

Montana Water Court
Report To
The Water Policy Interim Committee
August 2016

Decree Issuance Update

Decrees Issued in 2014

Basin	Name	Date Prelim Issued	Original Obj Deadline	Extended Deadline	Extended Deadline	CounterObj Deadline	NOIA Deadline	Number of Claims on Objection List
42M	Yellowstone River, Below Powder River	1/24/2014	7/23/2014	10/21/2014	1/20/2015	4/20/2015	7/20/2015	1868
40EJ	Missouri River, between Bullwhacker Creek and Musselshell Rivers	4/25/2014	10/22/2014	1/20/2015	4/20/2015	8/3/2015	10/19/2015	1134
40T	St. Mary River	6/19/2014	12/22/2014	3/23/2015	6/22/2015	8/31/2015	12/22/2015	161

Decrees Issued And Still In An Objection Period

Decrees Issued in 2015 and 2016

Basin	Name	Date Prelim Issued	Original Obj Deadline	Extended Deadline	Extended Deadline	CounterObj Deadline	NOIA Deadline	Objections Rcd as of 7/29/2016
41M	Two Medicine River	3/20/2015	9/16/2015	12/15/2015	3/14/2016	6/7/2016	9/20/2016	1241
41P	Marias River	4/23/2015	10/20/2015	1/19/2016	4/18/2016	7/12/2016		591
41L	Cut Bank River	10/8/2015	4/5/2016	7/5/2016	10/3/2016			7
76HA	Bitterroot River, Main Stem	12/4/2015	6/1/2016	8/30/2016				96
43P	Bighorn River, below Greybull River	1/28/2016	7/26/2016	10/24/2016				57
Many	Turtle Mountain Claims	Anticipated August 2016						

First Decrees Remaining to be Issued: Two first decrees still need to be issued.

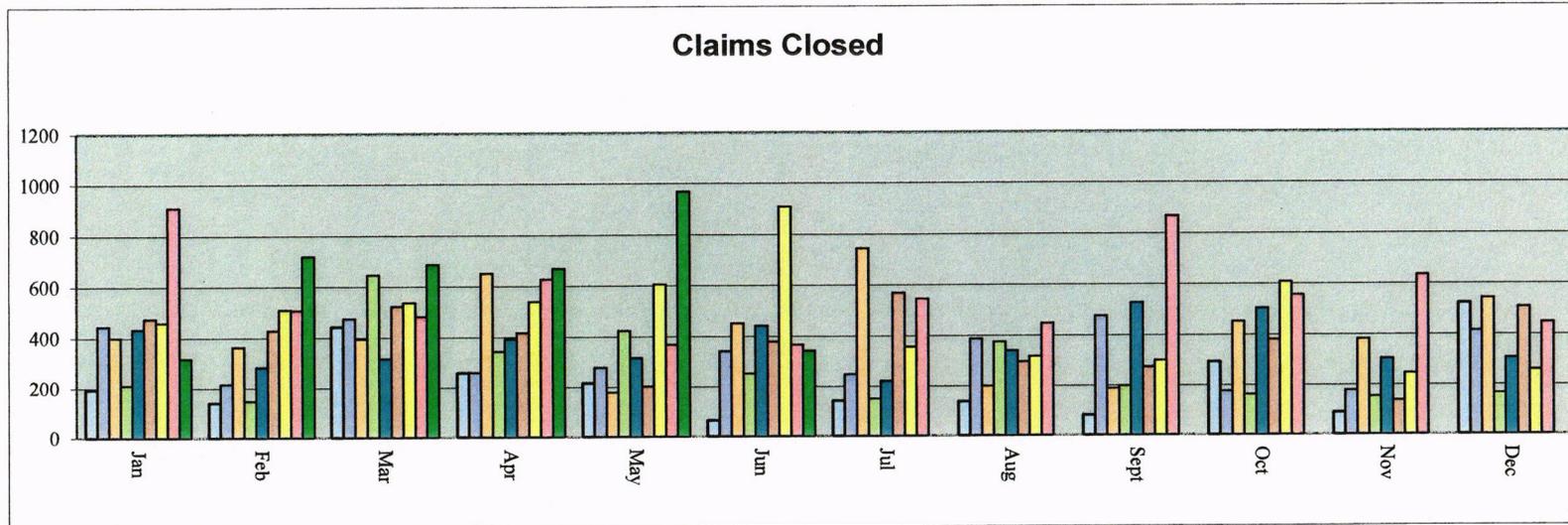
Basin	Name	Status
76L	Flathead River, Below Flathead Lake	Pending receipt of summary report from DNRC. Stay in place for Preliminary Decree until 1/31/2017.
76LJ	Flathead River, to and including Flathead Lake	Pending receipt of summary report from DNRC. Stay in place for Preliminary Decree until 1/31/2017.

Second Decrees: Issuance of Preliminary Decrees for basins in previous Temporary Preliminary Decrees will commence in 2016. The following represents activity in this category.

Basin	Name	Date Preliminary Issued	Original Objection Deadline	Extended Deadline	Extended Deadline	CounterObj Deadline	NOIA Deadline	Obj As of 7/29/2016
76GJ	Flint Creek	5/19/2016	11/15/2016					6
43D	Clarks Fork Yellowstone River	Summary Report received. Preliminary Decree Issuance pending completion of summary report review.						
40C	Musselshell River, Below Roundup	Summary Report received. Preliminary Decree will be issued at the same time as the 40A Decree.						
40A	Musselshell River, Above Roundup	Summary Report has not yet been received by the court. Preliminary Decree will be issued at the same time as the 40C Decree.						

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	686	667	967	342							616



Updated:

7/18/2016

**Percentage of Claims Resolved
Elapsed Time from Notice of Intent to Appear
For Basins Under Active Review**

Basin	Basin Name	Number of Claims on Objection List	NOIA Deadline	% Complete 6 Months	% Complete 12 Months	% Complete 2 Years	% Complete 5 Years	% Complete 7/1/2016
41O	Teton River	1623	1/17/2008	1.5%	10.5%	40.9%	90.3%	99.4%
41D	Big Hole River	2233	2/3/2009	-1.8%	0.5%	19.3%	86.16%	96.8%
41QJ	Missouri River from Holter Dam to Sun River	857	4/28/2009	3.4%	25.8%	58.3%	88.68%	99.3%
42C	Tongue River below Hanging Woman	916	8/25/2009	-29.5%	-29.1%	-5.9%	53.05%	88.2%
42B	Tongue River including Hanging Woman	566	8/25/2009	8.3%	33.6%	53.9%	73.32%	97.7%
40M	Beaver Creek Tributary of Milk River	1464	8/9/2010	20.3%	25.7%	43.3%	68.99%	73.5%
40R	Big Muddy Creek	728	6/3/2011	5.5%	26.9%	73.9%	95.19%	95.2%
43E	Pryor Creek	488	9/26/2011	-15.0%	-13.3%	5.3%		53.5%
43O	Little Big Horn River	1135	10/3/2011	-20.0%	-19.7%	0.4%		34.2%
41Q	Missouri River from Sun River to Marias River	1071	11/1/2011	27.9%	59.7%	74.5%		93.1%
40J	Milk River between Fresno Res & Whitewater	4789	4/10/2011	-0.5%	1.1%	15.3%	76.76%	77.6%
41J	Smith River	1062	6/11/2012	14.3%	19.8%	28.6%		61.3%
76F	Blackfoot River	1346	6/30/2012	-0.3%	11.2%	52.5%		91.1%
40B	Flatwillow Creek	1419	6/16/2012	12.9%	21.2%	32.6%		87.7%
41R	Arrow Creek	848	3/12/2012	19.2%	23.5%	69.9%		96.9%
41T	Missouri River from Marias incl Bullwacker Cr	1471	9/17/2013	51.8%	78.3%	97.0%		99.5%
43N	Shoshone River	100	12/1/2014	50.0%	64.0%			66.0%
42A	Rosebud Creek	510	12/15/2014	20.1%	24.9%			31.0%
40I	Peoples Creek	414	1/6/2015	42.8%	73.4%			87.9%
41A	Red Rock River	1436	2/17/2015	27.3%	36.8%			47.0%
41B	Beaverhead River	992	2/17/2015	22.6%	38.4%			53.5%
40F	Milk River, Above Fresno Reservoir	1218	4/28/2015	26.3%	53.5%			65.4%
42M	Yellowstone River, Below Powder River	1868	7/20/2015	53.4%				84.6%
40EJ	Missouri River, btwn Bullwhacker Crk & Musselshell	1134	10/19/2015	8.1%				52.5%
40T	St. Mary River	161	12/22/2015	24.8%				28.6%

Elapsed Time is calculated from date that the NOIA period closed to the month indicated in last column.

Percentage Complete is calculated based on number of claims on the objection list compared to the number of claims open. When % complete is negative, this indicates that filings outside the decree issuance process have been received by the court and need attention. These additional proceedings include but are not limited to motions to amend, splits, and claims called in on-motion of the court.

Greyed out cells indicate that the the elapsed time has not been reached.

Update 7/18/2016

Filename: Percent by Elapsed

Compact Name	Case #	Status
Blackfeet Tribe Compact	Not yet at Water Court	
Fort Peck-Montana Compact	WC-1992-1	CLOSED
Northern Cheyenne Compact	WC1993-1	CLOSED
National Park Service-MT Compact	WC1994-1	CLOSED
Rocky Boys Compact	WC-2000-01	CLOSED
Red Rock Lakes Compact	WC-2000-02	CLOSED
USFWS Black Coulee and Benton Lake Compact	WC-2000-03 WC-2002-04	CLOSED
USDA Forest Service	WC-2007-03	CLOSED
USA-BLM-MT Compact	WC-2008-10	CLOSED
National Bison Range Compact	WC-2011-01	CLOSED
Crow Tribe Compact	WC-2012-06	CLOSED
Bowdoin National Wildlife Refuge Compact	WC-2013-04	CLOSED
USDA Fort Keogh Research Station	WC2014-07	CLOSED
USDA Sheep Experiment Station	WC2014-06	CLOSED
Charles M. Russell National Wildlife Refuge	WC2015-05	OPEN
Upper Missouri River Breaks National Monument	WC2015-06	CLOSED
Fort Belknap Indian Reservation	Not yet at Water Court	
Confederated Salish and Kootenai Tribes of the Flathead Reservation	Not yet at Water Court	
Turtle Mountain Chippewa	No compact negotiated. Claims filed, court will issue Preliminary Decree in 2016	

Filename: Compact Status

Date: 7/29/2016