

**DNRC REPORT TO EQC
HB22 ADJUDICATION PROGRESS
August 28, 2007**

Claims Examination Progress

- First benchmark 8,000 claims by 12-31-2006
 - **Second benchmark 19,000 claims by 12-31-2008**
 - Claims examined July 2005 thru **July 2007** **20,204**
 - Claims examined by Purpose
 - o Irrigation 4,583 23%
 - o Stock 11,942 59%
 - o Domestic 2,179 11%
 - o Other 1,500 7%
- 20,204**

Claims remaining to be examined **36,796**
 Total Claims examined based on original
 remaining 57,000 claims (57,000 – 36,796) = ***20204**

*1470 claims were examined prior to enactment of HB22

Summary Reports to Water Court

Union Creek	May 19, 2005
Teton River (41O)	August 15, 2005
Big Hole River (41D)	October 31, 2006
Tongue River, below Hanging Woman Creek (42C)	August 7, 2007
Blackfoot River (76F)	August 14, 2007
Missouri River, from Holter Dam to Sun River (41QJ)	August 15, 2007

Decrees Issued by Water Court

Teton Basin Decree	December 29, 2005	2,500 claims
Union Creek Decree	March 10, 2006	42 claims
Big Hole River Decree	April 6, 2007	3,892 claims

Above decrees scanned and available at: <http://nris.state.mt.us/dnrc/waterrights/default.aspx>

Basin Status

<u>Active Basins</u>	<u>Estimated Completion</u>
-Smith River (41J)	Summary report preparation Sept 2007
-Pryor Creek (43E)	Summary report preparation July 2008
-Milk River between Fresno & Whitewater (40J)	Summary prep pending July 2009
-Peoples Creek (40I)	Summary prep pending Dec 2009

-Little Big Horn River (43O)	Summary prep pending	July	2010
-Big Horn R below Greybull R (43P)	Summary prep pending	July	2010
-Beaver Creek (40M)	Summary prep pending	July	2010
-Milk River above Fresno (40F)	Summary prep pending	July	2011
-St. Mary River (40T)	Summary prep pending	July	2012
-Cut Bank River (41L)	Summary prep pending	July	2012
-Two Medicine River (41M)	Summary prep pending	July	2012
-Upper Tongue R (42B)	Examination in progress	Dec	2007
-Flatwillow Creek (40B)	Examination in progress	July	2008
-Rosebud Creek (42A)	Examination in progress	July	2008
-Missouri R to Marias (41Q)	Examination in progress	July	2009
-Big Muddy Creek (40R)	Examination in progress	July	2009
-Beaverhead River (41B)	Examination in progress	July	2009
-Missouri R from Marias to Bullwacker (41T)	Examination in progress	July	2012
-Red Rock River (41A)	Examination in progress	July	2015
-Flathead River (76LJ)	Examination in progress	July	2015
-Bitterroot R, E side (76HA)	Examination in progress	July	2015
-Marias River (41P)	Examination in progress	July	2015
-Flathead R below Flathead Lake (76L)	Examination in progress	July	2015
-Shoshone River (43N)	To be Examined	July	2012
-Missouri R between Bullwacker and Musselshell (40EJ)	To be Examined	July	2015
-Arrow Creek (41R)	To be Examined	July	2015
-Yellowstone R below Powder R (42M)	To be Examined	July	2015

District Court Enforcement Actions

- Completed water court assistance on 23 streams 2005 season
- Completed water court assistance on 23 streams 2006 season
- Completed water court assistance on 26 streams 2007 season
- **Automated indexes are now in use**

Expenses

For FY06:	Operating costs	\$ 639,320
	Personnel services	<u>\$1,382,274</u>
	Total	\$2,021,595
	Budget	\$2,037,740
For FY07:	Operating Costs	\$ 284,997.00
	Personnel services	<u>\$1,708,759.00</u>
	Total	\$1,993,756.00
	Budget	\$2,106,845.00
For FY08:	Operating Costs	\$ 27,930.00
	Personnel services	<u>\$ 102,716.00</u>
	Total	\$ 130,646.00
	Budget	\$2,506,301.00

Billing System

- 108,000 bills mailed Dec. 27, 2005
- 18,552 2nd bills mailed March 1, 2006
- Estimated revenue generated \$6.2 million
- Revenue received **\$5.123 million** representing 93,737 invoices paid (in full /or part)

Appeals

- 4,997 Appeals received to date
 - o 3,076 appeals based on ownership;
 - o 1,911 appeals based on fee calculation
- **834 appeals have been resolved to date (36 denied, 798 resolved with fee correction)**

Ownership Records / Forms Received

- **91,716** addresses corrected and/or added, though ownership updates (16,686 hrs) since July, 2005

(Form 608) Ownership Updates
(Form 602) Notices of Completion of Groundwater Development (wells 35gpm or less)

Fiscal Year	608 Counts	602 Counts
2008	742	492
2007	6074	3523
2006	13998	5948
2005	5414	3453
2004	4780	3053

- **HB 39 Automate Ownership Updates effective July 1, 2008**
 - o **Redesign of DOR Realty Transfer Certificate completed August 2007**
 - o Purchase software for matching property geocodes with water right parcels in July. Match and upload geocodes to water right database by Dec 2007.
 - o DOR Orion property records system updated with water right fields by Jan 2008
 - o Public and realty industry education on HB 39 and new process Aug 2007 thru June 2008

Database Progress

- Moved Water Right Database to ITSD in May 2007.
- **Automated water court objection list (120 hours) August 2007**
- Final contract in progress for development of Reserved Water Right Compact water right records, automating annual reporting and implementing subordination provisions. Completion date - November 2007.