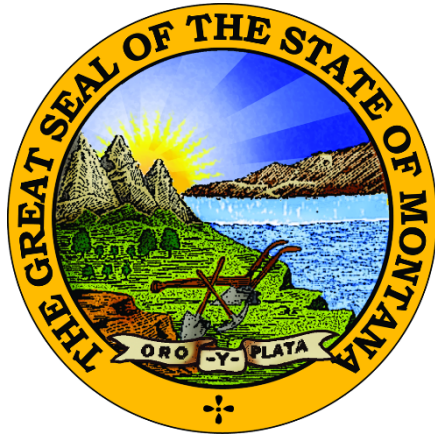


Montana Water Court  
Report to the  
Water Policy Interim Committee  
September, 2018



## Decree Issuance Update

### Decrees in an Objection Period:

Basin	Name	Date Prelim Issued	Original Obj Deadline	Extended Deadline	Extended Deadline	Counter Obj Deadline	NOIA Deadline	Objections Rcd as of 8/29/2018
43D	Clarks Fork Yellowstone River	4/7/2017	10/4/2017	1/2/2018	4/2/2018	6/4/2018	9/10/2018	432
40A	Musselshell River, Above Roundup	6/7/2017	12/4/2017	3/5/2018	6/4/2018	8/20/2018	11/16/2018	1017
40C	Musselshell River, Below Roundup	6/7/2017	12/4/2017	3/5/2018	6/4/2018	8/20/2018	11/16/2018	188
40L	Frenchman Creek	10/26/17	4/24/2018	7/23/2018	10/22/2018			5
41G	Jefferson River	2/15/2018	8/14/2018	11/13/2018				205
41N	Willow Creek	3/29/2018	9/25/2018					9
76E	Rock Creek, Tributary of Clark Fork River	5/10/2018	11/7/2018					9

### First Decrees remaining to be Issued:

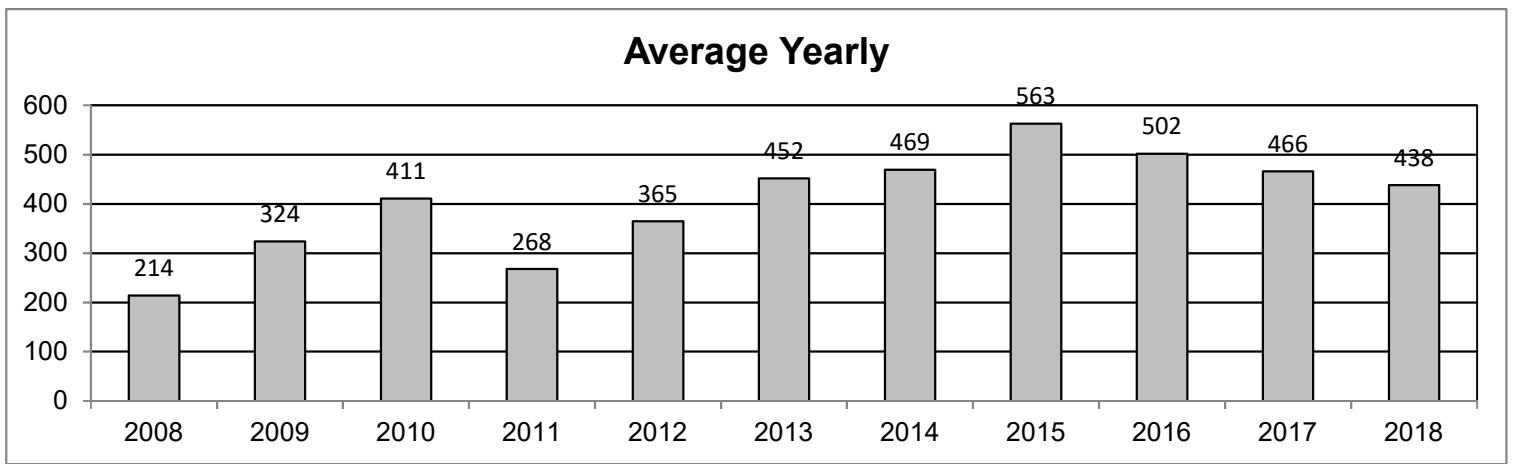
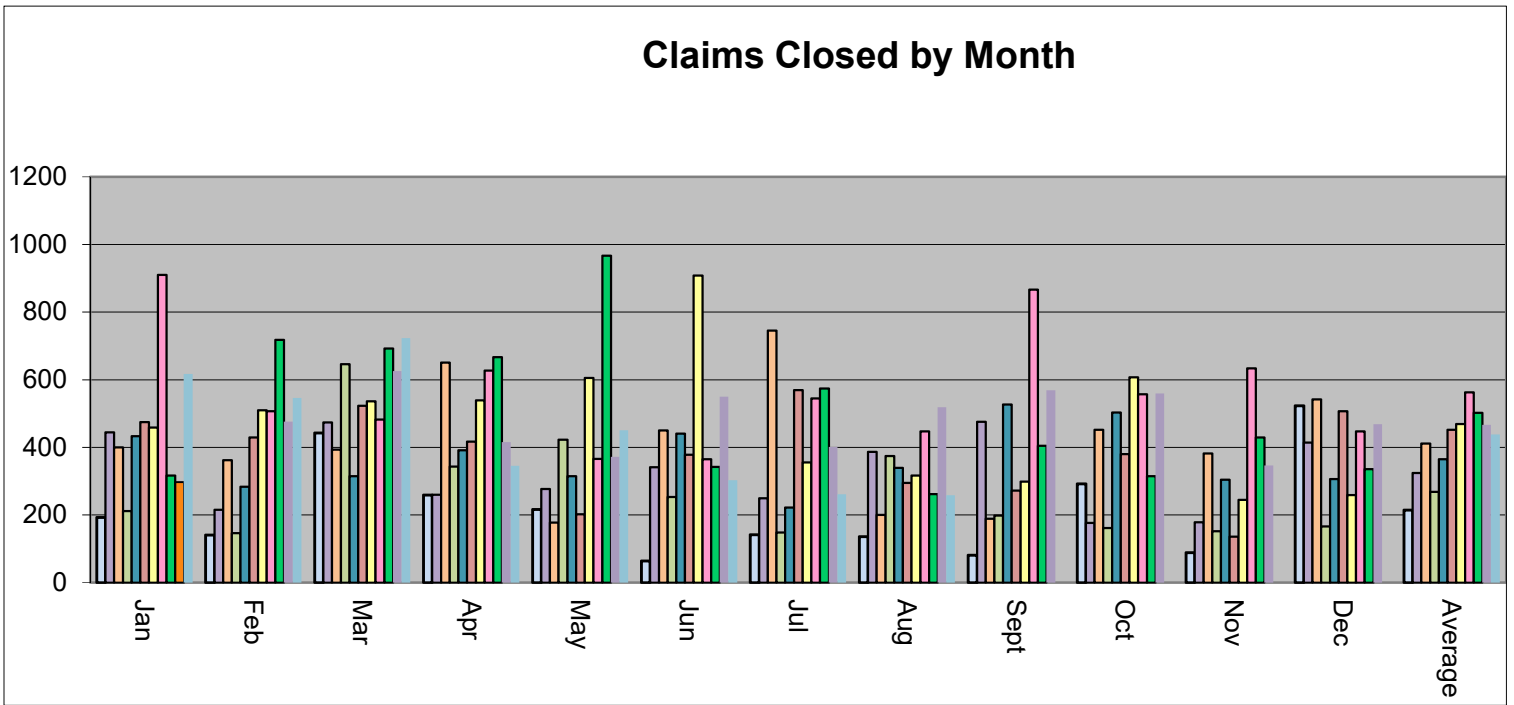
Basin	Name	Status
76L	Flathead River, below Flathead Lake	Summary report received. Stay in place for Preliminary Decree until January 10, 2020.
76LJ	Flathead River, to and including Flathead Lake	Summary report received. Stay in place for Preliminary Decree until January 10, 2020.

### Next Up for Issuance of Decree (Basins under Reexamination Order):

Basin	Name	Anticipated Receipt of Summary Report from DNRC	Master
41H	Gallatin River	Decree to be issued late September, 2018	Julie
43B	Yellowstone River above & including Bridger Creek	Received and under review; decree to be issued 2018	Kathryn
43A	Shields River	Received and under review; decree to be issued 2018	Andrea
39G	Beaver Creek, Tributary of Little Missouri River	Received and under review; decree to be issued 2018	Anna
39E	Box Elder Creek	Received and under review; decree to be issued 2018	Nate
39FJ	Little Beaver Creek	Received and under review; decree to be issued 2018	Melissa
76J	Swan River	Received and under review; decree to be issued 2018	Melissa
39F	Little Missouri River, above Little Beaver Creek	12/15/18	Anika
40K	Whitewater Creek	2019	Maddy
40G	Sage Creek	2019	Colton
40N	Rock Creek, Tributary of Milk River	2019	Ben

## Claim Closing by Month Comparison 2008-Current

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Average
2008	193	140	442	259	216	64	141	136	81	292	88	523	214
2009	444	215	474	260	277	341	249	387	476	176	178	414	324
2010	400	362	393	651	177	450	745	200	189	452	382	542	411
2011	211	146	646	343	423	253	148	374	198	161	152	166	268
2012	433	283	315	391	315	441	222	339	527	503	304	306	365
2013	475	429	523	417	202	378	569	295	272	380	136	507	452
2014	459	510	536	539	605	908	355	317	299	607	245	259	469
2015	910	507	482	627	366	365	545	447	867	557	634	447	563
2016	317	718	692	667	967	342	574	262	405	315	429	335	502
2017	297	476	625	415	371	549	401	518	568	559	346	468	466
2018	617	546	723	345	450	302	261	258					438



## Compact Status

<b><u>Compact Name</u></b>	<b><u>Case #</u></b>	<b><u>Status</u></b>
Fort Peck-Montana Compact	WC1992-1	CLOSED
Northern Cheyenne Compact	WC1993-1	CLOSED
National Park Service-MT Compact	WC1994-1	CLOSED
Rocky Boys Compact	WC2000-01	CLOSED
Red Rock Lakes Compact	WC2000-02	CLOSED
USFWS Black Coulee and Benton Lake Compact	WC2000-03 WC2002-04	CLOSED
USDA Forest Service	WC2007-03	CLOSED
USA-BLM-MT Compact (Bear Trap/Wild & Scenic)	WC2008-10	CLOSED
National Bison Range Compact	WC2011-01	CLOSED
Crow Tribe Compact	WC2012-06	OPEN
Bowdoin National Wildlife Refuge Compact	WC2013-04	CLOSED
USDA Fort Keogh Research Station	WC2014-07	CLOSED
USDA Sheep Experiment Station	WC2014-06	CLOSED
Charles M. Russell National Wildlife Refuge	WC2015-05	CLOSED
BLM-Upper Missouri River Breaks National Monument	WC2015-06	CLOSED
Blackfeet Tribe Compact		Not yet at Water Court
Fort Belknap Indian Reservation		Not yet at Water Court
Confederated Salish and Kootenai Tribes of the Flathead Reservation		Not yet at Water Court

## Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 8/1/2018	Open Claims 8/1/2018	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed (Deadline 6/30/19)	Late Claims (Action needed)	Mis-basined Claims	Missed Decree Claims	Turtle Mountain Claims	Pending Motions to Amend	Master
42I	NA	NA	100%	100%	0	Complete	no	2	0	0	1	no	0	Ben
42J	NA	NA	100%	100%	0	Complete	no	18	0	0	4	no	0	Ben
39H	NA	NA	100%	100%	0	Complete	no	0	0	0	0	no	0	Maddy
38H	NA	NA	100%	100%	0	Complete	no	0	0	0	0	no	0	Maddy
40P	NA	04/23/84	100%	N/A	4	Complete	no	12	7	0	0	no	0	Andrea
42L	NA	06/25/84	100%	N/A	4	Complete	no	35	11	0	0	no	0	Andrea
40O	677	04/06/98	NA	66.2%	229	Complete	no	18	9	0	5	no	0	Anna S.
76HF	1931	10/25/99	NA	99.7%	5	Pending	yes	195*	0	0	7	no	0	Anika
43Q	466	04/24/00	NA	100.0%	0	Pending	yes	168	2	0	7	no	0	
40Q	628	06/11/01	NA	100.0%	0	Complete	no	13	0	0	0	Yes	0	
40S	1451	06/11/01	NA	99.4%	8	Complete	no	11	1	0	1	Yes	0	Nate
40H	351	11/08/04	76.4%	99.7%	1	Complete	yes	5	1	0	0	Yes	0	
42KJ	1083	12/19/05	NA	100.0%	0	Pending	no	60	35	0	12	no	0	
41O	1623	01/17/08	90.3%	99.9%	2	Pending	yes	51	0	0	11	no	0	Ben
41D	2233	02/03/09	86.16%	99.0%	23	Pending	yes	60	2	0	44	no	0	
41QJ	857	04/28/09	88.68%	99.5%	4	Pending	yes	140	57	0	15	no	0	Anika
42C	916	08/25/09	53.05%	99.5%	5	Complete	yes	109	1	0	1	no	0	Kathryn
42B	566	08/25/09	73.32%	99.8%	1	Pending	yes	11	0	0	4	no	0	Kathryn
40M	1464	08/09/10	68.99%	75.5%	359	Pending	yes	19	0	0	5	Yes	0	Kathryn
40R	728	06/03/11	95.19%	97.0%	22	Complete	no	25	2	0	6	Yes	0	Anika
43E	488	09/26/11	62.50%	92.2%	38	Pending	yes	20	0	0	1	no	0	Anika
43O	1135	10/03/11	47.93%	94.1%	67	Pending	yes	5	0	0	7	no	0	Anika
41Q	1071	11/01/11	93.70%	99.3%	7	Pending	yes	46	4	0	4	no	0	Maddy
40J	4789	04/10/11	76.76%	96.3%	176	Pending	yes	57	0	0	4	Yes	0	Anna S
41J	1062	06/11/12	64.88%	95.0%	53	Pending	no	312	0	0	4	no	0	Nate
76F	1346	06/30/12	96.81%	99.1%	12	Pending	yes	72	0	0	6	no	0	Maddy
40B	1419	06/16/12	92.39%	97.7%	33	Pending	no	89	0	0	0	no	0	
41R	848	03/12/12	97.20%	99.9%	1	Pending	no	37	0	0	32	no	0	
41T	1471	09/17/13		100.0%	0	Pending	no	44	0	0	4	no	0	
41A	1436	02/17/15		87.8%	175	Pending	no	83	1	0	0	no	0	Ben
41B	992	02/17/15		89.5%	104	Pending	no	84	1	0	0	no	0	Ben
42A	510	12/15/14		54.7%	231	Pending	no	16	0	0	2	no	0	Andrea

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43N	100	12/01/14		99.0%	1	Pending	no	5	0	0	0	no	0	
40I	414	01/06/15		98.6%	6	Pending	no	3	0	0	2	no	0	
40F	1218	04/28/15		95.6%	54	Pending	no	21	0	0	40	no	0	Anna S
42M	1868	07/20/15		98.8%	23	Complete	no	101	0	0	61	no	0	Anika
40EJ	1134	10/19/15		86.0%	159	Pending	no	43	0	0	3	Yes	0	Andrea
40T	161	12/22/15		87.6%	20	Pending	no	2	0	0	12	no	0	Maddy
41M	850	09/20/16		39.2%	517	Pending	no	25	0	0	34	no	1	Anna S
41P	1380	12/20/16		70.6%	406	Pending	no	38	0	0	33	Yes	4	Ben
41L	620	04/24/17		54.0%	285	Pending	no	3	0	0	0	no	0	Anna S
76HA	1858	06/13/17		50.5%	919	Pending	yes	195*	0	0	36	no	0	Anika
43P	1609	07/25/17		41.2%	946	Pending	no	86	0	0	14	no	0	Julie
76L						Pending	yes	107	0	0	0	no	0	
76LJ						Pending	yes	277	176	0	0	no	0	
TMAL	17	01/13/18		29.5%	12	n/a	yes	0	0	0	0	n/a	0	CWJ
76GJ	751	08/08/17		65.1%	262	Pending	yes	106	0	2	29	no	4	Kathryn
43D	1455	09/10/18		0.0%	1455	Pending	yes	274	0	0	4	no	0	Anna S
40A					22	Pending	no	320	6	3	34	no	7	Ben
40C					8	Pending	no	92	0	0	7	no	0	Ben
40L					0	Pending	no	3	1	0	0	Yes	0	Andrea
41G					5	Pending	no	144	0	0	1	no	2	Maddy
41N					9	Complete	no	4	0	1	1	no	9	Ben
76E					4	Pending	yes	13	0	0	2	no	0	Anika
41H					17	Pending	yes	260	4	0	108	no	0	Julie
43B					24	Pending	yes	147	0	1	27	no	5	Kathryn
43A					9	Pending	no	92	5	1	28	no	0	Andrea
39E					14	Complete	no	23	2	0	0	Yes	0	Nate
39G					0	Complete	no	6	0	6	1	no	0	Anna S
39FJ					0	Complete	no	9	0	0	0	no	0	Melissa
76J					1	Pending	yes	0	0	0	0	no	0	Melissa
39F					2	Complete	no	8	4	0	0	no	0	Anika
40K					5	Complete	yes	0	0	1	0	Yes	0	Maddy
40G					0	Complete	no	10	1	1	12	no	0	Colton

## Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 8/1/2018	Open Claims 8/1/2018	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed (Deadline 6/30/19)	Late Claims (Action needed)	Mis-basined Claims	Missed Decree Claims	Turtle Mountain Claims	Pending Motions to Amend	Master
40N					1	Pending	yes	11	1	1	0	no	0	Ben
41S					5	Pending	yes	266	0	0	9	no	0	
40D					0	Complete	no	34	15	5	0	no	0	
40E					2	Complete	no	44	3	1	51	Yes	0	
41C					30	Pending	yes	34	25	0	2	no	1	
41E					2	Pending	no	20	9	0	4	no	1	
41F					17	Pending	yes	82	0	2	12	no	3	
41I					27	Pending	yes	222	0	0	6	no	3	
41K					2	Pending	yes	72	0	0	20	no	0	
41U					4	Pending	no	20	0	1	0	no	0	
42K					0	Complete	no	12	4	1	3	no	0	
43BJ					11	Pending	no	2	0	0	3	no	0	
43BV					0	Pending	no	18	0	0	12	no	0	
43C					0	Pending	yes	166	8	0	0	no	0	
43QJ					1	Pending	no	46	1	2	0	no	0	
76B					1	Pending	yes	5	1	0	0	no	0	
76C					1	Pending	yes	11	0	0	0	no	0	
76D					59	Pending	yes	59	1	0	7	no	0	
76G					5	Pending	yes	163	1	0	6	no	2	
76HB					2	Pending	yes	195*	0	0	9	no	0	
76HE					5	Pending	yes	195*	2	0	2	no	0	
76I					1	Pending	yes	9	0	0	2	no	0	
76K					1	Pending	yes	18	1	0	2	no	1	
76M					0	Pending	yes	71	0	2	22	no	0	
76N					4	Pending	yes	40	35	0	0	no	1	

Percentage complete is calculated based on number of issues on the objection list compared to the number of claims open and could result in a negative %. Issues include but are not limited to motions to amend, exempt claims, splits, and claims called in on-motion of the court. Greyed out cells indicate that the the elapsed time has not been reached.

\*= total exempt claims in 76H basin group.