Township 11 North, Range 22 East

CODE	OWNER	OPERATOR
33B	M. D. Benedict	Same
3A, 3B, 4B 10A, 11A	Johnson & Eckern	"
3A, 4A	Matt & Katherine Penica	"
10B,14B,15A	Lena Redfield	"

Township 11 North, Range 22 East

30A ~~Stockyards~~ Cenica, Matt Devils Basin Coulee 7-1-11 7-1-11 160

No.	Name of Appropriator	Name of Stream	Date App.	Date Filed	M.I.
114	Carroll, L. Ray	Minerva Creek	5-25-12	5-28-12	300
115	Munroe, Sarah S.	Minerva Creek	9-1-11	11-9-11	400
169	Anderson, Norman	Pole Creek	4-1-08	9-9-11	200
172	Elliott, Agnes	Pole Creek	9-1-02	9-27-04	400
174	Elliott, John	Pole Creek	10-1-01	7-8-04	200
175	Elliott, William D.	Pole Creek	7-23-17	7-24-17	160
176	Fitch, Esther L.	Pole Creek	6-2-13	6-3-14	320
177	Freeman, Henry	Pole Creek	9-7-11	9-9-11	200
231	Broad, Albert	Whoop Up Creek	5-1-02	7-11-03	200
232	Johnson, Roy S.	Whoop Up Creek	10-2-13	10-3-13	120
253	Elliott, Bessie J.	Willow Creek	9-11-11	9-11-11	200
254	Elliott, Jas.B.	Willow Creek	4-15-02	7-8-04	400
255	Elliott, James B.	Willow Creek	6-10-02	8-5-04	50
256	Elliott, James B.	Willow Creek	6-10-02	8-5-04	50
258	Elliott, Mae A.	Willow Creek	6-6-14	9-8-14	200
271	Ivacic, Joe	Willow Creek	11-28-14	11-28-14	400
280	Munro, Sahara C.	Willow Creek	7-23-12	8-3-12	200
295	Tressler, Daniel	Willow Creek	4-10-82	6-25-89	100
316	Griffin, Harmon J.	Unnamed Coulee	3-21-13	3-25-13	200
321	Kambic, John	Unnamed Coulee	5-20-11	5-23-11	200
322	Kirkland, Francis	Unnamed Coulee	4-15-13	4-19-13	200
325	Norby, Charles	Unnamed Coulee	4-17-13	4-19-13	200
327	Popovich, John J.	Unnamed Coulee	3-31-13	4-7-13	200
328	Raddue, S. W.	Unnamed Coulee	8-29-10	8-31-10	200
332	Samuell, Sarah A.	Unnamed Coulee	11-6-11	11-7-11	400

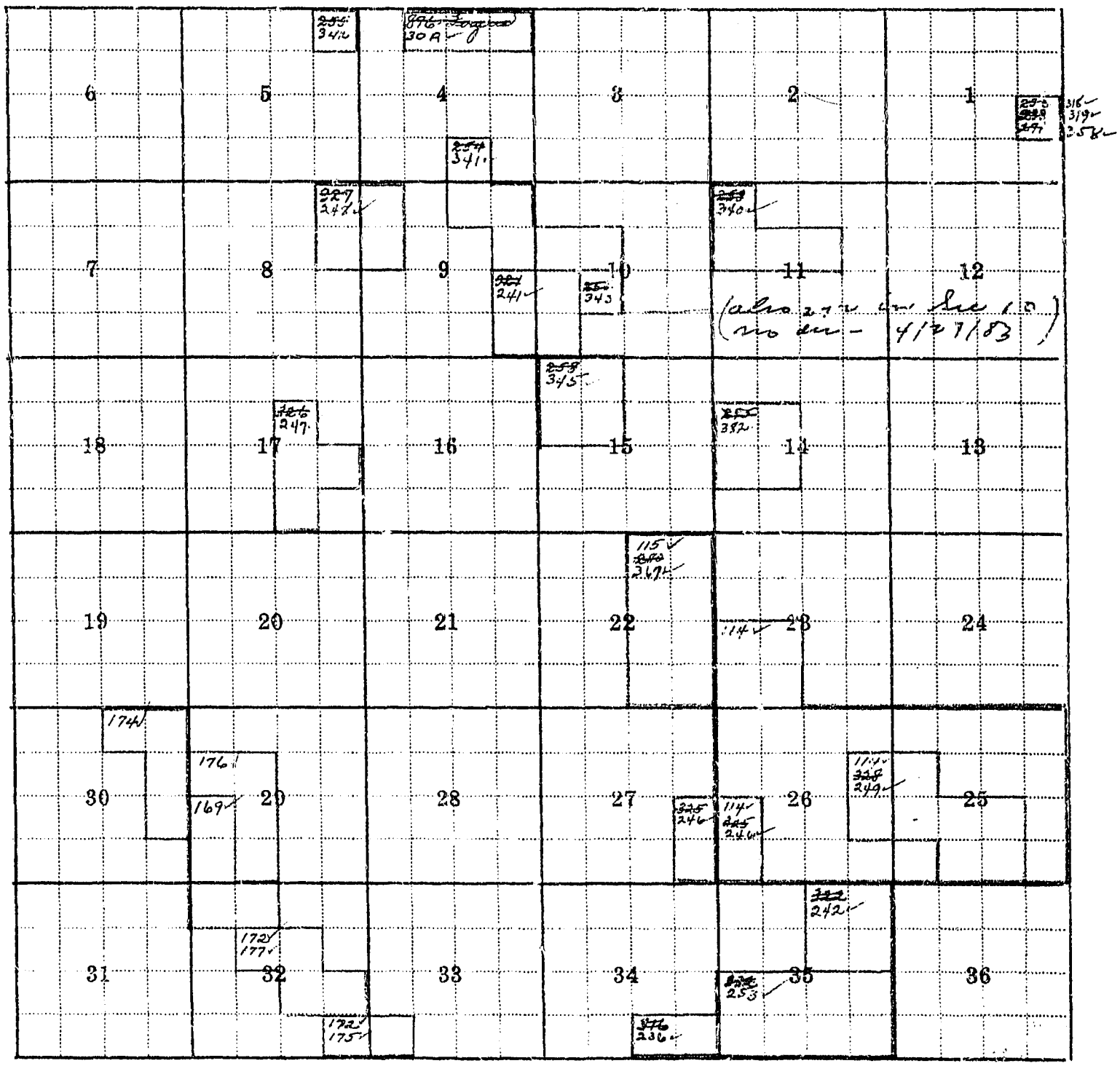
FORM D-1 - GAZETTE 1604-2M-1-47

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Township 11 North Range 22 East County Musselshell



Township 11 North Range 22 East

Form WR-C
Reporter 17381 1M 2-49

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

WATER RIGHT DATA

County Musselshell
Code No. 33B

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

Name of Operator Same Address

Legal Description N½S½ of Section 33, Twp. 11N., Rge. 22E.

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:

Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On

If no, can you give us the following information:

Name of First User	Date of First Use	Stream	Place of Use
Never was used			

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.

~~Water right of way~~ Right of way was never purchased across my homestead.

Information from M. D. Benedict Date March 27, 1949

Form WR-B
Reporter 173d2 1M-2-49

Twp. 11N. Rge. 22E.
Twp. ..... Rge. .....
Twp. ..... Rge. .....

STATE OF MONTANA

State Engineer's Office

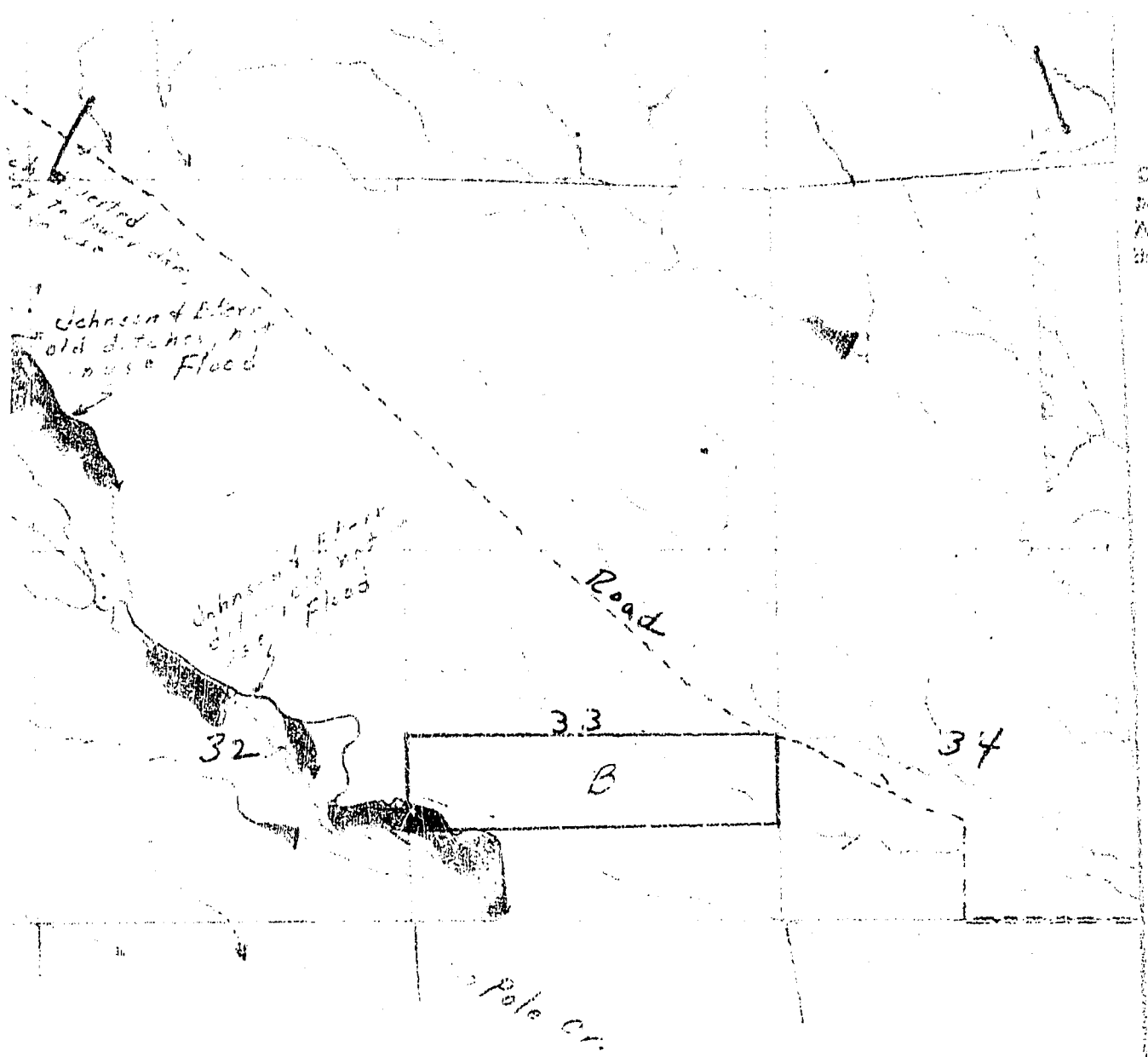
WATER RESOURCES SURVEY

FARM MAP

County Musselshell
Code No. 33B

Name of Land Owner M. D. Benedict Address Roundup, Montana
Name of Operator Same Address .....
Legal Description N½S½ of Section 33, Twp. 11N., Rge. 22E.

Irrigated Land Non-Irrigated Land Potential Land Under Existing Facilities



Code No. ..... Tapper Ditch on Musselshell Creek
Basin ..... P..... G. ✓ S.....
Code No. .....
Basin ..... P..... G..... S.....
Code No. .....
Basin ..... Present ..... Potential ..... Maximum ..... R..... F..... P..... G..... S.....
Code No. ..... System ..... Source of Water .....
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 sysem .....

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from [signature] Date June 1 – 49

Form V
Report

Twp. 11N.

Twp.

Twp.

Name of Lanc

Name of Ope

Legal Descrip

ssel shell

33B

Ownership covers only irrigated land. All ownership for dry land not shown.

Do not write in space below

Code No. 33B System Private Source of Water Pole Creek

Basin Musselshell Present 0 Potential 4.0 Maximum 4.0 R. F. ✓ P. G. ✓ S.

Code No. System Source of Water

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

Code No. System Source of Water

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

Code No. System Source of Water

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 sysem

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from [signature] Date June 1 - 49

Form Checked

By A-C-J

Area Willow Cr

Date 7/12/48

FORM F-1 REPORTER (M 3-49 17380

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

Code No. 3 3 B

County Musselshell

T. 11N R. 22E Sec. 33

Photo No. 4-171

Legal Land Owner M. D. Benedict Address Roundup

Operator Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. Pot.

Totals

Flood ✓ Pump Reservoir Gravity

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No.

Original Appropriator, Private 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 reverse)

Source of Water Willow Cr. Pole Creek

Acres Irrigated 1948, 0

Potential Acres Reaped

Explain

Condition of System

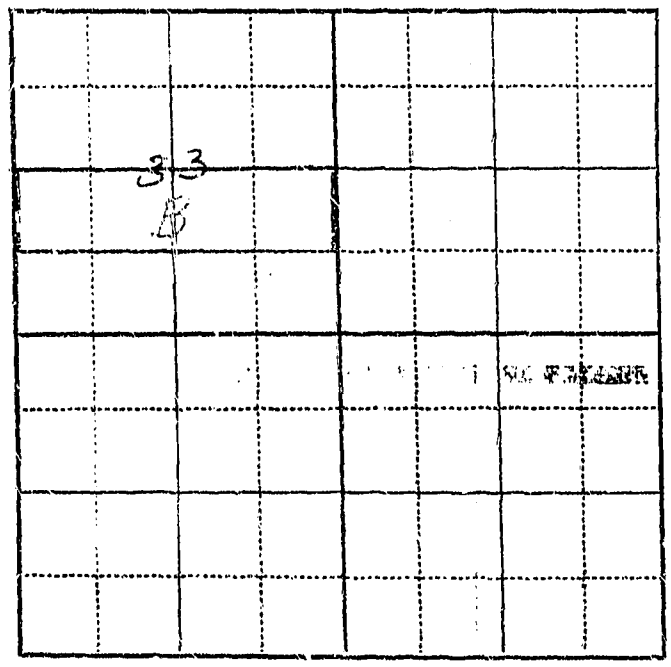
Adequate Supply Yes No ✓

Explain Flood

Topography R. B.

Information From Field

Remarks



March 24, 1949

Mr. H. D. 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 Musselshell County on filing these data.

Enclosed herewith we are sending you Form WR-B, which is a map showing in red the ownership of your land. You will note that in the West an old flood ditch crosses 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 WR-C, 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.

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. Oravetz
Assistant State Engineer

GJO/a
enc.

6

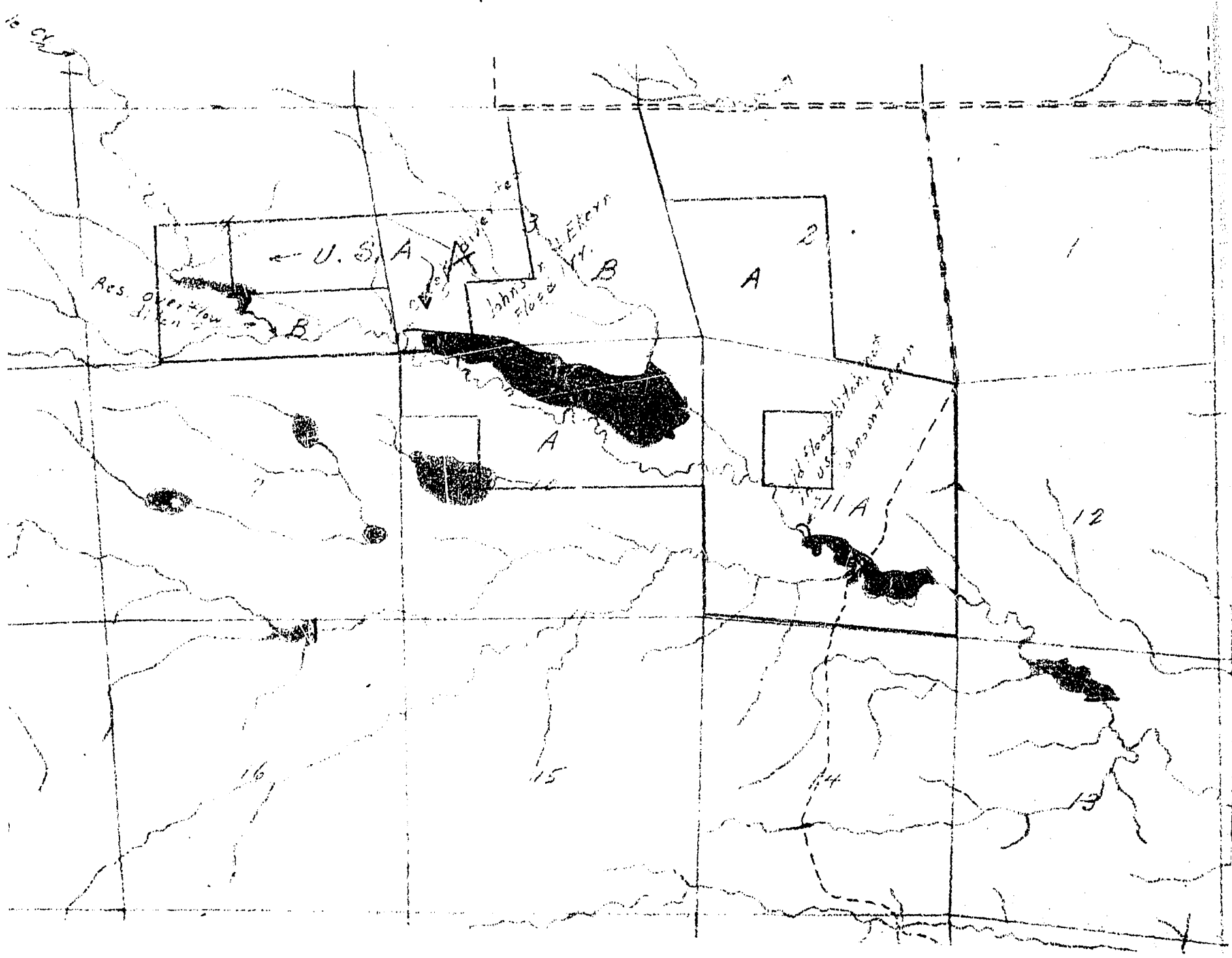
Twp. 10N - Rge. 3E

Musselshell

(Johnson - Elkorn)

Flood Irrigation

Potential Irrigation



Form WR-B
Reporter 17362 1M-2-40

Twp. 10N Rge. 22E
Twp. ____ Rge. ____
Twp. ____ Rge. ____

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

FARM MAP

County Musselshell
Code No. 3A-3B-10A
11A

Name of Land Owner Johnson & Ekern Address
Name of Operator Address
Legal Description

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

North

T. 10 N R 22 E

Code No. 3A- U.S.A. System Johnson & Ekern (Private) Source of Water Pole Ck.
Basin Musselshell Present 10.0 Potential 0 Maximum 10.0 ✓ R F ✓ P G ✓ S
Code No. 3B-10A (Johnson & Ekern) System Johnson & Ekern (Private) Source of Water Pole Ck.
Basin Musselshell Present 79.0 Potential 0 Maximum 79.0 ✓ R F ✓ P G ✓ S
Code No. 11A (Johnson & Ekern) System Private Source of Water Pole Ck
Basin Musselshell Present 0 Potential 25.0 Maximum 25.0 ✓ R F ✓ P G ✓ S
Code No. System Source of Water
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 sysem

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from GLO Date June 1-49

Code	Name of Appropriator	Stream	Land Description	Date Approp.	Date Filed	Miners Inches
173	Jennie S. Elliot	Pole Cr.	N½SW¼, SE¼SW¼, S½SE¼ Sec. 11; SW¼SW¼ Sec. 12; N½NW¼ Sec. 13-10N-22E	4-15-02	9-27-04	400
185	John A. Nicklaus	Pole Cr.	N½NE¼, SE¼NE¼ Sec. 10-T. 10N., R. 22E.	9-19-84	9-27-94	200
190	Benjamin Sanderson	Pole Cr.	N½NW¼, SE¼NW¼, SW¼NE¼, Sec. 10-10-22E	8-11-84	11-14-91	250
316	Harmon J. Griffin	Coulee	S½SE¼ Sec. 34; E½NE¼ Sec. 3-10-22E	3-21-13	3-25-13	200

Form WR-A
Reporter 17382 1M 2-49

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

WATER RIGHT DATA

County Musselshell
Code No. 2A, 3B, 4B, 10A
11A

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

Name of Operator Same Address

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

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

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
	(See enclosed sheet)					

2. Are these filings in use: ✓ Yes. No. Explain FENCED OFF NOW TO BE CUT FOR HAY,

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:

Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On

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

Name of First User	Date of First Use	Stream	Place of Use

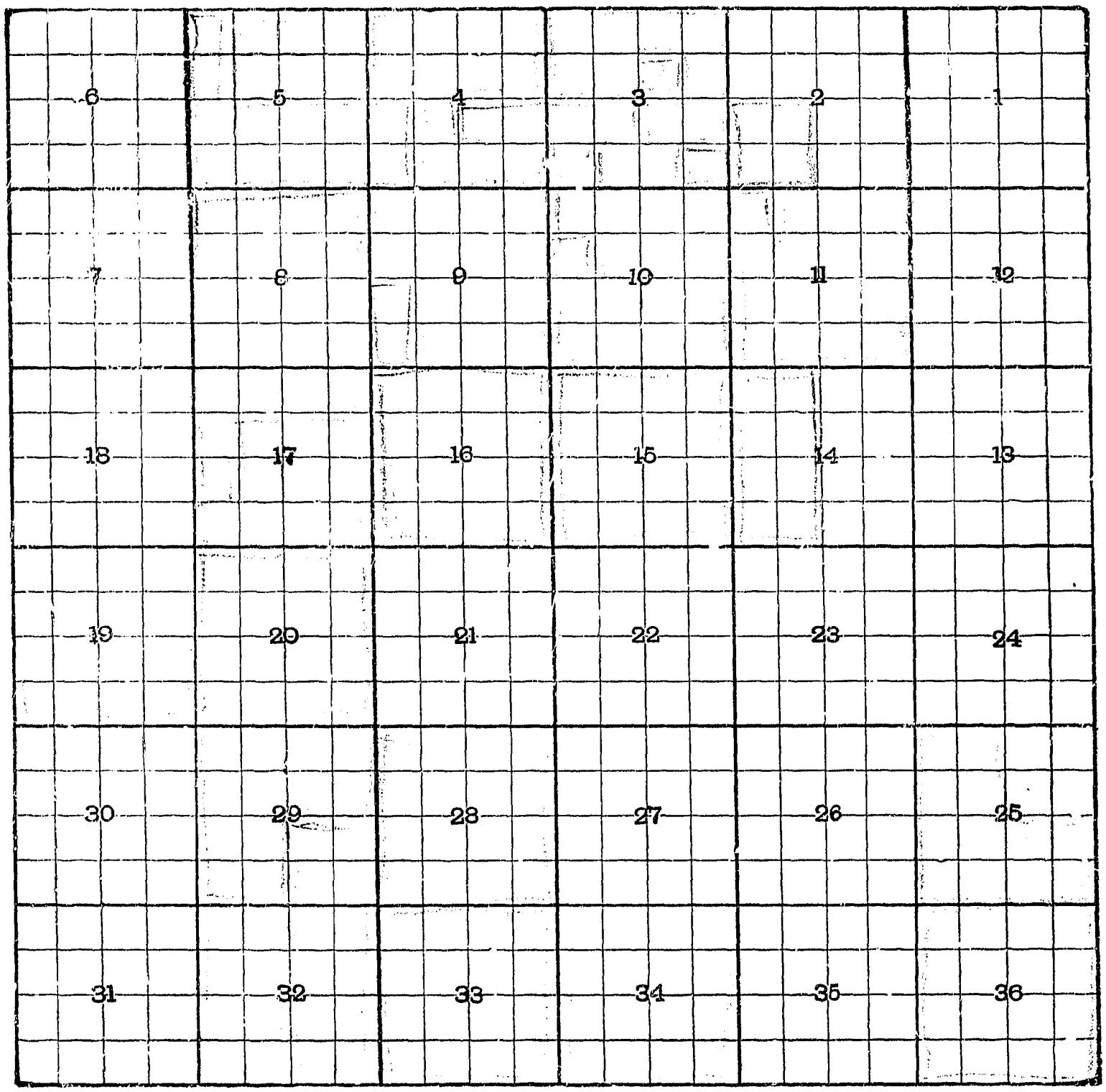
6. Do you buy supplemental water? ☐ Yes. ☒ No. If yes, from whom and how many Inches, C.F.S., Acre Feet, as the case may be?

7. Give any other information that you think should be included for the protection of your water right. WE ARE FENCING OFF THESE IRRIGATION TRACTS TO CUT HAY ON AND TO USE AS WINTER PASTURE.

Information from H.N. ECKERN Date 29 MARCH 1949

Township 011 Range 22

JOHNSON & KERN



DEEDED

LEASED

W. B. JOHNSON
Box 306
CROWELL, TEXAS

29 MARCH 1949

Dear Sir,

ENCLOSED PLEASE FIND PLAT OF GROUND AND [illegible] FOR FURTHER ACTION.

I CERTAINLY WOULD LIKE A COPY OF THE MAPS WHICH YOU HAVE DONE WILLOW CREEK + ROCK CREEK. ALSO CAMERON CREEK IF + WHEN IT IS FINISHED.

THAT IS A GOOD JOB ON THE IRRIGATION SYSTEMS AND WATER RIGHTS, CERTAINLY AM GLAD THAT IT IS BEING DONE.

APPRECIATE HEARING FROM YOU -

SINCERELY,

JOHNSON + EKERN

W M Ekern

6

FORM F-1 • GAZETTE 1665-2M-1-47

Farm Checked

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

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

By A-C-S.

County Musselshell

Area Pole-Cr

T. 10N R. 22E Sec. 3, 4, 10, 11

Date 7/8/48

Photo No. 4-170 6-25

Legal Land Owner H.N. & W.B. Johnson & Ekern Address

Operator Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. ? Pot.

Totals

Flood ✓ Pump Reservoir Gravity

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No. 190 or 316

Original Appropriator, Private App. No. 190 or 155 173

(Show date of appropriation under Remarks)

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 Pole Cr.

Acres Irrigated 19

Potential Acres Seeped

Explain

Condition of System newly cleaned old ditch

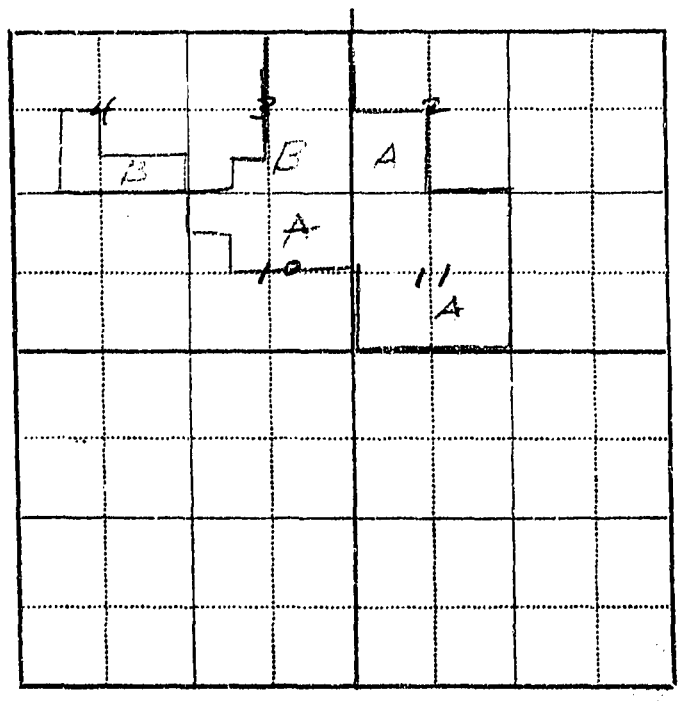
Adequate Supply Yes No ✓

Explain

Topography

Information From Ekern

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

6

FORM F-1 - GAZETTE 1665-2M-1-17

Farm Checked

By A-C-J

Area Pole Cr

Date 7/8/48

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Code No. 3 A - 4 4 - 11 B

County Musselshell

T. 10 N R. 22 E Sec 3-4-11

Photo No. MA-4-170

Legal Land Owner U.S.A. Address

Operator W. B. Johnson + H. N. Ebern Address Lavina

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. Pot.

Totals

Flood Pump Reservoir Gravity

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No.

Original Appropriator, Private See Johnson + Ebern form 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

Acres Irrigated 19

Potential Acres Seeped

Explain

Condition of System

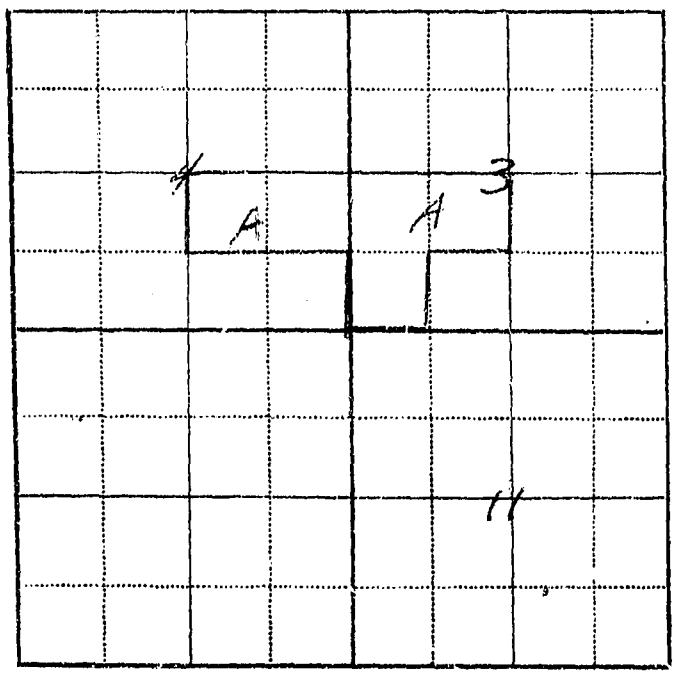
Adequate Supply — Yes No

Explain

Topography

Information From

Remarks



6

Field No. 1

FORM F-1 - GAZETTE 1605-2M-1-47

Farm Checked

By A.C.J.

Area

Date

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Code No.

County Musselshell

T. 11N. R. 22E. Sec.
10N. 22E.

Photo No.

Legal Land Owner Johnson & Ekern Address Box 951 Roundup

Operator Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System Pres. Pot.

Totals

Flood Pump Reservoir Gravity

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No.

Original Appropriator, Private 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

Acres Irrigated 19

Potential Acres Seeped

Explain

Condition of System

Adequate Supply Yes No

Explain

Topography

Information From

Remarks

FORM F-1 - GAZETTE 1665-2M-1-47

Farm Checked

By A-C-S.

Area Pole Cr.

Date 7/8/48

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Code No.

County Musselshell

T. 10N. R. 22E. Sec. 4

Photo No. 4-170

Legal Land Owner ? Johnson & Ekern Address Roundup

Operator Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. ? Pot.

Totals

Flood ✓ Pump Reservoir ✓ Gravity ✓

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No.

Original Appropriator, Private None shown App. No.

(Show date of appropriation under Remarks)

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 Pole Cr.

Acres Irrigated 19

Potential Acres Seeped

Explain

Condition of System

Adequate Supply — Yes No ✓

Explain

Topography Valley Bottom

Information From Ekern

Remarks

overflow from stock Res. Grass irrigated below ditch, perhaps un-intentionally. nearest habitation about 4 miles.

I later find, from Mr. Ekern that this irrigation is not intentional.

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 173

1. County Mshl. (Fergus) 5-166 Book 1 Page 206 Record WR
2. Name of Appropriator Jennie S. Elliot Address Highfield, Montana
3. Date Appropriated 4/15/1902 Date Filed 9/27/1904

   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 NESE¼ of

   Sec. 10 Twp. 10 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

   N½SW¼, SESW¼, S½SE¼ - Sec. 11/10/22 - See reverse side

   SWSW¼ 12-10-22 - 40 Acres - H. P. Samuell, Roundup

   N½NW¼ 13-10-22 - 80 " - Northern Co., Billings.
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.)

Sec. 11-10-22 @ 120 Acres - Willow Creek Sheep Co., Rayfield. N½SW, SESW
80 " - N.P. R.R. Co. S½SE

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

1-306

Code No. 185

1. County Mshl. (Fergus) Book 1 Page 24 Record WR

2. Name of Appropriator John A. Nicklaus Address Sahara, Mont.

3. Date Appropriated 9/19/1884 Date Filed 9/27/90

Amount Appropriated, Miners Inches 200, Cubic Feet per second

4. Name of Stream Pole Creek Tributary Basin

5. Point of Diversion North bank thence to and upon the land

Sec. Twp. Rge. Bank of Stream North

6. Purpose Irrigation

7. Description of System Dam and ditch, ditch being 24 inches by ?

8. Land Description of Intended Place of Use
N½NE¼, SENE¼ Sec. 10/10-22 - 120 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 190

1. County Mshl. (Fergus) 2-30 Book 1 Page 51 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 NW¼, Sec. 3, and runs about a mile

   Sec. Twp. Rge. Bank of Stream East
6. Purpose Irrigation
7. Description of System Ditch 48 by 24 inches
8. Land Description of Intended Place of Use
   N½NW¼, SENW¼, SWNE¼ - 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. ~~316~~ 236

1. County Musselshell Book 13 Page 99 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, Cubic Feet per second

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

5. Point of Diversion Main course near the NW corner of the SESE of section 34-11-22 thence to and upon the said S½SE¼ of section 34-11-22 and the E½NE¼ of Sec.3-10-22 and thru said land if he so desires to any point of final discharge.

Sec. Twp. Rge. 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

S½SE Sec. 34-11-22 - 80 Acres - Federal Land Bank, Spokane
E½NE¼ 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

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

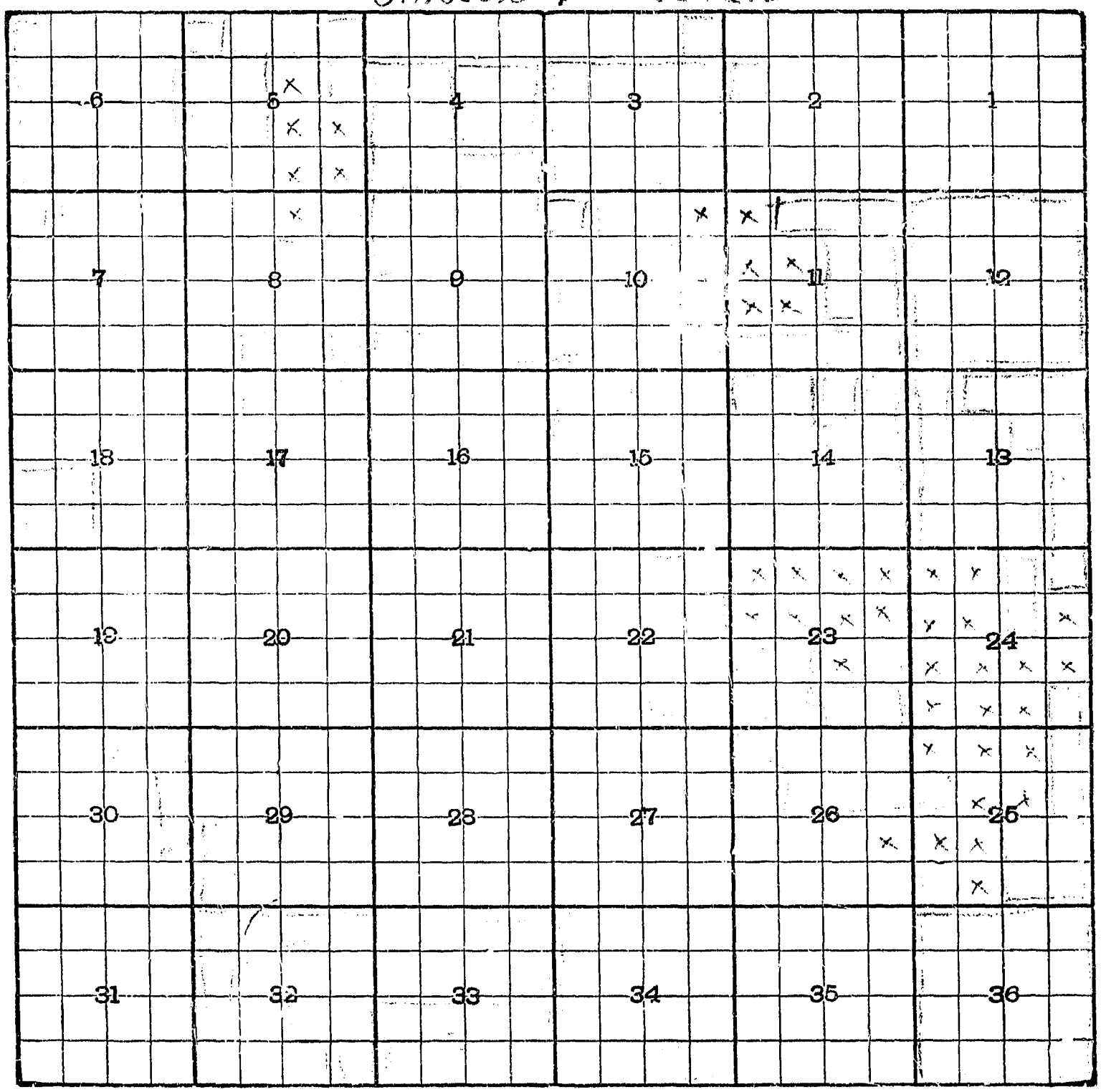
13. Date of Priority Purpose

14. Land Description of Place of Use as Decreed

15. Remarks (Present Use Status, etc.)

Township 11 N Range 22 E

JOHNSON & EKERN



DEEDED

LEASED

× LEASE BOUGHT AND NOW UNDER LITIGATION

× = NOW OWNED BY JOHNSON + ECKERN

also in 6

1

FORM F-1 - GAZETTE 1665-2M-1-47

STATE OF MONTANA
STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

Farm Checked

By A-C-J.

Area Willow-Cr

Date 7/12/48

Code No. 15B-4B-5A-9A-10A-13B-14A ~~11B-19A 28A-29A-30A 32A-33A~~

County Musselshell

T. 11N. R. 22E. Sec. —

Photo No. 172, 172

Legal Land Owner Johnson & Ekern Address Box 951 Roundup

Operator (buying, should be clear by aug. 1. Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. ? Pot.

Totals

Flood Pump Reservoir Gravity ✓

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No. 255-254-321-256 258-295 341 342

Original Appropriator, Private See checks on app. sheet App. No.

(Show date of appropriation under Remarks)

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 South Willow Cr. & unnamed coulees.

Acres Irrigated 19

Potential Acres Seeped

Explain

Condition of System Good

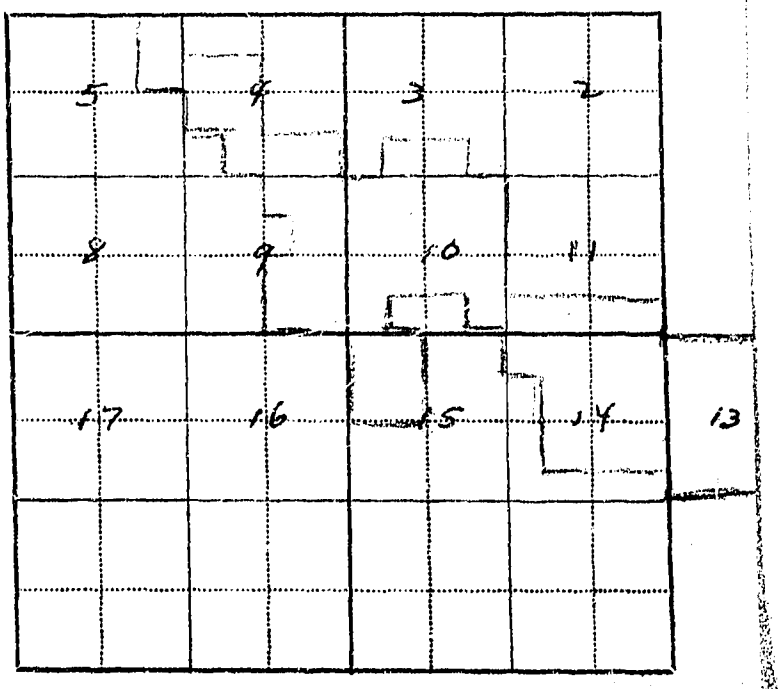
Adequate Supply — Yes ✓ No —

Explain plenty in Willow Cr. in Normal yrs.

Topography Creek bottom

Information From Ekern

Remarks Ekern did not know what sections he had - see ownership plat.



FORM F-1 - GAZETTE 1663-2M-1-4)

Farm Checked

By A. C. J.

Area Pole Cr.

Date 7/12/48

STATE OF MONTANA
STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

Code No. 19A-20A-29A-30A 32A-33A-31A

County Musselshell

T. 11N R. 22E Sec. 32, 33 19, 29, 30,

Photo No. 6-26 4-171 6-25

Legal Land Owner Johnson & Ekern Address Box 951 Roundup

Operator Buying Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. ? Pot. ?

Totals

Flood ✓ Pump Reservoir Gravity

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No. 1

Original Appropriator, Private App. No. 174, ~~176~~ 169, 172, 177, 175

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 Pole Cr.

Acres Irrigated 19 47 don't know

Potential Acres ? Seeped 0

Explain

Condition of System poor, being rebuilt.

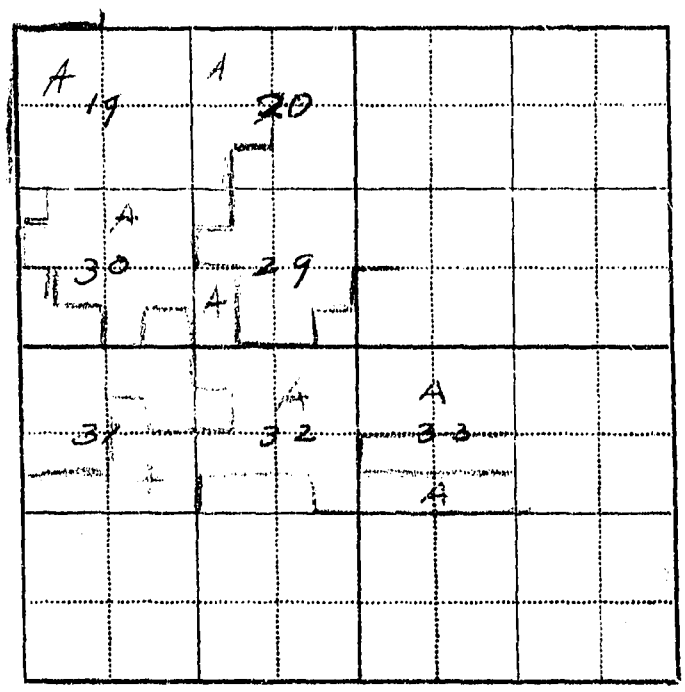
Adequate Supply — Yes No ✓

Explain flood only

Topography

Information From ~~Mr~~ Ekern

Remarks



at time contacted, Johnson & Ekern were in process of buying these ranches and definate 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 early date, what water rights they are acquiring with the land. Those listed on the front of this sheet are reasonably certain to be theirs with possible addition of others un-known.

March 24, 1949

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

Gentlemen:

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 Musselshell County compiling these data.

We are enclosing herewith maps showing all of your holdings, as of County records, on Willow Creek and Lolo Creek, which are platted on lease maps as a result of our survey that was conducted in Musselshell County in 1948.

At the time our field men contacted your manager he said that all of the land purchases contemplated by you were not completed; therefore, we would like to have you go over the ownership that we have shown and add any additional land that you have or are purchased, or that you may be leasing--such as, U. S. L. land.

On these plats we have also shown roads, stock water reservoirs, ditches, and the land irrigated designated in red and the potential designated in purple. This we also would like to have you check over very carefully and make any and all changes which you may deem necessary.

In addition, we are sending you a list of the water rights that have been filed 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 WR-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. Gravetz
Assistant State Engineer

GJO/a
enc.

FORM F-1 - GAZETTE 1665-2M-1-47

Farm Checked

By A-C-J

Area Willow Cr

Date 7/12/48

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Code No. 11A

County Musselshell

T. 11N R. 22E Sec. 11

Photo No. MA-8-173

Legal Land Owner Bess Elliot Address Roundup

Operator (operated By (Johnson & Ekern) Address

Water is delivered by:

Federal Project ____ Pres. ____ Pot. ____

Ditch Company ____ Pres. ____ Pot. ____

Irrigation District ____ Pres. ____ Pot. ____

Private System ✓ Pres. ____ Pot. ____

Totals ____

Flood ✓ Pump ____ Reservoir ____ Gravity ✓

Size and Capacity, Pump, etc. ____

Original Appropriator, Company ____ App. No. ____

Original Appropriator, Private Uses Johnson & Ekern rights 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 Sketch Willow Cr

Acres Irrigated 1948

Potential Acres 2 Seeped 0

Explain

Condition of System Fair

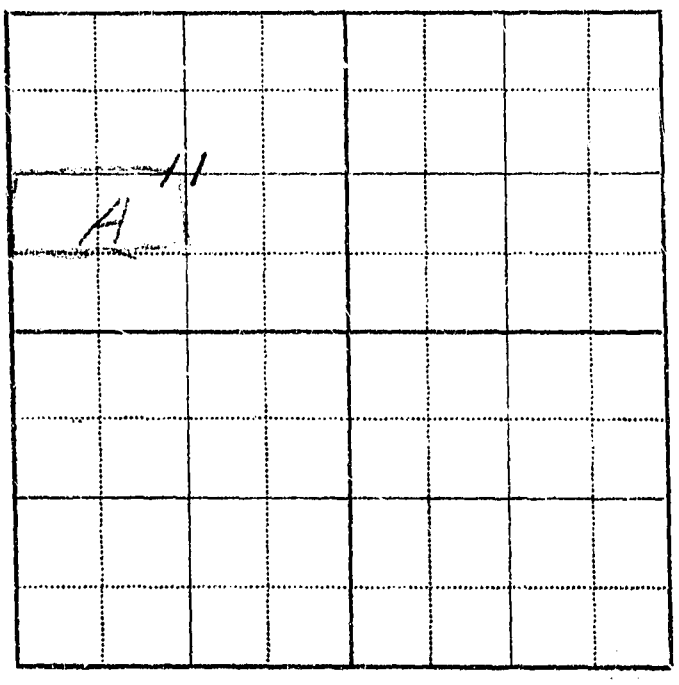
Adequate Supply — Yes ____ No ✓

Explain Only in normal years

Topography Bottom

Information From Field Survey

Remarks & Ekern



March 24, 1949

Mrs. Bess Elliot
Roundup, 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 in Musselshell County compiling these data.

As we do not have a record of the water right covering the described land on Form WR-C, 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 WR-3 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 water, and, therefore, would like to have you verify whether or not this land is irrigated.

We would also like to know if this land is leased by Johnson and Bekern 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. Oravetz
Assistant State Engineer

GJO/a
enc.

FORM F-1 - GAZETTE 1665-2M-1-47

Farm Checked

By A-C-J

Area Willow Cr

Date 7/12/48

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Code No. 13 A

County Musselshell

T. 11N R. 22E Sec. 13

Photo No. MA-4-172

Legal Land Owner U. S. A. Address

Operator Possibly operated by Johnson & Ekern Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. 0 Pot. 0

Totals

Flood ✓ Pump Reservoir Gravity ✓

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No.

Original Appropriator, Private None shown 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 South Willow Cr

Acres Irrigated 1948 0

Potential Acres 0 Seeped 0

Explain Old desert claim ditches

Condition of System out of use

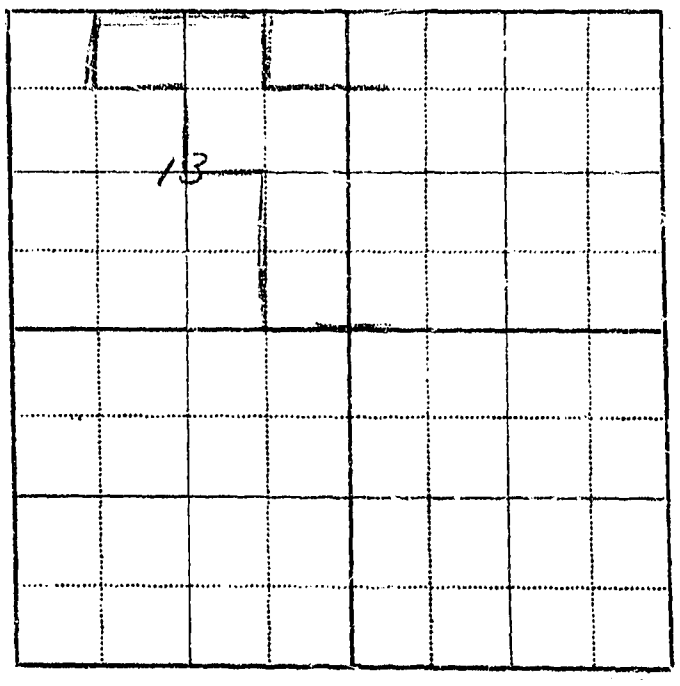
Adequate Supply — Yes No ✓

Explain Flood

Topography Valley

Information From Ekern

Remarks only trace of old ditches - no record of right.



Form WR-B
Reprinter 17362 3M-2-49

Twp.____ Rge.____
Twp.____ Rge.____
Twp.____ Rge.____

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

FARM MAP

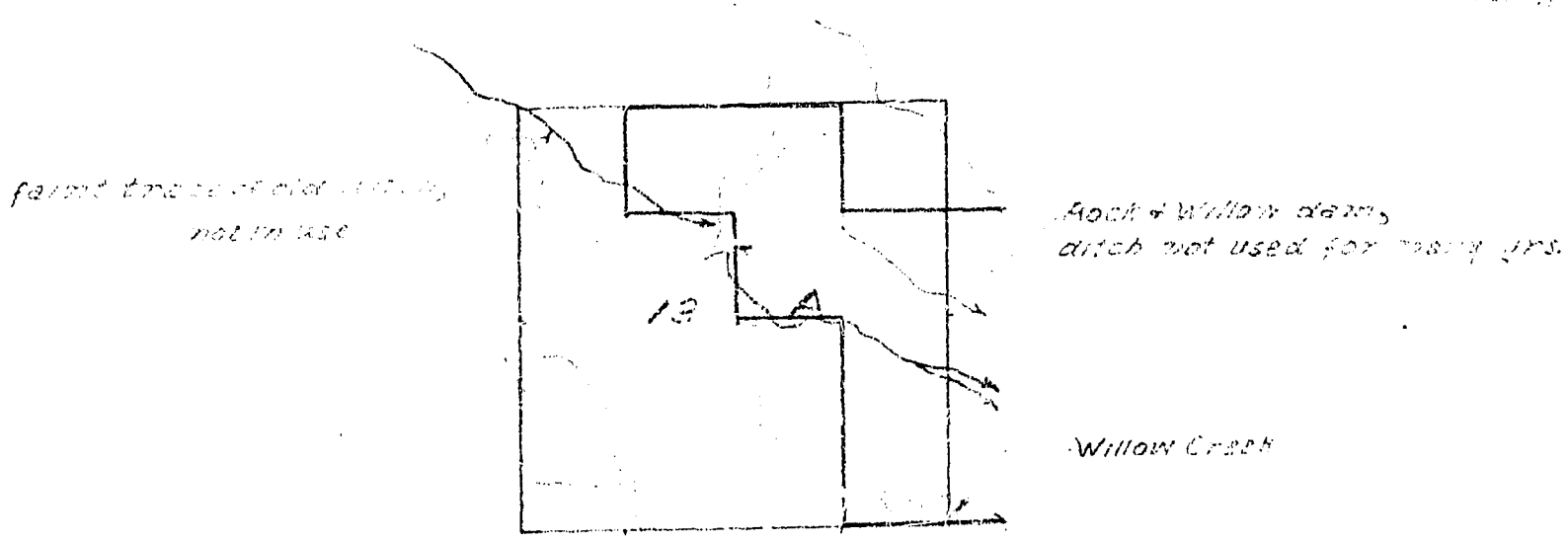
County____
Code No.____

Name of Land Owner U.S.A. Address____
Name of Operator____ Address____
Legal Description____

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

North

T/N-R 21 E



T/N-R 21 E

DO NOT WRITE IN SPACE BELOW

Code No. 13A System abandoned Source of Water South Willow Cr
Basin Musselshell Present 0 Potential 0 Maximum 0 R___ F ✓ P___ G___ S___
Code No.____ System____ Source of Water____
Basin____ Present____ Potential____ Maximum____ R___ F___ P___ G___ S___
Code No.____ System____ Source of Water____
Basin____ Present____ Potential____ Maximum____ R___ F___ P___ G___ S___
Code No.____ System____ Source of Water____
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 sysem.____

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from [signature] Date June 1-49

Form WR-A
Reporter 17362 1M 2-49

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

WATER RIGHT DATA

County Musselshell
Code No. 4B, 5A, 9A, 10A, 11B, 13B, 14A, 15B

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

Name of Operator Same Address

Legal Description Land Description as shown on enclosed plat - Township 11 North, Range 22 East

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

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
	(See attached sheet)					

2. Are these filings in use: ✓ Yes. No. Explain CUT HAY OFF OF WILLOW 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:

Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On

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

Name of First User	Date of First Use	Stream	Place of Use

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 PASTURE OFF OF WILLOW CREEK. HAY & WINTER PASTURE OFF OF PALE CREEK EXCEPT LAND ON SECT 32 WHICH IS LEASED OUT AT THE PRESENT

Information from NO RECORD Date 22 MARCH 1949

Code	Name of Appropriator	Stream	Land Description	Date Approp.	Date Filed	Miners Inches
~~254~~ 341	James B. Elliot	Willow Cr.	SW¼SE¼ Sec. 4; N½NE¼, SE¼NE¼ Sec. 9; S½NW¼ Sec. 10-11N-22E.	4-15-02	7-8-04	400
~~255~~	James B. Elliot	" "	Lot 1 Sec. 5-11N-22E	6-10-02	8-5-04	50
256	James B. Elliot	" "	NESW¼ Sec. 10-11N-22E	6-10-02	8-5-04	50
~~258~~	Mae A. Elliot	" "	NW¼ Sec. 15-11N-22E	6-6-14	9-8-14	200
~~295~~	Daniel Tressler	" "	S½NW¼, N½SW¼ Sec. 14-T.11N., R.22E	4-10-82	6-25-89	100
~~321~~	John Kambic	Dry Coulee	E½SE¼ Sec. 9; W½SW¼, Sec. 10, T.11N.,R.22E	5-20-11	5-23-11	200
169	Norman Anderson	Pole Creek	W½SW¼ Sec. 29-11N-22E N½NW¼ Sec. 32-11N-22E	4-1-08	9-9-11	200
172	Agnes Elliot	Pole Creek	Lot 4 Sec. 4-10N-22E SW¼SW¼ Sec. 33, E½SE¼, NW¼SE¼, SW¼NE¼, SE¼NW¼ Sec. 32-11N-22E	9-1-02	9-27-04	400
174	John Elliot	Pole Creek	N½NE¼, SE¼NE¼, NE¼SE¼ Sec. 30-11N-22E	10-1-01	7-8-04	200
175	Wm. D. Elliot	Pole Creek	Lots 3 & 4 Sec. 4 T.10N-22E; SE¼SE¼ Sec. 32-11N-22E SW¼SW¼ Sec. 33-11N-22E	7-23-17	7-24-17	160
177	Henry Freeman	Pole Creek	SW¼NE¼, SE¼NW¼, N½SE¼ Sec. 32-11N-22E	9-7-11	9-9-11	200

Form WR-B
Reporter 32 1M-2-49

Twp. 11 Rge. 22
Twp. ____ Rge. ____
Twp. ____ Rge. ____

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

FARM MAP

County Musselshell
Code No. ____

Name of Land Owner Johnson + Ekern Address ____
Name of Operator ____ Address ____
Legal Description ____

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

North

100
20/206

T. 11N - R. 22E

Code No. 4B-5A-9A-10A-11A-11B System Johnson + Eckern (Private) Source of Water South Willow Cr
Basin Musselshell Present 186.0 Potential 20.0 Maximum 206.0 R ____ F ✓ P ____ G ✓ S ____

Code No. 19A-30A-29A-32A-33A System Johnson + Eckern (Private) Source of Water Pole Cr
Basin Musselshell Present 0 Potential 84.0 Maximum 84.0 R ____ F ✓ P ____ G ✓ S ____

Code No. ____ System ____ Source of Water ____
Basin ____ Present ____ Potential ____ Maximum ____ R ____ F ____ P ____ G ____ S ____

Code No. ____ System ____ Source of Water ____
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 sysem ____

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from EPO Date June 1 - 49

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

5-91

Code No. 254

1. County Mshl. (Fergus) Book 1 Page 199 Record WR

2. Name of Appropriator James B. Elliot Address Highfield, Mont.

3. Date Appropriated 4/15/1902 Date Filed 7/8/1904

Amount Appropriated, Miners Inches 400, Cubic Feet per second

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

5. Point of Diversion NE bank at point near Lot 1

Sec. 5 Twp. 11 Rge. 22 Bank of Stream NE

6. Purpose Irrigation

7. Description of System Ditch 36 by 10 inches

8. Land Description of Intended Place of Use

SWSE¼ Sec. 4-11-22 - 40 Acres - Willow Creek Sheep Co., Rayfield
N½NE¼, SENE 9-11-22 - REVERSE
S½NW¼ 10-11-22 - 80 " 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.)

Sec. 9-11-29 - 80 Acres - Willow Creek Sheep Co., Rayfield. N½NE
40 " - John Kambic, Bozeman, Mont. SENE

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. ~~255~~

1. County Musselshell Book 1 Page 203 Record WR

2. Name of Appropriator James B. Elliot Address Highfield, Mont.

3. Date Appropriated 6/10/1902 Date Filed 8/5/1904

Amount Appropriated, Miners Inches 50, Cubic Feet per second

4. Name of Stream Willow Creek Tributary Mshl. R. 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.)

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 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Book 5-119 Code No. 256

1. County Mshl. (Fergus) Book 1 Page 201 Record WR

2. Name of Appropriator James B. Elliot Address Highfield, Mont.

3. Date Appropriated 6/10/1902 Date Filed 3/5/1904

Amount Appropriated, Miners Inches 50, Cubic Feet per second

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

5. Point of Diversion Eastern bank near center of S½NW¼

Sec. 10 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

NESW¼ Sec. 10-11-22 - 40 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 258

1. County Musselshell Book 13 Page 136 Record MR 1
2. Name of Appropriator Mae A. Elliot Address Wheaton, Mont.
3. Date Appropriated 6/6/14 Date Filed 9/8/14

   Amount Appropriated, Miners Inches 200, Cubic Feet per second
4. Name of Stream Willow Creek Tributary Mshl. R. Basin Mo. R.
5. Point of Diversion E bank on the W½ of Lot 1 of

   Sec. 5 Twp. 11 Rge. 22 Bank of Stream East
6. Purpose Irrigation
7. Description of System Ditch 36 by 24 inches
8. Land Description of Intended Place of Use

   NW¼ Sec. 15-11-22 - 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

1-180) Code No. 395

1. County Mshl. (Fergus) Book 1 Page 11 Record WR

2. Name of Appropriator Daniel Tressler Address Sahara, Mont.

3. Date Appropriated 4/10/1882 Date Filed 6/25/1889

Amount Appropriated, Miners Inches 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. Pur Irrigation

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

8. Land Description of Intended Place of Use

S½NW¼, N½SW¼ - Sec. 14-11-22 - 80 Acres - Lena Redfield, Rayfield.
(SEMW¼, NESW¼) 80 " - Federal Land Bank, Spokane
% 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. ~~321~~ 241

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, Miners Inches 200, Cubic Feet per second

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

5. Point of Diversion W portion of NESE¼ of

Sec. 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

E½SE¼ Sec. 9-11-22 - 80 Acres - John Kambic, Bozeman
W½SW¼ 10-11-22 - 40 " - " " "
40 " - 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 169

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 9/9/1911

Amount Appropriated, Miners Inches 200, Cubic Feet per second

4. Name of Stream Pole Creek Tributary Mshl R. Basin Mo. R.

5. Point of Diversion REVERSE

Sec. Twp. Rge. Bank of Stream

6. Purpose Irrigation

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

8. Land Description of Intended Place of Use

W½SW Sec. 29-11-22 - 80 Acres - Willow Creek Sheep Co., Rayfield.
N½NW 32-11-22 - 80 " - " " " " "

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 SE¼ of Section 19, the diversion being in the NE¼ of Sec. 30-11-22, on east bank.

2. At a point on the west bank ~~of~~ in the NWSW, of Sec. 29.

3. At a point on the east bank in the NWNW¼ of Sec. 32, all in Twp. 11, Rge. 22, thence to and upon the land.

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 172

1. County Mshl. (Fergus) Book 5 Page 164 Record WR

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 Mshl. R. Basin Mo. 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 4 Sec. 4-10-22

SWSW (33) E½SE, NWSE ~~Sec~~

SWNE, SENW Sec. 32-11-22

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 Form Ap. 1—10M 5

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

5-90

Code No. 174

1. County Mshl. (Fergus) Book 1 Page 198 Record WR

2. Name of Appropriator John Elliot Address Highfield, Mont.

3. Date Appropriated Oct. 1/ 1901 Date Filed 7/8/1904

Amount Appropriated, Miners Inches 200, Cubic Feet per second

4. Name of Stream Pole Creek Tributary Mshl. R. Basin Mo. R.

5. Point of Diversion Easterly bank at point near SE¼

Sec. 19 Twp. 11 Rge. 22 Bank of Stream East

6. Purpose Irrigation

7. Description of System Ditch 36 by 10 inches

8. Land Description of Intended Place of Use

N½NE¼, SENE¼, NESE Sec. 30-11-22 - 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 175

1. County Musselshell Book 13 Page 173 Record WR 1

2. Name of Appropriator William D. Elliott Address Big Timber, Mont.

3. Date Appropriated 7/23/17 Date Filed 7/24/17

Amount Appropriated, Miners Inches 160, Cubic Feet per second

4. Name of Stream Pole Creek Tributary Mshl. R Basin Mo. R.

5. Point of Diversion North bank, thence to and upon the land.

Sec. Twp. Rge. Bank of Stream North

6. Purpose Irrigation

7. Description of System Dam and ditch, ditch being 4 by 1 ft.

8. Land Description of Intended Place of Use

Lots 3 & 4 Sec. 4-10-22 - Willow Creek Sheep Co., Rayfield. 80 Acres
SESE 32-11-22 - 40 Acres - L. A. Harris. "
SWSW 33-11-22 - 40 " - 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.)

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 177

1. County Musselshell 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 Mshl. R. Basin Mo. R.

5. Point of Diversion East bank near the NE¼ of

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

SWNE, SENW, N½SE 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.

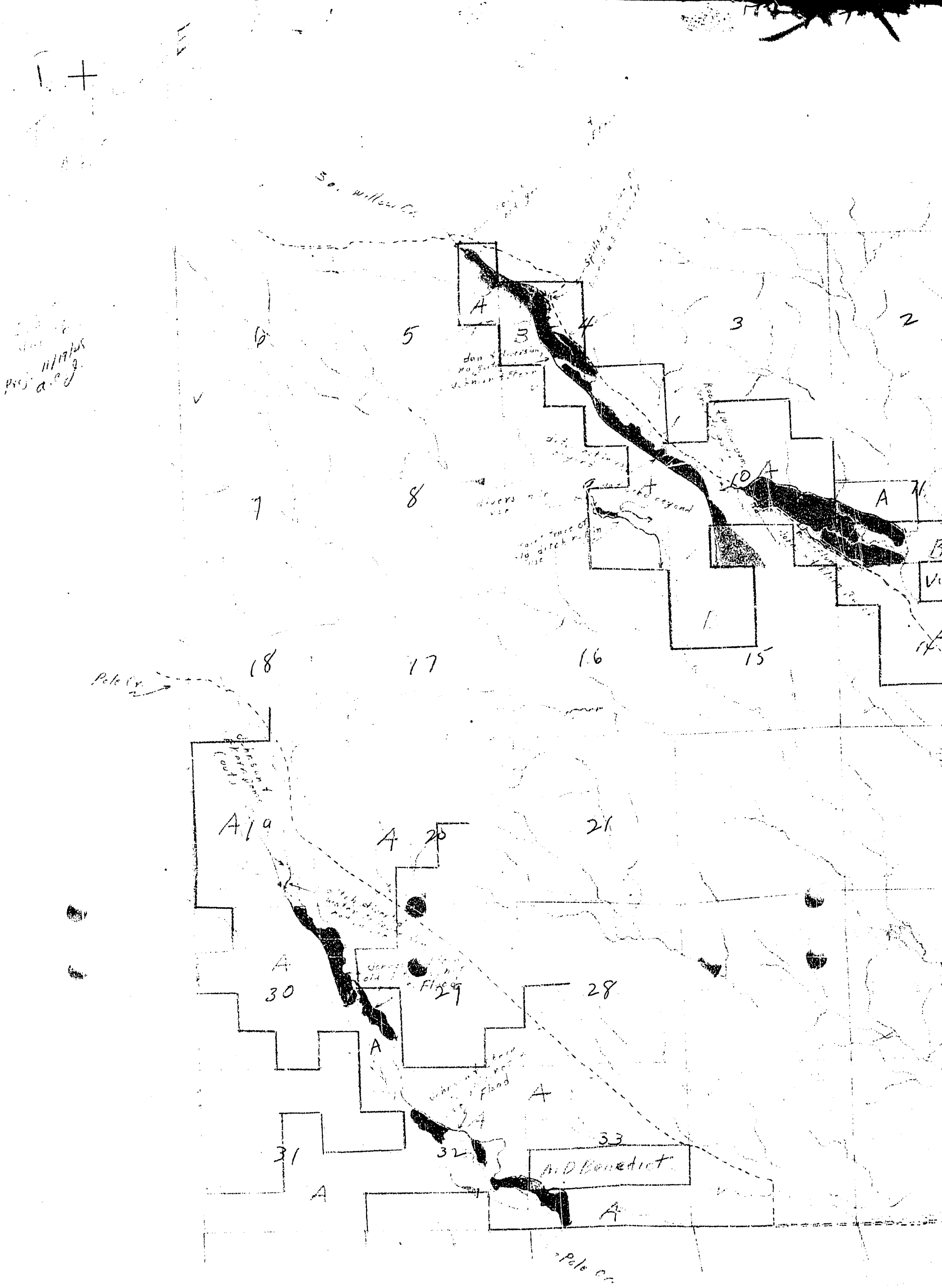
11. To Whom Decreed Address

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.)


So. Willow Cr.
Pole Cr.
A.D. Benedict
Pole Cr.

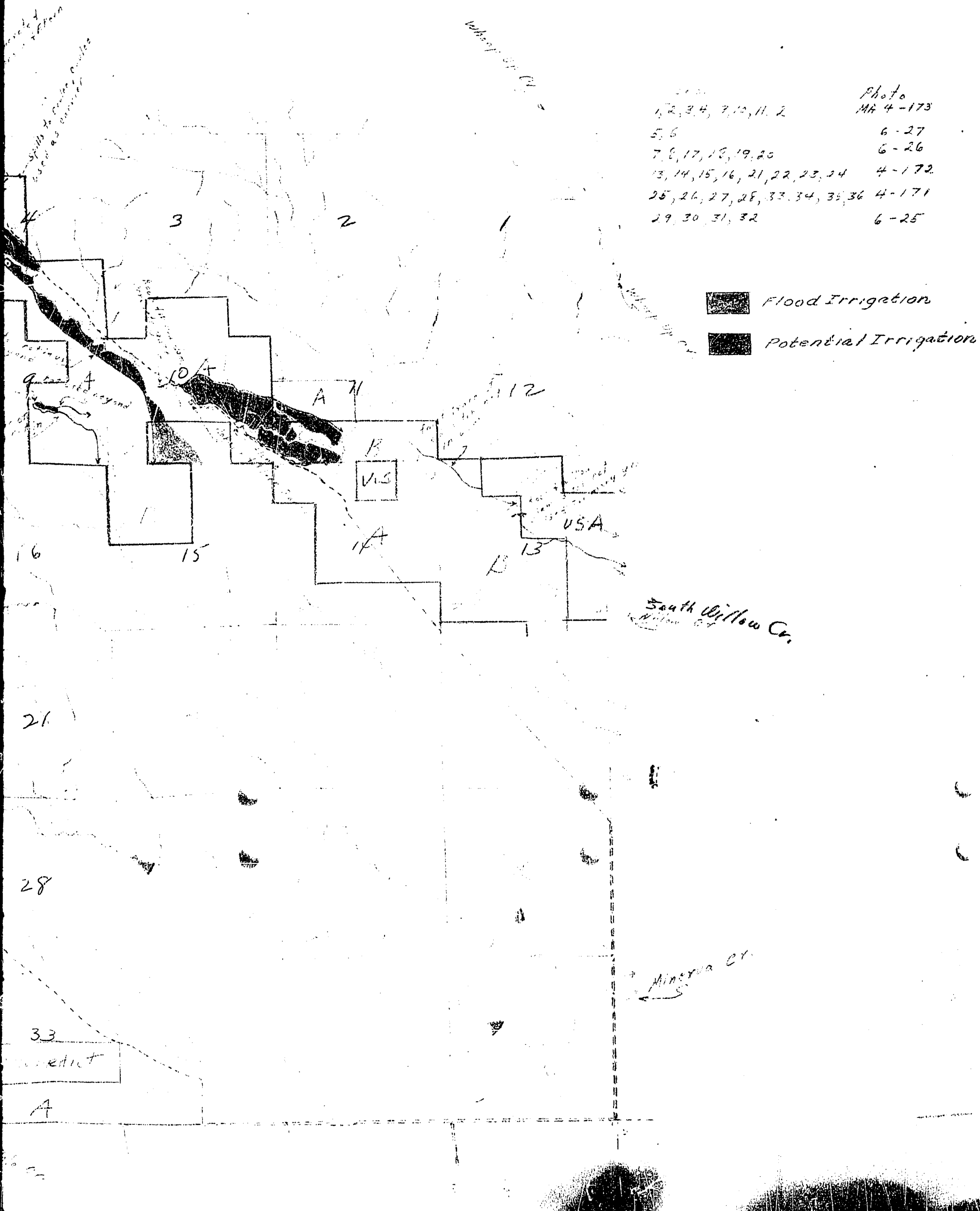


Photo
1,2,3,4,9,10,11,12 MA 4-173
5,6 6-27
7,8,17,18,19,20 6-26
13,14,15,16,21,22,23,24 4-172
25,26,27,28,33,34,35,36 4-171
29,30,31,32 6-25
Flood Irrigation
Potential Irrigation
4
3
2
1
10
A
11
12
B
VLS
USA
14
13
D
16
15
South Willow Cr.
21
28
Minerva Cr.
33
A

Form WR-A
Reporter 17382 1M 2-49

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

WATER RIGHT DATA

County Musselshell
Code No. 3A - 4A

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

Name of Operator Same Address

Legal Description Lots 1,2,3,4, S½NE¼, N½SE¼ Sec. 4; S½NW¼ Sec. 3 - Twp. 11N., R. 22E.

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

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
276	Matt Penica	Devils Basin Coulee	SE¼SE¼, Sec. 33.	7-1-11	7-1-11	160
3A			Twp. 12N., R.22E.			
			N½NE¼, NE¼NW¼			
			Sec. 4,T.11N.,R22E			

2. Are these filings in use: ..... Yes ..... No. Explain. Filing made to make use of spring flood water, but not used as there was insufficient water for 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:

Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
no					

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

Name of First User	Date of First Use	Stream	Place of Use
no			

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.....
We do not live on the land and have never made use of this filing. Johnson & Ekern do use flood water which runs thru our land.

Information from..... Date 3/31/1949

Form WR-B
Reporter 17362 1M-4-49

Twp. 11N Rge. 22E
Twp. _____ Rge. _____
Twp. _____ Rge. _____

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

FARM MAP

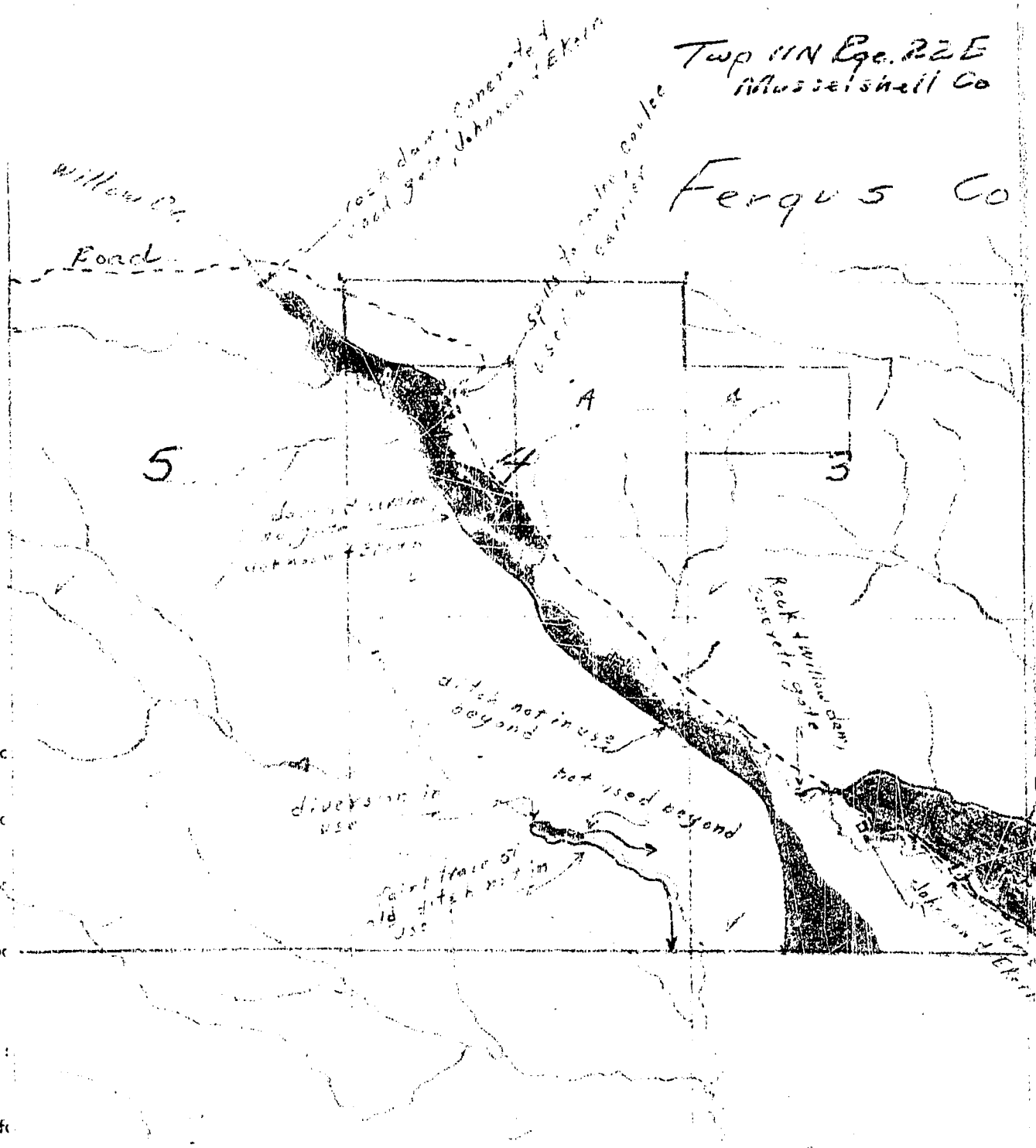
County Musselshell
Code No. 3A - 4A

Name of Land Owner Matt & Katherine Penica Address Klein, Montana
Name of Operator Same Address
Legal Description Lots 1, 2, 3, 4, S½NE¼, N½SE¼, Sec. 4, Twp. 11N, R. 22E - S½NW¼ Sec. 3, Twp. 11N. R. 22E.

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

North

3A - 4A



Coc
Coc
Coc
Coc

R.....F.✓.....P.....G.✓.....S.....
R.....F.....P.....G.....S.....
R.....F.....P.....G.....S.....
R.....F.....P.....G.....S.....

in : acre feet, as the case may be

G—Water diverted by gravity.

Infc

9

County Musselshell
Code No. 3A - 4A

Sec. 3, Twp. 11N.
R. 22E.

Facilities

(Johnson & Kemp)

Code No. 3A - 4A System Private Source of Water South Willow Cr.
Basin Musselshell Present 0 Potential 6.0 Maximum 6.0 R. F. P. G. ✓ S.
Code No. System Source of Water
Basin Present Potential Maximum R. F. P. G. S.
Code No. System Source of Water
Basin Present Potential Maximum R. F. P. G. S.
Code No. System Source of Water
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

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from [illegible] Date June 1 - 49

Helena Mont.
April 6 - 49

Gerald J. Oravetz
Ass't. State Engineer
P.O. Box 873
Billings Mont

Dear Sir
I enclose the map. was mailed to me some time ago. I wish you can send me one of this map a copy to keep.
I thank you very much.

Yours truly
Mr - Mrs Matt Denica
Box 168
Helena Mont.

FORM F-1 - GAZETTE 1665-2M-1-47

Farm Checked

By A-C-S.

Area Willow Cr

Date 7/12/48

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

Code No. 4A-3A

County Musselshell

T. 11N R. 22E Sec. 4

Photo No. MA-4-173

Legal Land Owner Matt & Katherine Penica Address Klein

Operator Possibly operated by (Johnson & Ekern) Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ✓ Pres. / Pot. ✓

Totals

Flood ✓ Pump Reservoir Gravity ✓

Size and Capacity, Pump, etc.

Original Appropriator, Company App. No.

Original Appropriator, Private App. No. 876 Fergus

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 South Willow Cr.

Acres Irrigated 1948 ✓

Potential Acres ✓ Seeped 0

Explain

Condition of System in use

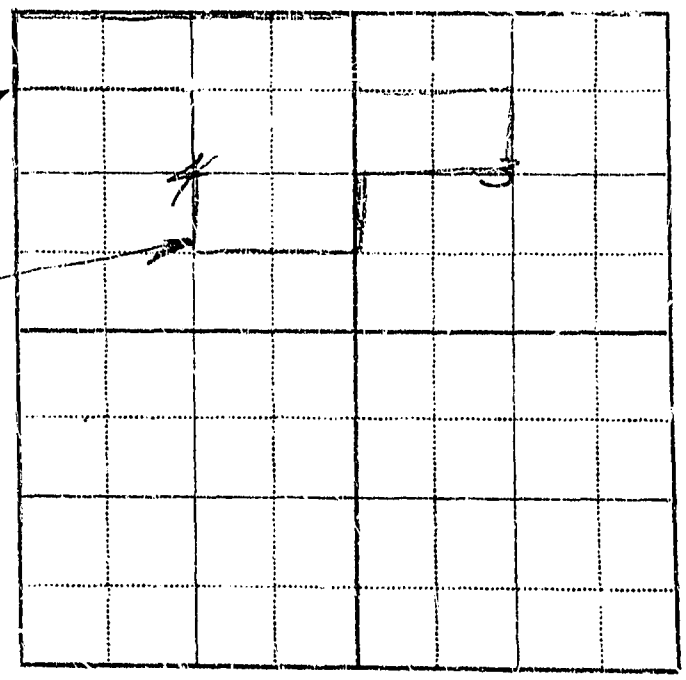
Adequate Supply — Yes No ✓

Explain Flood only

Topography River Bottom

Information From Field survey

Remarks only 2 corners of this land irrigated by Johnson & Ekern ditch



March 24, 1949

Matt & Katherine Penica
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 Musselshell County compiling these data.

Enclosed herewith we are sending you a copy of the water right we have a record of for your land, but we are in doubt as to its acreage 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 Eckern Ditch. We would like to know if this is correct or not.

We wish you would study the map as to its validity and make any and all changes you deem necessary. The reason we are doing this is because it is our policy, before we make final commitment, 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. Oravetz
Assistant State Engineer

GJO/a
enc.

1 Form Ap. 1—10M 8 '5

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Fergus ~~876~~

1. County Fergus Co. Book 6 Page 178 Record WR 304

2. Name of Appropriator Matt Penica Address Zyler, Mont.

3. Date Appropriated 7/1/11 Date Filed 7/1/11

Amount Appropriated, Miners Inches 160, Cubic Feet per second

4. Name of Stream Devil's Basin Coulee Tributary Basin

5. Point of Diversion

NWNW
Sec. 33 Twp. 12 Rge. 22 Bank of Stream south

6. Purpose Irrigation

7. Description of System Dam and ditch 24" by 18"

8. Land Description of Intended Place of Use

SESE Sec. 33-12-22 - 40 Acres - A. W. Eislein, Roundup.
N½NE, NENW 4-11-22
Mshl. Co.

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.)

Form WR-A
Reporter 17382 1M 2-49

NOTICE
These forms are the property of the State of Montana and must be returned.

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

WATER RIGHT DATA

County Musselshell
Code No. 10B, 14B, 15A

Name of Land Owner Lena Redfield Address Roundup, Montana

Name of Operator Same Address

Legal Description SE¼SW¼, SW¼SE¼ Sec. 10; NE¼, S½ Sec. 15; SW¼NW¼, W½SW¼, SE¼SW¼, S½SE¼ Section 14, Twp. 11N., R. 22E.

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

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
~~295~~	Daniel Tressler	Willow Cr.	S½NW¼, N½SW¼ Sec. 14, T.11N., R.22E	4-10-82	6-25-89	100

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

3. Have any of the above filings or any part of them been sold: ..... Yes N.O. 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:

Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On

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

Name of First User	Date of First Use	Stream	Place of Use

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 .....
Trace of old ditch that used to cover this land from willow Cr. land in Sec 10. has been irrigated most every year.

Information from Lena Roberts. nee Redfield. Date March. 31. 1949.