

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

# GENERAL ABSTRACT

**Water Right Number:** 40I 155323-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
DUSTIN D HOFELDT  
20495 BARNEY OLSON RD  
CHINOOK, MT 59523-9241  
  
VICKI HOFELDT  
20495 BARNEY OLSON RD  
CHINOOK, MT 59523-9241  
  
DOUGLAS F HOFELDT  
20485 BARNEY OLSON RD  
CHINOOK, MT 59523

**Priority Date:** DECEMBER 31, 1893  
**Enforceable Priority Date:** DECEMBER 31, 1893

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION  
**Irrigation Type:** WATER SPREADING

**Maximum Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

**Maximum Volume:** 772.00 AC-FT  
THE VOLUME OF THIS CLAIM HAS BEEN REDUCED TO THE 2.0 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION.

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 386.00

**Source Name:** UNNAMED TRIBUTARY OF PEOPLES CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	31	30N	21E	BLAINE

**Period of Diversion:** APRIL 1 TO NOVEMBER 1  
**Diversion Means:** DITCH

**Period of Use:** APRIL 1 to NOVEMBER 1

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	36.00		NWNE	4	29N	21E	BLAINE
2	8.00		E2NENW	4	29N	21E	BLAINE
3	11.00		S2NE	31	30N	21E	BLAINE
4	13.00		NESE	31	30N	21E	BLAINE
5	1.00		NENWSE	31	30N	21E	BLAINE
6	51.00		S2N2	32	30N	21E	BLAINE
7	148.00		S2	32	30N	21E	BLAINE
8	10.00		W2SWNE	33	30N	21E	BLAINE
9	8.00		S2S2NW	33	30N	21E	BLAINE
10	3.00		W2NWSE	33	30N	21E	BLAINE
11	20.00		SWSE	33	30N	21E	BLAINE
12	64.00		N2SW	33	30N	21E	BLAINE
13	13.00		SESW	33	30N	21E	BLAINE
<b>Total:</b>	<b>386.00</b>						

**Geocodes/Valid:** 24-4123-04-1-02-01-0000 - Y      24-4230-31-3-04-01-0000 - Y  
24-4230-32-1-01-01-0000 - Y      24-4230-32-2-01-01-0000 - Y  
24-4230-32-2-02-01-0000 - Y      24-4230-32-4-04-01-0000 - Y  
24-4230-33-1-01-01-0000 - Y

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

155313-00 155323-00 155325-00 155333-00 155334-00 155335-00 155351-00  
155353-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/1993: TYPE OF IRRIGATION, SOURCE, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES AND PRORITY DATE.

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

WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/01/1984.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 41648 RECEIVED 09/18/2006.

OWNERSHIP UPDATE TYPE 608 # 115996 RECEIVED 12/11/2013.

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DURING THE PROCEEDINGS IN CASE WC-2000-04 THE CLAIMANT FILED AN AMENDMENT SPECIFYING CHANGES TO THE MAXIMUM ACRES AND PERIOD OF USE. THESE HAVE NOT BEEN IMPLEMENTED AS THEY ARE CONTINGENT UPON RATIFICATION OF THE FORT BELKNAP-MONTANA COMPACT.

CLAIMANT DOCUMENTATION INDICATES THE PORTION OF THE PLACE OF USE MADE UP OF PARCELS NUMBER 09 THRU 13 WAS LAST IRRIGATED IN 1942.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.  
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