

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:** 41H 3805-00 STATEMENT OF CLAIM  
**Version:** 1 -- ORIGINAL RIGHT  
**Version Status:** ACTIVE

**Owners:**  
DARRELL J KURK  
3027 HOMER DAVIS RD  
SHEPHERD, MT 59079  
  
BARBARA L MARX  
776 E VALLEY CENTER  
BOZEMAN, MT 59718-7903  
  
ERMA H KURK  
433 BEAR CANYON RD  
BOZEMAN, MT 59715

**Priority Date:** JUNE 24, 1893  
**Enforceable Priority Date:** JUNE 24, 1893

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION  
**Irrigation Type:** SPRINKLER/FLOOD

**Maximum Flow Rate:** 1.25 CFS

**Maximum Volume:**  
**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 28.00

**Source Name:** UNNAMED TRIBUTARY OF BEAR 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		NENESW	23	2S	6E	GALLATIN

**Period of Diversion:** MAY 15 TO SEPTEMBER 4  
**Diversion Means:** MULTIPLE

**Period of Use:** MAY 15 to SEPTEMBER 4

**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	9.00		W2SWNE	23	2S	6E	GALLATIN
2	6.00		N2NESW	23	2S	6E	GALLATIN
3	13.00		E2SENW	23	2S	6E	GALLATIN
<b>Total:</b>	28.00						

**Geocodes/Valid:** 06-0799-23-3-01-10-0000 - Y      06-0799-23-3-05-01-0000 - 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.

3804-00      3805-00

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

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE DOR # 101143 RECEIVED 11/24/2008.