.</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>295</td>
<td>Tressler, Daniel</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>316</td>
<td>Griffin, Harmon J.</td>
<td>Unnamed Coulee</td>
</tr>
<tr>
<td>321</td>
<td>Kumbic, John</td>
<td>Unnamed Coulee</td>
</tr>
<tr>
<td>322</td>
<td>Kirkland, Francis</td>
<td>Unnamed Coulee</td>
</tr>
<tr>
<td>325</td>
<td>Nortv, Charles</td>
<td>Unnamed Coulee</td>
</tr>
<tr>
<td>327</td>
<td>Popovich, John J.</td>
<td>Unnamed Coulee</td>
</tr>
<tr>
<td>328</td>
<td>Raddue, S. W.</td>
<td>Unnamed Coulee</td>
</tr>
<tr>
<td>332</td>
<td>Samuell, Sarah A.</td>
<td>Unnamed Coulee</td>
</tr>
</tbody>
</table>
STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY
WATER RIGHT DATA

Name of Land Owner: H. D. Benedict
Address: Roundup, Montana

Name of Operator: Same
Address: Same

Legal Description: N3S1 of Section 37, T11N., R19W.

We are asking you to help us protect your water right because in our records we are unable to find a recorded water right covering the above described land. We, therefore, would like to have you give us the information asked for in the following questions:

1. Was a water right filing ever made for this land? Yes. No. If yes, give us the following information:

<table>
<thead>
<tr>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner's Inches Filed On</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If no, can you give us the following information:

<table>
<thead>
<tr>
<th>Name of First User</th>
<th>Date of First Use</th>
<th>Stream</th>
<th>Place of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wife was used</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Or is this land covered by a water right that was purchased from another water right? Yes. No. If yes, give us the amount of the inches purchased, from what original filing, and if possible the date of purchase and from whom purchased.

3. Do you contemplate to irrigate this land in the future? Yes. No.

Explain

4. Give any other information that you think should be included for the protection of your water right.

Information from H. D. Benedict Date: March 27, 1949
STATE OF MONTANA
State Engineer's Office
WATER RESOURCES SURVEY
FARM MAP

Name of Land Owner: M. D. Benedict
Address: Roundup, Montana

Name of Operator: Same
Address: Same

Legal Description: W 1/2 Sec. 33, Twp. 11N., Rge. 22E.

- Irrigated Land
- Non-Irrigated Land
- Potential Land Under Existing Facilities

Code No. __________
Basin: __________
Code No. __________
Basin: __________
Code No. __________
Basin: __________

Basin: Present Potential Maximum R F P G S
Basin: Present Potential Maximum R F P G S

If under ditch company, irrigation district, or government project, state the number of shares or inches, acre feet, as the case may be in said system.

S—Stored Water.

Information from __________ Date: June 1, 1949
<table>
<thead>
<tr>
<th>Code No.</th>
<th>System</th>
<th>Source of Water</th>
<th>Present</th>
<th>Potential</th>
<th>Maximum</th>
<th>R</th>
<th>F</th>
<th>P</th>
<th>G</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>33B</td>
<td>Private</td>
<td>Pal Creek</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If under Ditch Company, Irrigation District, or Government Project, state the number of shares or inches, acre feet, as the case may be in said system.


Information from: [Signature] Date: June 6 - 49
STATE OF MONTANA
State Engineer's Office
WATER RESOURCES SURVEY

By: A. C. J
Area: Willow Cr
Date: 7/12/48

Legal Land Owner: D. Benedict
Operator: Address: Farmingburg

Water is delivered by:

- Federal Project
- Ditch Company
- Irrigation District
- Private System

Water is delivered by:

Irrigation District: Pres. Pot.

Size and Capacity, Pump, etc.: 


Is the system an extension of another system? 
Yes: No

Is all land irrigated from one system? 
Yes: No

(If No, show break down on map.)

Source of Water: Willow Cr.
Pole Creek

Acres irrigated 19.5

Potential Acres: ________________

Condition of System: ____________

Adequate Supply: Yes: No

Topography: E. B.

Information From: [Field]

Remarks: __________________________
March 24, 1949

Mr. E. J. Benedict
Roundup, Montana

Dear Mr. Benedict:

In 1939 the State Legislature passed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in your school district compiling these data.

Enclosed herewith we are sending you Form HR-4, which is a map showing in red the ownership of your land. You will note that in the HR-4 the old flood ditch encroaching part of your land, which we have indicated with the color purple. This land we have considered as potential irrigable land, and as we do not have a water right in our files covering this land we are sending you Form HR-6, which we want you to fill out so that we will have complete water right information pertaining to this land should it become irrigated sometime in the future.

Having you come in this time to help us in our endeavor in the very near future and return these forms to us as promptly as possible, I am

Very truly yours,

Gerald J. Crevetus
Assistant State Engineer

G.O. /a
one.
### State Engineer's Office
#### Water Resources Survey

**FARM MAP**

<table>
<thead>
<tr>
<th>Name of Land Owner</th>
<th>Address</th>
<th>Name of Operator</th>
<th>Address</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Irrigated Land</td>
<td>Non-Irrigated Land</td>
<td>Potential Land Under Existing Facilities</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Code No.</th>
<th>System</th>
<th>Source of Water</th>
<th>Basin</th>
</tr>
</thead>
<tbody>
<tr>
<td>3A U.S.A</td>
<td>Johnson &amp; Eken (Private)</td>
<td>Source of Water</td>
<td>Pole Gr</td>
</tr>
</tbody>
</table>


---

**Information from:** [Signature]  
**Date:** June 1, 1949
<table>
<thead>
<tr>
<th>Code</th>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date</th>
<th>Date Filed</th>
<th>Miners</th>
</tr>
</thead>
</table>
| 173  | Jennie S. Elliot       | Pole Cr. | NW\(3/4\), SE\(3/4\), S\(3/4\)SE  
                      |          | Sec. 11; SW\(3/4\)SW  
                      |           |            |        |
|      |                        |         | Sec. 12; NW\(3/4\)NW  
                      |           |            |        |
|      |                        |         | Sec. 13-1ON-22E                                                                 | 4-15-02   | 9-27-04    | 400    |
| 185  | John A. Nicklaus       | Pole Cr. | NE\(1\), SE\(1\), Sec. 10- 
                      |          |            |        |
|      |                        |         | T. 1ON., R. 22E                                                                   | 9-19-84   | 9-27-94    | 200    |
| 190  | Benjamin Sanderson     | Pole Cr. | NW\(3\), SE\(3\), NW\(1\)  
                      |          |            |        |
|      |                        |         | Sec. 10-1ON-22E                                                                  | 8-31-84   | 11-14-91   | 250    |
| 516  | Harmon J. Griffin      | Coulee  | S\(1\)SE  
                      |          |            |        |
|      |                        |         | Sec. 3-1ON-22E                                                                   | 3-21-13   | 3-25-13    | 200    |
State Engineer's Office
WATER RESOURCES SURVEY
WATER RIGHT DATA

Name of Land Owner: Johnson & Eckern
Address: Box 951, Huntley, Montana

Name of Operator: Same
Address: Same

Legal Description: Land description as shown on enclosed plat – Township 10 North, Range 22 East.

1. Our records show that the following water rights were filed on the above described land:

<table>
<thead>
<tr>
<th>Code</th>
<th>Name of Applicator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner's Inches Filed On</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(See enclosed sheet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Are these filings in use? [ ] Yes  [X] No. Explain: FENCING OFF NOW TO BE CUT FOR HAY.

3. Have any of the above filings or any part of them been sold? [X] Yes  [ ] No. If yes, give amount of inches sold and to whom transferred and from what original filing.

4. I have the following water rights that the State Engineer's Office have not shown in the above list:

<table>
<thead>
<tr>
<th>Name of Applicator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner's Inches Filed On</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. In addition, I have an irrigation system on which no recorded filing was ever made.

<table>
<thead>
<tr>
<th>Name of First User</th>
<th>Date of First Use</th>
<th>Stream</th>
<th>Place of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. Do you buy supplemental water? [ ] Yes  [X] No. If yes, from whom and how many inches, C.F.S., Acre Feet, as the case may be?

7. Give any other information that you think should be included for the protection of your water right.

Information from: H. N. S. REED  Date: 29 March 1949
Township 011  Range 22

JOHNSON & KERN

DEEDED

LEASED
29 March 1969

Dear [Name],

Enclosed please find plan of Officer's place with the location of the various 40 acres.

I certainly would like a copy of the plans which you have for Willow Creek w/ Rock Creek, also Cameron Creek whenever it is finished.

That is a good job on the irrigation systems and water rights, certainly (can't help that it is being done).

Appreciate hearing from you.

Sincerely,

[Signature]

Johnson & Kern

H. E. Kern
**STATE OF MONTANA**

**STATE ENGINEER'S OFFICE**

**WATER RESOURCES SURVEY**

By A.C.S.

**Code No. 3B-10A-11A-4G**

**State Engineer's Office**

**Area:** Pole Cr.  
**Date:** 7/8/45  
**Legal Land Owner:** H.B. Johnson  
**Operator:** [Operator Name]  
**Address:** [Address]

**Water is delivered by:**

<table>
<thead>
<tr>
<th>Event</th>
<th>Pres.</th>
<th>Pot.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditch Company</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irrigation District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private System</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pump</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reservoir</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gravity</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Size and Capacity, Pump, etc.**

<table>
<thead>
<tr>
<th>Event</th>
<th>App. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Appropriator, Company</td>
<td>190</td>
</tr>
<tr>
<td>Original Appropriator, Private</td>
<td>173</td>
</tr>
</tbody>
</table>

**Is the system an extension of another system?**  
Yes.  
No.

**Is all land irrigated from one system?**  
Yes.  
No.

**Source of Water:** Pole Cr.

**Acres Irrigated:** 19  
**Potential Acres:**  
**Seeped:**

**Condition of System:** **newly cleaned old ditch**

**Adequate Supply:**  
Yes.  
No.

**Topography:**

**Information From:** E Kern

**Remarks:** **also old ditch not in use**
ditch diverts almost entire creek. Ditch
flowing full on this date but would
not get water in dry seasons. Grazing
land only. No one in vicinity to contact
**STATE OF MONTANA**

**STATE ENGINEER'S OFFICE**

**WATER RESOURCES SURVEY**

---

**Farm Checked**

By:  

**By: A.C.J.**

**Area:** Pole Cr

**Date:** 7/18/48

**Legal Land Owner:** U.S.A.

**Operator:** W.B. Johnson + H.N. Eberm

**Water is delivered by:**

- Federal Project
- Ditch Company
- Irrigation District
- Private System

**Flood**

- Pump
- Reservoir
- Gravity

**Size and Capacity, Pump, etc.**

**Original Appropriator, Company**

- App. No.

**Original Appropriator, Private**

- See Johnson + Eberm farm
- App. No.

**Is the system an extension of another system?**

- Yes
- No

**Is all land irrigated from one system?**

- Yes
- No

**Source of Water**

---

**Acres Irrigated 19.**

**Potential Acres.**

- Seeped

**Explain.**

**Condition of System:**

**Adequate Supply.**

- Yes
- No

**Explain.**

**Topography.**

**Information From:**

**Remarks:**
STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Farm Checked:

By:

STATE OF MONTANA

Code No.

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Area:

Date:

Legal Land Owner:

Operator:

Water is delivered by:

- Federal Project
- Ditch Company
- Irrigation District
- Private System

Water is delivered by:

<table>
<thead>
<tr>
<th>Source of Water</th>
<th>Federal Project</th>
<th>Ditch Company</th>
<th>Irrigation District</th>
<th>Private System</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Size and Capacity, Pump, etc.

Original Appropriator, Company

Original Appropriator, Private

Is the system an extension of another system? Yes No

Is all land irrigated from one system? Yes No

(If No, show breakdown on map)

Acres Irrigated 19

Potential Acres Seeped

Condition of System

Adequate Supply Yes No

Topography

Information From

Remarks
STATE OF MONTANA
STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

By A - C - S

Area Pole Cv.

Date 7/8/48

Legal Land Owner J. Johnson & W. Kern

Operator

Water is delivered by:

<table>
<thead>
<tr>
<th></th>
<th>Pres</th>
<th>Pot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditch Company</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irrigation District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private System</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flood Pump Reservoir</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gravity</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Size and Capacity, Pump, etc.

Original Appropriator, Company

Original Appropriator, Private

Is the system an extension of another system? Yes No

Is all land irrigated from one system? Yes No

Source of Water Pole Cv.

Acres Irrigated 10

Potential Acres Seeped

Condition of System

Adequate Supply Yes No

Topography Valley Bottom

Information From W. Kern

Remarks
overflow from stock Res. Grass irrigated below ditch, perhaps unintentionally, nearest habitation about 4 miles.

I later find from Mr. E.Korn that this irrigation is not intentional.
## Notice of Appropriation

1. County: Mehl (Fergus) Book: 1 Page: 206 Record: W.B.

2. Name of Appropriator: Jennie S. Elliot Address: Highfield, Montana

3. Date Appropriated: 4/15/1932 Date Filed: 9/27/1934

   Amount Appropriated, Miners Inches: 400, Cubic Feet per second: 

4. Name of Stream: Pole Creek Tributary: Basin: 

5. Point of Diversion: North bank at or near point NE34, of 

   Sec: 10 Twp: 19 Rge: 22 Bank of Stream: North

6. Purpose: Irrigation

7. Description of System: Ditch: 12 by 40 inches

8. Land Description of Intended Place of Use: 

<table>
<thead>
<tr>
<th>Section</th>
<th>Township</th>
<th>Range</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NE1/4</td>
<td>20</td>
<td>19</td>
<td>NE1/4, SSW1/4, Sec. 11, T19N, R19W, on NE1/4 of NE1/4</td>
</tr>
<tr>
<td>SSW1/4</td>
<td>20</td>
<td>19</td>
<td>NE1/4, SSW1/4, Sec. 11, T19N, R19W, on NE1/4 of NE1/4</td>
</tr>
<tr>
<td>NW1/4</td>
<td>20</td>
<td>19</td>
<td>NE1/4, SSW1/4, Sec. 11, T19N, R19W, on NE1/4 of NE1/4</td>
</tr>
</tbody>
</table>

9. Remarks (Pertaining to Use, etc.): 

10. Decree

   Case No.: Date: Amt. Decreed: M. I.: C. F. S.: 

11. To Whom Decreed: Address: 


13. Date of Priority: Purpose: 

14. Land Description of Place of Use as Decreed: 

15. Remarks (Present Use Status, etc.): 


Sec. 11-10-22 2 120 Acres - Willow Creek Sheep Co., Rayfield. N\$SW, SESW

Go to - M.P. R.R. Co. S\$SE
STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>Mehl. (Fergus)</td>
</tr>
<tr>
<td>Book</td>
<td>1</td>
</tr>
<tr>
<td>Page</td>
<td>24</td>
</tr>
<tr>
<td>Record</td>
<td>WR</td>
</tr>
<tr>
<td>Name of Appropriator</td>
<td>John A. Nicklaus</td>
</tr>
<tr>
<td>Address</td>
<td>Sahara, Mont.</td>
</tr>
<tr>
<td>Date Appropriated</td>
<td>9/13/1934</td>
</tr>
<tr>
<td>Date Filed</td>
<td>9/27/39</td>
</tr>
<tr>
<td>Amount Appropriated, Miners Inches</td>
<td>200</td>
</tr>
<tr>
<td>Cubic Feet per second</td>
<td></td>
</tr>
<tr>
<td>Name of Stream</td>
<td>Pole Creek</td>
</tr>
<tr>
<td>Tributary</td>
<td>Basin</td>
</tr>
<tr>
<td>Point of Diversion</td>
<td>North bank, thence to and upon the land</td>
</tr>
<tr>
<td>Sec</td>
<td></td>
</tr>
<tr>
<td>Twp</td>
<td></td>
</tr>
<tr>
<td>Rge</td>
<td></td>
</tr>
<tr>
<td>Bank of Stream</td>
<td>North</td>
</tr>
<tr>
<td>Purpose</td>
<td>Irrigation</td>
</tr>
<tr>
<td>Description of System</td>
<td>Dam and ditch, ditch bed 12-14 inches, by 24 inches</td>
</tr>
<tr>
<td>Land Description of Intended Place of Use</td>
<td>S.W. 1/4 S.E. 1/4 Sec. 10, T. 19 N., R. 93 W., 120.3 Acres, Mill Creek, Willow Creek, Roundup</td>
</tr>
<tr>
<td>Remarks (Pertaining to Use, etc.)</td>
<td></td>
</tr>
</tbody>
</table>

Decree

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case No</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Amt Decreed</td>
<td>M. I.</td>
</tr>
<tr>
<td>C. F. S</td>
<td></td>
</tr>
<tr>
<td>To Whom Decreed</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Name of Ditch</td>
<td></td>
</tr>
<tr>
<td>Maximum Capacity (C. F. S.)</td>
<td></td>
</tr>
<tr>
<td>Date of Priority</td>
<td></td>
</tr>
<tr>
<td>Purpose</td>
<td></td>
</tr>
<tr>
<td>Land Description of Place of Use as Decreed</td>
<td></td>
</tr>
<tr>
<td>Remarks (Present Use Status, etc.)</td>
<td></td>
</tr>
</tbody>
</table>
## Notice of Appropriation

**1. County** | **Nahl.** (Fergus) | **Book** | **Page** | **Record** | **WR**
---|---|---|---|---|---

**2. Name of Appropriator** | Benjamin Sanderson | **Address** | Tennessee Flat, Fergus Co. |

**3. Date Appropriated** | 8/11/1884 | **Date Filed** | 11/14/1891 |

**Amount Appropriated, Miners Inches** | 250 | **Cubic Feet per second** |

**4. Name of Stream** | Pole Creek | **Tributary** | Basin |

**5. Point of Diversion** | E. bank at a point about N 1/2, Sec. 3, and runs about a mile |

| Sec. | Twp. | Rge. | Bank of Stream | East |

**6. Purpose** | Irrigation |

**7. Description of System** | Pitch 48 by 24 inches |

**8. Land Description of Intended Place of Use** |

| N 1/2, S 1/2, SW 1/4 | Sec. 10-10-22 | 160 Acres | Willow Creek, Sheep Co., Roundup |

**9. Remarks (Pertaining to Use, etc.)** |

**Decree**

**10. Case No.** | **Date** | **Amt. Decreed:** M. I. | **C. F. S.** |
---|---|---|---|

**11. To Whom Decreed** | **Address** |

**12. Name of Ditch** | **Maximum Capacity (C. F. S.)** |

**13. Date of Priority** | **Purpose** |

**14. Land Description of Place of Use as Decreed** |

**15. Remarks (Present Use Status, etc.)** |
STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

1. County: Musselshell
   Book: 13
   Page: 92
   Record: WR 1

2. Name of Appropriator: Harmon J. Griffin
   Address: Wheaton, Mont.

3. Date Appropriated: 3/21/13
   Date Filed: 3/25/13
   Amount Appropriated: Miners Inches 200

4. Name of Stream: Coulee in 34-11-22
   Tributary: Basin

5. Point of Diversion: Main course near the NE corner of the SE 1/4 of section 34-11-22 thence to and upon the said SE 1/4 of section 34-11-22 and the ENE 1/4 of Sec. 3-10-22 and thru said land if he so desires to any point of final discharge.

   Sec: 34
   Twp: 34
   Rge: 11
   Bank of Stream:

6. Purpose: Irrigation

7. Description of System: Dam and ditch, ditch being 5 by 1 ft.

8. Land Description of Intended Place of Use:
   S1/2SE: Sec. 34-11-22 - 80 Acres
   E1/2NE: Sec. 3-10-22 - 80 Acres

9. Remarks (Pertaining to Use, etc.):

Decree

10. Case No: Date: Amt. Decreed: M. I: C. F. S.

11. To Whom Decreed: Address.


13. Date of Priority: Purpose:

14. Land Description of Place of Use as Decreed:

15. Remarks (Present Use Status, etc.):
Township 22 N  Range 22 E

JOHNSON & EKERN

Deeded

Lensed

* - Land owned and now under litigation
X - New owned by Johnson & Eckern
STATE OF MONTANA
STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

Farm Checked
By: A-C-J.
Area: Willow Cr.
Date: 7/13/48

Legal Land Owner: Johnson & Kern
Operator: (Buyers should be clear by Aug. 1)

Water is delivered by:
Federal Project
Ditch Company
Irrigation District
Private System

Size and Capacity, Pump, etc.

Original Appropriator, Company
Original Appropriator, Private

Is the system an extension of another system?
Yes No

Is all land irrigated from one system?
Yes No

Source of Water: Willow Cr. & Unnamed Cares.

Acres Irrigated
Potential Acres Seeped

Condition of System: Good
Adequate Supply: Yes No

Topography: Creek Bottom
Information From: Kern
Remarks: Kern did not know what section he had, see owner's ship plat.
STATE OF MONTANA
STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

Area: Gall. Co.
Date: 7/12/45

Legal Land Owner: Johnson & Ekern
Address: Box 951 Roundup
Operator: Any

Water is delivered by:

<table>
<thead>
<tr>
<th>Source of Water</th>
<th>Pres.</th>
<th>Pot.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditch Company</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irrigation District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private System</td>
<td>Pres.?</td>
<td>Pot.?</td>
</tr>
</tbody>
</table>

Size and Capacity, Pump, etc.,

<table>
<thead>
<tr>
<th>Original Appropriator, Company</th>
<th>App. No.</th>
<th>174, 176, 179</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Appropriator, Private</td>
<td>App. No.</td>
<td>172, 177, 178</td>
</tr>
</tbody>
</table>

Is the system an extension of another system? Yes No

Is all land irrigated from one system? Yes No

Source of Water: Pole Co.

<table>
<thead>
<tr>
<th>Acres Irrigated 19</th>
<th>24</th>
<th>DONT KNOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potential Acres</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

Condition of System: Poor, being rebuilt.

Adequate Supply: Yes No

Topography

Information From: Ekern

Remarks:
at time, contacted Johnson & Ekern were
in process of buying these ranches and
definite ownership they are acquiring is
not known at this time.

All of the old ditches, not now in use, will
be put into use as quickly as possible and
wherever practical. They believe that the
only economy for this ranch is to get as
much hay crop off of it as possible and
will put in hay wherever they can get water
on to the land.

Johnson & Ekern do not know, at this
carry date, what water rights they are
acquiring with the land. These listed on
the front of this sheet are reasonably
certain to be theirs with possible addition
of others on known.
March 27, 1949

Johnson & Eckorn
P. O. Box 951
Billings, Montana

Dear Sir:

In 1938 the State Legislature passed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in Musselshell County compiling these data.

I am encasing you with a complete picture of all of your holdings, as of County records, of Yellow creek and Lake Creek, which are plotted or have been on a result of our survey that has taken place in Musselshell County in 1948.

At the time our field men completed your survey he said that all of the work you have shown on your map was correct; therefore, we have based our figures on the original survey. What have shown and add any additional data that you have at or previously, or that you may be learning such as, U. S. L. Land.

On these plans you have three sections, stock water reservoir, ditch, and pump house, designated in color by the potential classified in purple. Think, also, would like we have you check over very carefully and make any and all change of which you may become necessary.

In addition, we are sending you a list of the water rights that have been filled pertaining to the land we have shown. As there were a great number of these they are attached to our regular water right form. If it is at all possible, we would like to have you check these, which usually appear in Part 1 of our form and complete Parts 2 to 7, inclusive, on Form 214-A.

We hope that this information will be helpful to you and trust that you will go over these forms at your earliest possible convenience and return them to us as soon as possible. If you should desire copies of this same information we will be glad to forward it to you, or if you should wish to make a personal call we are located in the Roosevelt School Building on 23rd Street & 4th Avenue North, Billings, Montana.

Very truly yours,

Gerald J. Gravota
Assistant State Engineer

G30/a
enc.
STATE OF MONTANA

STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

By

Area

Date

Legal Land Owner

Operator

Water is delivered by:

<table>
<thead>
<tr>
<th>Source</th>
<th>Pres.</th>
<th>Pot.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditch Company</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irrigation District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private System</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Flood Pump Reservoir Gravity

Size and Capacity, Pump, etc.

Original Appropriator, Company

Original Appropiator, Private Uses Johnson & Ekern right, app. No.

Is the system an extension of another system?

Yes/No

Is all land irrigated from one system?

Yes/No

(If No, show break down on map)

Source of Water Willow Cr

Acres Irrigated 10.48
Potential Acres 0 Seeped 0

Condition of System

Adequate Supply

Yes/No

Explain

Only in normal years

Topography Bottom

Information From Field Survey

Remarks Ekern


March 24, 1949

Mrs. Besse Elliot
Romney, Montana.

Dear Madam:

In 1939 the State Legislature passed a law authorizing the State Engineer to "investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working on forms and cards compiling those data.

As we do not have a record of the water right covering the described land on Form "R-0", we would like to have you complete this form, giving us any and all information pertaining to water rights.

We are also sending you Form "R-1" showing your land outlined in red, with the irrigated portion colored in red. We understand that this was irrigated by means of flood irrigation from Willow Creek, but had no data concerning the irrigation system, and, therefore, would like to have you verify whether or not this has been irrigated.

We would also like to know if this land is leased by Johnson and Dekorn or if it has been sold to them.

Any and all information you can give us we will be glad to receive for the protection of the water right concerning the described land.

Very truly yours,

Gerald J. Gravetz
Assistant State Engineer

GJG/a
enc.
STATE OF MONTANA
STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

By A-G-1

Area Willow Co.

Date 7/12/48

Legal Land Owner U.S.A.

Operator Possibly operated by Johnson & Evans

Federal Project

Ditch Company

Irrigation District

Private System

Is the system an extension of another system? Yes No

Is all land irrigated from one system? Yes No

Size and Capacity, Pump, etc

Original Appropriator, Company

Original Appropriator, Private None shown

Is the system an extension of another system? Yes No

Is all land irrigated from one system? Yes No

Source of Water Willow Co.

Acres Irrigated 19.46

Potential Acres

Seeped

Explain Old desert claim ditches

Condition of System Out of use

Adequate Supply Yes No

Explain Flood

Topography Valley

Information From Eastern

Remarks Only trace of old ditches no record of right
STATE OF MONTANA
State Engineer's Office
WATER RESOURCES SURVEY
FARM MAP

Twp. ...... Rge. ......

County. ..........

Code No. ..........

Name of Land Owner. U.S.A. ... Address. .....

Name of Operator. .......... Address. ...........

Legal Description. ...............

[Diagram showing farm layout]

DO NOT WRITE
IN SPACE BELOW


[Table for Basin Present, Potential, Maximum, R, F, P, G, S]

If under Ditch Company, Irrigation District, or Government Project, state the number of shares or inches, acre feet, as the case may be in said system.


S—Stored Water.

Information from .......... Date. June 1, 1944.
**STATE OF MONTANA**  
**State Engineer's Office**  
**WATER RESOURCES SURVEY**  
**WATER RIGHT DATA**

Name of Land Owner: John & Eckern  
Address: Box 951, Roundup, Montana

Name of Operator: Same  
Address: 

Legal Description: Land Description as shown on enclosed plat - Township 1 North, Range 22 East

---

1. Our records show that the following water rights were filed on the above described land:

<table>
<thead>
<tr>
<th>Code</th>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner’s Inches Filed On</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(See attached sheet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Are these filings in use:  
   - Yes  
   - No  
   Explain: Glr Hay 8150 of William Creek Irrigation.

3. Have any of the above filings or any part of them been sold:  
   - Yes  
   - No  
   If yes, give amount of inches sold and to whom transferred and from what original filing.

4. I have the following water rights that the State Engineer’s Office have not shown in the above list:

<table>
<thead>
<tr>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner’s Inches Filed On</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. In addition, I have an irrigation system on which no recorded filing was ever made.

<table>
<thead>
<tr>
<th>Name of First User</th>
<th>Date of First Use</th>
<th>Stream</th>
<th>Place of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. Do you buy supplemental water?  
   - Yes  
   - No  
   If yes, from whom and how many Inches, C.F.S., Acre Feet, as the case may be?

7. Give any other information that you think should be included for the protection of your water right. Hay and Winter.

   Cicle is except all off Sert 32 which is leased out at the present.

Information from: M. K. Z.  
Date: 22 MARCH 1943.
<table>
<thead>
<tr>
<th>Code</th>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date Approp.</th>
<th>Date Filed</th>
<th>Miners Inches</th>
</tr>
</thead>
<tbody>
<tr>
<td>254</td>
<td>James B. Elliot</td>
<td>Willow Cr.</td>
<td>NWNE 1/4, NESE 1/4 Sec. 4;</td>
<td>7-8-04</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>255</td>
<td>James B. Elliot</td>
<td>&quot; &quot;</td>
<td>Lot 1 Sec. 5-11N-22E</td>
<td>6-10-02</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>256</td>
<td>James B. Elliot</td>
<td>&quot; &quot;</td>
<td>NNE 1/4 Sec. 10-11N-22E</td>
<td>6-10-02</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>257</td>
<td>Mae A. Elliot</td>
<td>&quot; &quot;</td>
<td>NW 1/4 Sec. 15-11N-22E</td>
<td>6-6-14</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>258</td>
<td>Daniel Tressler</td>
<td>&quot; &quot;</td>
<td>SSW 1/4, NW 1/4 Sec. 14-11N-22E</td>
<td>4-10-82</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>321</td>
<td>John Kambic</td>
<td>Dry Coulee</td>
<td>ESE 1/4 Sec. 9; WSW 1/4; Sec. 10, T.11N., R.22E</td>
<td>5-20-11</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>169</td>
<td>Norman Anderson</td>
<td>Pole Creek</td>
<td>WSW 1/4 Sec. 29-11N-22E</td>
<td>9-9-11</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>172</td>
<td>Agnes Elliot</td>
<td>Pole Creek</td>
<td>Lot 4 Sec. 4-11N-22E; SSW 1/4 Sec. 33; ESE 1/4, NE 1/4, SE; SE 1/4 Sec. 32-11N-22E</td>
<td>9-27-04</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>174</td>
<td>John Elliot</td>
<td>Pole Creek</td>
<td>NE 1/4, SENE 1/4, NNE 1/4 Sec. 30-11N-22E</td>
<td>7-8-04</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>175</td>
<td>Wm. D. Elliot</td>
<td>Pole Creek</td>
<td>Lots 3 &amp; 4 Sec. 4, T.10N-22E; SESE 1/4 Sec. 32-11N-22E; SSW 1/4 Sec. 33-11N-22E</td>
<td>7-23-17</td>
<td>160</td>
<td></td>
</tr>
<tr>
<td>177</td>
<td>Henry Freeman</td>
<td>Pole Creek</td>
<td>SSW 1/4, SESE 1/4, NSE 1/4 Sec. 32-11N-22E</td>
<td>7-9-11</td>
<td>200</td>
<td></td>
</tr>
</tbody>
</table>
STATE OF MONTANA
State Engineer's Office
WATER RESOURCES SURVEY
FARM MAP

Name of Land Owner: Johnson & Ecker
Address:

Name of Operator: Address:

Legal Description:

☐ Irrigated Land  ☐ Non-Irrigated Land  ☐ Potential Land Under Existing Facilities

System: Moulton's Hill  Source of Water: Willow Cr.
Basin:

System: Johnson & Ecker (Private)  Source of Water: Pole Cr.
Basin: Moulton's Hill

If under Ditch Company, Irrigation District, or Government Project, state the number of shares or inches, acre feet, as the case may be in said system.


Information from: N.F.O.  Date: June 1 - 1949
**STATE ENGINEERS OFFICE**  
*Water Resources Survey*  

**Notice of Appropriation**

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. County</td>
<td>Mahl.</td>
<td>(Fergus)</td>
<td>Book 1</td>
</tr>
<tr>
<td>2. Name of Appropriator</td>
<td>James B. Elliot</td>
<td>Address</td>
<td>Highfield, Mont.</td>
</tr>
<tr>
<td>3. Date Appropriated</td>
<td>4/15/1902</td>
<td>Date Filed</td>
<td>7/8/1904</td>
</tr>
<tr>
<td></td>
<td>Amount Appropriated, Miners Inches</td>
<td>400</td>
<td>Cubic Feet per second</td>
</tr>
<tr>
<td>4. Name of Stream</td>
<td>Willow Creek</td>
<td>Tributary</td>
<td>Mahl. R.</td>
</tr>
<tr>
<td>5. Point of Diversion</td>
<td>NE. bank a t. point near Lot 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sec. 5</td>
<td>Twp. 11</td>
<td>Rge. 22</td>
</tr>
<tr>
<td>6. Purpose</td>
<td>Irrigation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Description of System</td>
<td>Ditch 36 by 10 inches</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land Description of Intended Place of Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>SHSW</td>
<td>Sec. 4-11-22</td>
<td>40. Acres</td>
</tr>
<tr>
<td></td>
<td>NWSW</td>
<td>9-11-22</td>
<td>REVERSE</td>
</tr>
<tr>
<td></td>
<td>10-11-22</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>9. Remarks (Pertaining to Use, etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decree</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Case No.</td>
<td>Date</td>
<td>Amt. Decreed</td>
<td>M. I.</td>
</tr>
<tr>
<td>11. To Whom Decreed</td>
<td>Address</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Name of Ditch</td>
<td>Maximum Capacity (C. F. S.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Date of Priority</td>
<td>Purpose</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Land Description of Place of Use as Decreed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Remarks (Present Use Status, etc.)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Sec. 9-11-29 - 80 Acres - Willow Creek Sheep Co., Bayfield. NW\NE
40 " - John Kambic, Bozeman, Mont. SENE
# Notice of Appropriation

1. County: Musselshell  
   Book: 1  
   Page: 203  
   Record: MR  

2. Name of Appropriator: James E. Elliot  
   Address: Highfield, Mont.  

3. Date Appropriated: 6/10/1992  
   Date Filed: 8/5/1992  
   Amount Appropriated, Miners Inches: 50  
   Cubic Feet per second:  

4. Name of Stream: Willow Creek  
   Tributary: Mahl. B  
   Basin: Mo. River  

5. Point of Diversion: N. bank near center of N. line of Lot 2 in  
   Sec. 5  
   Twp. 11  
   Rge. 22  
   Bank of Stream: North  

6. Purpose: Irrigation  

7. Description of System: Dam and ditch, ditch being 36 by 12 inches  

8. Land Description of Intended Place of Use:  
   Lot 1  
   Sec. 5-11-22  
   41 Acres  
   Willow Creek Sheep Co., Rayfield  

9. Remarks (Pertaining to Use, etc.):  

10. Case No.  
    Date:  
    Amt. Decreed: M. I.  
    C. F. S.:  

11. To Whom Decreed:  
    Address:  

12. Name of Ditch:  
    Maximum Capacity (C. F. S.):  

13. Date of Priority:  
    Purpose:  

14. Land Description of Place of Use as Decreed:  

15. Remarks (Present Use Status, etc.):  

---

**Decree**

1. County: Musselshell  
   Book: 1  
   Page: 203  
   Record: MR  

2. Name of Appropriator: James E. Elliot  
   Address: Highfield, Mont.  

3. Date Appropriated: 6/10/1992  
   Date Filed: 8/5/1992  
   Amount Appropriated, Miners Inches: 50  
   Cubic Feet per second:  

4. Name of Stream: Willow Creek  
   Tributary: Mahl. B  
   Basin: Mo. River  

5. Point of Diversion: N. bank near center of N. line of Lot 2 in  
   Sec. 5  
   Twp. 11  
   Rge. 22  
   Bank of Stream: North  

6. Purpose: Irrigation  

7. Description of System: Dam and ditch, ditch being 36 by 12 inches  

8. Land Description of Intended Place of Use:  
   Lot 1  
   Sec. 5-11-22  
   41 Acres  
   Willow Creek Sheep Co., Rayfield  

9. Remarks (Pertaining to Use, etc.):  

10. Case No.  
    Date:  
    Amt. Decreed: M. I.  
    C. F. S.:  

11. To Whom Decreed:  
    Address:  

12. Name of Ditch:  
    Maximum Capacity (C. F. S.):  

13. Date of Priority:  
    Purpose:  

14. Land Description of Place of Use as Decreed:  

15. Remarks (Present Use Status, etc.):  

---

**Decree**

1. County: Musselshell  
   Book: 1  
   Page: 203  
   Record: MR  

2. Name of Appropriator: James E. Elliot  
   Address: Highfield, Mont.  

3. Date Appropriated: 6/10/1992  
   Date Filed: 8/5/1992  
   Amount Appropriated, Miners Inches: 50  
   Cubic Feet per second:  

4. Name of Stream: Willow Creek  
   Tributary: Mahl. B  
   Basin: Mo. River  

5. Point of Diversion: N. bank near center of N. line of Lot 2 in  
   Sec. 5  
   Twp. 11  
   Rge. 22  
   Bank of Stream: North  

6. Purpose: Irrigation  

7. Description of System: Dam and ditch, ditch being 36 by 12 inches  

8. Land Description of Intended Place of Use:  
   Lot 1  
   Sec. 5-11-22  
   41 Acres  
   Willow Creek Sheep Co., Rayfield  

9. Remarks (Pertaining to Use, etc.):  

10. Case No.  
    Date:  
    Amt. Decreed: M. I.  
    C. F. S.:  

11. To Whom Decreed:  
    Address:  

12. Name of Ditch:  
    Maximum Capacity (C. F. S.):  

13. Date of Priority:  
    Purpose:  

14. Land Description of Place of Use as Decreed:  

15. Remarks (Present Use Status, etc.):  

---

**Decree**

1. County: Musselshell  
   Book: 1  
   Page: 203  
   Record: MR  

2. Name of Appropriator: James E. Elliot  
   Address: Highfield, Mont.  

3. Date Appropriated: 6/10/1992  
   Date Filed: 8/5/1992  
   Amount Appropriated, Miners Inches: 50  
   Cubic Feet per second:  

4. Name of Stream: Willow Creek  
   Tributary: Mahl. B  
   Basin: Mo. River  

5. Point of Diversion: N. bank near center of N. line of Lot 2 in  
   Sec. 5  
   Twp. 11  
   Rge. 22  
   Bank of Stream: North  

6. Purpose: Irrigation  

7. Description of System: Dam and ditch, ditch being 36 by 12 inches  

8. Land Description of Intended Place of Use:  
   Lot 1  
   Sec. 5-11-22  
   41 Acres  
   Willow Creek Sheep Co., Rayfield  

9. Remarks (Pertaining to Use, etc.):  

10. Case No.  
    Date:  
    Amt. Decreed: M. I.  
    C. F. S.:  

11. To Whom Decreed:  
    Address:  

12. Name of Ditch:  
    Maximum Capacity (C. F. S.):  

13. Date of Priority:  
    Purpose:  

14. Land Description of Place of Use as Decreed:  

15. Remarks (Present Use Status, etc.):  

---

**Decree**

1. County: Musselshell  
   Book: 1  
   Page: 203  
   Record: MR  

2. Name of Appropriator: James E. Elliot  
   Address: Highfield, Mont.  

3. Date Appropriated: 6/10/1992  
   Date Filed: 8/5/1992  
   Amount Appropriated, Miners Inches: 50  
   Cubic Feet per second:  

4. Name of Stream: Willow Creek  
   Tributary: Mahl. B  
   Basin: Mo. River  

5. Point of Diversion: N. bank near center of N. line of Lot 2 in  
   Sec. 5  
   Twp. 11  
   Rge. 22  
   Bank of Stream: North  

6. Purpose: Irrigation  

7. Description of System: Dam and ditch, ditch being 36 by 12 inches  

8. Land Description of Intended Place of Use:  
   Lot 1  
   Sec. 5-11-22  
   41 Acres  
   Willow Creek Sheep Co., Rayfield  

9. Remarks (Pertaining to Use, etc.):  

10. Case No.  
    Date:  
    Amt. Decreed: M. I.  
    C. F. S.:  

11. To Whom Decreed:  
    Address:  

12. Name of Ditch:  
    Maximum Capacity (C. F. S.):  

13. Date of Priority:  
    Purpose:  

14. Land Description of Place of Use as Decreed:  

15. Remarks (Present Use Status, etc.):  

---
### Notice of Appropriation

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. County</td>
<td>Mehl (Fergus)</td>
</tr>
<tr>
<td>2. Name of Appropriator</td>
<td>James R. Elliot</td>
</tr>
<tr>
<td>3. Date Appropriated</td>
<td>6/10/1902</td>
</tr>
<tr>
<td>4. Name of Stream</td>
<td>Willow Creek</td>
</tr>
<tr>
<td>5. Point of Diversion</td>
<td>Eastern Bank near Center of Stream</td>
</tr>
<tr>
<td>6. Purpose</td>
<td>Irrigation</td>
</tr>
<tr>
<td>8. Land Description of Intended Place of Use</td>
<td>N.E. Sec. 10-11-22 - 40 Acres - Willow Creek Sheer-Crystal Rayfield</td>
</tr>
</tbody>
</table>

### Decree

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
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</thead>
<tbody>
<tr>
<td>10. Case No.</td>
<td>Date</td>
</tr>
<tr>
<td>12. Name of Ditch</td>
<td>Maximum Capacity (C. F. S.)</td>
</tr>
<tr>
<td>13. Date of Priority</td>
<td>Purpose</td>
</tr>
<tr>
<td>14. Land Description of Place of Use as Decreed</td>
<td></td>
</tr>
</tbody>
</table>

**To Whom Decreed**

**Address**

**Remarks (Present Use Status, etc.)**
STATE ENGINEERS OFFICE  
Water Resources Survey  
Notice of Appropriation

<p>| | |</p>
<table>
<thead>
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<th></th>
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</tr>
</thead>
</table>


   ![](Amount Appropriated, Miners Inches: 200. Cubic Feet per second.)


7. Description of System: Ditch 36 by 24 inches.

8. Land Description of Intended Place of Use:
   - Sec. 15 Twp 11 Rge 22 = 160 Acres = Willow Creek Sheep Co., Rawlfield.

9. Remarks (Pertaining to Use, etc.)

---

Decree


11. To Whom Decreed. Address.


13. Date of Priority. Purpose.

14. Land Description of Place of Use as Decreed.

15. Remarks (Present Use Status, etc.)
### Notice of Appropriation

1. **County**: Mahl. (Fergus) **Book**: 1 **Page**: 11 **Record**: WR

2. **Name of Appropriator**: Daniel Trexler **Address**: Sahara, Mont.

3. **Date Appropriated**: 4/10/1862 **Date Filed**: 6/25/1883

   **Amount Appropriated, Miners Inhes.**: 100 **Cubic Feet per second**:

4. **Name of Stream**: Willow Creek **Tributary**: Mshl. R. **Basin**: Mo. R.

5. **Point of Diversion**: NE bank, 360 yds. W. of NW corner of

   Sec. 4 **Twp.**: 11 **Rge.**: 22 **Bank of Stream**: Northeast.

6. **Purpose**: Irrigation

7. **Description of System**: Dam and ditch, ditch being 12 by 18 inches

8. **Land Description of Intended Place of Use**:

   **Sec.**, **Twp.**, **Rge.**, **Bank of Stream**:

   "Sec. 14, Twp. 11, Rge. 22, 80 Acres, Federal Land Bank, Spokane"

9. **Remarks (Pertaining to Use, etc.)**

10. **Decree**

   **Case No.** **Date** **Amt. Decreed**: M. L. **C. F. S.**

11. **To Whom Decreed**: **Address**

12. **Name of Ditch**: **Maximum Capacity (C. F. S.)**

13. **Date of Priority** **Purpose**

14. **Land Description of Place of Use as Decreed**

15. **Remarks (Present Use Status, etc.)**
STATE ENGINEERS OFFICE  
Water Resources Survey  
Notice of Appropriation  

1. County: Musselshell  
   Book: 13  
   Page: 8  
   Record: WR 1  

2. Name of Appropriator: John Kambic  
   Address: Roundup, Mont.  

3. Date Appropriated: 5/20/11  
   Date Filed: 5/23/11  
   Amount Appropriated: 200 Miners Inches  

4. Name of Stream: Dry Coulee running through Sec 9-10-11-22  
   Tributary:  
   Basin:  

5. Point of Diversion: Section 9, Twp. 11, Rge 22, Bank of Stream  

6. Purpose: Irrigation  

7. Description of System: Dam and ditch, ditch being 60 by 12 inches  

8. Land Description of Intended Place of Use:  
   Pleasant Sec. 9-11-22 - 30 Acres - John Kambic, Bozeman  
   Wilti Sec. 10-11-22 - 40 Acres - Wilcu Creek Sheep Co., Rayfield  

9. Remarks (Pertaining to Use, etc.):  

Decree:  

10. Case No:  
    Date:  
    Amt. Decreed: M. I.  
    C. F. S.  

11. To Whom Decreed:  
    Address:  

12. Name of Ditch:  
    Maximum Capacity (C. F. S.):  

13. Date of Priority:  
    Purpose:  

14. Land Description of Place of Use as Decreed:  

15. Remarks (Present Use Status, etc.):  


STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

1. County: Musselshell
   Book: 13
   Page: 18
   Record: WR 1

2. Name of Appropriator: Norman Anderson
   Address: Pine Grove, Mont.

3. Date Appropriated: 4/1/1908
   Date Filed: 9/3/1911
   Amount Appropriated: Miners Inches 200

4. Name of Stream: Pole Creek
   Tributary: Maha R.
   Basin: Mo R.

5. Point of Diversion: REVERSE

   Sec: ............
   Twp: ............
   Rge: ............
   Bank of Stream: ............

6. Purpose: Irrigation

7. Description of System: 3 diiches, each being 24 by 12 inches

8. Land Description of Intended Place of Use:
   .....W.E.S.W Sec. 22-N-22 - 30 Acres - Willow Creek Sheep Co., Bayfield
   .....N.W.N.W Sec. 18-N-22 - 30

9. Remarks (Pertaining to Use, etc.):

Decree

10. Case No. Date
    Amt. Decreed: M. I. C. F. S.

11. To Whom Decreed
    Address:

12. Name of Ditch
    Maximum Capacity (C. F. S.)

13. Date of Priority
    Purpose

14. Land Description of Place of Use as Decreed

15. Remarks (Present Use Status, etc.)
1. From a storage reservoir located in the SE\(\frac{1}{4}\) of Section 19, the diversion being in the NE\(\frac{3}{4}\) of Sec. 30-11-22, on east bank.

2. At a point on the west bank NE\(\frac{1}{4}\) in the NWSW, of Sec. 29.

3. At a point on the east bank in the NW\(\frac{3}{4}\) of Sec. 32, all in Twp. 11, Rge. 22, thence to and upon the land.
## Notice of Appropriation

<table>
<thead>
<tr>
<th>Code No.</th>
<th>172</th>
</tr>
</thead>
</table>

1. **County:** Mehl (Fergus County)  
   **Page:** 164  
   **Record:** MR

2. **Name of Appropriator:** Agnes Elliot  
   **Address:** Highfield, Fergus Co., Mont.

3. **Date Appropriated:** 9/1/02  
   **Date Filed:** 9/27/04  
   **Amount Appropriated:** Miners Inches 400, Cubic Feet per second

4. **Name of Stream:** Pole Creek  
   **Tributary:** Mehl R.  
   **Basin:** Mehl R.

5. **Point of Diversion:** At or near NW
   **Sec.:** 32  
   **Twp.:** 11  
   **Rge.:** 22  
   **Bank of Stream:** East

6. **Purpose:** Irrigation

7. **Description of System:** Dam and Ditch, ditch 40” by 12”

8. **Land Description of Intended Place of Use:**
   **Lot & Sec.:** 4-10-22  
   **SHSW, NESE, NWSE:** Sec. 32-11-22

9. **Remarks (Pertaining to Use, etc.):**

---

### Decree

11. **Case No.:**  
    **Date:**  
    **Amt. Decreed:** M. I.  
    **C. F. S.:**

12. **To Whom Decreed:**  
    **Address:**

13. **Name of Ditch:**  
    **Maximum Capacity (C. F. S.):**

14. **Date of Priority:**  
    **Purpose:**

15. **Land Description of Place of Use as Decreed:**

16. **Remarks (Present Use Status, etc.):**
<table>
<thead>
<tr>
<th>Notice of Appropriation</th>
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<tbody>
<tr>
<td><strong>1. County</strong></td>
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<tr>
<td><strong>2. Name of Appropriator</strong></td>
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<tr>
<td><strong>3. Date Appropriated</strong></td>
</tr>
<tr>
<td><strong>4. Name of Stream</strong></td>
</tr>
<tr>
<td><strong>5. Point of Diversion</strong></td>
</tr>
<tr>
<td><strong>6. Purpose</strong></td>
</tr>
<tr>
<td><strong>7. Description of System</strong></td>
</tr>
<tr>
<td><strong>8. Land Description of Intended Place of Use</strong></td>
</tr>
<tr>
<td><strong>9. Remarks (Pertaining to Use, etc.)</strong></td>
</tr>
<tr>
<td><strong>10. Case No.</strong></td>
</tr>
<tr>
<td><strong>11. To Whom Decreed</strong></td>
</tr>
<tr>
<td><strong>12. Name of Ditch</strong></td>
</tr>
<tr>
<td><strong>13. Date of Priority</strong></td>
</tr>
<tr>
<td><strong>14. Land Description of Place of Use as Decreed</strong></td>
</tr>
<tr>
<td><strong>15. Remarks (Present Use Status, etc.)</strong></td>
</tr>
</tbody>
</table>
### Form 1—10M

**STATE ENGINEERS OFFICE**  
Water Resources Survey  

**Notice of Appropriation**

| Code No. | 175 |

1. **County** | Russell *Book* |
2. **Name of Appropriator** | William D. Elliot |
3. **Date Appropriated** | 7/23/17 |
4. **Date Filed** | 7/24/17 |
5. **Amount Appropriated, Miners Inches** | 160 |
6. **Cubic Feet per second** |
7. **Name of Stream** | Pole Creek |
8. **Tributary** | Mahl, R |
9. **Basin** | No. R |
10. **Point of Diversion** | North bank, thence to and upon the land |
11. **Sec.** |
12. **Twp.** |
13. **Rge.** |
14. **Bank of Stream** | North |
15. **Purpose** | Irrigation |
16. **Description of System** | Dam and ditch, ditch being 4 by 1 ft |
17. **Land Description of Intended Place of Use** |
   - **Lots 3 & 4, Sec. 4-12-22, Willow Creek Sheep Co., Rayfield** |
   - **30 Acres** |
   - **SESE** |
   - **32-11-22, 40 Acres, E. A. Harris** |
   - **SNWSE** |
   - **33-12-22, 40 Acres, Willow Creek Sheep Co., Rayfield** |
18. **Remarks (Pertaining to Use, etc.)** |

#### Decree

| Case No. |  |
| Amt. Decreed: M. I. | C. F. S. |
| To Whom Decreed | Address |
| Name of Ditch | Maximum Capacity (C. F. S.) |
| Date of Priority | Purpose |
| Land Description of Place of Use as Decreed | |
| Remarks (Present Use Status, etc.) | |
STATE ENGINEERS OFFICE  
Water Resources Survey  
Notice of Appropriation  

Code No. 177

1. County: Hessler  
   Book: 13  
   Page: 18  
   Record: WR-1

2. Name of Appropriator: Henry Freeman  
   Address: Clara, Mont.

3. Date Appropriated: 9/7/11  
   Date Filed: 9/9/11  
   Amount Appropriated, Miners Inches: 200  
   Cubic Feet per second:

4. Name of Stream: Pole Creek  
   Tributary: Mahl R.  
   Basin No. R.

5. Point of Diversion: East bank near the NW 1/4
   Sec.: 32  
   Twp.: 11  
   Rge.: 22  
   Bank of Stream: East

6. Purpose: Irrigation

7. Description of System: Dam and ditch, ditch being 36 by 12 inches

8. Land Description of Intended Place of Use:  
   SENE NW, N4S4, Sec. 32-11-22 = 160 Acres, Willow Creek Sheep Co., Rayfield

9. Remarks (Pertaining to Use, etc.):

Decree

10. Case No.:  
    Date:  
    Amt. Decreed: M. I.  
    C. F. S.

11. To Whom Decreed:  
    Address:

12. Name of Ditch:  
    Maximum Capacity (C. F. S.):

13. Date of Priority:  
    Purpose:

14. Land Description of Place of use as Decreed:

15. Remarks (Present Use Status, etc.):
STATE OF MONTANA

State Engineer's Office
WATER RESOURCES SURVEY
WATER RIGHT DATA

Name of Land Owner: Matt & Katherine Penica
Address: Klein, Montana

Name of Operator: Same
Address: 

Legal Description: Lots 1, 2, 3, 4, SSW1/4, NSE1/4 Sec. 4; SSW1/4 Sec. 3 - Twp. 11N., R. 22E.

1. Our records show that the following water rights were filed on the above described land:

<table>
<thead>
<tr>
<th>Code</th>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner's Inches Filed On</th>
</tr>
</thead>
<tbody>
<tr>
<td>376</td>
<td>Matt Penica</td>
<td>Devil's Coulee</td>
<td>SE1/4SE1/4, Sec. 33.</td>
<td>7-1-11</td>
<td>7-1-11</td>
<td>160</td>
</tr>
</tbody>
</table>

2. Are these filings in use: Yes, No. Explain: These rights are in use for growing crops and irrigation purposes.

3. Have any of the above filings or any part of them been sold: Yes, No. If yes, give amount of inches sold and to whom transferred and from what original filing:

4. I have the following water rights that the State Engineer's Office have not shown in the above list:

<table>
<thead>
<tr>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner's Inches Filed On</th>
</tr>
</thead>
</table>

5. In addition, I have an irrigation system on which no recorded filing was ever made.

<table>
<thead>
<tr>
<th>Name of First User</th>
<th>Date of First Use</th>
<th>Stream</th>
<th>Place of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

6. Do you buy supplements: Yes, No. If yes, from whom and how many inches, C.F.S., Acre Feet, as the case may be:

7. Give any other information that you think should be included for the protection of your water right:

Information from: Date: 3/21/1967
STATE OF MONTANA
State Engineer’s Office
WATER RESOURCES SURVEY
FARM MAP

County... Musselshell
Code No. 3A - 4A

Twp... 11N Rge. 22E

Name of Land Owner... Matt & Katherine Penica
Address... Klein, Montana

Name of Operator... Same
Address...

Legal Description... Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, Sec. 4, Twp. 11N, R. 22E - S-1/2 Sec. 3, Twp. 11N, R. 22E.

Legend:
- Irrigated Land
- Non-Irrigated Land
- Potential Land Under Existing Facilities

South Willow Co.
Fergus Co.

\( \text{acre feet, as the case may be} \)
\( \text{G—Water diverted by gravity} \)
<table>
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<tbody>
<tr>
<td>3A - 4A</td>
<td>Private</td>
<td></td>
<td>Musselshell</td>
<td></td>
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<td></td>
<td></td>
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</tbody>
</table>

If under Ditch Company, Irrigation District, or Government Project, state the number of shares or inches, acre feet, as the case may be, in said system.


Information from ____________________________ Date: ____________________________

(Johnson & SharePoint)  
South
April 6, 1949

Gerald J. Darvey
Asst. State Engineer
P.O. B of 873
Billings, Mont.

Dear Sir,

Enclose the map you sent me some time ago.ewear: you can send me one of the maps a copy to keep.

I thank you very much.

Yours truly,
Mr. and Mrs. Matt Donica
B. of 168
Helena, Mont.
Farm Checked
By A-C-S
Area Willow Co
Date 7/12/48
Legal Land Owner Matt & Katherine Perica
Operator Possibly operated by (Johnson & Eken)

Water is delivered by:
- Federal Project
- Ditch Company
- Irrigation District
- Private System

<table>
<thead>
<tr>
<th>Source</th>
<th>Pot.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Project</td>
<td></td>
</tr>
<tr>
<td>Ditch Company</td>
<td></td>
</tr>
<tr>
<td>Irrigation District</td>
<td></td>
</tr>
<tr>
<td>Private System</td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
</tr>
</tbody>
</table>

Size and Capacity, Pump, etc.

Original Appropriator, Company
Original Appropriator, Private

Is the system an extension of another system? Yes No
Is all land irrigated from one system? Yes No

Source of Water Willow Co

Acres Irrigated 19.48
Potential Acres Seeped 0

Condition of System In Use
Adequate Supply Yes No

Topography Flat
Information From Field Survey

Remarks Only 2 corners of this land irrigated by Johnson & Eken ditch
March 24, 1949

Matt & Katherine Pontec
Klein, Montana

Dear Sir:

In 1939 the State Legislature passed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in Marshall County compiling these data.

Enclosed herewith we are sending you a copy of the map with which we have a record of the your land, but we are in doubt as to the coverage in Sections 3 and 4. I believe that this water right form is self-explanatory and will require but a few minutes of your time to complete and return to our office in the self-addressed stamped envelope.

We are also sending you a map of your land covering Sections 3 & 4. On this map we show the two corners of your land in Section 4, as indicated by the color "red", are under flood irrigation through the Johnson and Reher Ditch. We would like to know if this is true or not.

If you would study the map as to the validity and take any and all changes you may necessary. The reason we are doing this is because it is in our policy, when we take final construct, to have the land owner check the map and water right record we have before final assembling.

Hoping you can find time to help us in our endeavor in the very near future and return these forms to us as promptly as possible, I am

Very truly yours,

Gerald J. Gravets
Assistant State Engineer

G. J. O.
one.
<table>
<thead>
<tr>
<th>Notice of Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Name of Appropriator: Matt Penca</td>
</tr>
<tr>
<td>3. Date Appropriated: 7/1/11</td>
</tr>
<tr>
<td>Amount Appropriated, Miners Inches: 160</td>
</tr>
<tr>
<td>4. Name of Stream: Dryl's Basin Coulee</td>
</tr>
<tr>
<td>5. Point of Diversion:</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>6. Purpose: Irrigation</td>
</tr>
<tr>
<td>7. Description of System: Dam and ditch 24&quot; by 18&quot;</td>
</tr>
<tr>
<td>8. Land Description of Intended Place of Use:</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>9. Remarks (Pertaining to Use, etc.):</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>11. To Whom Decreed:</td>
</tr>
<tr>
<td>13. Date of Priority:</td>
</tr>
<tr>
<td>14. Land Description of Place of Use as Decreed:</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>15. Remarks (Present Use Status, etc.):</td>
</tr>
</tbody>
</table>
STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

WATER RIGHT DATA

Name of Land Owner: Lena Redfield

Address: Roundup, Montana

Name of Operator: Same

Address: Same

Legal Description:

Section 14, Twp. 11N., R. 27E.

1. Our records show that the following water rights were filed on the above described land:

<table>
<thead>
<tr>
<th>Code</th>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner's Inches Filed On</th>
</tr>
</thead>
<tbody>
<tr>
<td>205</td>
<td>Daniel Tressler</td>
<td>Willow Cr.</td>
<td>S1W2, N1S41</td>
<td>4-10-82</td>
<td>6-25-89</td>
<td>100</td>
</tr>
</tbody>
</table>

2. Are these filings in use: Yes...No. Explain...

3. Have any of the above filings or any part of them been sold: Yes...No. If yes, give amount of inches sold and to whom transferred and from what original filing...

4. I have the following water rights that the State Engineer's Office have not shown in the above list:

<table>
<thead>
<tr>
<th>Name of Appropriator</th>
<th>Stream</th>
<th>Land Description</th>
<th>Date App.</th>
<th>Date Filed</th>
<th>Miner's Inches Filed On</th>
</tr>
</thead>
</table>

5. In addition, I have an irrigation system on which no recorded filing was ever made.

<table>
<thead>
<tr>
<th>Name of First User</th>
<th>Date of First Use</th>
<th>Stream</th>
<th>Pince of Use</th>
</tr>
</thead>
</table>

6. Do you buy supplemental water? Yes. No. If yes, from whom and how many Inche., C.F.S., Acre Feet, as the case may be...

7. Give any other information that you think should be included for the protection of your water right...

Trace of old ditch that used to come this land from Willow Co.  Land in Sec. 10, has been over supplied many years.

Information from: Lena Roberts. Date: March 31, 1949.