

ARTICLES OF INCORPORATION OF THE
RANCHER DITCH COMPANY

Know all men by these presents, that we Ludwig Havermann, Elias Johnson, Robert J. Guy and Philip Isaac, all residents of Rosebud County, and State of Montana, do by these presents pursuant to Division 1, Part IV Title 1 Chapter 1, of the Civil Code of the State of Montana entitled Corporations, and all laws of the legislative assembly of the State of Montana supplementary or or amendatory thereof, associate ourselves together and form a corporation and for that purpose and to that end do hereby declare as follows:

First: The corporate name of said company is hereby declared to be the Rancher Ditch Company:

Second: The purpose for which said corporation is formed is for the construction, maintenance extending and enlarging of an irrigation ditch or canal, and to own, control, use and operate the same, together with flumes, reservoirs, and appurtenances thereunto belonging or in any wise appertaining, and for the purpose of supplying water from the Yellowstone River, in said county of Rosebud and state of Montana for irrigation, domestic and other useful and beneficial purposes, to the persons, companies, and corporations owning or occupying lands lying thereunder, and for such other legitimate and proper uses and purposes as are necessary to the encouragement of agriculture and horticulture in the valley of the Yellowstone River in said County of Rosebud, and the state of Montana, and for these purposes to own any and all property, real and personal, necessary to the proper maintenance of said ditch or canal and the business connected therewith. The stream from which the waters are to be diverted and used for the purpose aforesaid, is the Yellowstone River in the State of Montana, and the waters of said river appropriated, diverted and used as aforesaid, are taken from said stream at a point on the north bank thereof situate in the NE $\frac{1}{4}$ of Section 23, 5N-34E, thence running in a general northerly and northeasterly course through and across the region known as Pease Bottom, and near the foot-hills skirting said Pease Bottom being about 10 miles in length and terminating at a point in the NE $\frac{1}{4}$ of Sec. 19, 6N-35E in said County of Rosebud and state of Montana.

Third: The place where the principal business of said corporation is to be transacted is Rancher, Montana

Fourth: The term for which this corporation is to exist shall be 20 years.

Fifth: The number of directors of said corporation shall be 5 and the names and residences of these who are hereby appointed for the first 3 months of said corporate existence and until their successors are elected and qualified are as follows:

| | | |
|-------------------|-----------|---------|
| Ludwig Havermann, | Rancher, | Montana |
| Elias Johnson | " | " |
| Robert J. Guy | " | " |
| Philip Isaac | " | " |
| A.S. Shannon | Billings, | Montana |

Sixth: the amount of the captical stock of said company is \$20,000.00 divided into 2,000 shares of the par value of \$10.00 each.

Seventh. The names of the persons who have actually subscribed for the capital stock of said company and the amounts by them subscribed as follows:

| | | |
|------------------|------------|-----------|
| Herman Eldering | 120 Shares | \$1200.00 |
| Ludwig Havermann | 220 " | 2400.00 |

| | | |
|-------------------|-----------|-----------|
| Elias Johnson | 60 Shares | \$ 600.00 |
| A.S. Shannon | 80 " | 800.00 |
| Thomas W. King | 30 " | 300.00 |
| John V. Panwert | 15 " | 150.00 |
| Philip Isaac | 60 " | 600.00 |
| Robert J. Guy | 60 " | 600.00 |
| Mrs. Joseph Isaac | 240 " | 2400.00 |
| Henry Heignemann | 40 " | 400.00 |
| Bruno Heynemann | 15 " | 150.00 |

Eighth: The stock of said corporation shall be assessable

Dec 1, 1903.

*See Fenton for information of
 Extension 1943 for 40 years and list
 of present stock holders (attached)*

CERTIFICATE OF THE EXTENSION FOR TWENTY YEARS OF THE TERM FOR WHICH THE RANCHER DITCH COMPANY IS TO EXIST.

This is to certify: that on the 20th day of October A.D. 1923, A.G. Isaac, Elias Johnson, and J. W. Hardy, who then constituted and now constitute a majority of the directors of the Rancher Ditch Company, a corporation, the principal place of business of which is Rancher, Treasure County, Montana, decided to call a meeting of the stock holders of said corporation for the purpose of acting on the following resolution:

"Resolved: that the term for which said Rancher Ditch Company is to exist is hereby extended for a term of twenty years."

Said meeting to be held at the office of said corporation, at rancher Hall, Rancher, Montana on Saturday, December 8th, 1923 at 2 O'Clock P.M.

That in compliance with the aforementioned decision, and pursuant to the statute in such case made and provided, sections 5918 to 5924 inclusive, Revised Codes of Montana, 1921 and in such manner as required by said statute just mentioned, all of the stockholders of said corporation were duly sent notices of said meeting by mail at least thirty days prior to the date of said meeting and a copy of said notice was duly published in the Hysham Echo, a newspaper published in Hysham, Treasure County, Montana, for four successive weeks prior to December 8th 1923 the date set for said meeting.

That responding to the above mentioned call and notice there was duly held, in compliance therewith, on December 8th 1923 at 2 O'Clock P.M. a Meeting of the stockholders of the said corporation at Rancher Hall, In Rancher Treasure County, Montana.

Axel Olson, being a director and the president of said corporation was duly chosen as chairman of said meeting. J.O. Crandall a stock holder, was chosen as secretary.

Certificate of J. O. Crandall, Secretary of the Rancher Ditch Company showing 1892 shares of the stock of the said company outstanding and entitled to vote at the meeting, filed, checked and found correct. That on roll call of the 1892 shares of outstanding stock of said corporation entitled to vote at said meeting, the following stockholders were present and responded, and the amount of stock held by each is as follows:

| | | | |
|----------------------------------|------------------------------|---------------------------------|-------------------------|
| Axel Olson | 77 ✓ | M. J. Draper | 115 |
| W. C. Hinshaw <i>Plotts</i> | 18 <i>30 29</i> ← | Phil Isaac | 57 |
| Herman Eldering | 256 ✓ | A. S. Shanon <i>Christinson</i> | 89 <i>F. Johnson 30</i> |
| W. King <i>J. Bovera</i> | 38 <i>28 10 B.F. Johnson</i> | Mrs. F. Rohder | 33 |
| J. E. Reisner <i>zent</i> | 25 | Mrs. P. De Lannoy | 33 |
| J. B. Grierson | 82 ✓ | E. Tyler <i>J.H. Decock</i> | 112 |
| Fred Heyneman <i>J.H. Decock</i> | 12 | E.H. Lambert | 15 |
| C. Vanlunce <i>10 64 45</i> | 64 ✓ | R. J. Guy | 13 |
| J. C. Crandall | 28 ✓ | J. J. Mouat | 99 |
| A.C. Isaac | 60 | John Dahl | 20 |
| Geo. Gibb <i>Mable</i> | 14 + 38 <i>52</i> | J. W. Hardy | 64 |
| L. Haveman | 50 | J.B. Grierson | 12 ✓ |
| Elias Johnson <i>70-10</i> | 120 <i>50 Muri</i> | (Proxies of E. Grierson | |
| L. G. Haveman | 14 | H. Grierson | 32 ✓ |
| Joe Bettle, Adm | 20 | A. G. Isaac | 65 |
| J.O. Crandall | 30 | C. V. Kimball | 54 |
| Proxies of Chas Swanson | | Total | 1745 ✓ |

That is constituted more than two-thirds of the outstanding stock of said corporation entitled to vote at said meeting.

That Elias Johnson, then introduced the following resolution and moved its adoption:
"Resolved: That the term for which said Rancher Ditch Company is to exist is hereby extended for a term of twenty years."

That the motion was unanimously carried, there being 1745 shares voted for the adoption of said resolution, and none against, and said resolution was then declared adopted.

That the chairman of the meeting, Axel Olson, and the secretary J. O. Crandall were authorized to execute this certificate, file the same in the office of the County Clerk & Recorder of Treasure County, Montana and file a certified copy in the office of the Secretary of State, Helena, Montana as by law required.

In witness whereof, the undersigned as chairman and secretary of said meeting have caused these present to be signed and counted signed this 8th day of December, 1923

Axel Olson, Chairman

J. O. Crandall, Secretary

Notorial Seal

DITCH COMPANY FORM

County Treasure

Date 9- - 07

Name of Ditch Rancher Ditch Address Myers

Person Interviewed Ralph Swanson Title Secretary

Date of First Incorporation 12-1 1903 ^{20 yrs} Amount Incorporated for \$ 20,000

Date of Last Incorporation Dec. 8, 1923 ^{Jan. 4, 1944} ^{40 yrs} Amount Incorporated for \$ 20,000

How many shares in Company? 2000 Par Value \$ 10 Number Issued 1954 ¹¹⁹⁴⁸

Present Indebtedness of Company \$ None Value of System \$ 37,353.64 ^{60,000} ^(concrete) ^{structures}

Cost of Water per Irrigated Acre \$1.00 Amount for O. & M. See other sheet Debt & Service None

Source of Water Yellowstone River Capacity of Ditch: 4'D 16'B. 2-1 slope M. I. C. F. S.

Point of Diversion NW 4 1/4 " 1/4 Section 23 Township 5 N Range 34 E

Type of System: Gravity Pumping Other

If pumping, give size and capacity of pumps

Total Acres: Irrigated Gross Area Potential Area Seeped

Date of First Use Jan. 5th 1904 Number of Inches Filed On 6,000 ✓

Date of Decree Number of Inches Decreed

Names of First Appropriators

Does the Company supply water to other sources? NO Number of Inches

Name of Company supplied

Is the water supply adequate? yes If not, state acres not receiving full supply

Length of Main Canal 1.3 Condition of Canal Good

Length and size of any large works 6 concrete spills

Has the Company always operated under its present name? yes

If not, give the names of the ditches the present Company has succeeded. X

Project Elevation Annual Precipitation Soil Types

Principal Crops

Kind of Livestock

Topography of Project

Other Information

Ralph Swanson - Secretary

cross Myers Bridge to school house - then turn west ^{1/4 mile}
3/4 mile and north 1/2 mile. Lies on Muggins' creek.

Name of Ditch: _____
 Location: _____
 Date of First Use: _____
 Name of First Appropriator: _____
 Does the Company supply water to other owners? _____
 Name of Company supplied: _____
 Is the water supply adequate? _____
 If not, state how it is not adequate: _____
 Length of Main Canal: _____
 Condition of Canal: _____
 Has the Company always operated under its present name? _____
 If not, give the names of the ditches the present Company has succeeded: _____
 Principal crops: _____
 Kind of live stock: _____
 Proprietary of Project: _____
 Other information: _____

DITCH COMPANY STOCKHOLDERS FORM

Name of Ditch _____ Share Equals _____ Acres Irrigated _____

Miner's Inches Equals _____ Acres Irrigated _____

Person Interviewed _____ Title _____

| | NAME OF STOCKHOLDER | ADDRESS | Number of Shares or Inches | Estimated Acres Irrigated |
|------|-------------------------------------------------------------------------|--------------------|----------------------------|-----------------------------------|
| X 23 | 1. W. P. Jossac | Myers | 15 | 40 |
| X 24 | 2. Albert Newman | | 30 | 75 |
| X 25 | 3. Martha Haverman (W.R. Ludwig A. Haverman) | | 25 | 80 ^{Muggins on} 80 waste |
| X 26 | 4. J.W. Goyarts | Custer Mont. | 28 | 80 1 |
| X 27 | 5. J. B. Garrison Co. | | 40 | } 45 80 60 40 |
| X | 6. J. Garrison | | 42 | |
| X | 7. H. " | | 32 | |
| X | 8. Elizabeth Holmes | | 12 | |
| X 28 | 9. Mabel Gibb | | 52 | 132 |
| X 29 | 10. Herman Eldering Co. | | 200 | } 500 |
| X | 11. " " Jr. | | 56 | |
| X 30 | 12. Lewis Schuth ^{Albert Radel F} ^{W.D. Kingerson} | Myers | 20 | 60 |
| X 31 | 13. H.H. Ebers | d. Kinsel of Myers | 10 | 40 |
| X 32 | 14. Draper ^{M.I.} ¹⁵ A.T. Cunningham ⁵ | Myers | 130 | 80 pump 180 ✓ |
| X | 15. J.O. Crandal | Myers | 28 | 80 ✓ |
| X | 16. Melvin Butler ^{W.} Oscar Arneson ^{of} | Myers | 15 | 80 |
| X | 17. Joe Curtis | Myers | 60 | 160 |
| X | 18. Joe Bettler - Mary Bettler - Myers | | 51 | 130 |
| X | 19. Oscar Arneson | Myers | 21 | 15 ✓ 100 PX |
| X | 20. Kenneth " | Myers | 12 | } 66 20 PX |
| X | 21. " " | " | 18 | |
| | 22. | | | |

DITCH COMPANY STOCKHOLDERS FORM

Name of Ditch Rancher Ditch 30 Share Equals 80 Acres Irrigated

Miner's Inches Equals _____ Acres Irrigated

Person Interviewed _____ Title _____

| NAME OF STOCKHOLDER | ADDRESS | Number of Shares or Inches | Estimated Acres Irrigated |
|------------------------------------|----------------------------------------------------------------|----------------------------|---------------------------|
| X 1. J.E Nansel | + | 50 pump | 130 ✓ |
| X 2. James Mowat Jr. | + | 10 | |
| X 3. James + Douglas Mowat | + | 19 | |
| X 4. Stanley Mibb | | 33 pump | ✓ |
| X 5. Mat Zent | H.S. Stall | 25 | 70 ✓ |
| X 6. Mrs. F.R. Christesen | Buzz Dainels | 30 ✓ | 80 |
| X 7. Chas. Webb | | 60 | 200 ✓ |
| X 8. Clarence Van Luvange | | 45 | 110 ✓ |
| X 9. Joe + Henry De Cock | | 124 | 240 |
| X 10. Armour Taylor | | 44 | 100 ✓ |
| X 11. Charles Swanson | (29-30 55-R34E Yellowstone Co) Lewis plotts + Ralph Swanson | 30 | 80 ✓ |
| X 12. Harvey Stall | | 40 | 120 ✓ |
| X 13. ^{Wendy} Joe Rafford | | 40 | 100 |
| X 14. Lewis Plotts | | 59 ✓ | 150 ✓ |
| X 15. Leo Cunningham | | 77 | 200 |
| X 16. Anfin Muri | | 50 | 130 |
| X 17. James J. Mowat Sr. | | 33 | 90 |
| X 18. Geo. F. Johnson | | 10 | 25 |
| X 19. Paul A + Margaret E. Nansel | 5485 Gilbert Dr San Diego Cal. de. Lanaroy | 132 | 250 |
| X 20. C.V. Kimball | | 54 | 140 |
| X 21. Fred E. Johnson | | 30 ✓ | 80 |
| X 22. Elias Johnson | | 80 10 | 200 |

1752 1972 Total