

EASEMENT FOR DRAINAGE DITCH

Book 77 Page 263

STATE OF MONTANA }  
COUNTY OF TETON } ss.

WHEREAS, MILLER COLONY, a Montana Corporation, of Choteau, Montana, is the owner of the following described farm land:

TOWNSHIP 26 NORTH, RANGE 5 WEST  
Section 31: W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$

and there is an irrigated alfalfa field located in the W $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 31, the drainage of which is accomplished by means of a drainage ditch running from the southeast corner of said field along the east property line to a point in the southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 31; and

WHEREAS, IRA E. PERKINS is the owner of farm land immediately adjacent to the east of the above described land; said land being more particularly described as follows:

TOWNSHIP 26 NORTH, RANGE 5 WEST  
Section 31: E $\frac{1}{2}$ E $\frac{1}{2}$

and he also owns other lands adjacent to the east; and the said IRA E. PERKINS has caused to be constructed a drainage ditch commencing in the southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 31 and running in a northeasterly direction across his land to drain into Muddy Creek;

NOW THEREFORE, in consideration of \$1.00, receipt whereof is hereby acknowledged, and the benefits that may derive therefrom, and other good and valuable consideration, said IRA E. PERKINS and EVELYN PERKINS, husband and wife, as Grantors, Parties of the First Part; and MILLER COLONY, a Montana Corporation, as Grantee, Party of the Second Part; have agreed as follows:

That MILLER COLONY will clean out, deepen, dike up as may be necessary, repair and maintain their drainage ditch located on their property in such a manner that none of their surplus water will be permitted to escape the drainage ditch and flood lands of IRA E. PERKINS adjacent to the east;

And in consideration of their so doing, IRA E. PERKINS has agreed that MILLER COLONY, a Montana Corporation, its successors and assigns forever, may construct, deepen, dike up as necessary, repair and maintain an open ditch or drain over and across Perkin's said lands, said drainage ditch to be located as follows:

Commencing at a point in the southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 31, where the Miller Colony drainage ditch terminates, and running south along the west line of the E $\frac{1}{2}$ SE $\frac{1}{4}$  of said Section 31 to the head of Perkins' drainage ditch which runs into the Muddy Creek as described above;

And PERKINS further agrees that he shall permit the MILLER COLONY to run their excess water into his drainage ditch and that he will permit this excess water to be carried by his drainage ditch into the Muddy Creek.

It is the purpose of this easement to provide the MILLER COLONY with the right to drain surplus water from their irrigated field in such a manner as to sufficiently drain this field without causing any overflow or flooding of irrigation water on the adjacent lands of IRA E. PERKINS.

IN WITNESS WHEREOF, The Parties hereto execute this instrument this 10<sup>TH</sup> day of MARCH, 1966.

PARTIES OF THE FIRST PART

Ira E. Perkins  
Ira E. Perkins  
Evelyn Perkins  
Evelyn Perkins

PARTY OF THE SECOND PART

MILLER COLONY

By David D. Hofer  
President

ATTEST: Paul J. Walburn  
Secretary-Treasurer



STATE OF Montana )  
COUNTY OF Teton ) ss.

On this 10<sup>th</sup> day of March, 1966, before me Carl B. Field,  
a Notary Public in and for the State of Montana personally appeared  
Ira E. Perkins and Evelyn Perkins, husband and wife  
known to me to be  
the persons whose names are \_\_\_\_\_ subscribed to the within and foregoing  
instrument, and acknowledged to me that they \_\_\_\_\_ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the  
day and year of this Certificate above written.



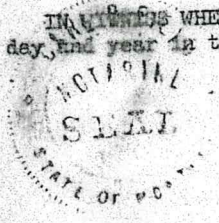
Carl B. Field  
Notary Public for the State of Montana  
Residing at Choteau, Montana  
My commission expires Nov. 1, 1968

CORPORATE ACKNOWLEDGMENT - MONTANA

STATE OF Montana )  
COUNTY OF Teton ) ss.

On this 10th day of March, 1966, before me Carl B. Field  
a Notary Public for the State of Montana personally appeared  
David D. Hofer, known to me to be the President  
of the corporation that executed the within instrument and acknowledged to me that  
such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the  
day and year in this certificate first above written.



Carl B. Field  
Notary Public for the State of Montana  
Residing at Choteau, Montana  
My commission expires Nov. 1, 1968

297680

State of Montana, ) ss.  
County of Teton. )  
Filed for record this 4 day of  
April A. D. 1966 at 4  
o'clock 00 minutes P.M.  
and recorded in book 77

Deed on page 263  
of G. E. MONKMAN  
County Recorder  
By Rae McDonald  
Deputy  
Fee 4.00 pd.

THE TETON COUNTY ABSTRACT COMPANY  
CHOTEAU, MONTANA