

119392-08  
5426-08 I.O.

# The United States of America,

To all to whom these presents shall come, Greeting:

1170.

WHEREAS, There has been deposited in the General Land Office of the United States a schedule of allotments approved by the Secretary of the Interior  
June 20, 1908, whereby it appears that  
BASTISTE MARENGO, an Indian of the  
Flathead tribe or band, has been allotted  
the following-described land:

The south half of the south half of the northwest quarter of Section twenty-nine and the Lot one of Section thirty-one in Township twenty-one north of Range nineteen west of the Montana Meridian, Montana, containing seventy-nine and seventy-nine-hundredths acres:

Patent Issued *Feb. 09-112543, Pat. 106018*

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, has allotted, and by these presents does allot, unto the said **Bastiste Marengo** the land above described, and hereby declares that it does and will hold the land thus allotted (subject to all statutory provisions and restrictions) for the period of twenty-five years, in trust for the sole use and benefit of the said Indian, and at the expiration of said period the United States will convey the same by patent to said Indian, in fee, discharged of said trust and free from all charge and incumbrance whatsoever, if said Indian does not die before the expiration of the said trust period; but in the event said Indian does die before the expiration of said trust period, the Secretary of the Interior shall ascertain the legal heirs of said Indian and either issue to them in their names a patent in fee for said land, or cause said land to be sold for the benefit of said heirs as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Theodore Roosevelt**, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the eight day of October, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States the one hundred and thirty-third.

By the President: *Theodore Roosevelt*  
By *M.W. Young*, Secretary.  
*H. H. ...*  
Recorder of the General Land Office.

Recorded Patent No.

U.S. DEPARTMENT OF THE INTERIOR

**BUREAU OF LAND MANAGEMENT**

**General Land Office Records**

BLM

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Accession Nr: 19828 Document Type: Serial Patent State: Montana Issue Date: 10/8/1908 Cancelled: No

[Patent Details](#) | 
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**Names On Document**

<ul style="list-style-type: none"> <li>MARENGO, BATISTE</li> </ul>
Military Rank: ---

**Miscellaneous Information**

Land Office:	Washington Ofc
US Reservations:	Yes
Mineral Reservations:	No
Tribe:	Flathead
Militia:	---
State in Favor Of:	---
Authority:	June 15, 1880: Indian Trust Patent (21 Stat. 199)
General Remarks:	See Serial Patent Nr 106018 For Fee Patent

**Document Numbers**

Document Nr:	119392-08
Misc. Doc. Nr:	5426-08
BLM Serial Nr:	MTMTAA 097888
Indian Allot. Nr:	1170
Coal Entry. Nr:	---

**Survey Information**

Total Acres:	79.00
Survey Date:	---
Geographic Name:	---
Metes/Bounds:	No

**Land Descriptions**

Map	State	Meridian	Twp - Rng	Aliquots	Section	Survey #	County
	MT	Montana PM	021N - 019W	S½S½NW¼	29		Lake
	MT	Montana PM	021N - 019W	Lot/Trct 1	31		Lake

REMARKS: LOT 1 OR NW¼ QUARTER



112543-09  
85324-09 I.O.

(RECORD OF PATENTS.)  
4-188-ar.

Patent Number 106018

# The United States of America,

1170.

On all to follow these presents shall come, Certifying:

WHEREAS, There has been deposited in the General Land Office of the United States an Order of the Secretary of the Interior directing that a fee simple patent issue to **BATISTE MARENCO,** a Flathead Indian, for the south half of the south half of the northwest quarter of Section twenty-nine and the Lot one of Section thirty-one in Township twenty-one north of Range nineteen west of the Montana Meridian, Montana, containing seventy-nine and seventy-nine hundredths acres:

NOW KNOW YE, That the UNITED STATES OF AMERICA, In consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said **Batiste Marengo** and to his heirs, the lands above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature thereunto belonging, unto the said **Batiste Marengo** and to his heirs and assigns forever. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **William H. Taft**, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

(SEAL.)

GIVEN under my hand, at the City of Washington, the TWENTY-FOURTH day of JANUARY, in the year of our Lord one thousand nine hundred and TEN, and of the Independence of the United States the one hundred and THIRTY-FOURTH.

By the President: Wm. H. Taft

By W. W. Young

Secretary.

W. W. Young  
Recorder of the General Land Office.

U.S. DEPARTMENT OF THE INTERIOR  
**BUREAU OF LAND MANAGEMENT** General Land Office Records

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Accession Nr: 106018 Document Type: Serial Patent State: Montana Issue Date: 1/24/1910 Cancelled: No

[Patent Details](#)
[Patent Image](#)
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**Names On Document**

<input checked="" type="checkbox"/> MARENGO, BATISTE
Military Rank: ---

**Miscellaneous Information**

Land Office:	Washington Ofc
US Reservations:	Yes
Mineral Reservations:	No
Tribe:	Flathead
Militia:	---
State in Favor Of:	---
Authority:	October 14, 1865: Indian Fee Patent (14 Stat. 703)
General Remarks:	---

**Document Numbers**

Document Nr:	112543-09
Misc. Doc. Nr:	85324-09
BLM Serial Nr:	MTMTAA 097929
Indian Allot. Nr:	1170
Coal Entry. Nr:	---

**Survey Information**

Total Acres:	79.00
Survey Date:	---
Geographic Name:	---
Metes/Bounds:	No

**Land Descriptions**

Map	State	Meridian	Twp - Rng	Allquots	Section	Survey #	County
<input checked="" type="checkbox"/>	MT	Montana PM	021N - 019W	S/4S/4NW/4	29		Lake
<input checked="" type="checkbox"/>	MT	Montana PM	021N - 019W	Lot/Trct 1	31		Lake

REMARKS: LOT 1 OR NW/4 QUARTER



L 16292

NOTICE OF APPROPRIATION

BOOK 1 PAGE 111

STATE OF MONTANA }  
COUNTY OF Missoula }

TO ALL WHOM THESE PRESENTS MAY CONCERN:

BE IT KNOWN, That Baptiste Marengo (No. 724) for his wife Caroline and his minor son Herbert Marengo of Flathead Reservation in said County and State do hereby publish and declare, as a legal notice to all the world, as follows, to-wit:

I. That They have a legal right to the use, possession and control of and claim Three hundred and sixty (360) inches of the waters of Crow Creek in said County and State for irrigating and other purposes.

II. That the purpose for which said water is claimed, and the place of intended use is for domestic and irrigating purposes on the S/2 S/2 NW/4 and the entire S/2 of Sec. 24 Twp. 21 N.R. 19 W.M.M.

III. That the means of diversion with size of flume, ditch, pipe, or aqueduct, by which they intend to divert the said water is as follows: A ditch 48 inches by 24 inches in size, which carries and conducts 360 inches of water from said creek; which said ditch diverts the water from said stream at a point upon its North bank, and runs thence in a south westerly direction (head of ditch in NW/4 SW/4 Sec. 21, Twp. 21 N.R. 19 W.M.M.)

thence over and upon said land (or mining claim.)  
IV. That They appropriated and took said water on the 15th day of November, 1895 A. D. 19 by means of said ditch

V. That the name of the appropriator of said water are as written above

VI. That They also hereby claim said ditch and the right of way therefor, and for said water by it conveyed, or to be conveyed, from said point of appropriation to said land or point of final discharge, and also the right of location upon any lands of any dams, flumes, reservoirs, constructed or to be constructed, by them in appropriating and in using said water.

VII. That They also claim the right to keep in repair and to enlarge said means of water appropriation at any time, and the right to dispose of the said right, water, ditch or said appurtenances in part or whole at any time.

CLAIMING THE SAME ALL AND SINGULAR, Under any and all laws, National and State, and local rulings and decisions thereunder, in the matter of water rights.

TOGETHER WITH ALL AND SINGULAR, The hereditaments and appurtenances thereunto belonging and appertaining, or to accrue to the same.

WITNESS Baptiste Marengo's hand at Montana, this 1st day of November 1907

Baptiste Marengo

Duplicate signed return to agency Dont file

STATE OF MONTANA }  
COUNTY OF Missoula }

Baptiste Marengo having first been duly sworn, depose and say that he is of lawful age and is the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation and claim, and the person whose name is subscribed thereto as the appropriator and claimant, that he knows the contents of said foregoing notice and that the matters and things therein stated are true.

Baptiste Marengo

Subscribed and sworn to before me, this 27th day of Aug. A. D. 1907

Seall

D. D. Hall Notary Public in and for State of Montana residing at Bonanza, Montana

Filed for record the 26th day of September A. D. 1907 at 10:50 o'clock A. M.

F. W. Kuehnel County Recorder  
By Deputy

NOTICE OF APPROPRIATION OF WATER RIGHT

No. 263 -3

UNITED STATES OF AMERICA:  
STATE OF MONTANA : SS  
COUNTY OF MISSOULA :

TO ALL WHOM THESE PRESENTS MAY CONCERN: Be it known that the United States of America, pursuant to the provisions of the Acts of Congress of March 3, 1909 (35 Stat. 795) and April 30, 1908 (35 Stat. 85), and under and by virtue of an Act of the Legislative Assembly of the State of Montana, entitled: "An Act authorizing the Government of the United States to appropriate the water of the streams in the State of Montana, subject to certain restrictions," approved February 27, 1905, acting by and through Frank H. Tyro, Acting Project Engineer, U. S. Indian Irrigation Service, thereunto duly authorized by the Secretary of the Interior of the said United States in that behalf, does hereby publish and declare as a legal notice to all the world as follows, to-wit:

1. That the said United States has a legal right to the use, possession, and control of, and claims 350 cubic feet per second of time of the waters of Glacier Creek and Turquoise Lake.

2. That the purpose for which said water is claimed is for irrigating, domestic use and power purposes, and the place of use is to irrigate and use said water upon 110,000 acres of land, said land lying and being within the boundaries of the following described townships, to-wit:

Townships 18, 19, 20, 21 and 22 North, Range 19 West;
" 18, 19, 20, 21 and 22 " " 20 "
" 19, 20, 21 and 22 " " 21 "
" 19, and 20 " " 22 "

Montana Principal Meridian,

also for domestic use in connection with said land, and for developing power for pumping and other purposes at the point of diversion and along the irrigating ditches and water conduits to be constructed in connection therewith.

3. That the means of diversion, with size of flume, ditch, pipe, aqueduct, or tunnel by which it is intended to divert said waters is as follows: Storage dam of 20,000 acre feet capacity at outlet of Turquoise Lake; a 9-ft. diameter tunnel with a capacity of 250 cubic feet per second, which said tunnel diverts the water from Turquoise Lake at its southernmost point; and runs in a southerly direction to Lost Lake, thence in a westerly direction through a tunnel having a diameter of 11 ft. and a capacity of 350 cubic feet per second to Mission Creek, thence down Mission Creek to said lands.

4. That the said United States appropriated said water on the 11<sup>th</sup> day of August, A. D., 1950, and on that day caused a notice of appropriation to be posted in a conspicuous place at the point of diversion hereinbefore described, which said notice states, among other things:

- A. Number of cubic feet of water per second claimed as herein set forth;
- B. The purpose for which the water was claimed and the place of intended use, as hereinbefore described;
- C. The means of diversion, as herein set forth;
- D. The date of appropriation, to-wit: the date on which the said notice was posted;
- E. The name of the appropriator as herein set forth.

5. That the name of the appropriator of the said water is the United States of America.

6. That the said United States also hereby claims said ditch, aqueduct or tunnel and the right of way therefor and for said water by it conveyed, or to be conveyed, from said point of diversion and appropriation to said lands or point of final discharge, and also the right of location upon any lands of dams, flumes, and reservoirs constructed or to be constructed by the said United States in appropriating and using said water.

7. That the United States also claims the right to keep in repair and to enlarge said means of water appropriation at any time and to change the point of diversion and the right to dispose of said right, water, ditch, or said appurtenance in part, or whole, at any time.

Claiming the same all and singular under any and all laws, national or state, and in accordance with the rulings and decisions thereunder in the matter of water rights.

Together with all and singular the hereditaments and appurtenances thereto belonging and appertaining, or to accrue to the same.

UNITED STATES OF AMERICA

By Frank H. Tybo  
Its agent in that behalf and thereto  
duly authorized by the Secretary of the  
Interior of the said United States.

State of Montana )  
County of Lake ) ss

FRANK H. TYBO, having been first duly sworn, deposes and says that he is a citizen of the United States and over the age of twenty-one years; and that he is the person duly authorized by the secretary of the Interior of the said United States to make the foregoing appropriation and notice thereof in behalf of the said United States, the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation; that as such person and agent, he signed the foregoing notice of appropriation and makes this verification on behalf of the said United States; that he knows the contents of said foregoing notice and that the matters and facts therein stated are true.

Frank H. Tybo

Subscribed and sworn to before me this 14 day of August, A. D., 1950.

W. C. Taylor



W. C. TAYLOR,  
Notary Public for the State of Montana,  
at Helena, Montana.  
My commission expires Feb. 1st, 1953

STATE OF MONTANA )  
COUNTY OF LAKE )

SS

K 05

Keith A. Armstrong, having been first duly sworn, deposes and says that he is a citizen of the United States, and over the age of twenty-one years; that on August 11, 1950 he was and is now an employee of the United States; that on said day he posted the above notice at the place named therein; that he knows the contents of the foregoing notice and that the matters and facts contained in the notice are true.

Keith A. Armstrong  
Engineering aide  
(Title)

Subscribed and sworn to before me this 14th day of August, 1950.

W. J. Baldwin

(Notarial Seal)



Notary Public  
State of Montana  
Lake County

I received and filed this instrument for record on the 15th day of Aug 1950 at 9:57 o'clock A.M. and it is recognized by me W. J. Baldwin Records of the County of LAKE Montana, State of Montana, on page 3

Witness my hand,  
W. J. BALDWIN  
 County Recorder.  
W. J. Baldwin Deputy

Indexed 200  
 Fee \$ 2.00 paid  
 Return to W. J. Dept. Return  
 from W. J. Department

INDEXED  
93574

K 06

NOTICE OF APPROPRIATION OF WATER RIGHT

UNITED STATES OF AMERICA:  
STATE OF MONTANA : SS  
COUNTY OF MISSOULA :

No. 265-3

TO ALL WHOM THESE PRESENTS MAY CONCERN: Be it known that the United States of America, pursuant to the provisions of the acts of Congress of March 3, 1909 (35 Stat. 795) and April 30, 1908 (35 Stat. 85), and under and by virtue of an Act of the Legislative Assembly of the State of Montana, entitled: "An Act authorizing the Government of the United States to appropriate the water of the streams in the State of Montana, subject to certain restrictions," approved February 27, 1905, acting by and through **FRANK H. TYRO, Acting** Project Engineer, U. S. Indian Irrigation Service, therunto duly authorized by the Secretary of the Interior of the said United States in that behalf, does hereby publish and declare as a legal notice to all the world as follows, to-wit:

1. That the United States has a legal right to the use, possession, and control of, and claims 450 cubic feet per second of time of the waters of Swan River and Gray Wolf Lake.

2. That the purpose for which said water is claimed is for irrigating, domestic use and power purposes, and the place of use is to irrigate and use said water upon 110,000 acres of land, said land lying and being within the boundaries of the following described townships, to-wit:

Townships 18, 19, 20, 21, and 22 North, Range 19 West;
"    18, 19, 20, 21, and 22 "    "    20 "
"    19, 20, 21, and 22 "    "    21 "
"    19, 20, "    "    22 "

Montana Principal Meridian;

also for domestic use in connection with said land, and for developing power for pumping and other purposes at the point of diversion and along the irrigating ditches and water conduits to be constructed in connection therewith.

3. That the means of diversion, with size of flume, ditch, pipe, aqueduct or tunnel by which it is intended to divert said waters is as follows: Storage dam of 20,000 acre feet capacity at natural outlet of Gray Wolf Lake; a 9-ft. diameter tunnel with a capacity of 250 cubic feet per second, which said tunnel diverts the water from Gray Wolf Lake at its northernmost point and runs thence in a northwesterly direction to High Park Lake; thence in a northwesterly direction through a 10-ft. diameter tunnel having a capacity of 300 cubic feet per second and heading at the northernmost point of High Park Lake to Lost Lake; thence in a westerly direction through a tunnel having a diameter of 11 feet and a capacity of 350 cubic feet per second and heading at the head of Lost Lake, to Mission Creek, thence down Mission Creek to said lands.

4. That the said United States appropriated said water on the 9<sup>th</sup> day of August, A. D., 1950, and on that day caused a notice of appropriation to be posted in a conspicuous place at the point of diversion hereinbefore described, which said notice states, among other things:

- A. Number of cubic feet of water per second claimed as herein set forth;
- B. The purpose for which the water was claimed and the place of intended use, as hereinbefore described;
- C. The means of diversion, as herein set forth;
- D. The date of appropriation, to-wit: the date on which the said notice

Bk K  
p 5

K 07

was posted;

E. The name of the appropriator as herein set forth.

5. That the name of the appropriator of the said water is the United States of America.

6. That the said United States also hereby claims said ditch, aqueduct or tunnel and the right of way therefor and for said water by it conveyed, or to be conveyed, from said point of diversion and appropriation to said lands or point of final discharge, and also the right of location upon any lands of dams, flumes, and reservoirs constructed or to be constructed by the said United States in appropriating and using said water.

7. That the United States also claims the right to keep in repair and to enlarge said means of water appropriation at any time and to change the point of diversion and the right to dispose of said right, water, ditch, or said appurtenance in part, or whole, at any time.

Claiming the same all and singular under any and all laws, national or state, and in accordance with the rulings and decisions thereunder in the matter of water rights.

Together with all and singular the hereditaments and appurtenances thereunto belonging and appertaining, or to accrue to the same.

UNITED STATES OF AMERICA

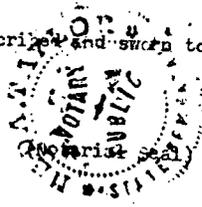
By Frank H. Tyro  
its agent in that behalf and thereunto  
duly authorized by the Secretary of the  
Interior of the said United States.

State of Montana )  
County of Lake ) ss

FRANK H. TYRO, having been first duly sworn, deposes and says that he is a citizen of the United States and over the age of twenty-one years; and that he is the person duly authorized by the Secretary of the Interior of the said United States to make the foregoing appropriation and notice thereof in behalf of the said United States, the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation; that as such person and agent, he signed the foregoing notice of appropriation and makes this verification on behalf of the said United States; that he knows the contents of said foregoing notice and that the matters and facts therein stated are true.

Frank H. Tyro

Subscribed and sworn to before me this 14 day of August, A. D., 1950.



Red B. Taylor

Notary Public for the State of Montana  
St. Ignace, Montana.  
My commission expires Feb. 13th, 1953.

K 08  
PAGE 08

STATE OF MONTANA )  
COUNTY OF LAKE ) SS

Keith A. Armstrong, having been first duly sworn,  
deposes and says that he is a citizen of the United States, and  
over the age of twenty-one years; that on August 9, 1950  
he was and is now an employee of the United States; that on said  
day he posted the above notice at the place named therein; that  
he knows the contents of the foregoing notice and that the matters  
and facts contained in the notice are true.

Keith A. Armstrong  
Engineering Aide  
(Title)

Subscribed and sworn to before me this 14th day of August, 1950.

Red A. Taylor

(Notarial Seal)

The State of Montana  
Notary Public  
My Comm. Expires



INDEXED  
93575

I received and filed this instrument for  
record on the 14th day of Aug  
1950 at 9:06 a.m. Red A. Taylor, and it  
is recorded in vol. 18 of  
18 Records of the County of  
Missoula, State of Montana, on page 6.  
Witness my hand,  
W. RABINGTON,  
County Recorder.  
By W. Rabington Deputy  
Incurred        Paid         
Fee \$ 2.00  
Return to Red A. Taylor  
Agent

NOTICE OF APPROPRIATION OF WATER RIGHT

UNITED STATES OF AMERICA:  
STATE OF MONTANA : SS  
COUNTY OF MISSOULA :

No. 266-3

Bk K

TO ALL WHOM THESE PRESENTS MAY CONCERN: Be it known that the United States of America, pursuant to the provisions of the Acts of Congress of March 3, 1909 (35 Stat. 795) and April 30, 1908 (35 Stat. 85), and under and by virtue of an Act of the Legislative Assembly of the State of Montana, entitled: "An Act authorizing the Government of the United States to appropriate the water of the streams in the State of Montana, subject to certain restrictions," approved February 27, 1905, acting by and through FRANK H. TYBO, Acting Project Engineer, U. S. Indian Irrigation Service, thereunto duly authorized by the Secretary of the Interior of the said United States in that behalf, does hereby publish and declare as a legal notice to all the world as follows, to-wit:

1. That the said United States has a legal right to the use, possession, and control of, and claims 350 cubic feet per second of time of the waters of Swan River and Lost Lake.

2. That the purpose for which said water is claimed is for irrigating, domestic use and power purposes, and the place of use is to irrigate and use said water upon 110,000 acres of land, said land lying and being within the boundaries of the following described townships, to-wit:

- Townships 18, 19, 20, 21, and 22 North, Range 19 West;
- " 18, 19, 20, 21, and 22 " " 20 "
- " 19, 20, 21, and 22 " " 21 "
- " 19, 20, " " 22 "

Montana Principal Meridian;  
also for domestic use in connection with said land, and for developing power for pumping and other purposes at the point of diversion and along the irrigating ditches and water conduits to be constructed in connection therewith.

3. That the means of diversion, with size of flume, ditch, pipe, aqueduct or tunnel by which it is intended to divert said waters is as follows: Storage dam of 18,000 acre feet capacity at outlet of Lost Lake; an 11 ft. diameter tunnel with a capacity of 350 cubic feet per second, which said tunnel diverts the water from Lost Lake at its head and runs thence in a westerly direction to Mission Creek, thence down Mission Creek to said lands.

4. That the said United States appropriated said water on the 11th day of August, A. D., 1950, and on that day caused a notice of appropriation to be posted in a conspicuous place at the point of diversion hereinbefore described, which said notice states, among other things:

- A. Number of cubic feet of water per second claimed as herein set forth;
- B. The purpose for which the water was claimed and the place of intended use, as hereinbefore described;
- C. The means of diversion, as herein set forth;
- D. The date of appropriation, to-wit: the date on which the said notice was posted;
- E. The name of the appropriator as herein set forth.

5. That the name of the appropriator of the said water is the United States of America.

6. That the said United States also hereby claims said ditch, aqueduct or tunnel and the right of way therefor and for said water by it conveyed, or to be conveyed, from said point of diversion and appropriation to said lands or point of final discharge, and also the right of location upon any lands of dams, flumes, and reservoirs constructed or to be constructed by the said United States in appropriating and using said water.

7. That the United States also claims the right to keep in repair and to enlarge said means of water appropriation at any time and to change the point of diversion and the right to dispose of said right, water, ditch, or said appurtenance in part, or whole, at any time.

Claiming the same all and singular under any and all laws, national or state, and in accordance with the rulings and decisions thereunder in the matter of water rights.

Together with all and singular the hereditaments and appurtenances thereunto belonging and appertaining, or to accrue to the same.

UNITED STATES OF AMERICA

By Frank H. Tyro  
Its agent in that behalf and thereunto  
duly authorized by the Secretary of the  
Interior of the said United States.

State of Montana )  
County of Lake ) ss.

FRANK H. TYRO, having been first duly sworn, deposes and says that he is a citizen of the United States and over the age of twenty-one years; and that he is the person duly authorized by the Secretary of the Interior of the said United States to make the foregoing appropriation and notice thereof in behalf of the said United States, the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation; that as such person and agent, he signed the foregoing notice of appropriation and makes this verification on behalf of the said United States; that he knows the contents of said foregoing notice and that the matters and facts therein stated are true.

Frank H. Tyro

Subscribed and sworn to before me this 14 day of August, A. D., 1950.

Ned A. Taylor

NED A. TAYLOR,  
NOTARY PUBLIC for the State of Montana,  
Residence St Ignace, Montana.  
Notary Public since Feb 13th, 1943.



STATE OF MONTANA )  
COUNTY OF LAKE ) SS

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Keith A. Armstrong, having been first duly sworn, deposes and says that he is a citizen of the United States, and over the age of twenty-one years; that on August 11, 1950 he was and is now an employe of the United States; that on said day he posted the above notice at the place named therein; that he knows the contents of the foregoing notice and that the matters and facts contained in the notice are true.

Keith A. Armstrong  
Engineering Aide  
(Title)

Subscribed and sworn to before me this 14th day of August, 1950.

W. J. Bavington

(Notarial Seal)

W. J. BAVINGTON,  
Notary Public for the State of Montana,  
Commission Expires August 15th, 1954.



INDEXED 93576

I received and filed this instrument in record on the 14 day of Aug 1950 at 9:07 o'clock A.M. and is in recorded in vol. 124 of the County of Missoula, State of Montana, on page 9.  
Witness my hand,  
By W. J. Bavington Deputy  
Notary Public  
Paid  
G. P. Dept. Index  
P. F. Bavington

NOTICE OF APPROPRIATION OF WATER RIGHT

UNITED STATES OF AMERICA:  
STATE OF MONTANA : SS  
COUNTY OF MISSOULA :

No. 264-3

TO ALL WHOM THESE PRESENTS MAY CONCERN: Be it known that the United States of America, pursuant to the provisions of the Acts of Congress of March 3, 1909 (35 Stat. 795) and April 30, 1908 (35 Stat. 85), and under and by virtue of an Act of the Legislative Assembly of the State of Montana, entitled: "An Act authorizing the Government of the United States to appropriate the water of the streams in the State of Montana, subject to certain restrictions," approved February 27, 1905, acting by and through FRANK H. TYRO, ACTING Project Engineer, U. S. Indian Irrigation Service, therunto duly authorized by the Secretary of the Interior of the said United States in that behalf, does hereby publish and declare as a legal notice to all the world as follows, to-wit:

1. That the United States has a legal right to the use, possession, and control of, and claims 500 cubic feet per second of time of the waters of Swan River and High Park Lake.

2. That the purpose for which said water is claimed is for irrigating, domestic use and power purposes, and the place of use is to irrigate and use said water upon 110,000 acres of land, said land lying and being within the boundaries of the following described townships, to-wit:

Townships 18, 19, 20, 21, and 22 North, Range 19 West;
" 18, 19, 20, 21, and 22 " " 20 "
" 19, 20, 21, and 22 " " 21 "
" 19, 20, " " 22 "

Montana Principal Meridian;  
also for domestic use in connection with said land, and for developing power for pumping and other purposes at the point of diversion and along the irrigating ditches and water conduits to be constructed in connection therewith.

3. That the means of diversion, with size of flume, ditch, pipe, aqueduct or tunnel by which it is intended to divert said waters is as follows: Storage dam of 30,000 acre feet capacity at outlet of High Park Lake; a 10-ft. diameter tunnel with a capacity of 300 cubic feet per second, which said tunnel diverts the water from High Park Lake at its northernmost point and runs thence in a northwesterly direction to Lost Lake, thence in a westerly direction through an 11-ft. diameter tunnel having a capacity of 350 cubic feet per second and a heading at the head of Lost Lake, to Mission Creek, thence down Mission Creek to said lands.

4. That the said United States appropriated said water on the 10<sup>th</sup> day of August, A. D., 1950, and on that day caused a notice of appropriation to be posted in a conspicuous place at the point of diversion hereinbefore described, which said notice states, among other things:

- A. Number of cubic feet of water per second claimed as herein set forth;
- B. The purpose for which the water was claimed and the place of intended use. as hereinbefore described;
- C. The means of diversion, as herein set forth;
- D. The date of appropriation, to-wit: the date on which the said notice was posted;
- E. The name of the appropriator as herein set forth.

5. That the name of the appropriator of the said water is the United States of America.

6. That the said United States also hereby claims said ditch, aqueduct or tunnel and the right of way therefor and for said water by it conveyed, or to be conveyed, from said point of diversion and appropriation to said lands or point of final discharge, and also the right of location upon any lands of dams, flumes and reservoirs constructed or to be constructed by the said United States in appropriating and using said water.

7. That the United States also claims the right to keep in repair and to enlarge said means of water appropriation at any time and to change the point of diversion and the right to dispose of said right, water, ditch, or said appurtenance in part, or whole, at any time.

Claiming the same all and singular under any and all laws, national or state, and in accordance with the rulings and decisions thereunder in the matter of water rights.

Together with all and singular the hereditaments and appurtenances thereunto belonging and appertaining, or to accrue to the same.

UNITED STATES OF AMERICA

By Frank H. Tyro  
Its agent in that behalf and thereunto  
duly authorized by the Secretary of the  
Interior of the said United States.

State of Montana )  
                          ) ss.  
County of Lake )

FRANK H. TYRO, having been first duly sworn, deposes and says that he is a citizen of the United States and over the age of twenty-one years; and that he is the person duly authorized by the Secretary of the Interior of the said United States to make the foregoing appropriation and notice thereof in behalf of the said United States, the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation; that as such person and agent, he signed the foregoing notice of appropriation and makes this verification on behalf of the said United States; that he knows the contents of said foregoing notice and that the matters and facts therein stated are true.

Frank H. Tyro

Subscribed and sworn to before me this 14 day of August, A. D., 1950.

Ned A. Taylor

NED A. TAYLOR,  
NOTARY PUBLIC for the State of Montana  
Residing at St. Ignatius, Montana.  
My commission expires Feb. 13th, 1951.



STATE OF MONTANA )  
COUNTY OF LAKE )

Keith A. Armstrong, having been first duly sworn, deposes and says that he is a citizen of the United States, and over the age of twenty-one years; that on August 10 he was and is now an employee of the United States; that on said day he posted the above notice at the place named therein; that he knows the contents of the foregoing notice and that the matters and facts contained in the notice are true.

Keith A. Armstrong  
Engineering Aide  
(Title)

Subscribed and sworn to before me this 14th day of August, 1950.

Red A. Taylor

(Notarial Seal)

RED A. TAYLOR  
Residing at St. Helena, Montana.  
My Commission expires 1953.



93577

INDEXED

I received and paid this instrument for record on the 14th day of Aug 1950 at 10:08 o'clock P.M., and it is recorded in vol. 12 of Deputy Records of the County of LAKE Montana, State of Montana, on page 12.  
Witness my hand,  
W. J. LAMBERTON,  
County Recorder.  
By W. J. Lambertson Deputy  
Indexed 750 Paid  
Fees to R. S. Dept. Admin  
1 from H. J. Smith

Approved this 14th day of November, 1907, at the City of Helena, Montana, by the Board of Supervisors, Lake County, Montana, as follows:

Witness my hand and seal of office this 14th day of November, 1907.

NOTICE OF APPROPRIATION

STATE OF MONTANA

County of Lake

TO ALL WHOM THESE PRESENTS MAY COME

BEFORE, that Baptiste Barange, No. 7243, for his wife Caroline and his minor son Victor, Barange, of Helena, Montana, in said County and State do hereby publish and declare, in a legal manner, to all the world, as follows, to-wit:

I. That they have a legal right to the use, possession and control of and claim three hundred and sixty (360) inches of the waters of Crow Creek, in said County and State for irrigation and other purposes.

II. That the purpose for which said water is claimed, and the place of intended use is for domestic and irrigation purposes on the S 20 & 30 34 1/4 and the entire 1/2 of Sec. 29, Twp. 23 N., R. 13 W., M. 1 E.

III. That the means of diversion and size of flume, ditch, pipe, or aqueduct, by which they intend to divert the said water is as follows: A ditch 40 inches by 30 inches in size, with a grade and contour the inches of water from said Creek, which said ditch diverts the water from said stream at a point upon the South East, and runs thence in a southeasterly direction (about N 75° E 1/4 Sec. 21, Twp. 23 N., R. 13 W., M. 1 E., thence over and back said land, (or main claim).

IV. That they appropriated and took said water on the 14th day of November, 1906, A.D., by means of said ditch.

V. That the names of the appropriators of said water are as written above.

VI. That they also hereby claim said ditch and the right of way therefor, and for said water by it conveyed or to be conveyed, from said point of appropriation to said land or point of final discharge, and also the right of location upon any lands of any name, flumes, ditches, constructed or to be constructed, by them, in appropriating and in using said water.

VII. That they also claim the right to keep in repair and to enlarge said means of water appropriation at any time, and the right to dispose of said right, water, ditch or said improvements in part or whole, at any time.

CLAIMING THEM AS ALL THE RIGHTS, Under and by all laws, National and State, and local rulings and decisions thereunder, in the matter of water rights.

WITNESSE WITH ALL THE SINGULAR, The hereditaments and appurtenances thereto, belonging and appertaining, or to accrue to the same.

Witness my hand and seal of office this 14th day of November, 1907.  
Baptiste Barange  
Co. agent, Lake Co. Baptiste Barange

STATE OF MONTANA

County of Lake

Baptiste Barange, having first been duly sworn, deposes and says that he is of lawful age and is the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation and claim, and the person whose name is subscribed therein as the appropriator and claimant, and he knows the contents of said foregoing notice and that the matters and things therein stated are true.

Subscribed and sworn to before me, this 14th day of Nov. 14, 1907.  
Notary Public in and for the State of Montana, residing at Helena, Montana.  
My commission expires the 14th day of \_\_\_\_\_, 1908.

Filed for record this 14th day of November, 1907, at \_\_\_\_\_, 10:00 o'clock A.M.

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

**GENERAL ABSTRACT**

Water Right Number: 76L 122919-00 STATEMENT OF CLAIM  
Version: 1 - ORIGINAL RIGHT  
Version Status: ACTIVE

Owners: FLORENCE E SCHMITZ  
% CHERYL TAYLOR  
8422 DIAMOND SPRINGS DR  
HELENA, MT 59602

PHILLIP J SCHMITZ  
\*\*\*DECEASED\*\*\*  
RT 1 BOX 40  
RONAN, MT 59864

GENE ERB JR  
53251 HERAK RD  
CHARLO, MT 59824

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.

Priority Date: NOVEMBER 15, 1895

Enforceable Priority Date: NOVEMBER 15, 1895

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 6.05 CFS

Maximum Volume: 100.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 40.00

Source Name: NORTH CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESWNW	21	21N	19W	LAKE

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: MAY 1 to OCTOBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	40.00		S2S2NW	29	21N	19W	LAKE

Total: 40.00

Geocodes/Valid: 15-3104-29-2-01-06-0000 - Y 15-3104-29-2-01-13-0000 - Y  
15-3104-29-2-01-16-0000 - Y

**Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THIS CLAIM IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 32893 RECEIVED 01/30/2006.

OWNERSHIP UPDATE TYPE 608 # 53236 RECEIVED 01/11/2008.

OWNERSHIP UPDATE TYPE DOR # 112612 RECEIVED 07/26/2013.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/20/2009, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SHIELA K. CONNER.

of Section Twenty-two (22), Township Twenty-two (22) North, Range 1900 92 PAGE 23  
 Twenty-one (21) West, Montana Meridian, in Flathead County, Montana;  
 notice of appropriation of which water is recorded in Volume 129, records  
 of Flathead County, State of Montana, on page 470, reference to which record  
 is hereby made for a more specific description of said water-right.

Also, all of their right, title and interest in and to two million  
 (2,000,000) miner's inches, or fifty thousand (50,000) cubic feet per second,  
 of the waters of Flathead River, and the right to the use of the same, the  
 point of diversion of said water being in the Southeast Quarter (SE $\frac{1}{4}$ )  
 of Section One (1), Township Twenty-one (21) North, Range Twenty-two (22)  
 West, Montana Meridian, in Flathead County, Montana; notice of appropriation  
 of which water is recorded in Volume 129, records of Flathead County, State  
 of Montana, on page 472, reference to which record is hereby made for a  
 more specific description of said water-right.

Also, all of their right, title and interest in and to two million (2,000,000)  
 miners' inches, or fifty thousand (50,000) cubic feet per second, of the waters  
 of Flathead River, and the right to the use of the same, the point of diversion  
 of said water being in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section one (1), Township  
 Nineteen (19) North, Range Twenty-two (22) West, Montana Meridian, in Sanders  
 County, Montana; notice of appropriation of which water is recorded in Volume  
 3 of Water Rights Records of Sanders County, Montana, on page 75, reference to  
 which record is hereby made for a more specific description of said water-right.

Also, all of their right, title and interest in and to two million (2,000,000)  
 miners' inches, or fifty thousand (50,000) cubic feet per second, of the waters of  
 Flathead River, and the right to the use of the same, the point of diversion of  
 said water being in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-one (31),  
 Township Nineteen (19) North, Range Twenty-one (21) West, Montana Meridian, in  
 Sanders County, Montana; notice of appropriation of which water is recorded in  
 Volume 3, Water Rights Records of Sanders County, State of Montana, on page 73,  
 reference to which record is hereby made for a more specific description of said  
 water-right.

Also, all of their right, title and interest in and to two million (2,000,000)  
 miners' inches, or fifty thousand (50,000) cubic feet per second, of the waters  
 of Flathead River, and the right to the use of the same, the point of diversion  
 of said water being in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section One (1), Township  
 Nineteen (19) North, Range Twenty-two (22) West, Montana Meridian, in Missoula  
 County, Montana; notice of appropriation of which water is recorded in Volume J  
 of the Water Rights Records of Missoula County, State of Montana, on page 150,  
 reference to which record is hereby made for a more specific description of said  
 water-right.

Also, all of their right, title and interest in and to two million (2,000,000)  
 miners' inches, or fifty thousand (50,000) cubic feet per second, of the waters  
 of Flathead River, and the right to the use of the same, the point of diversion  
 of said water being in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-one (31),  
 Township Nineteen (19) North, Range Twenty-one (21) West, Montana Meridian, in  
 Missoula County, Montana; notice of appropriation of which water is recorded in  
 Volume J of Water Rights Records of Missoula County, State of Montana, on page  
 148, reference to which record is hereby made for a more specific description  
 of said water-right.

TO HAVE AND TO HOLD, all and singular, the said property, water and  
 water-rights, together with the appurtenances, and the right to the use  
 of the same, unto the said party of the second part, and its successors and  
 assigns forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their  
 hands, the day and year first above written.

J. E. BELL  
 BERYL P. BELL

STATE OF MONTANA ss.  
 County of SILVER BOW.

On this 19th day of April, in the year 1920, before me F. W. Bird,  
 a Notary Public within and for said county and state, personally appeared  
 J. E. Bell, known to me to be the person whose name is subscribed to the  
 within instrument, and acknowledged to me that he executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my  
 Notarial Seal the day and year in this certificate first above written.

F. W. Bird  
 Notary Public for the State of Montana,  
 Residing at Butte, Montana.  
 My commission expires Nov. 3-1922

((SEAL))  
 STATE OF WASHINGTON, ss.  
 County of Spokane

On this 22 day of April, in the year 1920, before  
 me, J.G. Rotchford, a Notary Public within and for said county and state,  
 personally appeared Beryl P. Bell, known to me to be the person whose  
 name is subscribed to the within instrument, and acknowledged to me that  
 she executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial  
 Seal the day and year in this certificate first above written.

J. G. Rotchford  
 Notary Public for the State of Washington, Residing at  
 Spokane, Washington. My Commission expires Aug 14, 1922.

((SEAL))

REC'D 92 PAGE 24  
Filed for Record on the 18th day of June, 1920 at 4:45 o'clock P-M-  
W. J. Babington, County Clerk. By R. J. Cyr, Deputy.

92-24

--37101--

Compared

BARGAIN AND SALE DEED.

THIS INDENTURE, Made the 1st day of June in the year of our Lord one thousand nine hundred and twenty BETWEEN The Western Montana Building and Loan Association, a corporation, party of the first part and Orville Leffler and Kathryn Leffler the parties of the second part, WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) DOLLARS, lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey, unto the said parties of the second part, and to their heirs and assigns, forever, all that certain piece, or parcel of land situate, lying and being in -----in the County of Missoula State of Montana, particularly described as follows, to-wit:

Lot Thirteen (13) and the West Half (W<sup>1</sup>/<sub>2</sub>) of Lot Fourteen (14) Block Forty (40) of School Addition to said City of Missoula.

(This deed given to satisfy a loan)

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder remainders, rents, issues and profits thereof; and also all the estate right, title interest, property possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances unto the said parties of the second part and to their heirs and assigns, forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its -----and seal the day and year first above written.

WESTERN MONTANA BUILDING & LOAN ASS'N.

Signed, Sealed and Delivered  
in the Presence of

By T. A. Price (Seal)  
President

Attest H. A. Houston (Seal)

((C O R P. S E A L))

Ass't Sec. Treas.

State of Montana }  
County of Missoula } ss.

On this 1st day of June, 1920, before me Albert Besancon, a Notary Public, personally appeared T. A. Price, known to me to be the president of the Corporation that is described in and that executed the within instrument, and he acknowledged to me that said corporation executed the same.

Albert Besancon  
Notary Public for the State of Mont.  
Residing at Missoula, Montana.  
My commission expires Aug. 1st, 1922.

'(((S E A L)))'

Filed for record on the 2nd day of June, 1920 at 2:35 o'clock P-M-  
W. J. Babington, County Clerk By W. O. Coombs, Deputy

92-24

--- 37103---

4-1061

Compared

899360  
109129-19. I.O.  
1470

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, an Order of the Secretary of the Interior has been deposited in the General Land Office, directing that a fee simple patent issue to the claimant Florence Martin Gendron, formerly Florence Martin, an Indian of the Flathead Reservation, for the

south half of the northeast quarter and the north half of the southeast quarter of Section nine in Township sixteen north of Range twenty west of the Montana Meridian, Montana, containing one hundred sixty acres;

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Land above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto

NOTICE OF APPROPRIATION

BOOK I PAGE 57

STATE OF MONTANA, COUNTY OF Missoula

TO ALL WHOM THESE PRESENTS MAY CONCERN:

BE IT KNOWN, That The Ureline News

of St Ignatius Mission in said County and State do hereby publish and declare, as a legal notice to all the world, as follows, to-wit:

I. That it had a legal right to the use, possession and control of and claim Fifty Mission Creek inches of the waters of in said County and State for irrigating and other purposes.

II. That the purpose for which said water is claimed, and the place of intended use is irrigating water for live stock, gardening, domestic and other useful and homefike purposes, to be used on the following described land, to wit: the western portion of 20 1/4 of the S.E. 1/4 of Section 14, Township 18 N. Range 20 West, Missoula County Montana.

III. That the means of diversion with size of flume, ditch, pipe, or aqueduct, by which it intends to divert the said water is as follows: A ditch 24 inches by 12 inches in size, which carries and conducts 60 inches of water from said Mission Creek; which said ditch diverts the water from said stream at a point upon its left bank, and runs thence westerly across section twenty four and the S.E. 1/4 of the S.E. 1/4 of Section 14 in Township 18 North Range 20 West, Missoula County.

thence over and upon said land (or mining claim.)

IV. That it appropriated and took said water on the 18th day of March A. D. 1900, by means of said ditch.

V. That the name of the appropriator of said water is The Ureline News of St Ignatius, Mission Montana.

VI. That it also hereby claim said ditch and the right of way therefor, and for said water by it conveyed, or to be conveyed, from said point of appropriation to said land or point of final discharge, and also the right of location upon any lands of any dams, flumes, reservoirs, constructed or to be constructed, by it in appropriating and in using said water.

VII. That it also claim the right to keep in repair and to enlarge said means of water appropriation at any time, and the right to dispose of the said right, water, ditch or said appurtenances in part or whole at any time.

CLAIMING THE SAME ALL AND SINGULAR, Under any and all laws, National and State, and all local rulings and decisions thereunder, in the matter of water rights.

TOGETHER WITH ALL AND SINGULAR, The hereditaments and appurtenances thereunto belonging and appertaining, or to accrue to the same.

WITNESS the hand of said Ureline News of St. Ignatius mission Montana, this 18th day of March 1900.

Sister Margaret Mary Superior

STATE OF MONTANA, COUNTY OF Missoula

Sister Margaret Mary having first been duly sworn, depose and say that she is of lawful age and is the agent of the Ureline News of St Ignatius Mission the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation and claim, and the person whose name is subscribed thereto as the appropriator and claimant, that she knows the contents of said foregoing notice and that the matters and things therein stated are true.

Subscribed and sworn to before me, this 18th day of March A. D. 1900.

George H. Beck with Notary Public - Residing at St Ignatius Mission Montana, County of Montana.

Filed for record the 21st day of March A. D. 1900, at 3:20 o'clock P. M.

J. H. Kuyhal County Recorder. Deputy.



134872

WITNESS the hand of said Ursuline Nuns of St. Ignatius Mission, Montana, at St. Ignatius Montana, this 18th day of March 1910.

Sister Margaret Mary, Superior

STATE OF MONTANA )  
                          ) ss

County of Missoula ) Sister Margaret Mary, having first been duly sworn, depose and say...that she..of lawful age and is the agent of the Ursuline Nuns of St. Ignatius, Mission, the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation and claim, and the appropriator whose name is subscribed thereto as the appropriator and claimant, that she knows the contents of said forefoing notice and that the matters and things therein stated are true.

Ursuline Nuns, By Sister Margaret Mary, Superior

Subscribed and sworn to before me, this 19th day of March, A. D. 1910

(SEAL)

George H. Beckwith  
Notary Public in and for the State of Montana,  
Residing at St. Ignatius therein, My Commission  
expires the 9th day of Sept. 1911.

Filed for Record the 21st day of March, A.D. 1910 at 3:30 o'clock P.M.

F. W. Kuphal, County Recorder  
By Deputy

unreported

(2832)

NOTICE OF APPROPRIATION. BOOK F PAGE 297

STATE OF MONTANA,

County of Missoula

To All Whom These Presents May Concern:

Be it Known, That Ursuline Nuns

of St. Ignatius Mission, in said County and State, do hereby publish and declare, as a legal notice to all the world, as follows, to-wit:

I. That it has a legal right to the use, possession and control of and claim Six Hundred inches of the waters of Dry Creek, in said County and State, for irrigating and other purposes.

II. That the purpose for which said water is claimed, and the place of intended use is for irrigating, watering live stock, domestic and other beneficial uses; to be used on the following land; S 1/2 SW 1/4 of SE 1/4, Sec. 14; N 1/2 of NE 1/4 of NW 1/4, Sec. 23; SE 1/4 of NE 1/4, Sec. 23; NE 1/4 of NW 1/4 of NW 1/4, Sec. 23, SW 1/4 of SE 1/4, Sec. 24; S 1/2 SW 1/4 Sec. 24; NE 1/4 of SW 1/4 of Sec. 24, SE 1/4 of NW 1/4 of SW 1/4, Sec. 24, N 1/2 of N 1/2 of NW 1/4 of Sec. 25, and NW 1/4 of NE 1/4 of Sec. 25, all in Twp. 18, N.R. 20 West.

III. That the means of diversion, with size of flume, ditch, pipe or aqueduct, by which he intend to divert the said water is as follows: A ditch inches by inches in size, which carries and conducts 400 inches of water from said Dry Creek, which said ditch diverts the waters from said stream at a point upon its left bank, and runs thence westerly and parallel to said Dry Creek across and upon said land. Said ditch heads on the NW 1/4 of the NW 1/4 of sec. 29, Twp. 18, N.R. 19 West. Also a ditch ---feet by--- feet in size, which carries and conducts, 200 inches of water from said Dry Creek, diverting the water from said stream on its left bank in the NW 1/4 of NW 1/4, Sec. 23, Twp. 18, N.R. 19 W. and runs westerly and parallel to said Dry Creek, thence over and upon said land (or mining Claim.)

IV. That it appropriated and took said water on the day of A. D. 1900 by means of said the water conducted by the first mentioned ditch, which carries 400 inches of water in the summer of 1899, and the water conducted by the second mentioned ditch, which carries 200 inches of water in the summer of 1901.

V. That the name of the appropriator of said water is Ursuline Nuns of St. Ignatius Mission, Montana.

VI. That it also hereby claim said ditch and the right of way therefor, and for said water by it conveyed, or to be conveyed, from said point of appropriation to said land or point of final discharge, and also the right of location upon any lands of any dams, flumes, reservoirs, constructed or to be constructed, by it in appropriating, and in using said water.

VII. That it also claim the right to keep in repair and to enlarge said means of water appropriation at any time, and the right to dispose of the said right, water, ditch or said appurtenances in part or whole, at any time.

Claiming the Same, All and Singular, Under any and all laws, National and State, and all rulings and decisions thereunder, in the matter of water rights.

Together with All and Singular, The hereditaments and appurtenances thereunto belonging and appertaining, or to accrue to the same.

WITNESS the hand of said Ursuline Nuns of St. Ignatius Mission, Montana, at Missoula, Montana, this 19th day of December 1907.

Ursuline Nuns
By Sister Scholastica
Its Agent. Supr.

STATE OF MONTANA,

County of Missoula

Sister Scholastica is the Agent of Ursuline Nuns of St. Ignatius Mission

and say that she is of lawful age and St. Ignatius Mission the appropriator and claimant of the water and water right mentioned in the foregoing notice of appropriation and claim, and the person whose name is subscribed thereto as the appropriator and claimant, that she know the contents of said foregoing notice and that the matters and things therein stated are true.

Ursuline Nuns
By Sister Scholastica, Supr.

Subscribed and sworn to before me, this 31st day of January A. D. 1908

(seal)

George H. Beckwith
Notary Public in and for
Missoula County, Montana.

Received for record the 4th day of February 1908, at 9:00 o'clock A. M.

W. H. Smith
County Recorder.
By

State of Montana }  
County of Missoula } SS.

H. Danforth, Dan Hamel, Wm. F. Seltz, S. Roberts and F. L. Bisson being each first duly sworn, each on his oath does depose and say: that he is of lawful age, that he is a duly appointed, qualified and acting commissioner of and makes this verification on behalf of the Desmet Irrigation District, a public corporation the appropriator and claimant of the waters and water rights mentioned in the foregoing notice of appropriation and claim and the corporation whose name is subscribed thereto as the appropriator and claimant, that he knows the contents of the foregoing notice and claim and that all the matters and facts therein stated are true.

H. Danforth  
Wm. F. Seltz  
Dan Hamel  
Severin Roberts  
F. L. Bisson.

Subscribed and sworn to before me this 31st, day of January, 1920.

Albert Besancon,  
Notary Public for the State of Montana.  
Residing at Missoula, Mont.  
My commission expires Aug. 1st, 1922.

((SEAL))

Filed for Record on the 17th day of February, 1920 at 2:35 o'clock P-M

By - W. J. Babington, County Clerk  
R. J. Cyr, Deputy

\*\*35941\*\*

NOTICE OF APPROPRIATION

State of Montana, }  
County of Missoula. } ss.

TO ALL WHOM THESE PRESENTS MAY CONCERN, BE IT KNOWN

that J. E. Bell of Silver Bow County in said State, does hereby publish and declare, as a legal notice to all the world as follows: to-wit: -

I

That he has a legal right to use, possession and control of and claim all of the waters of Flathead river, or 2,000,000 miners' inches (50,000 cubic feet per second) in said county and state for irrigation, generation of power, and other useful and beneficial purposes.

II

That the purpose for which said water is claimed and appropriated, are to use, sell and dispose of the same for all useful and beneficial purposes, including irrigation and the supply of water for domestic, private and public uses, and the manufacturing, producing, storing, transmitting, conveying, selling and supplying electric energy for light, heat and power for use, distribution and application to industrial, municipal, domestic, and any and all other purposes, public and private, to which the same can be applied, including railways, mines, smelters and mills, manufacturing plants, and telegraph and telephone lines in the State of Montana and elsewhere, whenever and wherever the said water or energy derived therefrom can be made applicable for any useful or beneficial purpose.

That the place of use and intended use of said water is in Sections 31 and 32, Township 19 North, Range 21 West of the Principal Meridian of Montana.

III

That the means of diversion of said water for the purposes aforesaid will be a dam, canals, flumes and pipes capable of carrying all of the waters of FLATHEAD river as above stated, and with all the appurtenances, machiner, appliances, and works in connection therewith, or which may hereafter be constructed and used in connection therewith.

## IV

That J. E. Bell appropriated and took said water on the 3rd day of April, A.D. 1920.

## V

That the name of the appropriator of said water is J. E. Bell, of Silver Bow County, State of Montana.

## VI

That J. E. Bell also claims the right to keep in repair and enlarge said means of water appropriation at any time, and the right to exercise all lawful rights of use, ownership and disposition of said water right and appropriation.

## VII

The name of the stream from which said appropriation and diversion is made is the Flathead River.

## VIII

An accurate description of the point of diversion on said Flathead river is as follows:

Said point of diversion is located in S.W. Quarter of Section 31, Township 19 North, Range 21 West of the Montana Meridian, and a distance of 1275 feet in a S 50° W direction from the East 1/4 corner of Section 31, Twp. 19 North, Range 21 West, M.P.M.

(A natural object or permanent monument.)

CLAIMING THE SAME, all and singular, under any and all laws, National and State; and all rulings and decisions thereunder, in the matter of water rights.

TOGETHER WITH ALL AND SINGULAR, the hereditaments and appurtenances thereto belonging and appertaining, or to accrue to the same.

Witness his hand at Dixon, Montana, this 3rd day of April, Nineteen Hundred and Twenty (1920).

Signed J. E. Bell

STATE OF MONTANA {  
County of Missoula { ss.

J. E. Bell being first duly sworn, deposes and says that he is a citizen of the United States, a resident of the State of Montana, and over the age of twenty-one years; that he is the locator, appropriator, and claimant of the water and water rights claimed by the foregoing notice of appropriation, and that he has read said notice and knows the contents thereof, and that the matters and facts contained in said notice are true.

J. E. Bell

Subscribed and sworn to before me this the 5th day of April, A. D. 1920.

(SEAL)

W. J. Babington  
Clerk and Recorder in and for  
Missoula County, State of Montana.  
By R. J. Cyr, Deputy.

Filed for Record on the 5th day of April, 1920  
at 9:10 o'clock A-M-

W. J. Babington, County Clerk  
By-R. J. Cyr, Deputy Clerk.

NOTICE OF APPROPRIATION

State of Montana, }  
 County of Missoula } ss.

TO ALL WHOM THESE PRESENTS MAY CONCERN, BE IT KNOWN

that J. E. Bell of Silver Bow County in said state, does hereby publish and declare, as a legal notice to all the world as follows, to-wit: .

## I

That he has a legal right to use, possession and control of and claim all of the waters of Flathead river, or 2,000,000 miners' inches (50,000 cubic feet per second) in said county and state for irrigation, generation of power, and other useful and beneficial purposes.

## II

That the purpose for which said water is claimed and appropriated are to use, sell and dispose of the same for all useful and beneficial purposes, including irrigation and the supply of water for domestic, private and public uses, and the manufacturing, producing, storing, transmitting, conveying, selling and supplying electric energy for light, heat and power for use, distribution and application to industrial, municipal, domestic and any and all other purposes, public and private, to which the same can be applied, including railways, mines, smelters and mills, manufacturing plants, and telegraph and telephone lines in the State of Montana and elsewhere, whenever and wherever the said water or energy derived therefrom can be made applicable for any useful or beneficial purpose.

That the place of use and intended use of said water is in Section 1, Township 19 North, Range 22 West of the Principal Meridian, of Montana.

## III

That the means of diversion of said water for the purposes aforesaid will be a dam, canals, flumes and pipes capable of carrying all of the water's of Flathead river as above stated, and with all the appurtenances, machinery, appliances, and works in connection therewith, of which may hereafter be constructed and used in connection therewith.

## IV

That J. E. Bell appropriated and took said water on the 3rd day of April, A. D. 1920.

## V

That the name of the appropriator of said water is J. E. Bell of Silver Bow County, State of Montana.

## VI

That J. E. Bell also claims the right to keep in repair and enlarge said means of water appropriation at any time, and the right to exercise all lawful rights of use, ownership and disposition of said water right and appropriation.

## VII

The name of the stream from which said appropriation and diversion is made is the Flathead River.

## VIII

An accurate description of the point of diversion on said Flathead River is as follows:

Said point of diversion is located in S.W. Quarter of Section One (1), Township 19 North, Range 22 WEST OF THE Montana Meridian, and a distance of 575 feet in a N 19° W direction from the South 1/4 corner of Section One (1) Twp. 19 North, Range 22 West. M.P.M.

(A natural object or permanent monument.)

CLAIMING THE SAME, all and singular, under any and all laws, National and State, and all rulings and decisions thereunder, in the matter of water rights.

TOGETHER WITH ALL AND SINGULAR, the hereditaments and appurtenances thereto belonging and appertaining, or to accrue to the same.

Witness his hand at Dixon, Montana, this 3rd day of April, Nineteen Hundred and Twenty (1920).

Signed J. E. Bell

STATE OF MONTANA }  
 County of Missoula } ss.

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J. E. Bell, being first duly sworn, deposes and says that he is a citizen of the United States, a resident of the State of Montana, and over the age of twenty-one years; that he is the locator, appropriator, and claimant of the water and water rights claimed by the foregoing notice of appropriation, and that he had read said notice and knows the contents thereof, and that the matters and facts contained in said notice are true.

J. E. Bell .

Subscribed and sworn to before me this the 5th day of April, A. D. 1920.

(Seal)

W. J. Babington,  
 Clerk and RECORDER in and for  
 Missoula County, State of Montana .

By R. J. Cyr, Deputy .

Filed for Record on the 5th day of April, 1920 at  
 9:12 o'clock A-M-

W. J. Babington, County Clerk  
 By R. J. Cyr, Deputy Clerk.

-\*36080\*-

186-26-Location of Water Right.

NOTICE OF APPROPRIATION

STATE OF MONTANA }  
 COUNTY OF MISSOULA } ss.

TO ALL WHOM THESE PRESENTS MAY CONCERN:

BE IT KNOWN, That E. Donlan, of Missoula, in said County and State do hereby publish and declare, as a legal notice to all the world, as follows, to-wit:

I. That I have a legal right to the use, possession and control of and claim Ten Thousand (10,000) inches of the waters of Missoula River in said County and State for irrigating and domestic purposes.

II. That the purpose for which said water is claimed, and the place of intended use is for irrigation and domestic purposes, to be used upon Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, and 36 in Township 14 North Range 21, West, M.M.; Sections 27, 28, 29, 30, 31, 32, 33, 34 and 35; in Township 15, North Range 21 West, M.M.; Sections 25, and 36, in Township 15 North Range 22, West, M.M.

III. That the means of diversion with size of flume, ditch, pipe, or aqueduct, by which he intends to divert the said water is as follows: A ditch 20 ft. on bottom by six feet deep in size, which carries and conducts 10,000 inches of water from said Missoula River; which said ditch diverts the water from said stream at a point upon its right bank, and runs thence in a northwesterly direction. The point of diversion of this water is on the right bank of the Missoula River in the Northwest Quarter of Section 16, Township 13 North, Range 20 West and this notice of diversion is posted upon a cottonwood tree near said point of diversion, thence over and upon said land.

IV. That I appropriated and took said water on the 20th day of March A.D. 1920 by means of said headgates, dams, flumes and ditches.

V. That the name of the appropriator of said water is E. Donlan.

VI. That I also hereby claim said ditch and the right of way therefor, and for said water by it conveyed, or to be conveyed, from said point of appropriation to said land or point of final discharge, and also the right of location upon any lands, of any dams, flumes, reservoirs, constructed or to be constructed, by me in appropriating and in using said water.

VII. That I also claim the right to keep in repair and to enlarge said means of water appropriation at any time, and the right to keep in repair and to enlarge said means of water appropriation at any time, and the right to dispose of the said right, water, ditch, or said appurtenances in part or whole at any time.

CLAIMING THE SAME ALL AND SINGULAR, Under any and all laws, National and State, and rulings and decisions thereunder, in the matter of water rights.

TOGETHER WITH ALL AND SINGULAR, The hereditaments and appurtenances thereunto belonging and appertaining, or to accrue to the same.

WITNESS my hand at Missoula, Montana, Montana, this 20th day of March, 1920.

(Continued on page 154)

