

**DNRC REPORT TO EQC
HB22 ADJUDICATION PROGRESS
May 28, 2009**

Claims Examination Progress

- First benchmark 8,000 claims by 12-31-2006
- Second benchmark 19,000 claims by 12-31-2008
- **Third benchmark 31,000 claims by 12-31-2010**
- Claims examined July 2005 thru **March, 31 2009** **32,825**
- Claims examined by Purpose
 - o Irrigation 7,221 22%
 - o Stock 19,367 59%
 - o Domestic 3,611 11%
 - o Other 2,626 8%

Claims remaining to be examined **24,175**

Summary Reports to Water Court

Union Creek (part of 76F)	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
Tongue River, above Hanging Woman Creek (42B)	December 5, 2007
Pryor Creek (43E)	August 18, 2008
Smith River (41J)	September 1, 2008
Beaver Creek (40M)	September 1, 2008
Flatwillow Creek (40B)	September 11, 2008
Milk River (40J)	December 5, 2008
Little Big Horn River (43O)	Feb 6, 2009
Big Muddy Creek (40R)	April 6, 2009

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
Missouri River 41QJ	Feb 6, 2008	2,584 claims
Tongue River 42C	Feb 28, 2008	4710 claims
Tongue River 42B	Feb 28, 2008	1345 claims
Forest Service Compact	May 19, 2008	262 rights
BLM – Montana Compact	March 6 2009	2 rights
Beaver Creek, trib of Milk River	March 20, 2009	2942 claims

Above decrees scanned and available at: http://dnrc.mt.gov/wrd/water_rts/adjudication

Updated information in bold.

BASINS BY COMPLETION DATE - DNRC WORK PLAN 2009				
BASIN COUNT	BASIN NAME	WORK STATUS	EST COMPLETE DATE	
1	Missouri R to Marias (41Q)	Summary prep pending	7	2009
2	Beaverhead River (41B)	Examination in progress	9	2009
3	Big Horn R below Greybull R (43P)	Summary prep pending	10	2009
4	Missouri R from Marias to Bullwacker (41T)	Examination in progress	10	2009
5	Rosebud Creek (42A)	Examination in progress	6	2010
6	Flathead R below Flathead Lake (76L)	Examination in progress	8	2010
7	Shoshone River (43N)	To be Examined	9	2010
8	Milk River above Fresno (40F)	Summary prep pending	3	2011
9	Arrow Creek (41R)	Examination in progress	6	2011
10	Flathead River (76LJ)	Examination in progress	9	2011
11	Cut Bank River (41L)	Summary prep pending	6	2012
12	St. Mary River (40T)	Summary prep pending	7	2012
13	Yellowstone R below Powder R (42M)	To be Examined	8	2012
14	Red Rock River (41A)	Examination in progress	2	2013
15	Peoples Creek (40I)	Summary prep pending	6	2013
16	Two Medicine River (41M)	Summary prep pending	8	2013
17	Marias River (41P)	Examination in progress	10	2013
18	Missouri R between Bullwacker & Musselshell (40EJ)	To be Examined	3	2015
19	Bitterroot R, E side (76HA)	Examination in progress	6	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
- **Completed water court assistance on 35 streams 2009 season**
- Automated indexes are now in use

Expenses

YTD FY09:	Operating Costs	\$ 310,966.00
	Personnel services	<u>\$ 1,488,212.00</u>
	Total	\$ 1,799,178.00
	Budget	\$ 2,577,712.00

Billing System

- 108,000 bills mailed Dec. 27, 2005
- Estimated revenue generated \$6.2 million
- Revenue received **\$5.199 million**

Appeals

- 5,026 Appeals received
- **4143 appeals have been resolved to date (1093 denied, 3050 resolved with fee correction)**
- **883 appeals remain**

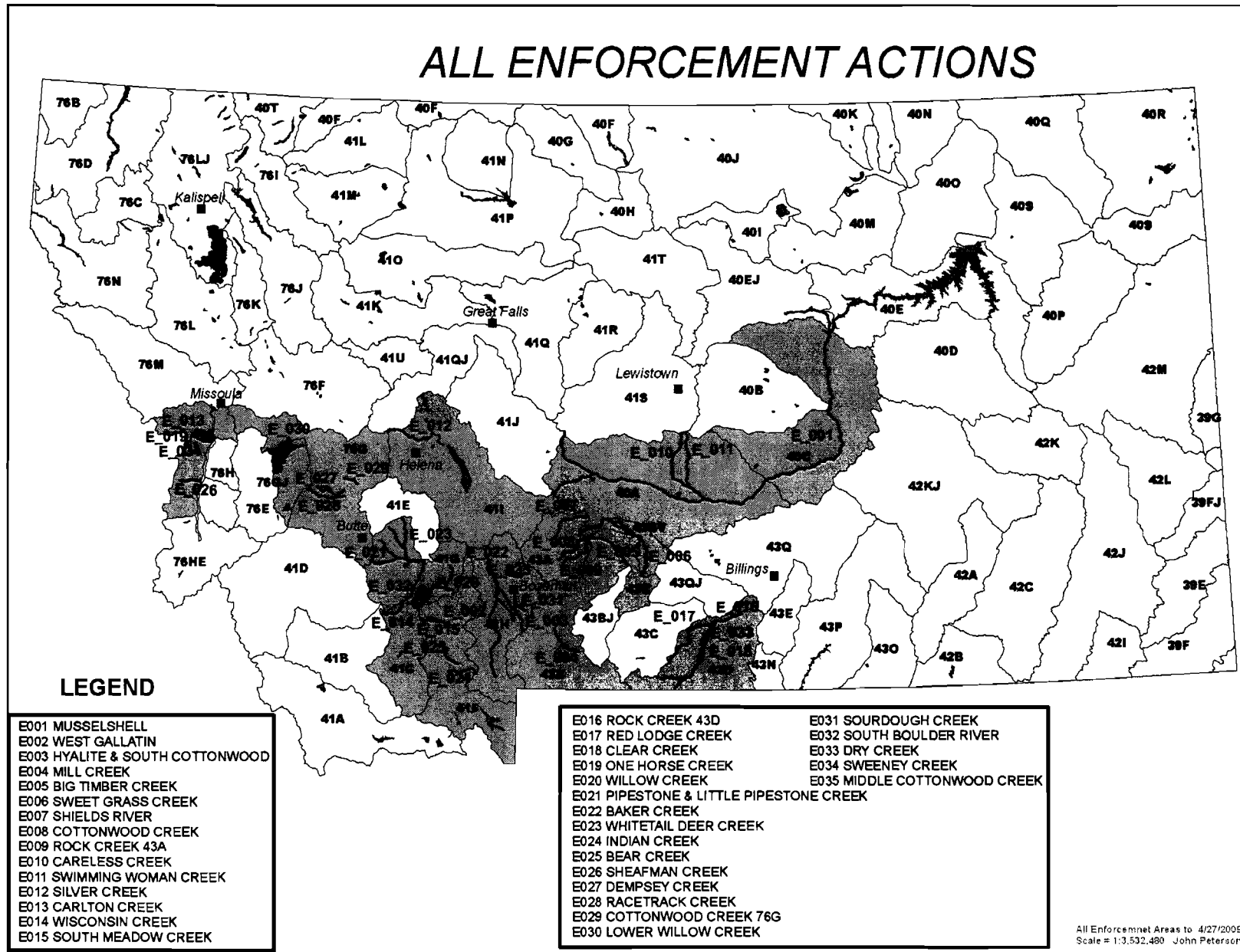
HB 39 Automate Ownership Updates effective July 1, 2008

- o Contract is finalized and Tyler Inc is developing the program for DOR to pass thru new property owner names to DNRC for updating water right records. **Anticipate testing program in June 2009.**
- o Geocodes were loaded into DNRC database in June 2008.

Database Progress

- **Water right records that have been matched to property geocodes will be uploaded to DOR Orion property database June 2009.**
- **Final testing** of Reserved Water Right Compact water right records, automating annual reporting and implementing subordination provisions. Anticipated completion date – June 2009.
- Moved Water Right Database to ITSD in May 2007.
- Automated water court objection list (120 hours) August 2007

ALL ENFORCEMENT ACTIONS



LEGEND

- E001 MUSSELSHELL
- E002 WEST GALLATIN
- E003 HYALITE & SOUTH COTTONWOOD
- E004 MILL CREEK
- E005 BIG TIMBER CREEK
- E006 SWEET GRASS CREEK
- E007 SHIELDS RIVER
- E008 COTTONWOOD CREEK
- E009 ROCK CREEK 43A
- E010 CARELESS CREEK
- E011 SWIMMING WOMAN CREEK
- E012 SILVER CREEK
- E013 CARLTON CREEK
- E014 WISCONSIN CREEK
- E015 SOUTH MEADOW CREEK

- E016 ROCK CREEK 43D
- E017 RED LODGE CREEK
- E018 CLEAR CREEK
- E019 ONE HORSE CREEK
- E020 WILLOW CREEK
- E021 PIPESTONE & LITTLE PIPESTONE CREEK
- E022 BAKER CREEK
- E023 WHITETAIL DEER CREEK
- E024 INDIAN CREEK
- E025 BEAR CREEK
- E026 SHEAFMAN CREEK
- E027 DEMPSEY CREEK
- E028 RACETRACK CREEK
- E029 COTTONWOOD CREEK 76G
- E030 LOWER WILLOW CREEK
- E031 SOURDOUGH CREEK
- E032 SOUTH BOULDER RIVER
- E033 DRY CREEK
- E034 SWEENEY CREEK
- E035 MIDDLE COTTONWOOD CREEK

All Enforcement Areas to 4/27/2009
 Scale = 1:3,532,480 John Peterson