

WC-0001-C-2021

July 10, 2024

Deborah C. Wickum  
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Montana Water Court

IN THE WATER COURT OF THE STATE OF MONTANA  
CONFEDERATED SALISH AND KOOTENAI TRIBES  
MONTANA - UNITED STATES COMPACT  
CASE NO. WC-0001-C-2021

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MOTION REGARDING OTHER ISSUE OF LAW

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The issue of law I wish to address has to do with the 6 properties I have either purchased or inherited. Each of these properties came to me by way of my parents or grandparents. My family believed so firmly in the Federal Land Patent, and the water rights included with the patent, was better than the Montana Water Right. Their belief in the U.S. Constitution's 14<sup>th</sup> Amendment (section 1) was so strong that the Valley View property has two Federal Land Patents as the first had an error in the land description. (See Exhibit A, pages 1 and 2.).

President Warren Harding and Congress gifted and granted Alonzo B. Matthews and his heirs and assigns the right to the use of water from the Flathead Reclamation Project on this Valley View property. Exhibit A page 4 shows the Flathead irrigation canal which was granted easement on this property. The patent (Exhibit A page 3) also states the tract is subject to any vested and accrued water rights. This Federal Land patent is dated March 27, 1923. Irrigation of this property continues to this day.

President Theodore Roosevelt and the Secretary of the Interior allotted Walter A.Sloan on October 8, 1908. This Round Butte allotment became a patent after a period of 25 years. A right of way for ditches and irrigation canals was reserved by the United States. The property has been irrigated since then (flood) to now (wheel line). Exhibit B

President Theodore Roosevelt (October 8, 1908) and also President Woodrow Wilson (November 9, 1920) granted Abel Finley an allotment, then a patent on flood irrigated land at Charlo. Irrigation has taken place from the time Abel Finley was first allotted this parcel to the present. Exhibit C

These 3 properties are proof that these water rights were not abandoned. An irrigation water fee is paid yearly for each of these properties.

President William H. Taft granted a Federal Land patent to Levi Walker on May 12, 1910, according to the provisions of the Act of Congress of the 24<sup>th</sup> of April, 1820. The property is in the town of Dayton, Montana. The hand dug well was dug before 1950, and as Dayton has no city water or sewer, it is still in use. Exhibit D

President William H. Taft granted a Federal Land patent to Charles Schmidt on June 16, 1910, according to the provisions of the Act of Congress of the 24<sup>th</sup> of April, 1820. (Exhibit E) President Taft also granted Gus Olson the adjoining lot on June 16, 1910 with the same provisions. (Exhibit F). These two side by side Arlee Original Townsite lots both could have town sewer lines, but one is currently without buildings. On one property there is a 70' well which may have been drilled back in the 1950s. The Arlee Original Townsite has no town water, making this well extremely important. Both lots have the same water rights included in their federal patents.

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Conclusion

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These 6 properties are located on the Flathead Reservation and all have Federal Land patents. When the Federal government granted title to non-Indians on the Flathead Reservation, the Winters doctrine water rights passed with the land. Recently, the Montana Supreme Court discussed how a water right becomes appurtenant to the land, and thereafter passes with the land. Surely a Federal Land patent does the same.

Dated this 10th day of July, 2024.

*/s/Deborah C. Wickum*

CERTIFICATE OF SERVICE

I declare under penalty of perjury, that I emailed a true and accurate copy of the foregoing document and Exhibits A, B, C, D, E, and F.

Montana Water Court: [watercourt@mt.gov](mailto:watercourt@mt.gov)

Daniel Decker

Confederated Salish & Kootenai Tribes: [Daniel.Decker@cskt.org](mailto:Daniel.Decker@cskt.org)

David W. Harder

U.S. Department of Justice

Indian Resources Section

Denver: [David.harder@usdoj.gov](mailto:David.harder@usdoj.gov)

Yosef Negose

U.S. Department of Justice

Indian Resources Section

Environmental & Natural Resources Division: [Yosef.negose@usdoj.gov](mailto:Yosef.negose@usdoj.gov)

Molly M. Kelly

Montana Department of Natural Resources and

Conservation: [Jean.Saye@mt.gov](mailto:Jean.Saye@mt.gov)

Chad Vanisko

Montana Attorney General Agency

Legal Counsel Agency Legal Services Bureau: [chad.vanisko@mt.gov](mailto:chad.vanisko@mt.gov)

/s/ Deborah C. Wickum

return recorded docume. to:

Mr. Phil Grainey  
Attorney-at-Law  
324 Main SW  
Ronan, Montana 59864

# The United States of America

To all to whom these presents shall come, Greeting:

MTKal 02057

WHEREAS,

the heirs and assigns of Albert R. Foley

are entitled to a land patent pursuant to the homestead law R.S. 2291, as amended and supplemented (43 U.S.C. 164), for the following described land:

Principal Meridian, Montana

T. 22 N., R. 21 W.,  
sec. 34, SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>.

containing 80.00 acres

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the above named claimants the land above-described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimants, their successors and assigns, forever.

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches or canals, constructed by the authority of the United States, pursuant to the Act of August 30, 1890 (43 U.S.C. 945); and

2. All the coal, oil and gas in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914, as supplemented (30 U.S.C. 121-124).

This patent is issued in lieu of Patent No. 25-2007-0072 dated April 5, 2007, which has been cancelled due to an error in the legal description.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in Billings, Montana the  
TWELFTH day of SEPTEMBER in the year of  
our Lord two thousand and seven and of the Independence  
of the United States the two hundred and thirty-second.

By Cindy Staszak  
Cindy Staszak  
Chief, Branch of Land Resources  
Division of Resources  
Montana State Office

Patent Number 25-2007-0149

Exhibit A p.1 of 4

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, the Act of Congress approved August 9, 1912, entitled "An Act providing for patents on reclamation water, and for other purposes," provides—

"That every patent and water-right certificate issued under this Act shall expressly reserve to the United States a prior lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other liens, claims or demands whatsoever for the payment of all sums due or to become due to the United States or its successors in control of the irrigation project in connection with such lands and water rights."

And it is further provided:

"That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own or hold irrigable land for which entry or water-right application shall have been made under the said reclamation Act of June seventeenth, nineteen hundred and two, and Acts supplementary thereto and amendatory thereof, before final payment in full of all installments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased respectively, nor in any case in excess of one hundred and sixty acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water-right certificate issued by the United States under the provisions of this Act."

And WHEREAS, it appears from a Certificate of the Register at Kalispell, Montana, that Alonzo B. Matthews is,

said Act, entitled to a patent for the Farm Unit "A", according to the farm unit <sup>under the provisions of</sup> plat, or the north half of the northeast quarter of Section thirty-four in Township twenty-two north of Range twenty-one west of the Montana Meridian, Montana, containing eighty acres,

2038314-1

according to the Official Plat of the Survey of the said Land, on file in the General Land Office:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of

900994

4-574

Exhibit A PL of 4

Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said

**Alonzo B. Matthews**

and to **his** heirs, the Tract above described, together with the right to the use of water from the **Flathead**

Reclamation Project as an appurtenance to the Irrigable lands in said tract; **TO HAVE AND TO HOLD** the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said

**Alonzo B. Matthews**

and to **his** heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; but excepting, nevertheless, and reserving unto the United States, rights of way over, across, and through said lands for canals and ditches constructed, or to be constructed, by its authority, all in the manner prescribed and directed by the Act of Congress approved August 30, 1890 (26 Stat., 391). To secure payment to the United States, or its successors in the ownership or control of the works constituting and appertaining to the said reclamation project, of all sums due or to become due the United States or its successors in control of said reclamation project in connection with said land and water rights, a lien prior and superior to all other liens, claims, or demands whatsoever upon the lands herein and hereby described and conveyed, upon all water rights thereto appurtenant, and upon the right to receive and use water from the reservoirs and canals of said reclamation project, is expressly reserved.

IN TESTIMONY WHEREOF, I, **Warren G. Harding,**

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.

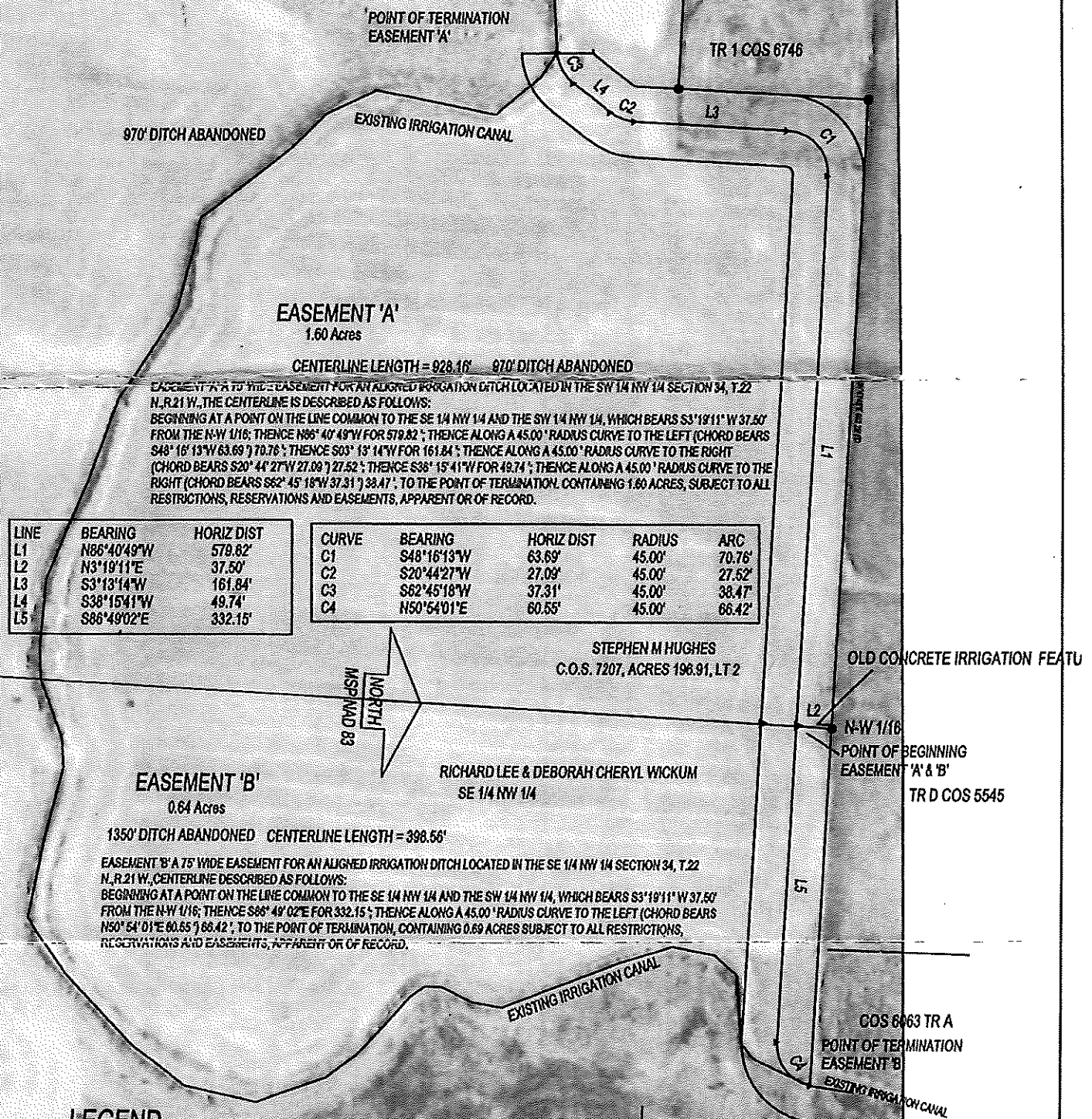
GIVEN under my hand, in the District of Columbia, the **TWENTY-SEVENTH** day of **MARCH** in the year of our Lord one thousand nine hundred and **TWENTY-THREE** and of the independence of the United States the one hundred and **FORTY-SEVENTH.**

By the President *Warren G. Harding*  
By *Viola E. Pugh*, Secretary  
*W. P. LeRoy*  
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number.....**900994**

2038214-2

(SEAL)



EASEMENT 'A' IS A 75' WIDE EASEMENT FOR AN ALIGNED IRRIGATION DITCH LOCATED IN THE SW 1/4 NW 1/4 SECTION 34, T22 N, R21 W, THE CENTERLINE IS DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE LINE COMMON TO THE SE 1/4 NW 1/4 AND THE SW 1/4 NW 1/4, WHICH BEARS S3°19'11" W 37.50' FROM THE N-W 1/16; THENCE N86°40'49"W FOR 579.82'; THENCE ALONG A 45.00' RADIUS CURVE TO THE LEFT (CHORD BEARS S48°16'13"W 63.69') 70.76'; THENCE S03°13'14"W FOR 161.84'; THENCE ALONG A 45.00' RADIUS CURVE TO THE RIGHT (CHORD BEARS S20°44'27"W 27.09') 27.52'; THENCE S38°15'41"W FOR 49.74'; THENCE ALONG A 45.00' RADIUS CURVE TO THE RIGHT (CHORD BEARS S62°45'18"W 37.31') 38.47'; TO THE POINT OF TERMINATION, CONTAINING 1.60 ACRES, SUBJECT TO ALL RESTRICTIONS, RESERVATIONS AND EASEMENTS, APPARENT OR OF RECORD.

LINE	BEARING	HORIZ DIST
L1	N86°40'49"W	579.82'
L2	N3°19'11"E	37.50'
L3	S3°13'14"W	161.84'
L4	S38°15'41"W	49.74'
L5	S86°49'02"E	332.15'

CURVE	BEARING	HORIZ DIST	RADIUS	ARC
C1	S48°16'13"W	63.69'	45.00'	70.76'
C2	S20°44'27"W	27.09'	45.00'	27.52'
C3	S62°45'18"W	37.31'	45.00'	38.47'
C4	N50°54'01"E	60.55'	45.00'	66.42'

LEGEND

- DENOTES FOUND 5/8" REBAR WITH 1 1/4" YPC STAMPED "DUFFEY'S"
- ▲ DENOTES ANGLE POINT, NOTHING FOUND OR SET.



SCALE 1" = 150'



119392-08 I.O.  
5426-08 I.O.

# The United States of America,

To all to whom these presents shall come, Greeting:

1180.

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  
WALTER A. SLOANS, an Indian of the  
Flathead tribe or band, has been allotted  
the following-described land:

The southeast quarter of the southwest quarter, the west three-quarters of the southwest quarter of the southeast quarter, and the east quarter of the southwest quarter of the southwest quarter of Section thirty-four in Township twenty-one north of Range twenty west of the Montana Meridian, Montana, containing eighty acres:

Fee Patent Issued:  
Letter No. 736381-17  
Patent No. 606293

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  
Walter A. Sloans  
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  
eighth 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.

Exhibit B page 1

122b

# 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 Abel Finley, a Flathead Indian, for the Lots three and four of Section thirty-one in Township twenty north of Range twenty west of the Montana Meridian, Montana, containing sixty-six and fifty-two-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 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, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant 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. The lands hereby conveyed are subject to a lien, prior and superior to all other liens, for the amount of costs and charges due to the United States for and on account of construction of the irrigation system or acquisition of water rights by which said lands have been or are to be reclaimed, as provided and prescribed by the Act of Congress of May 18, 1916 (39 Stat., 123), and the lien so created is hereby expressly reserved. The land covered by this patent is not liable for any debt contracted prior to this date, as provided by Section 5 of the Act of February 8, 1887 (24 Stat., 308, 389), and the amendatory Acts of May 8, 1906 (34 Stat., 162), and June 21, 1906 (34 Stat., 325, 327).

IN TESTIMONY WHEREOF, I, Woodrow Wilson,

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, in the District of Columbia, the NINTH day of NOVEMBER In the year of our Lord one thousand nine hundred and TWENTY and of the Independence of the United States the one hundred and FORTY-FIFTH.

By the President *Woodrow Wilson*  
By *W. P. Le Roy* Secretary.  
*E. P. Samler*,  
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number 780772

Exhibit C page 1 of 2

119392-08

5426-08 I.O.

# The United States of America,

To all to whom these presents shall come, Greeting:

1225.

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 ABEL FINLEY, an Indian of the Flathead tribe or band, has been allotted the following-described land:

The Lots three and four of Section thirty-one in Township twenty north of Range twenty west of the Montana Meridian, Montana, containing sixty-six and fifty-two-hundredths acres:

Fee Patent Issued:

Letter No. 850.422-20

Patent No. 780.772

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 Abel Finley 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. J. ...  
 Recorder of the General Land Office.

Recorded Patent No.

Exhibit C page 2 of 2

26588--Continued

COMPARED *W*

1430355

By the President: Warren G. Harding

(SEAL)

By Viola B. Fugh, Secretary,

K. P. LeRoy

Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number 871099

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE.

Washington, D. C. SEP. 22, 1931

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

(UNITED STATES GENERAL LAND OFFICE SEAL)

Emma L. Warren

Recorder

Filed for record September 28th, 1931 at 9:45 o'clock A. M.

O. H. Peltier, County Clerk and Recorder

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Kalispell 01467

26605

PATENT NUMBER 129459

(Record of Patents)

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, greeting:

WHEREAS, LEVI WALKER has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Kalispell, Montana, whereby it appears that full payment has been made by the said Levi Walker according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the

Lots seven and eight of Block seven and the Lot five of Block eighteen, in the Townsite of Dayton, Montana, containing twenty-one thousand square feet, according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Levi Walker;

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Levi Walker and to his heirs, the said Tract 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 Levi Walker and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, 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, 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.

## PATENT RECORD

COMPARED

26606--Continued

GIVEN under my hand, at the City of Washington, the TWELFTH day of MAY, 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.

1430361

(SEAL)

By the President: Wm. H. Taft

By M. P. LeRoy, secretary,

John O'Connell

Acting Recorder of the General Land Office.

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE,

Washington, D. C. SEP. 23 1931

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

(UNITED STATES GENERAL LAND OFFICE SEAL)

Emma L. Warren

Recorder

Filed for record September 30th, 1931 at 8:35 o'clock A. M.

O. H. Peltier, County Clerk and Recorder

COMPARED

Kalispell 01468

26606

PATENT NUMBER 129460

(Record of Patents)

THE UNITED STATE OF AMERICA,

To all to whom these presents shall come, Greeting:

WHEREAS, B. H. WALKER has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Kalispell, Montana, whereby it appears that full payment has been made by the said B. H. Walker according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the

Lot nine of Block seven, in the Townsite of Dayton, Montana, containing seven thousand square feet, according to the Official Plat of the Survey of the said Lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said B. H. Walker:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said B. H. WALKER and to his heirs, the said Tract 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 B. H. Walker and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, 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, 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.

Exhibit D page 2 of 2

# The United States of America,

To all to whom these presents shall come, Greeting:

Missoula 01574.

WHEREAS, CHARLES SCHMIDT

has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Missoula, Montana, whereby it appears that full payment has been made by the said Charles Schmidt

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the lots seven and eight of Block two and the lots five and six of Block seven in the Townsite of Arlee, Montana, containing twenty-eight thousand square feet,

according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Charles Schmidt;

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Charles Schmidt

and to his heirs, the said Tract 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 Charles Schmidt

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, 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, 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 SIXTEENTH day of JUNE, 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 *M. P. Le Roy* Secretary.

*[Signature]*  
Recorder of the General Land Office.

# The United States of America,

To all to whom these presents shall come, Greeting:

Missoula 01587.

WHEREAS, GUS OLSON

has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Missoula, Montana, whereby it appears that full payment has been made by the said Gus Olson

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the Lots one, two, three, and four of Block seven in the Town-site of Arlee, Montana, containing twenty-eight-thousand square feet,

according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Gus Olson:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Gus Olson

and to his heirs, the said Tract 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 Gus Olson

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, 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, 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 SIXTEENTH day of JUNE, 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 *M. P. Le Roy* Secretary,  
*John Hammond*  
Recorder of the General Land Office.