	The land fon this farm gets part of the 800 AF from ich Mr.L. Goffena has Signed up for.	D.M.B
Wh	ich Mr.L. Coffena has Signed up for	a sayayah san qan qan ann ann ann ann ann an ann an
7)	tch is also used by Frank Sudan	
	tch 15 also used by Frank Sudan	
		شنور بالانتهاج و مناه سبب استناده ساه المستناد
•		

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation
Book D-353-355

(Book D-353-355 Code No. County Mshl. (YellowstBook 2.MR Page 191 Record Msc. Records WR
	Name of Appropriator Hartford D. Anison St. Address Utica, Mont.
	Date Appropriated 11/4/1903 Deate Filed 5/27/1904
	Amount Appropriated, Miners Inches
	Name of Stream Musselshell River Tributary Basin Mo. River
	Point of Diversion On the Musselshell River in the Et of Lot 5. T. 8. R. 27 E.
S	SecBank of Stream
7	PurposeIrrigation and watering stock
]	Description of System REVIERSE SIDE
	Land Description of Intended Place of Use
	Land Description of Intended Place of Use 1949 Owner Lots 1.2.2 & 4 Sec. 6. Tup. 8. Age. 28: 119 Acros. Louis Softens Delphia
	Remarks (Pertaining to Use, etc.)
	Decree
	Case No Date
	To Whom Decreed Address
	Name of Ditch
	Date of Priority
	Land Description of Place of Use as Decreed.
•	Remarks (Present Use Status, etc.)

A dam, 200 feet in length on top and 20 feet in width across the top, and 4 feet in height, from which dam and at the southeast end thereof will be constructed a main ditch, which ditch will be 3 feet average width on the bottom thereof and averaging one foot in depth, and one and three quarters of a mile in length, which ditch will extend in an easterly direction from said dam to, and extend the land hereinabove described as the intended place of use, that in said ditch will be constructed a flume at the west end of said ditch, which flume will be constructed of lumber and will be 18 inches across the bottom thereof and 1 foot in depth.

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation

~	5-206			zbb:robracaou		Code So. 115
	ounty					
	ame of Appropriator				•	
	ate Appropriated 12/21					
	mount Appropriated, Miner				_	
	ame of Stream					
P	oint of Diversion	hank and	Pilm. 1	icere in a gree	eral contorly di	netion
S	,3,4,5,6 8 ec. 34 Twp. 9	Rg	218 e228	Bank of St	ream	
	Purpose	mioring.	stock, ch. whic	lowoothe, oto. h mid ditch ic		i indus in si
-	and Description of Intended	d Place of U	Jse	Trial A	1940 oran	Adves
	(1914, ITM, 184, 184, 181, 181, 181, 181, 181, 181					
I	(Shan)) Remarks (Pertaining to Use	, etc.)			In Stock Co.	
-			D	ecree		
	Jasa No Date					
	Whom Decreed					
	Tame of Ditch					
]	Date of Priority		, ,	Purpose		
]	Land Description of Place of					
	Remarks (Present Use Stat	tus, etc.)				

Sec. 2-3-27 - 644 Acres - Coffees Banch & L. Stock, Delphia. Wy Lote 1 & 2, W Lot 6, Will, Show, Lose 6 sores R.A. 150 - Public Domin - Ed Lot 6, Lot 7, Mise; - Minn. Minal Life Mrs. Co., St. Paul 300. 3-A-27 - 807 - County - Lot 2, all Mal No. of N.R., 5 across Williams, Lot 5 a 8 and We Lot 6. Bec. 4-3-27 - 259 - Minn. Submil Life Ins. Co., St. Paul. St. Sc. of R.S., Sci., Lot 1, S. Lot 6, Lot 7 less 5 acres. 445 - Dr. Ada D. Keller, Henory, Santa Ana, Cal. Lots 3 & 4. 95 - Minn. Mittal Life Ins. Co., St. Paul. Sec. 5-6-27 - 816 48 - Alex Thurspoon, JR.- Lots 5,6,8,9 & 10, SERM, EASH, Lean Gage. Dec. 6-8-37 -305 199 5:1 - State - Lots 1,2,3, & &. 160 97 - Franklin S. Heinbert, % H. A. Coles, Roundup. Let 7, 5200. 87 135 - Loads Tourton-lage-Wil 12 - County-12 acres near county bridge.

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation

Gode ∏o. 135

1	County Musselshell Book 1 Page 13 Record WR
	Name of Appropriator Richard L. Groom & John L. Address Inches Ishell, Mont.
	Date Appropriated 4/1/1890 Date Filed 4/7/1890
	Amount Appropriated, Miners Inches 2000 , Cubic Feet per second
4.	Name of Stream Musselshell River Tributary Basin Mo. River
5.	Point of DiversionE. bank near center of SW, of S. Line of
	C
	Sec. 5 Twp. 8 Rge. 27 Bank of Stream East
	theace easterly
6.	Purpose Irrigation and Willing
7.	Description of System Dam and ditch, ditch being 72 by 24 inches
8.	Land Description of Intended Place of Use Subdivision Sec. Tup. Rgo. Total 5. 1940 Owner Address
	NASEA, SNSTA, NASEA, & S 27 156 Man. Mutual Life Ins. Co., St. Paul
	Note 3.4.5 & 8)
9.	Remarks (Pertaining to Use, etc.)
	Decree
10.	Case No. Date Amt. Decreed: M. I. C. F. S.
11.	To Whom Decreed
12.	Name of Ditch
13.	Date of Priority Purpose
14.	Land Description of Place of Use as Decreed
15.	Remarks (Present Use Status, etc.)
•	

wunty Musselshell

Code No. 30A, 31A

Form WR-A Reporter 17352 1M 2-49

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY WATER RIGHT DATA

. Our re	cords show that the following wal	er rights were filed o	n the above described land:		•••••	. *************************************
Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
L34	William Gordon	Mshl. River	Sec. 31-9-28	1-10-99	1-12-99	800
144	Gotthold J. Krueger	Mshl. River	Sec. 30-31-32-33		:	
			In Twp. 9-28	5-3104.	6-5-04	30 C.F.S
490	Gotthold J. Krueger	Mshl. River	Sec. 30-31-32-33			
490 1.10 Usbr ^{ort}			n Twp. 9-28	5-1-05	5-5-05	30 C.F.S
3. Have	nese filings in use: Le work, he below) any of the above filings or any p from what original filing.	art of them been sold	:YesNo. If y	ves, give amount of	,	,
4. I hav	e the following water rights that	the State Engineer's	Office have not shown in the	above list:		***************
·	me of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's
Nar	ing of Appropriates	Streeth	naa maay santaa na sana ay amay ay amay ka shada ah dhada ah dhada ah dhada ah shada shada shada shada shada s		Date Fried	Inches Filt On
Nar		Streeth				Inches
	Idition, I have an irrigation syste					Inches
5. In ad			orded filing was ever made.		Place of	Inches Filt On
5. In ad	Idition, I have an irrigation syste	em on which no reco	orded filing was ever made.			Inches Filt On
5. In ad	Idition, I have an irrigation syste	em on which no reco	Orded filing was ever made. Use Street	am	Place of	Inches Filt On

Musselshell

Code No. 30A, 31A

4	Form WR-B	
-	Reporter 17362	134-2-49

Twp. 91. Rge. 28E. Typ. Rge.

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

LUUM MAE	,		
Took Co. Address	Roundup,	Montana	

Name of Land Owner Goffena Ranch & Livest Name of Operator. Same Address. Legal Description Strate Sec. 30, All Sec. 31 in Typ. 9N., Rge. 28E.

Irrigated Land

Non-Irrigated Land

North



Potential Land Under Existing Facilities

one, irrigated hand, All ownerships for dry land not stream

	+								
	a grange (A.C.)	Mu	5501	5/7E		Cou	776 6		
		Twp.	9 N	Rye	286	**************************************	; ;		
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			IFFI	gatec	L La	nd		,	
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	;		9.3	KA					
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7	191 R.28E	2 1-	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		u s	ditchnol e from	here on		
4 and	Media ang mang kalangan at ang kalangan at at at ang kalangan at at ang kalangan at	3	Goffena Litch		; ;	S. of R.R.		The state of the s	, }
Code	No. 30A-3/A		4.1ch		Section 1	,		5'37" GE174	
_	Bosin M4556/3	-	بر	X		A No. of Street, Spirit, of spirit, sale,			
Code	No	•						· ·	, 1. , 1.
	Basin	•			Ω	,		! '	•

of Water Mosselshell R 199'RLF PLGLSL of Water.....R.....F......P.....G.....S...... of Water.....

R. F. P. G. S.R.....F.....P.....G......S...... or inches, acre feet, as the case may be

lumping. G-Water diverted by gravity.

NOTE: R—Denotes Re S—Stored Wate Information from

Code No.....

Code No.....

in said sysem.....

Basin.....

Basin.....

If under Ditch Comp

	Form ! Report	NR-B er 1736	12 1N	1-
Ťwp	en.	_Rge	28	E
Twp		_Rge		
Name	of Land of Ope Descrip	rator.		Saı
********				 Irric

	1.	f 9	1 7 7	
	CountyN	maser	snell	
	Code No	JUA.	31A	
anaciia	************			
Section 1985				
STATE OF THE PARTY				
		•••••••		•••••
		• • • • • • • • • • • • • • • • • • • •		
E 1	xisting Facili	41		
and under c	xisting raciii	(162		

Ownership covers only irripated land. All ownership tog dry land not shown.

Code No. 3 D.A - 3/A System G.O. f.e.n.a. (Private) Source of Water. Mas. J.e. Sh.e. || R. Basin. || Maj. J.e. || Sh.e. || R. Pt. G. J. S. L. Source of Water. || R. P. J. G. J. S. L. Source of Water. || Source of Water. || Source of Water. || Basin. || Present. || Potential. || Maximum. || R. F. P. G. S. || Source of Water. || Basin. || Present. || Potential. || Maximum. || R. F. P. G. S. || Code No. || System. || Source of Water. || Source of Water. || Basin. || Present. || Potential. || Maximum. || R. F. P. G. S. || Code No. || System. || Source of Water. || Source of Water. || Basin. || Present. || Potential. || Maximum. || R. F. P. G. S. || If under Ditch Company, Irrigation District, or Government Project, state the number of shares or inches, acre feet, as the case may be in said sysem. || NOTE: R-Denotes Regular Irrigation. || F-Elood Irrigation. || P-Water diverted by means of pumping. G-Water diverted by gravity. || S-Stored Water. || Date. || June 3 - V.9

FORM F-1 - GAZETTE 1665-2M-1-47 Farm Checked Code No. 30A-3/A STATE OF MONTANA By C.J & J.C, County Masselshell STATE ENGINEER'S OFFICE Area Delphia T 9N R28 E Sec 30-3/ WATER RESOURCES SURVEY Photo No. MA-5-38 Date 6/15/48 Legal Land Owner L. W. Goffena Address Delphia _____Address_____ Operator____ Water is delivered by: Pres____Pot____ Federal Project_ Ditch Company_____Pres.___Pot.____ Irrigation District Pres. Pot. Private System_____Pot.____ ______Totals_____ Flood______ Pump_____ Reservoir_____ Gravity_____ Size and Capacity, Pump, etc._____ Original Appropriator, Company______App. No._____App. No._____ App. No. 144-490-134 Original Appropriator, Private_____ Yes_____No____ Is the system an extension of another system? Yes______No____ Is all land irrigated from one system? (If No, show break down on map) Source of Water Musselshell E. Acres Irrigated 19 45 N.2.X \cdot Potential Acres_____Seeped_____ Explain_____ Condition of System Fair Adequate Supply Yes No V Explain Ges with Stored water Topography R. Bottom Information From Field

. . .

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation

	C-237 (Yellows) Bo	ook 2 MR	Page	61	Record 61		ode No.
Name of Approp			_				
Date Appropriat							
Amount Approp r							
Name of Stream	Musselshel	ll R _i ver	Tri	outary	•••••	Basin Mo.	River
Point of Diversi	on REVER	ISE					
Sec	Twp	Rge	Ва	nk of Strea	m		
Purpose Irr					•••••		
Description of S	-				by 12 ft.		
Land Description	n of Intended I	Place of Use			• •	wner	
Remarks (Perta							
	***************************************				•••••••	•••••	
			Decree			••••••••••••	·•••••••••••••••••••••••••••••••••••••
Case No.	Date		Decree				
Case No			Decree Amt. Decree	ed: M. I	C,	F. S	
	ed		Decree	ed: M. I	C.	F. S	
To Whom Decre	eed		Decree Amt. Decree	ed: M. I	C. Address ty (C. F. S.)	F. S.	
To Whom Decre	ed	Use as Decreed	Decree Amt. Decree Maxi Purp	ed: M. I		F. S.	
To Whom Decree Name of Ditch Date of Priority Land Description	on of Place of U	Use as Decreed	Decree Amt. Decree Maxi Purp	ed: M. I		F. S	
To Whom Decree Name of Ditch Date of Priority Land Description	on of Place of U	Use as Decreed	Decree Amt. Decree Maxi Purp	ed: M. I	ddressty (C. F. S.)	F. S.	

Right bank of said stream and 200 ft. down the said stream from where the second standard Parallel North crosses said stream, and thence running North 88 degrees east for 200 ft, thence north 70 degrees east for 600 ft, thence north 53 degrees east for 700 ft, thence north 74 degrees east for 900 ft, thence south 29 degrees east for 1400 ft, thence north 83 degrees east for 3750 ft, at which point is crossed the township and section line between Sec 36-9-27 and Sec 31-9-28, thence to and upon the land.

1 Form Ap. 1—10M

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation

D-357 Code No.
County Mshl, (Yellowst)Book 2 MR Page 193 Record WR
Name of Appropriator Gotthold J. Krueger at al Address Musselshell, Montana
Date Appropriated 5/31/1904 Date Filed 6/6/1904
Amount Appropriated, Miners Inches, Cubic Feet per second
Name of StreamMusselshell.River
Point of Diversion Sec. 1-8-27
SecBank of Stream
Purpose Trigation
Description of System Dam and Ditch, ditch being 6 by 3 by 15 ft.
Land Description of Intended Place of Use. Sec. Twp. Rge 1940 Owner 30 9 28 31 9 28 REVERSE 32 9 28 33 9 28
Remarks (Pertaining to Use, etc.)
Decree
Case No. Date Amt. Decreed: M. I. C. F. S.
To Whom Decreed Address
Name of Ditch Maximum Capacity (C. F. S.)
Date of Priority Purpose
Land Description of Place of Use as Decreed.
Remarks (Present Use Status, etc.)

Sec. 30-9-28 - 320 Acres - W.S.A. N2 - Louis W. Goffena, Delphia. Ħ 320 West 1/3 East 2/3 11 11 tf 208 Sec. 31-9-28 Ħ 11 Ħ 11 420 - Gilbert Mikelson, Delphia. Parcel in MWNE - Yale Oil Co., Billings. Parcel in NWNE4

- Augusta Wise, % F. H. Reister, Lake City, Minn.

Sine, Senw, NESW, Sed

- Charles Fletcher, Roundup. All Nine4, So. of R.R.

" " All Nin-No. of R.R. at 1 Sec. 32-9-28 -318 6 17 All Nini-No. of R.R. and Ħ 296 SVNW, WESV, SESW - Charles Fletcher, Roundup. NW4 Ħ Sec. 33-9-28 - 154 - Lena J. Piper, Whitewater, Wisc. (Et al) NE計 tt 155 - Miss Clara Ketter, Milwaukee. SE4 11 160 - Charles Fletcher, Roundup. SW 160

STATE ENGINEERS OFFICE Water Resources Survey

	Notice of Appropriation Code No. 490
1.	County Yellowstone Book E Page 15 Record Misc.
2.	Name of Appropriator * Gotthold J. Krueger Address Musselshell, Mont.
3.	Date Appropriated April 1, 1905 Date Filed April 1/5, 1905
	Amount Appropriated, Miners Inches, Cubic Feet per second
4.	Name of Stream Musselshell River Tributary Basin
5.	Point of Diversion About 1800 ft. where river is crossed by County road from Musselshell
	crossing to Roundup **
	Sec. 1 Twp. 8N Rge. 27E Bank of Stream
6.	Purpose Irrigation, Livestock and other beneficial
7.	Description of System Dam about 150 ?, more or less, 20 ft. wide at bottom, 5 ft. wide
	on top and 5 ft. high of stone, brush and dirt, in Musselshell River. Headgate at dam about 8 ft. wide, 7 ft. high and a ditch 6 ft. wide at bottom, sloping 1 to 12, (OVER
8.	Land Description of Intended Place of Use.
	Sec. Twp. Rge. 30 9N 28E
	31 " " "
	33 " "
9.	Remarks (Pertaining to Use, etc.) *"Et al" being: Geo. Spendiff
	** Known as "Brockway Ford"
	Decree
10.	Case No Date
11.	To Whom Decreed
12.	Name of Ditch Maximum Capacity (C. F. S.)
13.	Date of Priority Purpose
14.	Land Description of Place of Use as Decreed.
i.	
15.	Remarks (Present Use Status, etc.)

average depth of said ditch will be about 3 ft., 15 ft. wide at top and 4.1 miles long. Ditch to run E. from headgate through Sec. 1-8N-27E, then through secs. 35 and 36-9N-27E, and Secs. 31 and 32-9N-28E, and in this manner water will be conveyed to place of use. Several small ditches, from 1/2 to 1 mile long, 4 ft. wide on bottom, 6 ft. wide on top, and 1 to 2 ft. deep, distribute water over land.

Form WR-A							
Resorter	17382	1M	2-49				
•	A STREET	<u> </u>					

STATE OF MONTANA

Junty_Musselshell

20A,21B,20C

State Engineer's Office

WATER RESOURCES SURVEY WATER RIGHT DATA

-						n 21 exc	ept E-NEANEZ	Et EtNVt,	N-PN/FNM-P
· • • • • • • • • • • • • • • • • • • •			Typ. 9N.,			المصالمين			••••••••••
. Our rec	cords show that the follow	ing wate	r rights were to	nea or	n the above descri	ibea iano:		1	Miner's
Code	Name of Appropri	ator	Stream		Land Descr	iption	Date App.	Date Filed	Inches Filed On
L26	John E. Cooley	et al.	Mshl, Ri	ver	Name, Swane				**************************************
	ĺ				Sec. 30, Al	1 19 in	1-30-92	2-13-92	2000
127	John R. Cooley	et al	Mshl. Ri	ver	nana, swane	d, NW√se			
					Sec. 30; Al	. *			
Programme 7. 167					Santa, Sea, S	• •	7.7/00	7 07 00	2000
37	Handel Bro		11		Sec. 20 in 9N-29E		1-14-91	1-25-92	2000
	HOINGIE! NED	- A. A.	<u> </u>				77777	11-30-91	2000
erred and	any of the above filings o from what original filing the following water right	M	pili-	ner!	l ly c	dow	· + Bo		dita
erred and	from what original filing	Mants that t	pili-	ner!	l ly c	down in the	· + Bo	Gena -	Miner's
erred and 1 have	from what original filing e the following water right me of Appropriator	that t	be State Engine	egr's (Office have not si	down in the	above list:	Jones -	dition of the distribution
erred and 1 have	from what original filing	that t	pilin be State Engin	egr's (Office have not si Land Description	down in the	above list:	Jones -	Miner's
erred and 1 have	from what original filing e the following water right me of Appropriator	that t	be State Engine	eer's	Office have not si Land Descript N29E	down in the	above list:	Jones -	Miner's
Nan	from what original filing e the following water right me of Appropriator 76/3705	Moi	be State Engine	9 in 2-1	Office have not si Land Descript N29E Lac 20- 4-29	down in the	above list:	Jones -	Miner's
Nan	from what original filing e the following water right me of Appropriator	Moi	be State Engine	er's (Office have not si Land Description N29E 10420 1429	down in the	above list: Date App. 6/15/18	Jones -	Miner's Inches Filed On
Nan	from what original filing e the following water right me of Appropriator del 13105	Moi	be State Engine Stream on which no	er's (Office have not si Land Description N29E 10420 1429	down in the ion	above list: Date App. 6/15/18	Date Filed	Miner's Inches Filed On
Nan	from what original filing e the following water right me of Appropriator del 13105	Moi	be State Engine Stream on which no	er's (Office have not si Land Description N29E 10420 1429	down in the ion	above list: Date App. 6/15/18	Date Filed	Miner's Inches Filed On
Nan	from what original filing the following water right me of Appropriator following water right Market Appropriator Market Appropriat	that that the system	be State Engine Stream The state Engine Date of	er's (Office have not si Land Description N29E 1020	down in the ion 2 / ver made.	above list: Date App. 6/15/18	Date Filed Place of U	Miner's Inches Filed On
Nan	from what original filing e the following water right me of Appropriator del 13105	that that the system	be State Engine Stream The state Engine Date of	er's (Office have not si Land Description N29E 1020	down in the ion 2 / ver made.	above list: Date App. 6/15/18	Date Filed Place of U	Miner's Inches Filed On
Nan	from what original filing the following water right me of Appropriator following water right Market Appropriator Market Appropriat	that that the system	be State Engine Stream The state Engine Date of	er's (Office have not si Land Description N29E 1020	down in the ion 2 / ver made.	above list: Date App. 6/15/18	Date Filed Place of U	Miner's Inches Filed On

muselshell Valley Livestock to Cooley ent, mer Boffens said forte vere mot profully present lat core - at Handle Bros were decide at time and no meduce was presented in these behalf, Bollena banget Musuelshell Valley Livestock to interest in the looky - Wearner detels Son of John R. Cooley or Eal Cooley now how control of the other 50% of child, Supreme Court muled Handle water would have to come throught Cooley-Jacobs.

Form WR-B Reporter 17362 1M-2-49

Twp. 9N . Rge. 29E.

STATE OF MONTANA

State Engineer's Office

Twp	WATER RESOURCES SURVEY FARM MAP	28A
~	ivestock Go. Address Roundum, Montana Address Section 20; All Section 21 except ENNINE; ON., Ege. 29E.	
Irrigated Land	Non-Irrigated Land North	Existing Facilities
oley-Goffena Didch Goffen	ential Irrigation old dith hot inuse handle dich seing levelet Swc B Buss Main Canal Buss Proposed Diversion Rom dam	The following for the first section of the first se
TPA-12 12 - 20	the Cold invaled	
Basin Massi from	Cooley and Soffens	ter Musselshell V RV F PV GV SV
Code No	26.1	rter
Code No	tch - Soffena does	rter
Basin	been using ditch to	nterRFPGSshes, acre feet, as the cose may be
in said sysem	Date Jane 3	ng. GWater diverted by gravity.

Form WR-B Reporter 17. Twp. 9N Rge Twp.____Rge Twp.____Rge Name of Land Owr Name of Operator. Legal Description...

	ALL DESCRIPTION OF THE PARTY OF	
County.	Musselshell	
Code N	20A,21B,20C	
	28A	-
	******************************	-
F.	nnš, nānnānnā	•
	***************************************	•
		•
xisting F	acilities	
	Our	
C.	Ownership covers only irrigated land.	
	All ownership for	

dry land not shown.

Golfens Coaley Cooley Goffina Ditch

7	-9K	-R. 29E	13	Karangan Mangan	· OA our	Service Superior	. where	
*	Code	No. 20 A	-20C-21	B System COO	fond-Cooley	a (Private Source of	Water Massel	shell
		Basin /// Q.S.	selshell	Present 2/4	Potential 21		Rem F. Per	GS
	Code	No		System		Source of '	Water	
		Basin		Present	Potential	Maximum	FP	S
	Code	No		System		Source of	Water	
		Basin		Present	Potential	Maximum		S
	Code	No	••••	System		Source of	Water	*********
		Basin		Present	Potential	Maximum	RFP	S
		If under Di	tch Company, Irrigo	ation District, or Govern	ment Project, state the	e number of shares or	inches, acre feet, as t	the case may be
	in sai	id sysem				***************************************	**********************	· .
			Denotes Regular Irr tored Water,	rigotics F—Flood Irric				
+	Infor	mation from			Date	June 3	-49	

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			, į			ł	1-1	.				
		•	11.1	1 / 1/2 -			FORM	1 F-1 - GA)	LCTTE 1602	-2H-1-47	(17
Farm C	hecked		STATE OF	MONTAN	A		Code :	No. <i>201</i>	9-218	20C, A	22 ,28	R_
By_c/.	<u>C</u>	STATE	ENGIN	EER'S	OFFI6	CE	Count	y_ <i>M</i> .	455 C	lshe	=//_	
Area.	Musselshell	~~~~	ATER RESO		— — »		т9	N	R. 29.	E_S	Sec. <u>20,</u> 2	21,28,2
Date	1/24/48						Photo	No//_	AEC	<u>ح</u>		
•	and Owner Louis C	offena, Wi	lbur + 4 V	1 Gaffena		Add	ress	Roun	dup			
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	s delivered by:						ſ					
	Federal Project	and the second of the second s		and the second s			_Pres			_Pot		
	Ditch Company			ang			_Pres.			_Pot		
	Irrigation District		a -talle-sta _{rest} particular specific de la company de la				_Pres.			_Pot	-	
	Private System	Cooley	-Weaver	ditch	·		_Pres.	7 17	8	_Pot	20 A a	<u> </u>
												
704	Flood	Pump	Reservo	oir	Gra	vity ـــ	- · · · · · · · · · · · · · · · · · · ·			به الحامل <u>مساحم</u> ين		
Size an	d Capacity, Pump, etc.	Concret	e voll typo	e dam								 .
	l Appropriator, Company											
Origina	d Appropriator, Private	J.R. Coo	ley et a				App.	No	126,	127_		
	system an extension of an		·	Yes								
Is all l	land irrigated from one sys	lem?		Yes	No							
	(If No, show break down on											
Source	of Water Musselsh	ell River				<u></u>						
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	n Jome land being	•					B	TSA.			65-15.	
	tion of System Fair ne									y 1966		
Adequ	aate Supply— Yes		No	***************************************	-			,	J. 1	j.		
	in Buys Water									Mea.	11.75	
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	railroad Cut of Hamles broad itch and finally their litch. Jacobs soll its Thankes broad his intersection of the Jacobs soll own which the Jacobs child own. Cooley owns half interest in D. Coffere now owns Thankel road and their in ditch.	tel.
	coffere now owns Handel road and their un	Terest
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	Some of this is paid up for 20 year L. M. V. I. A. Contract &	ime
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	ownership of land is probably Goffena hivestock C	2
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1 Form Ap. 1-10M

STATE ENGINEERS OFFICE Water Resources Survey

	Notice of A 1-450-451-452	Appropriation	Code	No. 126
i.	County Mshl. (Fergus) Book 1	Page 34	Record WR	
•	Name of Appropriator John R. Cooley etal	Address	Musselshell, Mo	ntana
3.	Date Appropriated 1/30/1892	Date Filed2/13/	1892	***************************************
	Amount Appropriated, Miners Inches 2000	Cubic	Feet per second	
Į.	Name of Stream Musselshell River	Tributary	Basin.	Mo. River.
5.	Point of Diversion N bank 1320 ft. due N	N & 1250 ft. due W	from 1 corner bet	ween
	Sec 25 and 26, T 9, R 28, thence north	neasterly		
	SecRge			
6.	Purpose Irrigation			
7.	·	tch being 72 by 72	2.by 32 inches	••••••
8.	Land Description of Intended Place of Use. Subdivision Sec. Twp. Rgo No NET, SWINET, NWISET 30 09 29 All 19 9 29	e. Total A.	1940 Owner Carrie S. Cooley	Address Musselshel
9.	,			
0.	Case No	nt. Decreed: M. I	C. F. S	
1.	. To Whom Decreed	A	ddress	•••••
2.	. Name of Ditch	Maximum Capacit	cy (C. F. S.)	
.3.	. Date of Priority	Purpose		
.4.	. Land Description of Place of Use as Decreed			
l 5.				

1 Form Ap. 1-10M ' 5

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation

CountyMsh]	2-50 L(Fergus) Book	1	Page 55	Record	WR	code No.
Name of Appro	priatorXXXXX	192 J. R.	Cooley stal Addre	ss Mussels	sh ell, Mo	ntana
Date Appropri	ated 1/14/1892		Date Filed	1/25/1892		
Amount Appro	priated, Miners Inc	hes	2000 , C	ubic Feet per s	econd	
Name of Strea	m Musselshell	River	Tributary	•••••	Basin	Mo. River
Point of Diver	sion N bank 13	300 ft due	e N and 1250 ft di	ie W from 🕹 o	cor. of \$	em. 25 and
26, T 9m I	R 28, thence no	ctheaster]	ly			
			Bank of Str			
-	•	·	ditch being 96 b			
Land Descripti S NaNa, SW	on of Intended Place ubdivision Se INE 1 3	ce of Use c. Twp. R O Ø9	ge. Total A. 25	1940 Owne	r	Addres
***************************************				•••••••••••		
•			Decree			
Case No	Date		Amt. Decreed: M. I		C. F. S	
To Whom Dec	reed			Address		
Name of Ditch	1		Maximum Cap	•		
	ty					
Land Descript	ion of Place of Use	as Decreed	*****	,		•••••••••••••••••••••••••••••••••••••••
Land Descript	ion of Place of Use	as Decreed		, 		•••••••••••••••••••••••••••••••••••••••
Land Descript	ion of Place of Use	as Decreed	***************************************			
Land Descript	ion of Place of Use	as Decreed				
Land Descript	ion of Place of Use	as Decreed				

Sec. 30-9-25 - 80 Acres - U.S.A. NoNW-- Julia Seim. SWNE tt 40 - W. D. Rose est., Roundup. NWSE4 tt Sec. 19-9-25 -320 - U.S.A. E - Wm. Sheets, Roundup. NW 2 - Richard Davey, Rockford, Wash. SW 2 160 11 160 - L. W. Stockwell, Musselshell. Tract NESE 1. W. Goffena et al, Delphia. E 1/2 1/2, S 1/2 NW, W 1/2 SW,

Less 10 Acres in NESE 1/4

- Bennett R. Jacobs & Willis B. Strang, Musselshell.

W 1/2 NE, N 1/2 NW, E 1/2 SW, W 1/2 SE. Sec. 20-9-29-302 305

The state of the s



1 Form Ap. 1—10M ' 5

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation

		210020	or imper	oprimuoit		Code No. 13'
L.	CountyMusse shell	Book 1		54	Record	WR
2.	Name of AppropriatorH	andel Bros.	by Geo. W.	Handel Address	Musselshel	1. Montana
3.	Date Appropriated11/	14/1891	Dat	e Filed 11/3	0/1891	
	Amount Appropriated, Mi	ners Inches	20 00	, Cubic	Feet per secon	nd
1.	Name of Stream. Mus	selshell R,	ver 1	ributary		Basin Mo. Basi
5.	Point of Diversion. No	rth bank abo	out 560 ft.	due east of	the quarter	corner between
	Sec25~)-28 and Sec	30-9-29	•••••••••••••••••••••••••••••••••••••••		
	SecTwo	Rge	•	Bank of Stream	n	
6.	PurposeIrrigatio	n and other	.purposes		••••••	
7.	Description of System					
8.	Land Description of Inten					
	Land Description of Inten Subdivision	Sec. Twp.	Rge. Total	A.	1940 Owner	Address
	E2SE All					-
	A++					
9.	Remarks (Pertaining to U	Jse, etc.)				
				•••••		
10.	Case No Date	e	Amt. Dec	reed: M. I	C.	F. S
1.	To Whom Decreed			A	ddress	
2.	Name of Ditch		Ma	aximum Capacit	y (C. F. S.)	
13.	Date of Priority	•••••	Pı	rpose		
14.	Land Description of Place	e of Use as Dec	creed	*******************************	****	
						••••••
15.	•					



Form WR-A Rejecter 17382 IM 2-49

State Engineer's Office

Code No. 34A,35A,36A

WATER RESOURCES SURVEY WATER RIGHT DATA

	1		on the above described land:			1 64:
Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed O
-	John R. Cooley et al	Mshl. River	Named, SHANES, MAZSEA			
1			Sec. 30; All Sec. 1	9;		
•			Sinel, Sel, Siswi			
			Sec. 20 in 9-29	1-14-92	1-25-92	2000
	ese filings in use:Yes				· · · · · · · · · · · · · · · · · · ·	
ed and	from what original filinget the following water rights that					
ed and	from what original filing					Miner
I have	from what original filingethe following water rights that	the State Engineer's	o Office have not shown in th	e above list:		Miner
I have	from what original filingethe following water rights that	the State Engineer's	o Office have not shown in th	e above list:		Miner
I have	from what original filingethe following water rights that	the State Engineer's Stream	s Office have not shown in th Land Description	e above list:		Miner
I have	from what original filingethe following water rights that me of Appropriator dition, I have an irrigation systematical systematical distribution.	the State Engineer's Stream	Land Description Corded filing was ever made.	e above list:		Miner Inche Filed O
I have	from what original filingethe following water rights that	the State Engineer's Stream	Land Description Corded filing was ever made.	e above list: Date App.	Date Filed	Miner Inche Filed C
I have	from what original filingethe following water rights that me of Appropriator dition, I have an irrigation systematical systematical distribution.	the State Engineer's Stream	Land Description Corded filing was ever made.	e above list: Date App.	Date Filed	Miner Inche Filed C
I have	from what original filingethe following water rights that me of Appropriator dition, I have an irrigation systematical systematical distribution.	the State Engineer's Stream em on which no recommendate of Firs	Land Description Corded filing was ever made.	e above list: Date App.	Date Filed Place of	Miner Inche Filed C
I have	from what original filingethe following water rights that me of Appropriator dition, I have an irrigation systematical Name of First User	the State Engineer's Stream em on which no recommendate of Firs	Land Description Corded filing was ever made.	e above list: Date App.	Date Filed Place of	Miner Inche Filed C

9N Rge 27E	SLOLD SHIINDDF	A Office	County 34A,35A,36A
pRge	State Engineer water resources FARM MA	SURVEY	Code INU,
me of Land Owner. Gottena me of OperatorSame	Ranch & Livestock Co. Addres c. 34; All Sec. 35; Son Sec. 3	Roundup, Non	tana
al Description	30. 34; ALL Sec. 35; 554 5ec. 3		, & I II •
Irrigated Lo	nd Non-Irrigated Land North	Potential Land U	nder Existing Facilities
	Musselshell Co	ounty	Over a map in a constant of the form of the constant of the co
VR.	WP. 9N-Rge 27	X . Y	
	LEGEND Irrigated Land Potential Irrig		
	Potential		
			State though No. 6
34	35 AG		C.M. St. R & P. R.R.
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all-	There lands are night detal now	enely Boy	of the same of the
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T. 9N-R. 27E/ 2000 1 1 April 1

		in management and page of the second	1915 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ar a the formation and		
¥	Code	No 34A-35A-36A-23	System.	ma Privat	عرباًSource of Wate	Musselshell R
		Basin NUSS e/SHell	Present 200.	Potential 75/2	Moximum 201%	13 REF PL GE SE
	Code	No 36B (State)	System GO FF	ena (Brivati	Source of Wate	" Musselshell R.
		Basin.	Present 30:00	Potential 31:00	Maximum. <i>le. 6 : 0.0</i>	RK F PK GKS
	Code	No	. System		Source of Wate	87
		Bosin	Present	Potential	Maximum	RFPGS
	Code	No	.System		Source of Wate	er
		Basin	Present	Potential	Moximum	RFPGS
		If under Ditch Company, Irrigation Dis	strict, or Government	Project, state the num	ber of shares or inch	es, acre feet, as the case may be
	in sai	id sysem				
		NOTE: R—Denotes Regular Irrigation. S—Stored Water.	A		•	
X	Infor	nation from Changed By	DAP -	Date	une 28-	- 49

	FORM F-1 - GAZETTE 1665-2M-1-47
Farm Checked STATE OF MONTANA	Code No. 34A, 35A, 36A
STATE ENGINEER'S OFFICE	County None Schoff
Area Delphia WATER RESOURCES SURVEY	T. 9 R 27 Sec 34,353
Date 6/24/48	Photo No. 114-5-38,39
Legal Land Owner 1, 10 0 of the (Goffena Livestock Co) Ac	ddress Raun Lup (Delphia)
Operator 50 ths	ddress
Operator Same Sourced by State of Montana According to the State of Montana Water is delivered by: possible operated by Soffena	
Federal Project	PresPot
Ditch Company	PresPot
Irrigation District	Pres,Pot
Private System	Pres. Pot
	Totals
FloodPumpReservoirGravity_	
Size and Capacity, Pump, etc	
Original Appropriator, Company.	App. No
	App. No. 117
Is the system an extension of another system? Yes No V	al a commandate a
Is all land irrigated from one system? YesNo	
(If No, show break down on map)	
Source of Water Misselshell River	
Acres Irrigated 1948, 34	35 136
Potential Acres Seeped	- / /
Explain	
Condition of System fair	
Adequate Supply — Yes V No.	
Explain Buys Stored Water From D. MB.	
Topography	
Information From Mr. L. W. Goffena (51)	
Remarks Full Contract price paid on 600 AF.	
and signed for 200 A.F. more from DMB.	

March 30, 1949

Goffena Ranch & Livestock Cormany Roundur, Montana

Gentlemen:

In 1939 the State Legislature passed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in Musselshell County compiling these data.

In the past when we have encountered large company holdings such as you have, the land owners have advised us that they would rather have the units separately so that they could take up their water rights and water use as a unit rather than have all of the land bulked, because in many cases the questions portaining to one unit do not apply to the other. As your land is located in several townships we are sending you separate forms for each township, which we feel you can arrower and submit to us better than if we had all of the land on one form.

In each tourship we are sending you two forms—she water right form and the map form. On the map form we have attached a copy of a map which we would like to have you check carefully, and on the water right form we would like to have you check the water rights we have shown and answer any of the other questions that are applicatory to the particular unit to which they are attached.

In Township 8 North, Range 27 East you will note we have shown both irrigated and potential irrigable land. Under the potential we would like to know if you plan to irrigate this in the future. We also have shown in Section 2 some Public Domain and we would like to know if you are leasing this land or just what the status of the land is. For this township we would also like to know anything you can tell us about the old Krueger-Spendiff ditch and its relationship to your land; also anything about a transfer that might have taken place between the old ditch called Arkwright and the ditch now called Goffena.

In Township 9 North, Range 27 East, which adjoins the above township, the same questions will be in order, and as the same ditches are involved it will not be necessary to go over the ditch information as one will take care of the other. In the ownership we show in Section 36 some land owned by the State of Montana, and we would like to know whether or not you are buying this land or leasing it.

Page two In Township 9 North, Range 29 Tast the information that we desire will again pertain to the status of the ditches that are now in use and these not in use, and we also would like to have you check the ownership that we have shown. In Township ? North, Range 28 Fast the same questions will apply that are asked on Form VR-A. As these lands are located along the main stem of the Musselshell it is necessary that we have this information to complete our records here in the State Engineer's Office so that we may have a complete record of your water use for your protection now and in the future. We have some information here stating that the railroad cutt off the old Handel Bros. ditch and finally bought up their ditch, and that Jacobs sold his interest in the ditch except for 25 miner's inches, which Jacobs still owns; also that Cooley owns onehalf interest in the ditch nov called Goffena and that Goffena now owns the Handel ranch and their interest in the ditch. We also have information stating that Goffona bought a fotal of 800 acre-feet of stored water and that some of this is paid up in full. This information we would like to have you

check and reiterate so as to give us a full picture of just what has happened.

In Township 8 North, Range 28 East we show some land being irrigated out of the Goffena ditch by gravity, some by pump, and some from irrigation by means of flood dams and spreader dykes. The flood dam and spreader dykes are on a small couled which is a tributary to the Musselshell Fiver. As this flood system is not a part of the Musselshell gravity system we would like to have you give us any and all information you can regarding this.

In Township 10 Morth, Nauge 22 Dast we show that a small fraction of some old ditches out of North Villow Creek extend into land that our records show as being part of your holdings. For this we have shown two water rights which we would like to have you check and give us any other information you can about the status of these old ditches.

This, no doubt, sounds like a large order, and you probably will say it will take a Philadelphia lawyer to fill it out. However, I am sure it will not take too much of your time, and after you complete these papers and return them to the State Engineer's Office you can then feel that a permanent record has been established for the lands in question. We are now on the fringe of vast federal development, which could encroach upon the water rights of the people of the State of Montana if we do not have full coverage of their water uses for their own protection, so it is therefore necessary that we have all of this information for every water right in the State so that we may be able to protect what we have and keep Montana water in Montana for our uses first.

Hoping you can find time to help us in our endeavor in the very near future and return these forms to us as promptly as possible. I am

Very truly yoursk

Gerald J. Oravetz Assistant State Engineer

GJO/a enc.

L. W. GOFFEMA and GOFFEMA RAMON AND LIVESPOOK COMPANY LAND:

For lands in the Sawa, Wash, Each Sec. 20 and All of Sec. 21 except the Eane-met in Township 9N., Rge. 29E.

The above described lands are irrigated from the Cooley-Goffena Ditch, with Cooley and Goffena each owning 50% of the ditch. As Cooley has done very little irrigating ; therefore, in order in the past he has not contributed to the cleaning of said di for Goffena to receive the water necessary to irrigate his crops it has been necessary for him to keep the ditch in good repair. This system, formerly known as Cooley-Jacobs, had a water right of 2000 miners inches. Later Jacobs sold his 1/2 interest (less 25 inches) to Handel Bros. and the name became Cooley-Handel. Later Handel Bros. went bankrupt and their rights of 975 inches in the Cooley system, as well as the Handel Bros. own system, passed to the Musselshell Valley Farm and Livestock Corporation. Goffena acquired his interest from the Musselshell Valley Farm and Livestock Corp. There was considerable dispute over this system—it having gone to court and also suit was brought against the Chicago-Milwaukee R.R. by Cooley for crop damage. The Supreme Court ruled that the Handel water would have to be carried through the Cooley-Jacobs Ditch, but the Handel Bros. Ditch is not now in use. Jac bs still holds the 25 inches and Cooley and Goffena are obligated to get the water to him.

For lands in Sec. 6, Twp. 8N., Rge. 28E; Sec. 1 & 2, Twp. 8N., Rge. 27E; and lands in Sec. 34,35 & 36 in Two. 9N., Rge. 27E.

The above described lands are now irrigated from what was formerly known as the Arkwright Sheep Company-Bethke Ditch. Mr. Goffena obtained his rights in the ditch never been a definite amount of inches determined, but Mr. Goffena and Sudan Bros. There has now used by Mr. Goffena and Sudan Bros. There has never been a definite amount of inches determined, but Mr. Goffena placed Sudan's or Bauman interest at about 1/4. Richard L. Groom and John L. Ranmon for Bauman for filing from the system on April 1, 1890 for 2000 inches. Wm. Bethke took over Bowman's part of the 2000 inches, and Groom's part was transferred to Arkwright and them to Sudan. No agreement has been reached as to the actual amount of inches owned by either party, but as Goffena irrigates three times as much land as Sudan it would seem that he would have the greater part in the ditch and the water. Goffena has more or less maintained the ditch. At a point in the Me of Sec. 1, Twp. 8N., Rge. 27E. is located the old Krueger-Spendiff dam, which was washed out. Just below the dam Goffena has installed a syphon across the Musselshell River through which he takes water from the old Arkwright Ditch into an extension ditch. From the point of the syphon an old ditch has been rebuilt, which carries water to a point along the old channel of the Musselshell in Section 36, Twp. 9H., Rge. 27E., where water is spilled into the old Krueger-Spendiff ditch which is used to irrigate lands in Sections 30, 31 & 36. This Krueger-Spendiff ditch for sometime has been out of use. Goffena plans to rebuild the old Krueger-Spendiff ditch and take the diversion upstream farther than the original point of diversion.

There are two Arkwright Sheep Co. ditches—the Highline and Lowline, with the Highline taking out in the NWT of Sec. 11, Twp. 8N., Rge. 26E., and the Lowline in the SWT of Sec. 25, Two. 8N., Rge. 27E. The Highline ditch appropriation was made by Arkwright Sheep Co. and the Lowline by Groom and Bowman.

(The following three system write-ups are taken from the Milwaukee R.R. write-up)

MUSSELSHELL VALLEY FARMING & LIVESTOCK CORPORATION

IRRIDATION SYSTEM

One mile west of Musselshell - Map II

This system, with a water right of 2000 miner's inches, was originally owned by Handel Bros., and known by that name. Recently they went bankrupt and their land holdings, ditches and water rights were taken over by the Musselshell Valley Farming & Livestock Corporation, represented by W. M. Ringer of Minneapolis.

The construction of the line did not disturb their dam G, but we had to provide a new headgate, two culverts, BB 275 and 277, to carry the water under our track and 1240 feet of wooden flume along the north side of the line to replace the portion of their ditch we destroyed. We also relocated their ditch between H & K.

While in this case we had no responsibility for the dam itself, we had to maintain the flume, which was expensive, and eventually would have had to replace the two wooden culverts with permanent ones, so, by agreement of March 25th, 1919, we obtained from Handel Bros., for \$5,000., release of our obligation to maintain the headgate, culverts and flume. One of the Handels had an interest (975 miners inches) in the Cooley Irrigation System, described further, and Handel Bros. plan was to tap that system at F and thus obtain the water for their own ditch. However, Cooley refused to let them do it and they had had no water in the last few years. Their successors, the Musselshell Valley Farm & Livestock Corporation, have this matter in the courts for adjudication at the present time, and, if they win, can force us to maintain the Cooley System, regardless of what deal we might make with the owners of the latter, and to furnish them, thru that system, the 975 miner's inches which constituted Handel's share in it.

Our only obligation to the Musselshell Valley Farming & Livestock Corporation System, at present, is to maintain the relocated ditch H - K. Since there has been no water in the ditch lately, we have not been called on to do any work on it.

COOLEY DAM AND IRRIGATION SYSTEM

Four miles west of Musselshell - Map II

This irrigation system, with a water right of 2000 miner's inches, was originally known as Cooley & Jacobs. Later Jacobs sold his half interest, less 25 inches, to Handel, and the name became Cooley and Handel. Later Handel and his brothers went bankrupt and his rights of 975 inches in the Cooley system, as well as the Handel's own system, pasced to the Musselshell Valley Farming & Livestock Corporation. Cooley had meantime died, after refusing to deliver Handel's half of the water to Handel Bros.' own system at F and the Musselshell Valley Farming & Livestock Corporation is, as explained before, suing his estate to establish their rights.

The channel change DE we made, cut out the old Cooley Dam at C, hence although this is not mentioned in our right of way deed from Cooley, we had to build Dam A, Culvert BB 281 with a headgate ditch AB 1000 feet long, and fix the old river channel BC so it would carry the water to Cooley's own intake at C. We also had to relocate the ditch thru out cut between L & 1'.

The maintenance of the Dam at A has been very burdensome. Not only is it in an exposed location, so that it has been damaged or carried out many times by ice and floods, but it has also been blasted by nearby ranchers to release ice jams. The expenses incurred to date on this dam, excluding cleaning of ditches, are as follows:

1907-1914 - Damages to crops, etc.	\$1,000.00
1907 -1914- Repairs	113.00
1914-1920 - Repairs	10794.00
1921-1928 - Repairs	8956.00

It has frequently happened, when this dam went out early in the spring, that high water prevented making repairs until the irrigation season was nearly over, and this has resulted in a good many damage claims being made by Mr. Cooley, culminating in a suit for \$20,000 filed in 1921, covering damages for alleged crop losses from 1918 to 1921. This suit was won merely on technical grounds and there is no assurance that a similar result could be expected should another suit be started.

At various times Messrs. Murray and Barrett have tried unsuccessfully to get Cooley and Handel to assume the maintenance of the system. The Musselshell Valley Farming & Livestock Corporation, successors of Handel, and now suing Cooley's estate to establish their right to 975 inches of the water from the Cooley Dam, have intimated not only that they would not consider a release of our obligation, but that they think we should relocate our dam and rebuild it of concrete.

Meanwhile we have had some correspondence with Mr. Archer, one of Cocley's heirs, who has suggested that we buy the estate to get away from the maintenance of the dam and irrigation system. This would not relieve us, of course, if the Musselshell Valley Farming & Livestock Corporation wins its suit, since they can then call on us to furnish water from the Cooley Dam. If they lose their suit, consideration can then be given to buying the estate, consisting of 3768 acres with a valuation of \$20,265.00 and buying out the right to 25 miners inches from Cooley's Dam still retained by Jacobs or his successors.

As matters stand, we maintain Dam A, the headgate at culvert BB 281, the ditches AB and LM and the old channel BC.

This old channel is silted up and will require extensive cleaning next year. This may be impracticable on account of its swampy condition, in which case it may be necessary either to build a new ditch from B to C or to raise Dam A.

Not connected with it, but just west of the new Cooley Dam A, we originally had to maintain culvert BB 285, now filled, together with a ditch north of the track, extending one-half mile east of the culvert, to serve George Davis. Release from this obligation was obtained November 30th, 1908 for \$1400.00.

BATTEN, KHUEGER, SPENDIFF IRRIGATION SYSTEM

Two miles west of Delphia - Map III

We did not disturb this system during construction except that we had to relocate the ditch between A and B, using a flume part of the way, and to construct the flume C. We also built a flume for Batten to connect his ditch to culvert BB 309 but were released from its maintenance in 1909 for \$400.00. At present we are only obligated to maintain ditch AB with its flume, and flume C. The expenditure is small. Up to 1915 it had only amounted to \$333.00. As a matter of fact only a part of this system is used today, which includes ditch AB. Two of the ranchers have installed electric pumps to insure a water supply independent of the dam.

The state of the s

In addition to the attached agreement, Mr. Goffena would like to make this statement:

The Arkwright Ditch from the headgate through Section 4 was owned by Bethke and Arkwright Sheep Co. From Sec. 4 through Sec. 3 and Lot 5 in Sec. 2 was owned by Bethke. The attached agreement pertains to the portion of the ditch that was owned by Bethke and the Arkwright Sheep Co. to enlarge the portion of the ditch owned by Bethke, which would allow the Arkwright Sheep Co. sufficient size so that they would supply his normal amount of water plus the additional amount needed by the Arkwright Sheep Co. to water the lands under the extended ditch from Lot 5 into Lots 1 & 2 in secz 1860, 34 & 35, Twp. 9N., Ege. 27E. In other words, Bethke had agreed with the Arkwright Sheep Co. that if they would enlarge his ditch to insure him ample water he would give them in return a right to carry their water through his ditch. These rights since have been acquired by Goffena.

The extension and enlarging work was first begun in March of 1901 and water was first delivered in June of 1902. Mr. Goffena knows this to be a fact because he actually worked on the construction of the extension of the ditch.

Information from

Jane 10, 1949 Wit: S. J. Davel and State and





FRED E BUCK, STATE ENGINEER GERALD J. ORAVETZ, ASSISTANT

STATE OF MONUANA

STATES ENGINEERS HEREIGHTER

BILLINGS.MONTANA

March 30, 1949

Goffena Ranch & Livestock Company Roundup, Montana

Gentlemen:

In 1939 the State Legislature passed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in Musselshell County compiling these data.

In the past when we have encountered large company holdings such as you have, the land owners have advised us that they would rather have the units separately so that they could take up their water rights and water use as a unit rather than have all of the land bulked, because in many cases the questions pertaining to one unit do not apply to the other. As your land is located in several townships we are sending you separate forms for each township, which we feel you can answer and submit to us better than if we had all of the land on one form.

In each township we are sending you two forms—the water right form and the map form. On the map form we have attached a copy of a map which we would like to have you check carefully, and on the water right form we would like to have you check the water rights we have shown and answer any of the other questions that are applicatory to the particular unit to which they are attached.

In Township 8 North, Range 27 East you will note we have shown both irrigated and potential irrigable land. Under the potential we would like to know if you plan to irrigate this in the future. We also have shown in Section 2 some Public Domain and we would like to know if you are leasing this land or just what the status of the land is. For this township we would also like to know anything you can tell us about the old Krueger-Spendiff ditch and its relationship to your land; also anything about a transfer that might have taken place between the old ditch called Arkwright and the ditch now called Goffena.

In Pownship 9 North, Range 27 East, which adjoins the above township, the same questions will be in order, and as the same ditches are involved it will not be necessary to go over the ditch information as one will take care of the other. In the ownership we show in Section 36 some land owned by the State of Montana, and we would like to know whether or not you are buying this land or leasing it.

Page two

In Township 9 North, Range 29 East the information that we desire will again pertain to the status of the ditches that are now in use and those not in use, and we also would like to have you check the ownership that we have shown.

In Township 9 North, Range 28 East the same questions will apply that are asked on Form WR-A.

As these lands are located along the main stem of the Musselshell it is necessary that we have this information to complete our records here in the State Engineer's Office so that we may have a complete record of your water use for your protection now and in the future. We have some information here stating that the railroad cutt off the old Handel Brot. ditch and finally bought up their ditch, and that Jacobs sold his interest in the ditch except for 25 miner's inches, which Jacobs still owns; also that Cooley owns one—half interest in the ditch now called Goffena and that Goffena now owns the Handel ranch and their interest in the ditch. We also have information stating that Goffena bought a total of 300 acre—feet of stored water and that some of this is paid up in full. This information we would like to have you check and reiterate so as to give us a full picture of just what has happened.

In Township 8 North, Range 28 East we show some land being irrigated out of the Goffena ditch by gravity, some by pump, and some from irrigation by means of flood dams and spreader dykes. The flood dam and spreader dykes are on a small coulee which is a tributary to the Musselshell River. As this flood system is not a part of the Musselshell gravity system we would like to have you give us any and all information you can regarding this.

In Township 10 North, Range 29 East we show that a small fraction of some old ditches out of North Willow Creek extend into land that our records show as being part of your holdings. For this we have shown two water rights which we would like to have you check and give us any other information you can about the status of these old ditches.

This, no doubt, sounds like a large order, and you probably will say it will take a Philadelphia lawyer to fill it out. However, I am sure it will not take too much of your time, and after you complete these papers and return them to the State Engineer's Office you can then feel that a permanent record has been established for the lands in question. We are now on the fringe of vast federal development, which could encroach upon the water rights of the people of the State of Montana if we do not have full coverage of their water uses for their own protection, so it is therefore necessary that we have all of this information for every water right in the State so that we may be able to protect what we have and keep Montana water in Montana for our uses first.

Hoping you can find time to help us in our endeavor in the very near future and return these forms to us as promptly as possible, I am

Very truly yours,

Gerald J. Oravetz

Assistant State Engineer

GJO/a enc.

1 Form Ap. 1—10M; '5

STATE ENGINEERS OFFICE Water Resources Survey

Notice of Appropriation

Na	unter Mahl (Romontal Dools 3	Page 55	Basard WR	Code No. 1
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	te Appropriated 1/14/1892			
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	nd Description of Intended Place of Use Subclivision Sec. Twp. I Nanki, Swinei, Nwiski 30 \$9 All 19 9 Simi, Ski, Siski emarks (Pertaining to Use, etc.)	Rge. Total A. 25 25	1940 Owner REVERSE	Address
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Township 9 North, Range 28 East

CODE	Owner	Operator
29A	R. H. Adolph	Same
26B, 35A	Geo. L. Davis	Same
30A, 31A	L. W. Goffena	Same
30B,30C,31A	Anna Rathkame	Elmer Greenwalt
32A, 33A 12A	Carl Hinrichs Roy McCaffree	Same
27A, 28A, 34A	Warren M. Storer	Same
32B	Augusta Wise % J. A. Liggett	Carl Hinrichs

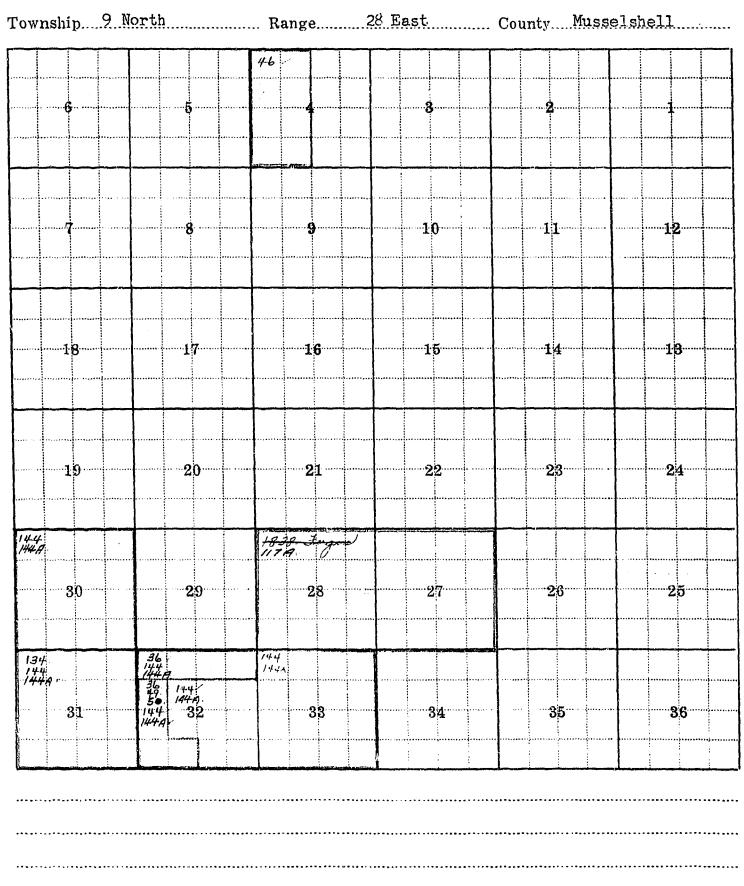
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D FORM D-1 . GAZETTE 1664.2H-1-47

STATE OF MONTANA

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY



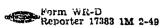
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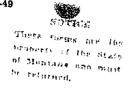
Township 9 North Range 28 East

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Township 9 North, Range 28 East

	No.	Name of Appropriator	Name of Stream	Date App.	Date Filed	M.I.
,	36 _v	Balch, Henry C.	Fattig Creek	11-20-85	1-4-90	400
	46/	Smith, Samuel	Fattig Creek	2-16-92	3-9-92	200
	49	Spendiff, James	Fattig Creek	3-20-85	5-6-85	All
	50 √	Spendiff, James	Fattig Creek	3-20-85	5-14-86	200
١,	134/	Gordon, William	Musselshell River	1-10-99	1-12-99	800
	144	Krueger, Gotthold et al	Musselshell River	5-31-04	6-6-04	1200
: ' '' 7	- , ,	Backman, George	Musselshell River	3-1-90	3-5-90	700
لتب	CIAA A	Manager William Donaton		a se en e 🚜	4-5-05	10.00





STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY WATER RIGHT DATA

County	Musselshell 29A

lame of Land Owner	R. H. Ado	olph	Address	De	elphia, Mon	tana	
lame of Operator		*************************					
•		29, Twp. 9N., Re	_				
egai Description		**************************************	3-2		***************************************	***************************************	
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Name of Approp	priator	Stream	Land Descript	ion	Date App.	Date Filed	Miner's Inches Filed On
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	ider an incorpora	es purchased, from wha					
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STATE OF MONTANA

State Engineer's Office

County Musselshell
Code No. 29A
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FRED E. BUCK, STATE ENGINEER GERALD J. ORAVETZ, ADDISTANT

STATE OF MONTANA

Sware Engineer

BILLINGS, MONTANA

March 31, 1949

Mr. R. H. Adolph Delphia, Montana

Dear Mr. Adolph:

In 1939 the State Legislature passed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in Musselshell County compiling these data.

Inclosed herewith we are sending you Form WR-B covering the ownership of your land and the present and potential irrigated lands designated by color. We understand that you irrigated by means of pumping from the Musselshell River with a 4 inch 22 foot lift, tractor power diversion system. As we do not have any record of a water filling for this land we would like to have you fill out Form WR-D so that we may have information covering your water rights and water use for your protection now and in the future.

On the farm map we would like to have you check the irrigated and potential irrigable areas that we have shown.

Hoping you can find time to help us in our endeavor in the very near future and return these forms to us as promptly as possible, " am

Very truly yours.

Gerald J. Oravekz

Assistant State Engineer

CJO/a enc. War in

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March 31, 1949 Mr. R. H. Adolph Delphia, Montana Dear Hr. Adolph: In 1939 the State Legislature passed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in Muscelshell County compiling these data. Enclosed herewith to are sending you Form VR-B covering the ownership of your land and the present and potential irrigated lands designated by color. We understand that you irrigated by means of pumping from the Museelshell River with a 4 inch 22 foot lift, tractor power diversion system. As we do not have any record of a water filing for this land we would like to have you fill out Ferm VR-D so that we may have information covering your water rights and water use for your protection new and in the future. On the form map we would like to have you check the irrigated and potential irrigable areas that we have shown. Hoping you can find time to help us in our endeavor in the very near future and return these forms to us as promptly as possible, I am Very truly yours; Gerald J. Oravetz Assistant State Engineer GJO/a enc.

Form WR-A
Reporter 17382 1M 2-43



State Engineer's Office

Code No. 26B, 35A

WATER RESOURCES SURVEY WATER RIGHT DATA

Jesse Gila Mshl., R. SEL Sec. 30-9-29 5-6-98 5-9-98 2. Are these filings in use:				ess	Addre		r. Same	ame of Land Ow
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Have any of the above filings or any part of them been sold:								
I have the following water rights that the State Engineer's Office have not shown in the above list: Name of Appropriator Stream Land Description Date App. Date File In addition, I have an irrigation system on which no recorded filing was ever made. Name of First User Date of First Use Place		***************************************	•••••••••••••••••••••••••••••••••••••••		in	No. Explai	ings in use:Yes	Are these fill
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STATE OF MONTANA County Musselshell State Engineer's Office 26B , 35A WATER RESOURCES SURVEY FARM MAP Name of Land Owner Geo. A. Davis Address Delphia, Montana Irrigated Land Non-Irrigated Land Potential Land Under Existing Facilities Twp. 9N-Rge. 28E Musselshell.

Irrigated Land Potential Irrigation ditch not in use to pump Old Gile Krickbaum ditch А 35

DO NOT WRITE IN SPACE BELOW

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If unc	ler Ditch Company, Irrigation Dis	strict, or Government l	Project, state the number	per of shares or inche	es, acre feet, as th <mark>e case</mark> r	may be
NOTE	: R—Denotes Regular Irrigation. S—Stored Water.	E Flood Irrication	D Water discontact to	by means of pumping	. G—-Water diverted by g	gravity.
Information fr	S—Stored Water.	•••••	Date	lune 3-49	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	

•			FORM ∣	F-1 - GAZETTE 168	5-2M-1-47	et Company
Farm Checked ST	ATE OF MONTANA		Code N	. 26	<i>B</i>	
By A-C-S STATE FI	NGINEER'S OI	FICE	County	Huss	clsh	e //
. Allasselch M	ER RESOURCES SURV		т. У	N. R. 2	8 F. Sec.	20
Date 6/19/48				Vo		<i></i>
Legal Land Owner Davis, Geo. A.	andre since a speciment a particular speciment of the speciment of the specimens and a substitute designation	Add	iress	Delphi	aV	
Operator						
Water is delivered by:						
Federal Project			Pres		_Pot	
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Irrigation District		-	Pres	Statutus mitalianus (Library de Statut and Statut	_Pot	
Private System		- Na anna - di Phasa sa provincia de dispersa de describer - d	Pres	25	_Pot	<i>d</i>
			Totals	enthera de faterativamente quel su consumir		
Flood Pump	Reservoir	_ Gravity				
Size and Capacity, Pump, etc. 10" Cen f.	tractor	12'/1)	£ t.		d nian ni n''' an ar britis na Albert (a callaidh lionga an	
Original Appropriator, Company						
Original Appropriator, Private Jesse Gile Chow date of a			App. I	Vo. /3	3	
Is the system an extension of another system?	Yes					
Is all land irrigated from one system?	Yes	No				
(If No, show break down on map)						
Source of Water Mussc/shell Ri	iver				a Makes an elementario suo e	
						
Acres Irrigated 19 47, 25						
Potential Acres 460 ut 10 Seeped 0						
Explain Place to develop	No.		6			
Condition of System New condition	n					
Adequate Supply Yes No	2					
Explain Hes with stored wat	er 25A.C.					
Topography Eiver Bottom						
Information From	The sale is the control of the sale of the		3			
Remarks Frobably Tiled.	in Vell.					
Remarks frobably Tiled county. Ges with	red					
water						

tcb, 250 5 25 A. F. 5 + 9 3

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	inches. over 30 yrs. ago. buys	25 A.F.
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	Lams Incoulees Joy Flooding 34.	ne land
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Farm Checked		STATE OF	MONTANA		Code	No. 2	268		
By <u>Cel. & el.C.</u>	CTATE						sselsh		
Area Delphia	• • • • • • •	ENGINE ATER RESOU		OFFICE EVEY	1	•	3. 28 E		
Date 6/15/4-8	***	AIDK KEDO					14.8 3		
Legal Land Owner C.A. Da	160. A	1. Davis No	lusselshell	IC.E.					
Operator	•	·	_			,			
Water is delivered by:	en Antonio ant anno 1900 - Antonio			Ng g - mga at 100 mga	Auures				
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Ditch Company									
Irrigation District									
Private System ~									
I IIVACE DJ SHUII									
Original Appropriator, Company Original Appropriator, Private Is the system an extension of a Is all land irrigated from one sy (If No, show break down of Source of Water. Magget	Cile, Kuck A (Show date of nother system? ystem? on map)	<i>haum (Jes</i> E appropriat	ion under Yes	Remarks) No L	App.	No	(/33)	· · · · · · · · · · · · · · · · · · ·
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Potential Acres	Seeped				2				
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Condition of System Good.	newly Cleance	d	Married Marrison of the						
Adequate Supply— Yes	<u> </u>	No_ V						-	
Explain Chough with pur	up, Flood irr	depends on ro	infe!						
Topography E. Boff	2 <u>m</u>	n nijelikus agande erakten u. 1811-leksa e Majanjanajak sa dipanjanajak	*******						
Information From Mr Da	vid	ar removae est traction of the contract of the	and the second section of the second		30				
Remarks					ja Rev				

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Delphia Mont

Me Guald J. Dravety Bellings nont Dear Sir.

I have yours of this date and will ausum the best I can on looking over my deeds I find I have a dead conveyed to me by. William It. I Bath he and wife for 1/4 interest in the Tile and I Creek bound ditch and dated Itb. 15th 1906. Then yellowstone County, I don't own any land in Dec. 25-9-28 my land is in Dec 26 and 35-9-28.

The 25 michos is what I bought from the water board in the rime have not filed any water right on the corder mentioned as to the colored may I believe correct as near as I can of anyone came out how I could show the didds of you wish any more information will gladly give the hut I can.

George a. Davis

March 31, 1949 Mr. Geo. A. Davis Delphia, Montana Lear Mr. Bavis: In 1939 the State Legislature bassed a law authorizing the State Engineer to investigate and compile a complete record of all water rights and water use in the State. In compliance with this law the State Engineer is now working in Muscelshell County condiling these data. Unclosed herewith we are sending you Fore IR-B showing the ownership boundary and potential irrigable areas designated by color. This map we would like to here you check very carefully and make any corrections that you may deem mecessary. On Form WR-A we have listed one water right under Code No. 133. We would like to have you check this and see if it is a applicatory to your land and if not tell us what rights you have. We understand that sometime ago you purchased a share of the file-Krichbaum ditch to cover this land, but we have no record of this transfer. We, therefore, would like to have you give us any and all information regarding this. Our records also show that you buy 25 acre-feet of stored water. This we also would like to have verified or brought up to date if you have bought additional water. We also understand that you cover part of your land by means of flood irrigation from a Coulse. For this we do not have any recorded filing and would like to have you give us as much information as possible regarding this flood irrigation. If a filing was not made on this flood irrigation it can be answered in question 5 of Form WR-A. Very truly yours, Gerald J. Oravetz Assistant State Engineer GJO/aeno.

STATE ENGINEERS OFFICE Water Resources Survey

	C-193	_		ppropriatio	'AL	Codo No 3
County	/ **	Book	2 MR	Page 56	Record WR	Code No. 1
Name o	of Appropriator	Tes: 5(lile	Add	ress <u>Musselshell, Mo</u>	ıt.
Date A	appropriated 5/6/1	398		Date Filed	<u>5/9/1898</u>	·····
Amoun	t Appropriated, Mine	ers Inch	es120	ο,	Cubic Feet per second	
Name o	of Stream Mussel	shell l	River	Tributary	Basin.	Mo. Rave
Peint o						
Sec	Twp	*****	Rge	Bank of S	Stream	•••••••
Descrip					y 9 by 2 ft.	
Land I	Description of Intende Subdivision SE4	ed Place Sec.	of Use Twp. Rge.	Total A. 40 120	1940 Owner Carris S. Cooley et Louis Goffena	Addres 1 Mahl. Delphia
Flemar		•••••••				
•••••				ecree		
Case 1	No Date	******	Am	t. Decreed: M. 1	C. F. S	
To Wh	nom Decreed				Address	
	of Ditch			Maximum Ca	apacity (C. F. S.)	
Name						
	of Ditch			Maximum Ca	apacity (C. F. S.)	