

The land on this farm gets part of the 800 AE from D.M.B.
which Mr. Gaffena has signed up for.

Ditch is also used by Frank Sudan

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Book D-353-355

Code No. 116

1. County Missl. (Yellowstone) Book 2 ME Page 191 Record See Records WR
2. Name of Appropriator Hartford D. Albright Address Utica, Mont.
3. Date Appropriated 11/4/1903 Date Filed 5/27/1904
- Amount Appropriated, Miners Inches _____, Cubic Feet per second 7½
4. Name of Stream Musselshell River Tributary _____ Basin Mo. River
5. Point of Diversion On the Musselshell River in the E½ of Lot 5, T. 8, R. 27 E.

Sec..... Twp..... Rge..... Bank of Stream.....

6. Purpose Irrigation and watering stock
7. Description of System REVERSE SIDE

8. Land Description of Intended Place of Use..... 1940 Owner
 Lots 1, 2, 3 & 4 Sec. 6, Twp. 6, Rgs. 28; 115 Acres. Louis Soffera Delphia

9. Remarks (Pertaining to Use, etc.)

Decree

10. Case No..... Date..... Amt. Decreed: M. I..... C. F. S.....
11. To Whom Decreed Address.....
12. Name of Ditch..... Maximum Capacity (C. F. S.).....
13. Date of Priority Purpose.....
14. Land Description of Place of Use as Decreed.....
.....
.....
.....
.....
15. 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 across 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

Code No. 117

- 5-206
- County Muhl. (Merger) Book 1 Page 215 Record 101 1-1
 - Name of Appropriator Amesright Sheep Co. et al Address Wilkes, Mont.
 - Date Appropriated 12/21/1904 Date Filed 12/23/1904
Amount Appropriated, Miners Inches 2500, Cubic Feet per second _____
 - Name of Stream Muscelshell River Tributary _____ Basin No. River
 - Point of Diversion North bank and runs thence in a general easterly direction
2,3,4,5,6 8 27
Sec. 36 Twp. 2 Rge. 27 Bank of Stream North
 - Purpose Irrigation, watering stock, domestic, etc.
 - Description of System Dug and ditch which said ditch is 72 inches by 36 inches in size.
 - Land Description of Intended Place of Use

Subdivision	Sec.	Twp.	Rge.	Total	1900 Owner	Address
Sec. 2,3,4,5,6	8	27			Reverne	
(M. T. H. H. H.)	36	2	27	560	County	
				20	Jefferson Ranch & Delphi	
					La Stock Co.	
 - 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. 2-3-27 - 644 Acres - Coffeen Ranch & L. Stock, Delphia. $\frac{W}{2}$ Lots 1 & 2,
 $\frac{W}{2}$ Lot 6, $\frac{NW}{4}$ SE, $\frac{S}{4}$ SE, Less 6 acres R.R.
 160 " - Public Domain - $\frac{E}{2}$ Lot 6, Lot 7, $\frac{NW}{4}$ SE $\frac{1}{2}$
 Sec. 3-3-27 - 809 " - Minn. Mutual Life Ins. Co., St. Paul
 Sec. 4-3-27 - 269 " - County - Lot 2, all $\frac{N}{2}$ SW $\frac{1}{2}$ of R.R., 5 acres
 $\frac{N}{2}$ SW $\frac{1}{2}$, Lot 5 & 8 and $\frac{W}{2}$ Lot 6.
 445 " - Minn. Mutual Life Ins. Co., St. Paul. $\frac{SW}{4}$ Sec. of R.R.,
 $\frac{SW}{4}$, Lot 1, $\frac{E}{2}$ Lot 6, Lot # 7 less 5 acres.
 95 " - Dr. Ada D. Keller, Henry, Santa Ana, Cal. Lots 3 & 4.
 Sec. 5-3-27 - 816 " - Minn. Mutual Life Ins. Co., St. Paul.
 Sec. 6-3-27 - 305 " - Alex Thompson, JR. - Lots 5, 6, 8, 9 & 10, $\frac{SW}{4}$ SW, $\frac{E}{2}$ SW, Less Gage.
 199 " - State - Lots 1, 2, 3, & 4.
 160 " - Franklin S. Hainhart, & H. A. Coles, Roundup. Lot 7, $\frac{E}{2}$ SE.
 135 " - Leah Norton-Gage- $\frac{SW}{4}$
 12 " - County-12 acres near county bridge.

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 135

1. County Musselshell Book 1 Page 13 Record WR
2. Name of Appropriator Richard L. Groom & John L. ^{Dannan or Bowman} Address Musselshell, Mont.
3. 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 Diversion E. bank near center of SW $\frac{1}{4}$ of S line of

Sec. 5 Twp. 8 Rge. 27 Bank of Stream East
thence easterly

6. Purpose Irrigation and Milling
7. Description of System Dam and ditch, ditch being 72 by 24 inches

8. Land Description of Intended Place of Use _____
Subdivision Sec. Twp. Rge. Total A. 1940. Owner Address
N5E2, SW22, NW24, 4 8 27 156 Ann. Mutual Life Ins. Co., St. Paul
NW2 2 8 27 254 Coffers Ranch & J. Stock Delphia
(Lots 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 _____ Address _____
12. Name of Ditch _____ Maximum Capacity (C. F. S.) _____
13. Date of Priority _____ Purpose _____
14. Land Description of Place of Use as Decreed _____

15. Remarks (Present Use Status, etc.) _____

STATE OF MONTANA
State Engineer's Office
WATER RESOURCES SURVEY
WATER RIGHT DATA

County Musselshell
Code No. 30A, 31A

Name of Land Owner Goffena Ranch & Livestock Co. Address Roundup, Montana
Name of Operator Same Address _____
Legal Description S¹ Sec. 30, All Sec. 31 in Twp. 9N., Rge. 28E.

1. Our records show that the following water rights were filed on the above described land:

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
134	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	5-31-04	6-5-04	30 C.F.S.
490	Gotthold J. Krueger	Mshl. River	Sec. 30-31-32-33 In Twp. 9-28	5-1-05	5-5-05	30 C.F.S.

2. Are these filings in use: Yes ☒ No ☐ Explain William Gordon filed and did some work, he sold his land to Gotthold J. Krueger
(cont. below)

3. Have any of the above filings or any part of them been sold: Yes _____ No ☐ If yes, give amount of inches sold and to whom transferred and from what original filing _____

4. 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 Filed	Miner's Inches Filed On

5. In addition, I have an irrigation system on which no recorded filing was ever made.

Name of First User	Date of First Use	Stream	Place of Use

6. Do you buy supplemental water? ☒ Yes ☐ No. If yes, from whom and how many inches, C.F.S., Acre Feet, as the case may be? _____

7. Give any other information that you think should be included for the protection of your water right.

Krueger place now owned By L. W. Goffena - he plans to reconstruct old Krueger Dam.
Information from L. W. Goffena Date May 31, 1949

STATE OF MONTANA

State Engineer's Office
WATER RESOURCES SURVEY
FARM MAP

County Musselshell
Code No. 30A, 31A

Twp. 9N. Rge. 28E.
Twp. _____ Rge. _____
Twp. _____ Rge. _____

Name of Land Owner Goffena Ranch & Livestock Co. Address Roundup, Montana
Name of Operator Same Address _____
Legal Description S. 2 Sec. 30, All Sec. 31 in Twp. 9N., Rge. 28E.



Irrigated Land



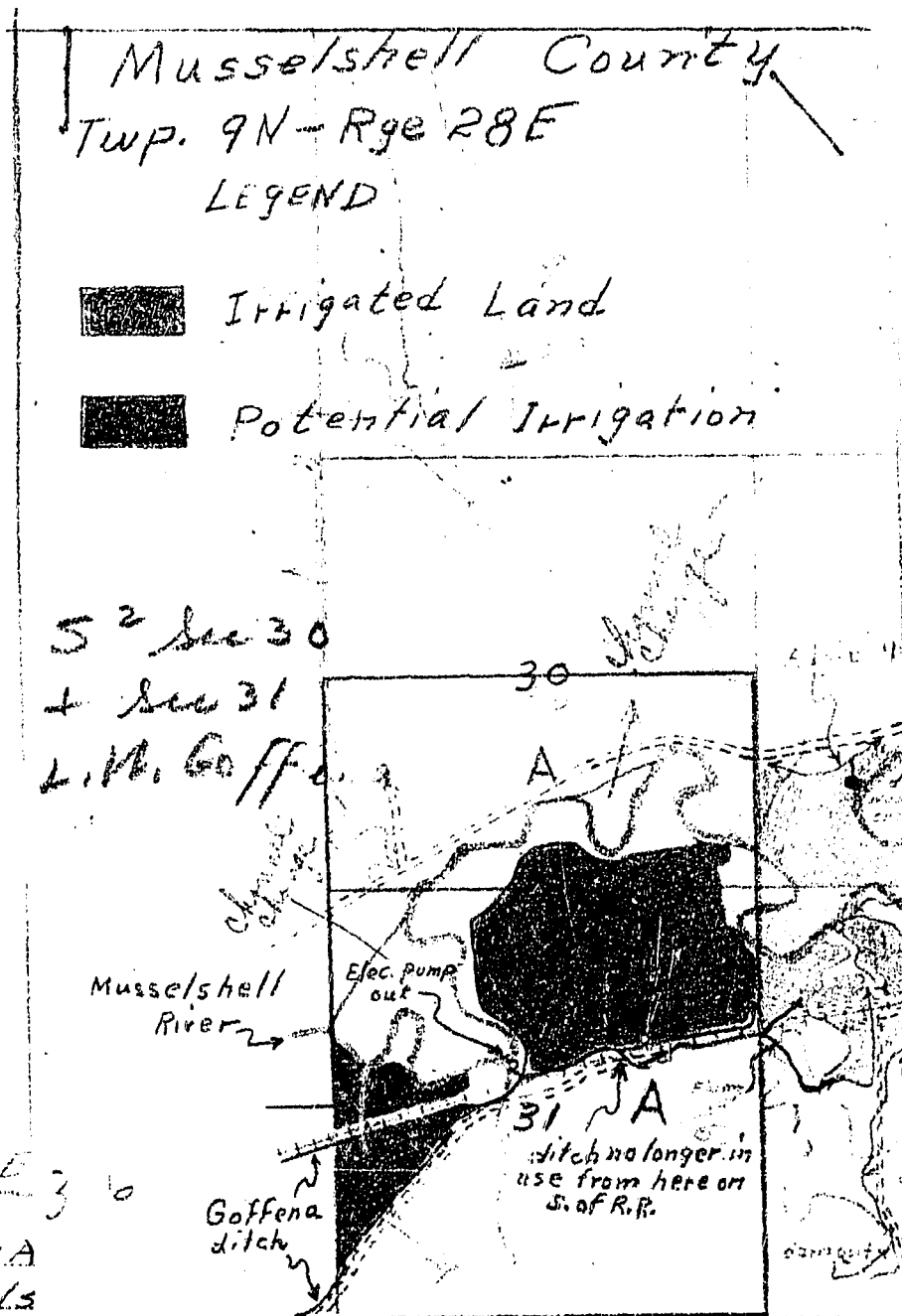
Non-Irrigated Land



Potential Land Under Existing Facilities

North

watering areas
only irrigated land
All ownership for
dry land not shown



Code No. 30A-31A
Basin Mussels

Code No. _____
Basin _____

Code No. _____
Basin _____

Code No. _____
Basin _____

If under Ditch Comp

in said sysem.

NOTE: R—Denotes R
S—Stored Water

Information from _____

all these lands
irrigated out of Ashwager
ditch now called
Goffena

of Water Musselshell R
199 R. ✓ F. ✓ P. ✓ G. ✓ S. ✓

of Water _____
R. _____ F. _____ P. _____ G. _____ S. _____

of Water _____
R. _____ F. _____ P. _____ G. _____ S. _____

of Water _____
R. _____ F. _____ P. _____ G. _____ S. _____

or inches, acre feet, as the case may be

umping. G—Water diverted by gravity.

3-49

Form WR-B
Reporter 17362 1M-

Twp. 9N. Rge. 28E

Twp. _____ Rge. _____

Twp. _____ Rge. _____

Name of Land Owner Go:

Name of Operator Sai

Legal Description S¹/₂



Irrig

County Musselshell

Code No. 30A, 31A

Goffena

and Under Existing Facilities

Ownership covers
only irrigated land.
All ownership for
dry land not shown.

T. 9N-R28E

See note in space below

Code No. <u>30A-31A</u>	System <u>Goffena (Private)</u>	Source of Water <u>Musselshell R</u>
Basin <u>Musselshell</u>	Present <u>184</u>	Potential <u>15</u> Maximum <u>199</u> R <input checked="" type="checkbox"/> F <input type="checkbox"/> P <input type="checkbox"/> G <input type="checkbox"/> S <input checked="" type="checkbox"/>
Code No. _____	System _____	Source of Water _____
Basin _____	Present _____	Potential _____ Maximum _____ R <input type="checkbox"/> F <input type="checkbox"/> P <input type="checkbox"/> G <input type="checkbox"/> S <input type="checkbox"/>
Code No. _____	System _____	Source of Water _____
Basin _____	Present _____	Potential _____ Maximum _____ R <input type="checkbox"/> F <input type="checkbox"/> P <input type="checkbox"/> G <input type="checkbox"/> S <input type="checkbox"/>
Code No. _____	System _____	Source of Water _____
Basin _____	Present _____	Potential _____ Maximum _____ R <input type="checkbox"/> F <input type="checkbox"/> P <input type="checkbox"/> G <input type="checkbox"/> S <input type="checkbox"/>

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 system.

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from 310

Date June 3-49

Farm Checked

STATE OF MONTANA

Code No. 30A-31A

By C.J. & J.C.

STATE ENGINEER'S OFFICE

WATER RESOURCES SURVEY

County Musselshell

Area Delphia

T. 9N R. 28E Sec. 30-31

Date 6/15/48

Photo No. MA-5-38

Legal Land Owner L. W. Goffera

Address Delphia

Operator

Address.

Water is delivered by:

Federal Project _____ Pres. _____ Pot. _____

Ditch Company Pres. Pot.

Irrigation District _____ **Pres.** _____ **Pot.** _____

Private System _____ Pres. _____ Pot. _____

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Totals
1. Operating Expenses	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	12,000,000
2. Operating Income	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	12,000,000
3. Income Tax Expense	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	2,400,000
4. Net Income	800,000	800,000	800,000	800,000	800,000	800,000	800,000	800,000	800,000	800,000	800,000	800,000	9,600,000
5. Retained Earnings	800,000	1,600,000	2,400,000	3,200,000	4,000,000	4,800,000	5,600,000	6,400,000	7,200,000	8,000,000	8,800,000	9,600,000	9,600,000
6. Dividends	0	0	0	0	0	0	0	0	0	0	0	0	0
7. Common Stock	0	0	0	0	0	0	0	0	0	0	0	0	0
8. Preferred Stock	0	0	0	0	0	0	0	0	0	0	0	0	0
9. Accumulated Depreciation	0	0	0	0	0	0	0	0	0	0	0	0	0
10. Goodwill	0	0	0	0	0	0	0	0	0	0	0	0	0
11. Other Assets	0	0	0	0	0	0	0	0	0	0	0	0	0
12. Other Liabilities	0	0	0	0	0	0	0	0	0	0	0	0	0
13. Equity	800,000	1,600,000	2,400,000	3,200,000	4,000,000	4,800,000	5,600,000	6,400,000	7,200,000	8,000,000	8,800,000	9,600,000	9,600,000
14. Total Assets	800,000	1,600,000	2,400,000	3,200,000	4,000,000	4,800,000	5,600,000	6,400,000	7,200,000	8,000,000	8,800,000	9,600,000	9,600,000
15. Total Liabilities	0	0	0	0	0	0	0	0	0	0	0	0	0
16. Total Equity	800,000	1,600,000	2,400,000	3,200,000	4,000,000	4,800,000	5,600,000	6,400,000	7,200,000	8,000,000	8,800,000	9,600,000	9,600,000

Flood _____ Pump _____ Reservoir _____ Gravity ☒

Size and Capacity, Pump, etc.

Original Appropriator, Company _____ App. No. _____

Original Appropriator, Private App. No. 144-490-134

Is the system an extension of another system? Yes_____No_____

Is all land irrigated from one system? Yes ☒ No ☐

(If No, show break down on map)

Source of Water Musselshell R.

Acres Irrigated 1948, _____

Potential Acres **Seeped**

Explain

Condition of System Fair

Adequate Supply Yes ☒ No ☒

Explain Gas with stored water

Topography R. Bottom

Information From Field

Remarks

A grid with handwritten text. In the top-left cell, the text "U.S.A." is written. In the cell immediately below it, the number "30" is written. In the cell two rows below that, the number "31" is written. The grid consists of 4 columns and 6 rows.

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

C-237

Code No. 134

1. County...Mshl. (Yellows) Book...2 MR...Page...61...Record...61...WR...
2. Name of Appropriator...William Gordon...Address...Musselshell, Montana...
3. Date Appropriated...1/10/1899...Date Filed...1/12/1899...
- Amount Appropriated, Miners Inches...800..., Cubic Feet per second...
4. Name of Stream...Musselshell River...Tributary...Basin Mo. River...
5. Point of Diversion...REVERSE...

Sec.....Twp.....Rge.....Bank of Stream.....

6. Purpose...Irrigation...
7. Description of System...Dam and ditch, ditch being 6 by 3 by 12 ft.

8. Land Description of Intended Place of Use...1940 Owner...
Sec. 31, Twp. 9, Rge. 28; Total A. 628 Louis Goffena Delphia

9. Remarks (Pertaining to Use, etc.).....

Decree

10. Case No.....Date.....Amt. Decreed: M. I.....C. F. S.....
11. To Whom Decreed.....Address.....
12. Name of Ditch.....Maximum Capacity (C. F. S.).....
13. Date of Priority.....Purpose.....
14. Land Description of Place of Use as Decreed.....
15. Remarks (Present Use Status, etc.).....

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.

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

D-357

Code No. 144

1. County Mshl. (Yellowst) Book 2 MR Page 123 Record WR
2. Name of Appropriator Gotthold J. Krueger et al Address Musselshell, Montana
3. Date Appropriated 5/31/1904 Date Filed 6/6/1904
- Amount Appropriated, Miners Inches _____, Cubic Feet per second 30
4. Name of Stream Musselshell River Tributary _____ Basin Mo. River
5. Point of Diversion Sec. 1-8-27

Sec. _____ Twp. _____ Rge. _____ Bank of Stream _____

6. Purpose Irrigation
7. Description of System Dam and Ditch, ditch being 6 by 3 by 15 ft.

8. 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	

9. Remarks (Pertaining to Use, etc.)

Decree

10. Case No. _____ Date _____ Amt. Decreed: M. I. _____ C. F. S. _____
11. To Whom Decreed _____ Address _____
12. Name of Ditch _____ Maximum Capacity (C. F. S.) _____
13. Date of Priority _____ Purpose _____
14. Land Description of Place of Use as Decreed
15. Remarks (Present Use Status, etc.)

Sec. 30-9-28 - 320 Acres - U.S.A. $N\frac{1}{2}$
 320 " - Louis W. Goffena, Delphia. $S\frac{1}{2}$
 Sec. 31-9-28 - 208 " - " " " " " West $\frac{1}{3}$
 420 " - " " " " " East $\frac{2}{3}$

 Sec. 32-9-28 - 1 " - Gilbert Mikelson, Delphia. Parcel in $NWNE\frac{1}{4}$
 - Yale Oil Co., Billings. Parcel in $NWNE\frac{1}{4}$
 318 " - Augusta Wise, % F. H. Reister, Lake City, Minn.
 $S\frac{1}{2}NE$, $SE\frac{1}{2}NW$, $NE\frac{1}{2}SW$, $SE\frac{1}{4}$
 6 " - Charles Fletcher, Roundup. All $N\frac{1}{2}NE\frac{1}{4}$, So. of R.R.
 296 " - " " " " All $N\frac{1}{2}N\frac{1}{2}$ -No. of R.R. and
 $SWNW$, $W\frac{1}{2}SW$, $SESW$

 Sec. 33-9-28 - 154 " - Charles Fletcher, Roundup. $NW\frac{1}{4}$
 155 " - Lena J. Piper, Whitewater, Wisc. $NE\frac{1}{4}$ (Et al)
 160 " - Miss Clara Ketter, Milwaukee. $SE\frac{1}{4}$
 160 " - Charles Fletcher, Roundup. $SW\frac{1}{4}$

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 5, 1905
- Amount Appropriated, Miners Inches _____, Cubic Feet per second 30
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 1½ to 1?, (OVER)
8. Land Description of Intended Place of Use _____
- | Sec. | Twp. | Rge. |
|------|------|------|
| 30 | 9N | 28E |
| 31 | " | " |
| 32 | " | " |
| 33 | " | " |
9. Remarks (Pertaining to Use, etc.) ** Et al" being: Geo. Spendiff
** Known as "Brockway Ford"

Decree

10. Case No. _____ Date _____ Amt. Decreed: M. I. _____ C. F. S. _____
11. To Whom Decreed _____ Address _____
12. Name of Ditch _____ Maximum Capacity (C. F. S.) _____
13. Date of Priority _____ Purpose _____
14. Land Description of Place of Use as Decreed _____
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.

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY
WATER RIGHT DATA

County Musselshell
Code No. 20A, 21B, 20C
28A

Name of Land Owner Goffena Ranch & Livestock Co. Address Roundup, Montana
Name of Operator Same Address _____
Legal Description S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ Section 20; All Section 21 except E $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$
Section 28 in Twp. 9N., Rge. 29E.

1. Our records show that the following water rights were filed on the above described land:

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
126	John <u>B.</u> Cooley et al	Mshl. River	N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, All 19 in 9-29	1-30-92	2-13-92	2000
127	John R. Cooley et al	Mshl. River	N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30; All 19; S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20 in 9-29	1-14-92	1-25-92	2000
137	Handel Bros	"	9N-29E Sec 20-21	11-14-91	11-30-91	2000

2. Are these filings in use: ☒ Yes. ☐ No. Explain _____
3. Have any of the above filings or any part of them been sold: ☒ Yes. ☐ No. If yes, give amount of inches sold and to whom transferred and from what original filing. Now owned by Cooley + Goffena - ditch
man in suit filings set down from orig - 2000
4. 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 Filed	Miner's Inches Filed On
Handel Bros	Mussel R	9N29E	6/15/18	6/17/18	975
136		in Sec 20-21			
		28 + 29			

5. In addition, I have an irrigation system on which no recorded filing was ever made.

Name of First User	Date of First Use	Stream	Place of Use

6. Do you buy supplemental water? ☒ Yes. ☐ No. If yes, from whom and how many Inches, C.F.S., Acre Feet, as the case may be? _____

7. Give any other information that you think should be included for the protection of your water right.
old Cooley - Weaver ditch now owned by Cooley - Goffena
each have 50% interest in ditch.
Information from Fur Goffena Date May 31, 1949

Musselshell Valley Livestock vs Cooley et al.
Mr Goffena said facts were not properly
presented at core - as Handke Bros were discussed
at time and no evidence was presented in
their behalf.

Goffena bought Musselshell Valley Livestock Co
interest in the Cooley - Weems Ditch.

Son of John R. Cooley or Earl Cooley now
has control of the other 50% of ditch.

Supreme Court ruled Handke water would
have to come through Cooley - Jacobs.

STATE OF MONTANA

State Engineer's Office
WATER RESOURCES SURVEY
FARM MAP

County Musselshell
Code No. 20A, 21B, 20C
28A

Twp. 9N. Rge. 29E.
Twp. Rge.
Twp. Rge.

Name of Land Owner Goffena Ranch & Livestock Co. Address Roundup, Montana
Name of Operator Same Address
Legal Description SW 1/4, NW 1/4, E 1/2 Section 20; All Section 21 except E 1/2 NE 1/4; E 1/2, E 1/4 NW 1/4
Section 28 in Twp. 9N., Rge. 29E.



Irrigated Land

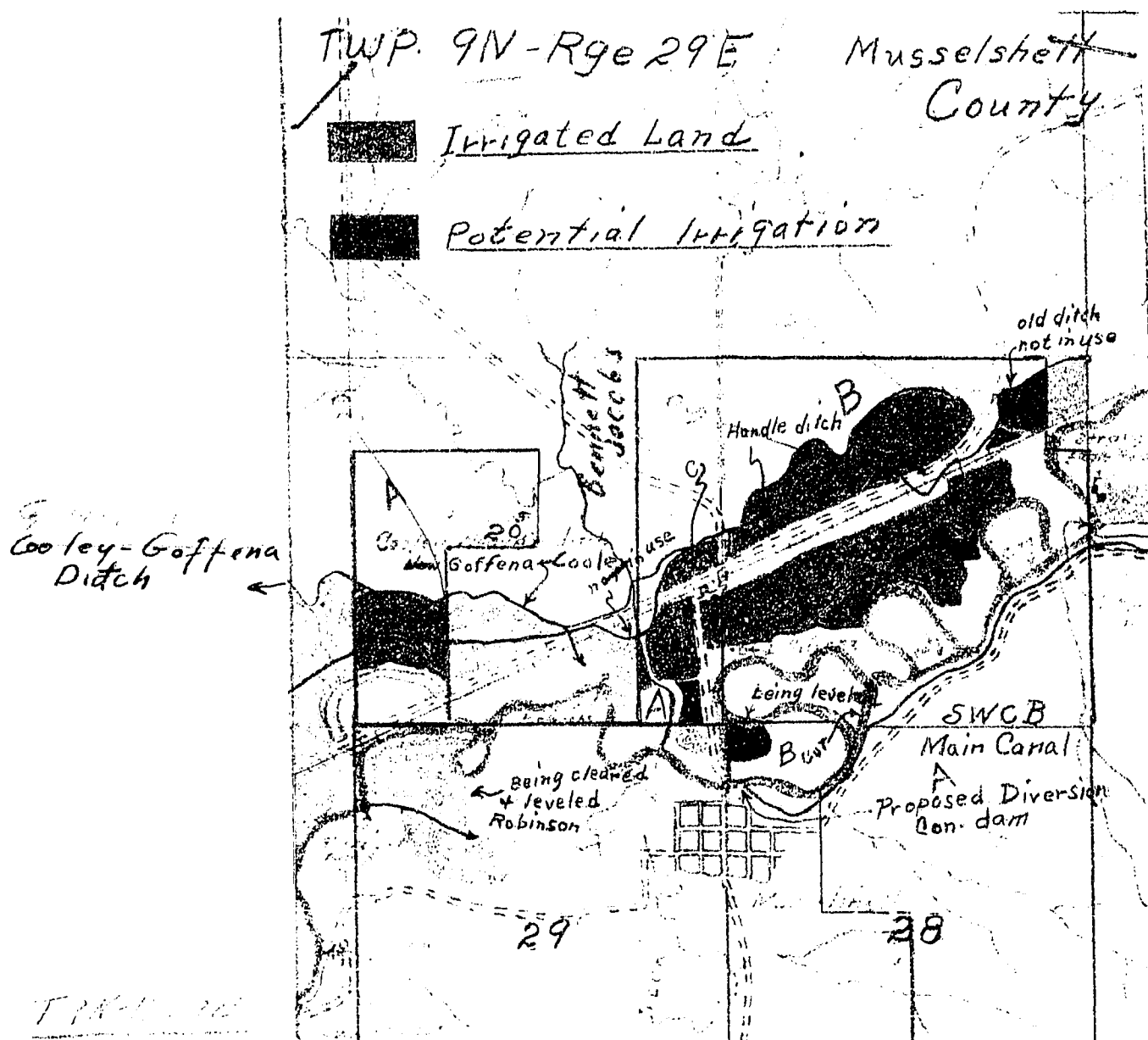


Non-Irrigated Land



Potential Land Under Existing Facilities

North



TWP. 9N-Rge 29E

Code No. 20A-
Basin Muss.
Code No.
Basin
Code No.
Basin
Code No.
Basin
If under Ditch
in said system

NOTE: R—Deno
S—Store water.

all these lands irrigated from Cooley and Goffena ditch - each own 50% of ditch - Goffena does the O & M. Cooley has not been using ditch to irrigate

ater. Musselshell
✓ R F P G S ✓
ater.
R F P G S
ater.
R F P G S
ater.
R F P G S
ches, acre feet, as the case may be

Information from SD Date June 3 - 49

Twp. 9N. Rge
Twp. _____ Rge
Twp. _____ Rge

Name of Land Owr
Name of Operator.
Legal Description...

County Musselshell
Code No. 20A, 21B, 20C
28A

E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

Existing Facilities

Ownership covers
only irrigated land.
All ownership for
dry land not shown.

*Gottena-Cooly
Cooly-Goffina
Ditch*

T9N-R 29E

Gottena-Cooly
* Code No. 20A-20C-21B System. Cooly-Goffina (Private) Source of Water. Musselshell
Basin. Musselshell Present. 210 Potential. 21 Maximum. 231 R. ✓ F. ✓ P. ✓ G. ✓ S. ✓
Code No. _____ System. _____ Source of Water. _____
Basin. _____ Present. _____ Potential. _____ Maximum. _____ R. _____ F. _____ P. _____ G. _____ S. _____
Code No. _____ System. _____ Source of Water. _____
Basin. _____ Present. _____ Potential. _____ Maximum. _____ R. _____ F. _____ P. _____ G. _____ S. _____
Code No. _____ System. _____ 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 system.

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from *SD* Date *June 3 - 49*

Farm Checked

STATE OF MONTANA

Code No. 20A-21B, 20C, 20D, 20EBy J.C.

STATE ENGINEER'S OFFICE

County MusselshellArea Musselshell

WATER RESOURCES SURVEY

T. 9N R. 29E Sec. 20, 21, 28, 29Date 6/24/48Photo No. 12A802Legal Land Owner Louis Goffena, Wilbur + L.W. Goffena Address Roundup
(See other side)Operator Louis Goffena Address Musselshell

Water is delivered by:

Federal Project _____ Pres. _____ Pot. _____

Ditch Company _____ Pres. _____ Pot. _____

Irrigation District _____ Pres. _____ Pot. _____

Private System ☒ Cooley-Weaver ditch Pres. 178 Pot. 20A app.
now Goffena

Totals _____

Flood _____ Pump _____ Reservoir ☒ Gravity ☒Size and Capacity, Pump, etc. ☒ Concrete roll type dam

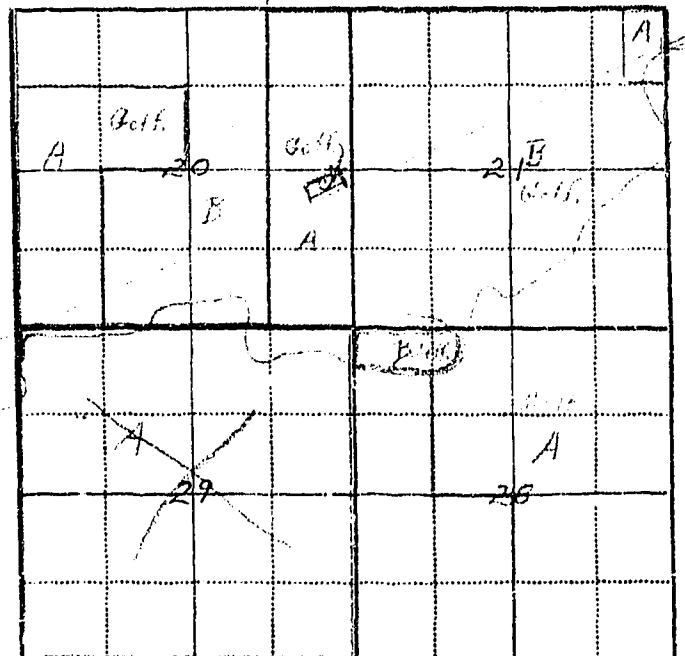
Original Appropriator, Company _____ App. No. _____

Original Appropriator, Private J.R. Cooley et al App. No. 126, 127Is the system an extension of another system? Yes _____ No ☒Is all land irrigated from one system? Yes ☒ No _____

(If No, show break down on map)

Source of Water Musselshell RiverAcres Irrigated 19.47Potential Acres _____ ? Seeped 0Explain Some land being cleared and leveledCondition of System fair needs some repairAdequate Supply — Yes ☒ No _____Explain Buys Water from Water BoardTopography Valley BottomInformation From Louis Goffena

Remarks _____



inland cut old Handel bro's ditch and finally bought their ditch. Jacobs ~~sold to~~ Handel bro's his interest in ditch except for 25 m. inches which the Jacobses still own. Cooley owns half interest in Ditch. Goffena now owns Handel road and their interest in ditch.

Goffenas buy total of 800 AF for 2 Farms
some of this is paid up for ^{Full} 20 year L.M.V.L.A. Contract time

Ownership of land is probably Goffena Livestock Co.

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 126

- 1-450-451-452
- County Mshl. (Fergus) Book 1 Page 34 Record WR
 - Name of Appropriator John R. Cooley etal Address Musselshell, Montana
 - Date Appropriated 1/30/1892 Date Filed 2/13/1892
Amount Appropriated, Miners Inches 2000, Cubic Feet per second
 - Name of Stream Musselshell River Tributary Basin Mo. River
 - Point of Diversion N bank 1320 ft. due N & 1250 ft. due W from $\frac{1}{4}$ corner between
Sec. 25 and 26, T. 9, R. 28, thence northeasterly
Sec. Twp. Rge. Bank of Stream North
 - Purpose Irrigation
 - Description of System Dam and ditch, ditch being 72 by 72 by 32 inches
 - Land Description of Intended Place of Use

Subdivision	Sec.	Twp.	Rge.	Total A.	1940 Owner	Address
<u>N$\frac{1}{2}$ NE$\frac{1}{4}$, SW$\frac{1}{4}$ NE$\frac{1}{4}$, NW$\frac{1}{4}$ SE$\frac{1}{4}$</u>	<u>30</u>	<u>09</u>	<u>29</u>	<u>161</u>	<u>Carrie S. Cooley</u>	<u>Musselshell</u>
<u>All</u>	<u>19</u>	<u>9</u>	<u>29</u>	<u>640</u>	<u>" " "</u>	<u>"</u>
 - 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.)

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 127

- 2-50
1. County.....Mshl. (Fergus) Book.....1.....Page.....55.....Record.....WR.....
2. Name of Appropriator.....~~XXXX/1892~~ J. R. Cooley et al Address.....Musselshell, Montana.....
3. Date Appropriated.....1/14/1892.....Date Filed.....1/25/1892.....
- Amount Appropriated, Miners Inches.....2000....., Cubic Feet per second.....
4. Name of Stream.....Musselshell River.....Tributary.....Basin Mo. River.....
5. Point of Diversion.....N bank 1300 ft due N and 1250 ft due W from $\frac{1}{4}$ cor. of Mex. 25 and
26, T. 9m R. 28, thence northeasterly.....
- Sec.....Twp.....Rge.....Bank of Stream.....North.....
6. Purpose.....Irrigation.....
7. Description of System.....Dam and ditch, ditch being 96 by 24 inches.....
8. Land Description of Intended Place of Use.....
- | Subdivision | Sec. | Twp. | Rge. | Total A. | 1940 Owner | Address |
|----------------------------------------------------------------------------------------------------------|------|------|------|----------|------------|---------|
| N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{2}$ SE $\frac{1}{4}$ | 30 | 09 | 25 | | | |
| All | 19 | 9 | 25 | | REVERSE | |
| S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ | | | | | | |
9. Remarks (Pertaining to Use, etc.).....

Decree

10. Case No.....Date.....Amt. Decreed: M. I.....C. F. S.....
11. To Whom Decreed.....Address.....
12. Name of Ditch.....Maximum Capacity (C. F. S.).....
13. Date of Priority.....Purpose.....
14. Land Description of Place of Use as Decreed.....
15. Remarks (Present Use Status, etc.).....

Sec. 30-9-25 - 80 Acres - U.S.A. $N\frac{1}{2}NW\frac{1}{4}$
 40 " - Julia Seim. $SWNE\frac{1}{4}$
 40 " - W. D. Rose est., Roundup. $NWSE\frac{1}{4}$

 Sec. 19-9-25 -320 " - U.S.A. $E\frac{1}{2}$
 160 " - Wm. Sheets, Roundup. $NW\frac{1}{4}$
 160 " - Richard Davey, Rockford, Wash. $SW\frac{1}{4}$

 Sec. 20-9-29- 7 " - L. W. Stockwell, Musselshell. Tract $NESE\frac{1}{4}$
 302 " - L. W. Goffena et al, Delphia. $E\frac{1}{2}E\frac{1}{2}$, $S\frac{1}{2}NW$, $W\frac{1}{2}SW$,
 Less 10 Acres in $NESE\frac{1}{4}$
 305 " - Bennett R. Jacobs & Willis B. Strang, Musselshell.
 $W\frac{1}{2}NE$, $N\frac{1}{2}NW$, $E\frac{1}{2}SW$, $W\frac{1}{2}SE$.

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 137

1. County Musselshell Book 1 Page 54 Record WR
2. Name of Appropriator Handel Bros. by Geo. W. Handel Address Musselshell, Montana
3. Date Appropriated 11/14/1891 Date Filed 11/30/1891
- Amount Appropriated, Miners Inches 2000, Cubic Feet per second
4. Name of Stream Musselshell River Tributary Basin Mo. Basin
5. Point of Diversion North bank about 560 ft. due east of the quarter corner between
Sec. 25-2-28 and Sec. 30-9-29
 Sec. Twp. Rge. Bank of Stream
6. Purpose Irrigation and other purposes
7. Description of System Ditch 72 by 48 inches
8. Land Description of Intended Place of Use
- | Subdivision | Sec. | Twp. | Rge. | Total A. | 1940 Owner | Address |
|------------------------------------|-----------|----------|-----------|------------|--------------------------|----------------|
| <u>E$\frac{1}{2}$SE</u> | <u>20</u> | <u>9</u> | <u>29</u> | <u>80</u> | <u>L. W. Goffena</u> | <u>Delphia</u> |
| <u>All</u> | <u>21</u> | <u>9</u> | <u>29</u> | <u>551</u> | <u>" " "</u> | <u>" " "</u> |
| | | | | <u>27</u> | <u>Republic Coal Co.</u> | <u>Roundup</u> |
9. Remarks (Pertaining to Use, etc.)

Decree

10. Case No. Date Amt. Decreed: M. I. C. F. S.
11. To Whom Decreed Address
12. Name of Ditch Maximum Capacity (C. F. S.)
13. Date of Priority Purpose
14. Land Description of Place of Use as Decreed
15. Remarks (Present Use Status, etc.)

STATE OF MONTANA
State Engineer's Office
WATER RESOURCES SURVEY
WATER RIGHT DATA

County Musselshell
Code No. 34A, 35A, 36A

Name of Land Owner Goffena Ranch & Livestock Co. Address Roundup, Montana
Name of Operator Same Address _____
Legal Description S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 34; All Sec. 35; SE $\frac{1}{4}$ Sec. 36 in Twp. 9N., Rge. 27E.

1. Our records show that the following water rights were filed on the above described land:

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
117 127	John R. Cooley et al	Mshl. River	N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30; All Sec. 19; S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20 in 9-29			
				1-14-92	1-25-92	2000

2. Are these filings in use:.....Yes.....No. Explain.....

3. Have any of the above filings or any part of them been sold:.....Yes.....No. If yes, give amount of inches sold and to whom transferred and from what original filing.....

4. 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 Filed	Miner's Inches Filed On

5. In addition, I have an irrigation system on which no recorded filing was ever made.

Name of First User	Date of First Use	Stream	Place of Use

6. Do you buy supplemental water? ☒ Yes. ☐ No. If yes, from whom and how many inches, C.F.S., Acre Feet, as the case may be?.....

7. Give any other information that you think should be included for the protection of your water right.....

Information from E. W. Goffena Date May 31-49

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

FARM MAP

County Musselshell

Code No. 34A, 35A, 36A

Twp. 9N Rge. 27E

Twp. _____ Rge. _____

Twp. _____ Rge. _____

Name of Land Owner Goffena Ranch & Livestock Co. Address Roundup, Montana

Name of Operator Same Address _____

Legal Description S-SE-1/4 Sec. 34; All Sec. 35; S-SE-1/4 Sec. 36 in Twp. 9N., Rge. 27E.



Irrigated Land



Non-Irrigated Land



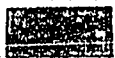
Potential Land Under Existing Facilities

North

Overlaid on
land
map for
showing

Musselshell County
TWP. 9N - Rge 27E

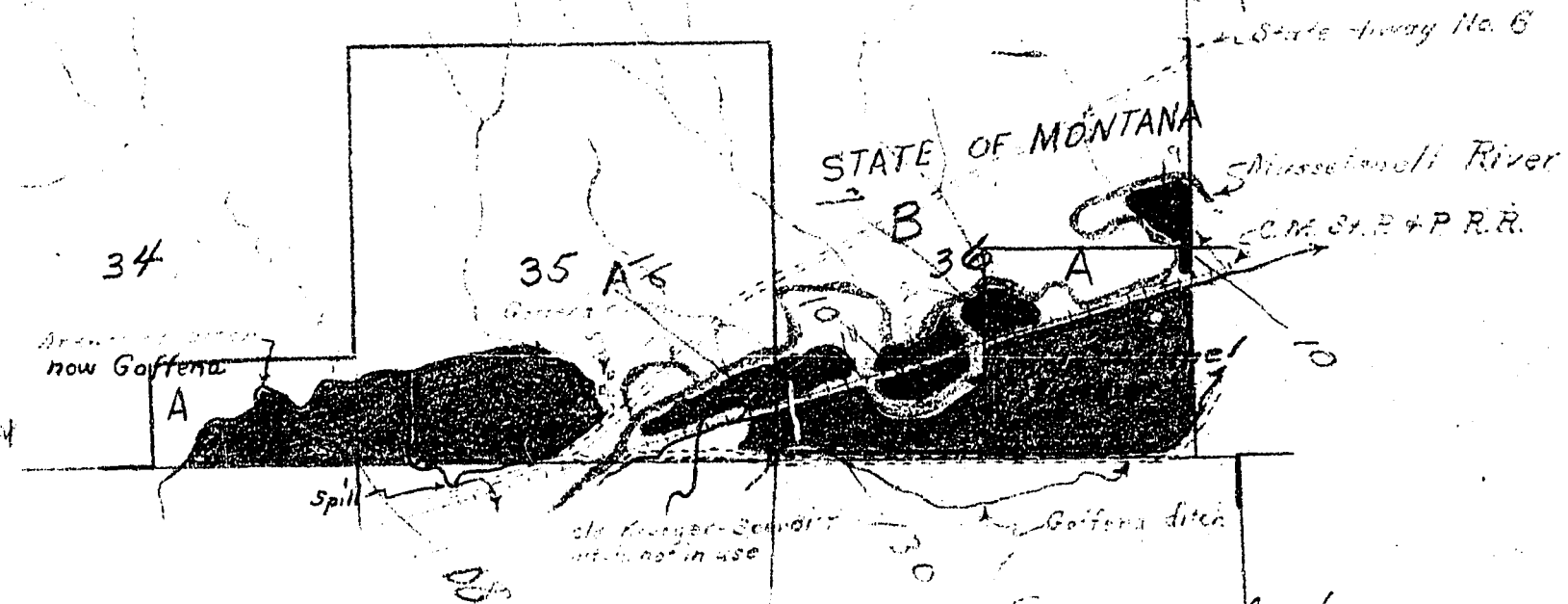
LEGEND



Irrigated Land



Potential Irrigation



all these lands are irrigated from
arroyo ditch now called Goffena

650

6/12

2
S. ✓
R.
S. ✓
S.
S.
ay be
avity.

T. 9N-R. 27E

* Code No. 34A-35A-36A-~~37A~~ System Goffena (Private) Source of Water Musselshell R
Basin Musselshell Present 28.00 Potential 31.00 Maximum 28.00 R ✓ F ✓ P ✓ G ✓ S ✓
Code No. 36B (State) System Goffena (Private) Source of Water Musselshell R
Basin Present 33.00 Potential 31.00 Maximum 66.00 R ✓ F ✓ P ✓ G ✓ S ✓
Code No. System Source of Water
Basin Present Potential Maximum R F P G S
Code No. System 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 system.

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

* Information from Changed By OAP Date June 28-49

Farm Checked

STATE OF MONTANA

Code No. 34A, 35A, 36A

By JEC

STATE ENGINEER'S OFFICE

County Alameda

Area Delphia

WATER RESOURCES SURVEY

T. 9 R. 27 Sec. 34, 35, 36

Date 6/24/78

Photo No. 44-5-38, 39

Legal Land Owner L. M. Coffey (Coffey Livestock Co) Address Reynolds (Delphia)

Operator 501220 Address 501220

Operator: same
Water is delivered by: 36B owned by State of Montana
possible operated by Goffena

Federal Project _____ Pres. _____ Pot. _____

Ditch Company _____ Pres. _____ Pot. _____

Irrigation District _____ Pres. _____ Pot. _____

Private System ☒ Pres. _____ Pot. _____

Totals

Flood _____ Pump _____ Reservoir ☒ _____ Gravity ☒ _____

Size and Capacity, Pump, etc. _____

Original Appropriator, Company _____ App. No. _____

Original Appropriator, Private Arkwright Sheep Co. Griggs-additional App. No. 117
(no record of above filings)

Is the system an extension of another system? Yes _____ No ☒

Is all land irrigated from one system? Yes ✓ No

(If No, show break down on map)

Source of Water: Musselshell River

Acres Irrigated 1948 48

Potential Acres _____ Seeped _____

Explain

Condition of System *fair*

Adequate Supply — Yes ☒ No ☐

Explain Buys stored water from D.M.B.

Topography

Information From ~~Mr.~~ Mr. L. W. Goffera (sv)

Remarks Full Contract price paid on 600 AF

and signed for 200 AF more from DMB.

34	35 A	36 A	

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 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 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 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 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 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 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 22 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.

L. W. GOFFENA and GOFFENA RANCH AND LIVESTOCK COMPANY LAND:

For lands in the $\frac{1}{4}$ SW $\frac{1}{4}$, $\frac{1}{4}$ SW $\frac{1}{4}$, $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20 and All of Sec. 21 except the $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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 in the past he has not contributed to the cleaning of said ditch; therefore, in order 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. Jacobs 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 Twp. 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 from Wm. Bethke and the ditch is 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. Bauman (or Bowman) made the first 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 then 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 NE $\frac{1}{4}$ 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. 9N., 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 NW $\frac{1}{4}$ of Sec. 11, Twp. 8N., Rge. 26E., and the Lowline in the SW $\frac{1}{4}$ of Sec. 25, Twp. 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

IRRIGATION 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, passed 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 & M.

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 Cooley'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.

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 Sec 2 173 SNB27 173 Sec. 34 & 35, Twp. 9N., Rge. 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
F W Goffena

June 10, 1949
Wit: S. J. O'Connell
Asst State Atty
Billings, Montana



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

STATE OF MONTANA

STATE ENGINEER

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 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 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 cut 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 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 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.

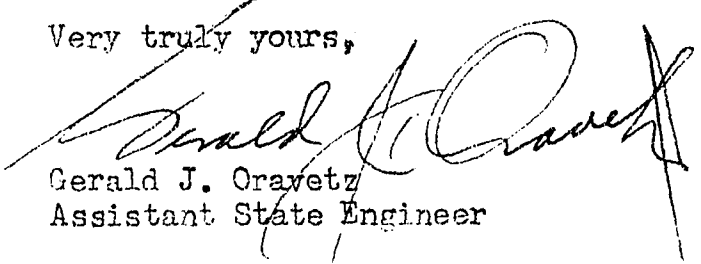
In Township 8 North, Range 28 East we show some land being irrigated out of the Goffena ditch by gravity, some by pump, and some from irrigation by means of flood dams and spreader dykes. The flood dam and spreader dykes are on a small coulee which is a tributary to the Musselshell River. As this flood 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.

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

Code No. 127

- 2-50
1. County Mahl. (Fergus) Book 1 Page 55 Record WR
2. Name of Appropriator J. R. Cooley et al Address Musselshell, Montana
3. Date Appropriated 1/14/1892 Date Filed 1/25/1892
- Amount Appropriated, Miners Inches 2000, Cubic Feet per second
4. Name of Stream Musselshell River Tributary Basin Mo. River
5. Point of Diversion N bank 1300 ft due N and 1250 ft due W from $\frac{1}{4}$ cor. of Sec. 25 and 26, T. 9m R. 28, thence northeasterly
- Sec. Twp. Rge. Bank of Stream North
6. Purpose Irrigation
7. Description of System Dam and ditch, ditch being 96 by 24 inches
8. Land Description of Intended Place of Use
- | Subdivision | Sec. | Twp. | Rge. | Total A. | 1940 Owner | Address |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|----------|----------------|---------|
| <u>N$\frac{1}{2}$NW$\frac{1}{4}$, SW$\frac{1}{2}$NE$\frac{1}{4}$, NW$\frac{1}{2}$SE$\frac{1}{4}$</u> | <u>30</u> | <u>09</u> | <u>25</u> | | | |
| <u>All</u> | <u>19</u> | <u>9</u> | <u>25</u> | | <u>REVERSE</u> | |
| <u>S$\frac{1}{2}$NE$\frac{1}{4}$, SE$\frac{1}{4}$, S$\frac{1}{2}$SW$\frac{1}{4}$</u> | | | | | | |
9. Remarks (Pertaining to Use, etc.)

Decree

10. Case No. Date Amt. Decreed: M. I. C. F. S.
11. To Whom Decreed Address
12. Name of Ditch Maximum Capacity (C. F. S.)
13. Date of Priority Purpose
14. Land Description of Place of Use as Decreed
15. Remarks (Present Use Status, etc.)

Sec. 30-9-25 - 80 Acres - U.S.A. $N\frac{1}{2}NW\frac{1}{4}$
 40 " - Julia Seim. $SWNE\frac{1}{4}$
 40 " - W. D. Rose est., Roundup. $NWSE\frac{1}{4}$

 Sec. 19-9-25 -320 " - U.S.A. $E\frac{1}{2}$
 160 " - Wm. Sheets, Roundup. $NW\frac{1}{4}$
 160 " - Richard Davey, Rockford, Wash. $SW\frac{1}{4}$

 Sec. 20-9-29- 7 " - L. W. Stockwell, Musselshell. Tract $NESE\frac{1}{4}$
 302 " - L. W. Goffena et al, Delphia. $E\frac{1}{2}E\frac{1}{2}$, $S\frac{1}{2}NW$, $W\frac{1}{2}SW$,
 Less 10 Acres in $NESE\frac{1}{4}$
 305 " - Bennett R. Jacobs & Willis B. Strang, Musselshell.
 $W\frac{1}{2}NE$, $N\frac{1}{2}NW$, $E\frac{1}{2}SW$, $W\frac{1}{2}SE$.

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	Carl Hinrichs	Same
12A	Roy McCaffree	
27A, 28A, 34A	Warren M. Storer	Same
32B	Augusta Wise % J. A. Liggett	Carl Hinrichs

9N-28E

FORM D-1 - GAZETTE 1664-2N-1-47

STATE OF MONTANA
STATE ENGINEER'S OFFICE
WATER RESOURCES SURVEY

Township 9 North Range 28 East County Musselshell

		46			
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
144 144A		1838 117A			
30	29	28	27	26	25
134 144 144A	36 144 144A 36 49 50 144 144A	144 144A			
31	32	33	34	35	36

Land
27028

Township 9 North Range 28 East

Township 9 North, Range 28 East

<u>No.</u>	<u>Name of Appropriator</u>	<u>Name of Stream</u>	<u>Date App.</u>	<u>Date Filed</u>	<u>M.I.</u>
✓ 36	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
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
7838 117A Jerg 1449	Backman, George	Musselshell River	3-1-90	3-5-90	700
	Krueger, Gotthold et al			4-5-05	1200

These forms are the
property of the State
of Montana and must
be returned.

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY
WATER RIGHT DATA

County Musselshell

Code No. 29A

Name of Land Owner R. H. Adolph Address Delphia, Montana
Name of Operator Same Address _____
Legal Description Section 29, Twp. 9N., Rge. 28E

We are asking you to help us protect your water right because in our records we are unable to find a recorded water right covering the above described land. We, therefore, would like to have you give us the information asked for in the following questions:

1. Was a water right filing ever made for this land.....Yes.....No. If yes, give us the following information:

Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
<i>See attached letter</i>					

If no, can you give us the following information:

Name of First User	Date of First Use	Stream	Place of Use

2. Or is this land covered by a water right that was purchased from another water right.....Yes.....No.....

If yes, give us the amount of the inches purchased, from what original filing, and if possible the date of purchase and from whom purchased.

3. If this land is under an incorporated ditch company, mutual ditch company, irrigation district, federal project, or state project, give us the following information:

Name of Ditch System	Shares of Stock	Miner's Inches	Acre Feet	Assessed Acres	Type of System Pumping Gravity

4. Do you buy supplemental water.....Yes.....No. If yes, from whom and how many inches, Cubic Feet Per Second, Acre Feet, as the case may be?

5. Give any other information that you think should be included for the protection of your water right.....

Information from..... Date.....

STATE OF MONTANA

State Engineer's Office

WATER RESOURCES SURVEY

FARM MAP

County Musselshell

Code No. 29A

Twp. 9N Rge. 28E

Twp. _____ Rge. _____

Twp. _____ Rge. _____

Name of Land Owner. E. H. Adolph Address. Delphia, Montana

Name of Operator. Same Address. _____

Legal Description. All of Section 29, Twp. 9N., Rge. 28E



Irrigated Land



Non-Irrigated Land



Potential Land Under Existing Facilities

North

Twp. 9N.-Rge 28E

*Musselshell
County*

19

20

21

30

Adolph pump A
29

28

31

32

Delphia

33

Musselshell River

P. G. S.

Musselshell River

P. G. S.

P. G. S.

P. G. S.

as the case may be

or diverted by gravity.



Irrigated Land



Potential Irrigation

Musselshell

20A

back the
outline
land.

DO NOT WRITE
IN SPACE BELOW

T. 9 N - R. 28 E

Code No. 29A System Adelph Pump Ditch Source of Water Musselshell River
Basin Musselshell River Present 40.00 Potential 8.00 Maximum 48.00 R. ☒ F. ☐ P. ☐ G. ☒ S. ☐
Code No. 29A System Private Ditch (Actual Use) Source of Water Musselshell River
Basin Musselshell River Present 0 Potential 10.00 Maximum 10.00 R. ☒ F. ☐ P. ☐ G. ☒ S. ☐
Code No. _____ System _____ Source of Water _____
Basin _____ Present _____ Potential _____ Maximum _____ R. ☐ F. ☐ P. ☐ G. ☐ S. ☐
Code No. _____ System _____ 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 system.

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity. S—Stored Water.

Information from H. L. B. Date 6-25-49

Farm Checked

STATE OF MONTANA

Code No. 29ABy C.N. & J.C.

STATE ENGINEER'S OFFICE

County MusselshellArea Musselshell

WATER RESOURCES SURVEY

T. 9N R. 28N Sec. 29Date 6/22/48Photo No. MA-5 38Legal Land Owner R.H. AdolphAddress DelphiaOperator same

Address

Water is delivered by:

Federal Project Pres. Pot.

Ditch Company Pres. Pot.

Irrigation District Pres. Pot.

Private System ☒ Pres. 40 Pot. 18.00

Totals

Flood Pump ☒ Reservoir GravitySize and Capacity, Pump, etc. 4" wright tractor power 22' lift

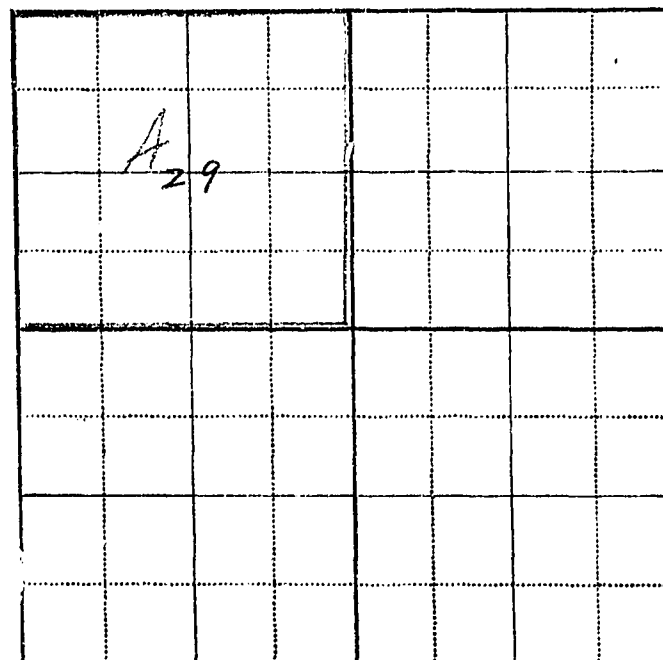
Original Appropriator, Company App. No.

Original Appropriator, Private no data App. No.
(Show date of appropriation under Remarks)Is the system an extension of another system? Yes No ☒Is all land irrigated from one system? Yes ☒ No ☒

(If No, show break down on map)

Source of Water Musselshell River + PumpAcres irrigated 1947 40.00Potential Acres 18.00 Seeped 0

Explain

Condition of System NewAdequate Supply Yes ☒ No ☒Explain Yes with stored waterTopography R. BottomInformation From Clifford AdolphRemarks Right may be part of Bachman
will have more this year

Not Signed for D.M.B. Water



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

STATE OF MONTANA

STATE 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.

Enclosed 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 filing 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, I am

Very truly yours,

Gerald J. Oravetz
Gerald J. Oravetz
Assistant State Engineer

CJO/a
enc.

Dear Sir

I'm intent to buy water from Musselshell Co. but they haven't made arrangements so they can sell it. They don't pay for it now with any object. I didn't know how to fill out these forms without having a water right. We have to get to Billings this afternoon. I'll see you.
James Oravetz
R. H. Adolph

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.

Enclosed 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 filing for this land we would like to have you fill out Form WR-B 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, I am

Very truly yours;

Gerald J. Oravetz
Assistant State Engineer

GJO/a
enc.

State of Montana
Department of Natural Resources
Water Resources Survey

STATE OF MONTANA
State Engineer's Office
WATER RESOURCES SURVEY
WATER RIGHT DATA

County Musselshell
Code No. 26B, 35A

Name of Land Owner Geo. A. Davis Address Delphia, Montana
Name of Operator Same Address _____
Legal Description SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section ~~25~~ 26, All Sec. 35 in Twp. 9N., R. 28E

1. Our records show that the following water rights were filed on the above described land:

Code	Name of Appropriator	Stream	Land Description	Date App.	Date Filed	Miner's Inches Filed On
133	Jesse Gile	Mshl. R.	SE $\frac{1}{4}$ Sec. 30-9-29	5-6-98	5-9-98	1200

2. Are these filings in use:.....Yes.....No. Explain.....

3. Have any of the above filings or any part of them been sold:.....Yes.....No. If yes, give amount of inches sold and to whom transferred and from what original filing.....

4. 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 Filed	Miner's Inches Filed On

5. In addition, I have an irrigation system on which no recorded filing was ever made.

Name of First User	Date of First Use	Stream	Place of Use

6. Do you buy supplemental water? ☒ Yes. ☐ No. If yes, from whom and how many Inches, C.F.S., Acre Feet, as the case may be?.....

25 A.F.

7. Give any other information that you think should be included for the protection of your water right.....

Information from..... Date.....

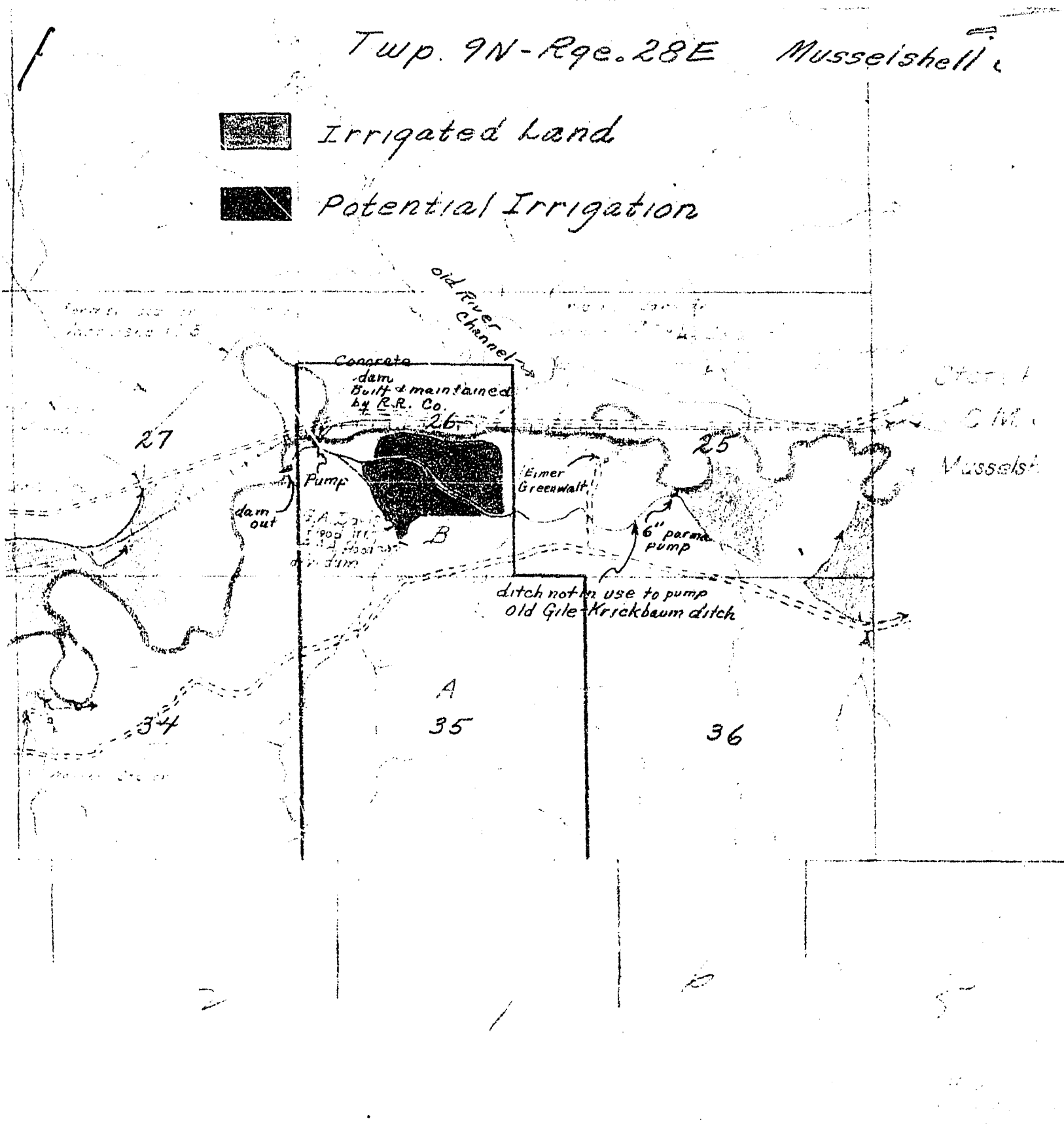
State Engineer's Office
WATER RESOURCES SURVEY
FARM MAP

County Musselshell
Code No. 26B, 35A

Twp. 9N Rge. 28E
Twp. _____ Rge. _____
Twp. _____ Rge. _____

Name of Land Owner Geo. A. Davis Address Delphia, Montana
Name of Operator Same Address _____
Legal Description SW 1/4, S 1/4 NW 1/4, SW 1/4 NE 1/4, W 1/2 SE 1/4 Section 25, All Sec. 35 in Twp. 9N., Rge. 28E

☐ Irrigated Land ☐ Non-Irrigated Land ☐ Potential Land Under Existing Facilities
North



DO NOT WRITE
IN SPACE BELOW

Code No.	<u>26B</u>	System	<u>Private (Pump)</u>	Source of Water	<u>Musselshell</u>
Basin	<u>Musselshell</u>	Present	<u>27</u>	Potential	<u>50</u>
				Maximum	<u>77</u>
				R	<u>F</u>
				P	<u>G</u>
				S	<u>✓</u>
Code No.	<u>26B</u>	System	<u>Private Flood</u>	Source of Water	<u>Coulter</u>
Basin	<u>Musselshell</u>	Present	<u>3</u>	Potential	<u>0</u>
				Maximum	<u>3</u>
				R	<u>F</u>
				P	<u>✓</u>
				G	<u>S</u>
Code No.		System		Source of Water	
Basin		Present		Potential	
				Maximum	
				R	
				F	
				P	
				G	
				S	
Code No.		System		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 system.

NOTE: R—Denotes Regular Irrigation. F—Flood Irrigation. P—Water diverted by means of pumping. G—Water diverted by gravity.
S—Stored Water.

Information from [Signature] Date June 3-49

Bought share in Gile-Krickbaum Ditch, 250
inches. over 30 yrs. ago. buys 25 A.F.
from Water Board

Is leveling & irrigating ^{potential land} as fast as
possible.

2 dams in coulees for flooding same land.

26
1

35
4

cld Gile-Krickbaum ditch runs thru this place but Davises do
not use it, pump instead from dam (Cooley-weaver dam)

Delphia Mont
April 4th 1949

Mr Gerald J. Oravety
Billings Mont
Dear Sir.

I have yours of this date and will answer the best I can. on looking over my deeds I find I have a deed conveyed to me by William H. & Bathke and wife for $\frac{1}{4}$ interest in the Gile and Schickbaum ditch and dated Feb. 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 inches is what I bought from the water board in the river have not filed any water right on the Cordee. mentioned as to the colored map I believe correct as near as I can. if anyone came out here I could show the deeds. if you wish any more information will gladly give the best I can.

Yours Resp
George A. Davis

March 31, 1949

Mr. Geo. A. Davis
Delphia, Montana

Dear Mr. Davis:

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.

Enclosed herewith we are sending you Form WR-B showing the ownership boundary and potential irrigable areas designated by color. This map we would like to have you check very carefully and make any corrections that you may deem necessary.

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 applicatory to your land and if not tell us what rights you have.

We understand that sometime ago you purchased a share of the Gile-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 Coulee. 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. Gravetz
Assistant State Engineer

GJO/a
enc.

STATE ENGINEERS OFFICE
Water Resources Survey

Notice of Appropriation

C-193

Code No. 133

1. County Mshl. (Yellowst) Book 2 MR Page 56 Record MR
2. Name of Appropriator Jas. Gile Address Musselshell, Mont.
3. Date Appropriated 5/6/1898 Date Filed 5/9/1898
- Amount Appropriated, Miners Inches 1200, Cubic Feet per second
4. Name of Stream Musselshell River Tributary Basin Mo. River
5. Point of Diversion REVERSE

Sec. Twp. Rge. Bank of Stream

6. Purpose Irrigation
7. Description of System Dam and ditch, ditch being 6 by 9 by 2 ft.

8. Land Description of Intended Place of Use
- | Subdivision | Sec. | Twp. | Rge. | Total A. | 1940 Owner | Address |
|------------------|------|------|------|----------|------------------------|---------|
| SE $\frac{1}{4}$ | 30 | 9 | 29 | 40 | Carris S. Cooley et al | Mshl. |
| | | | | 120 | Louis Goffena | Delphia |

9. Remarks (Pertaining to Use, etc.)

Decree

10. Case No. Date Amt. Decreed: M. I. C. F. S.
11. To Whom Decreed Address
12. Name of Ditch Maximum Capacity (C. F. S.)
13. Date of Priority Purpose
14. Land Description of Place of Use as Decreed
15. Remarks (Present Use Status, etc.)