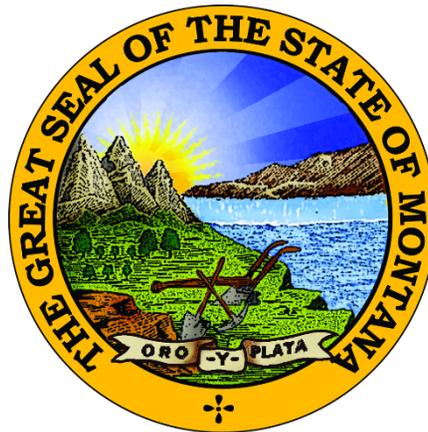


Montana Water Court  
Report to the  
Water Policy Interim Committee

May 28, 2019



## Decree Issuance Update

### Decrees in an Objection Period:

Basin	Name	Date Prelim Issued	Original Obj Deadline	1 <sup>st</sup> Extended Deadline	2 <sup>nd</sup> Extended Deadline	Counter Obj Deadline	NOIA Deadline	Objections Rcd as of 5/28/19
41G	Jefferson River	2/15/18	8/14/18	11/13/18	2/11/19	4/23/19	7/9/19	664
76E	Rock Creek, Tributary of Clark Fork River	5/10/18	11/7/18	2/5/19	3/22/19	5/31/19		183
41H	Gallatin River	10/11/18	4/9/19	5/9/19	n/a	7/29/19		610
39FJ	Little Beaver Creek	11/1/18	4/30/19	n/a	n/a	7/12/19		101
76J	Flathead River, South Fork	11/29/18	5/28/19					0
39G	Beaver Creek, Tributary of Little Missouri River	12/19/18	6/17/19					5
43A	Shields River	2/14/19	8/13/19					20
40K	Whitewater Creek	3/7/19	9/3/19					1
	Blackfoot Compacts	4/4/19	10/1/19					0
40G	Sage Creek	4/11/19	10/8/19					0
43B	Yellowstone River above & including Bridger Creek	5/9/19	11/5/19					3
39F	Little Missouri River, above Little Beaver Creek	5/23/19	11/19/19					0

### First Decrees remaining to be Issued:

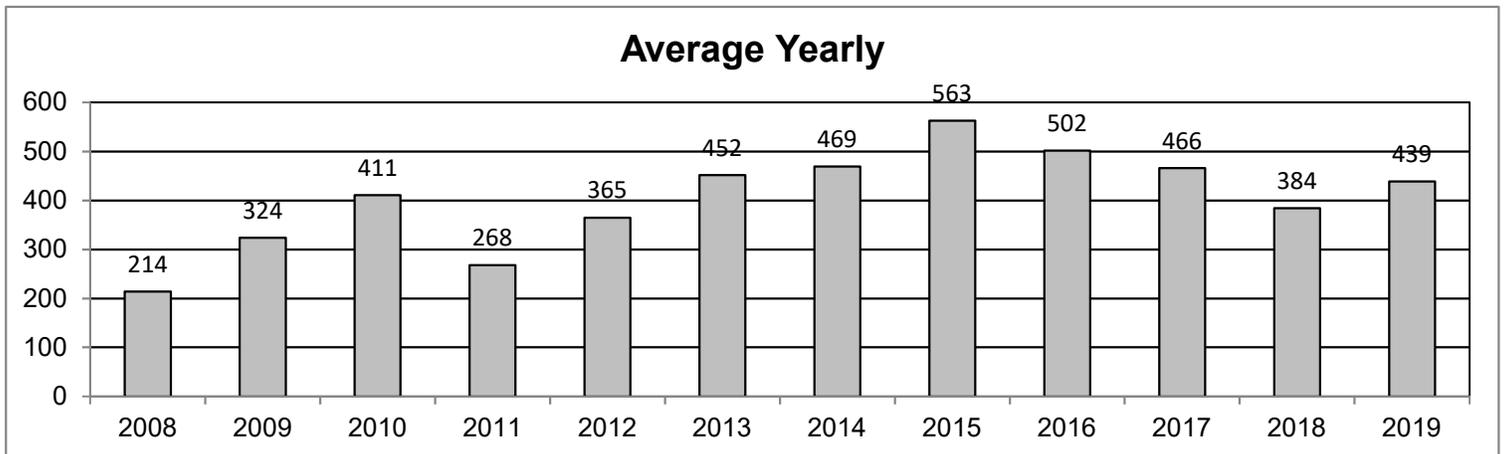
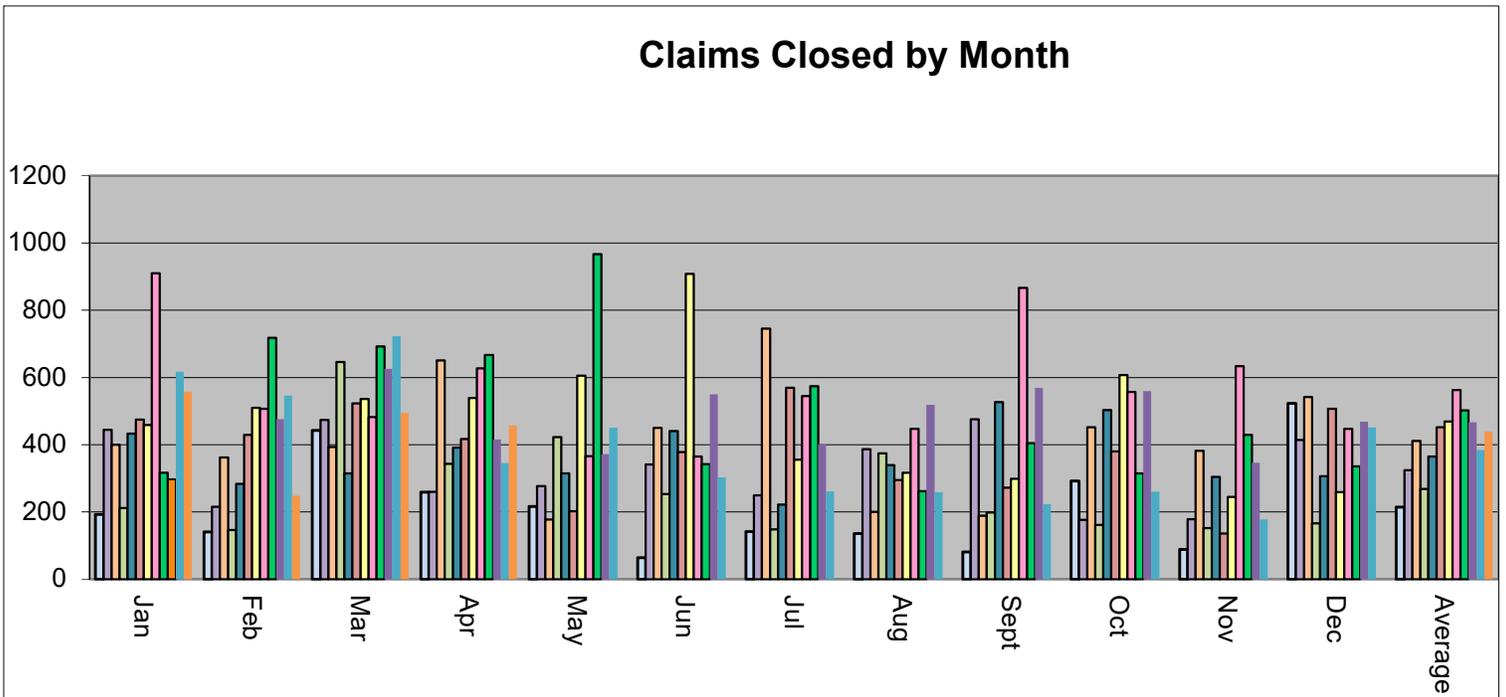
Basin	Name	Status
76L	Flathead River, below Flathead Lake	Summary report received. Stay in place for Preliminary Decree until January 10, 2020.
76LJ	Flathead River, to and including Flathead Lake	Summary report received. Stay in place for Preliminary Decree until January 10, 2020.

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

Basin	Name	Anticipated Receipt of Summary Report from DNRC	Master
39E	Box Elder Creek	Received; decree to be issued June 20, 2019	Nate
40N	Rock Creek, Tributary of Milk River	Received; decree to be issued Fall, 2019	Ben
43BV	Sweet Grass Creek	1/1/20	Nate
40D	Big Dry Creek	4/1/20	Julie
40E	Missouri River, between Musselshell River and Fort Peck Dam	6/1/20	Nate
76D	Kootenai River	8/1/20	Andrea

## 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	223	260	177	451	384
2019	557	247	494	457									439



## Compact Status

<b>Compact Name</b>	<b>Case #</b>	<b>Status</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	WC2018-06	OPEN
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 5/1/19	Open Claims 5/1/19	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed	Late Claims (Action needed)	Mis-basined/ Missed Decree Claims	Pending Motions to Amend	Master
42I	NA	NA	100%	100%	0	Complete	no	2	0	1	0	Ben
42J	NA	NA	100%	100%	0	Complete	no	19	0	4	0	Ben
39H	NA	NA	100%	100%	0	Complete	no	0	0	0	0	Maddy
38H	NA	NA	100%	100%	0	Complete	no	0	0	0	0	Maddy
40P	NA	04/23/84	100%	N/A	2	Complete	no	16	7	11	0	Andrea
42L	NA	06/25/84	100%	N/A	4	Complete	no	39	11	2	0	Andrea
40O	677	04/06/98	NA	66.2%	229	Complete	no	18	0	0	0	Anna S.
76HF	1931	10/25/99	NA	100.0%	0	Pending	no	284*	0	0	0	Anika
43Q	466	04/24/00	NA	99.8%	1	Pending	no	247	2	7	1	
40Q	628	06/11/01	NA	100.0%	0	Complete	no	8	0	1	0	
40S	1451	06/11/01	NA	99.9%	2	Complete	no	11	1	5	0	Nate
40H	351	11/08/04	76.4%	99.7%	1	Complete	yes	5	0	5	0	CWJ
42KJ	1083	12/19/05	NA	100.0%	0	Complete	no	69	35	2	0	Anna S
41O	1623	01/17/08	90.3%	99.9%	1	Pending	yes	78	0	2	0	Ben
41D	2233	02/03/09	86.16%	99.8%	4	Pending	no	103	2	2	0	Kathryn
41QJ	857	04/28/09	88.68%	99.9%	1	Pending	no	154	2	0	1	Anika
42C	916	08/25/09	53.05%	99.9%	1	Complete	no	118	1	0	1	Kathryn
42B	566	08/25/09	73.32%	100.0%	0	Complete	no	15	0	1	0	Kathryn
40M	1464	08/09/10	68.99%	77.2%	334	Pending	no	33	0	4	0	Kathryn
40R	728	06/03/11	95.19%	98.2%	13	Complete	no	13	2	0	0	Anika
43E	488	09/26/11	62.50%	92.2%	38	Complete	no	20	0	0	0	Anika
43O	1135	10/03/11	47.93%	95.9%	47	Complete	no	6	0	0	0	Anika
41Q	1071	11/01/11	93.70%	99.9%	1	Pending	no	49	4	1	0	Maddy
40J	4789	04/10/11	76.76%	99.4%	28	Pending	yes	70	0	4	0	Anna S
41J	1062	06/11/12	64.88%	97.7%	24	Pending	no	381	0	0	0	Nate
76F	1346	06/30/12	96.81%	99.3%	10	Pending	no	89	0	0	0	Maddy
40B	1419	06/16/12	92.39%	98.2%	25	Pending	no	106	0	0	0	Julie
41R	848	03/12/12	97.20%	100.0%	0	Pending	no	42	0	1	0	
41T	1471	09/17/13	100.00%	99.9%	2	Pending	no	46	0	0	0	
41A	1436	02/17/15		97.2%	40	Pending	no	107	1	0	3	Ben
41B	992	02/17/15		90.6%	93	Pending	no	113	1	0	0	Ben
42A	510	12/15/14		63.3%	187	Complete	no	30	0	0	0	Andrea

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Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 5/1/19	Open Claims 5/1/19	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed	Late Claims (Action needed)	Mis-basined/ Missed Decree Claims	Pending Motions to Amend	Master
43N	100	12/01/14		99.0%	1	Pending	no	6	0	0	0	
40I	414	01/06/15		98.6%	6	Pending	no	3	0	0	0	Maddy
40F	1218	04/28/15		95.6%	54	Pending	no	22	0	0	0	Anna S
42M	1868	07/20/15		98.8%	23	Complete	no	120	0	0	0	Anika
40EJ	1134	10/19/15		89.8%	116	Pending	no	43	0	0	0	Andrea
40T	161	12/22/15		89.4%	17	Pending	no	2	0	0	0	Maddy
41M	850	09/20/16		49.9%	426	Pending	no	56	0	0	0	Anna S
41P	1380	12/20/16		84.0%	221	Pending	no	49	0	1	0	Ben
41L	620	04/24/17		65.6%	213	Pending	no	3	0	1	0	Anna S
76HA	1858	06/13/17		57.8%	784	Pending	no	284*	0	0	0	Anika
43P	1609	07/25/17		50.2%	801	Complete	no	92	0	1	0	Julie
76L						Pending	no	144	0	0	0	
76LJ						Pending	no	320	176	0	0	
TMAL	17	01/13/18		100.0%	0	n/a	yes	1	1	1	0	CWJ
76GJ	751	08/08/17		88.1%	89	Pending	no	120	0	0	0	Kathryn
43D	1455	09/10/18		6.3%	1363	Pending	no	302	0	0	0	Anna S
40A	2850	11/26/18		12.1%	2505	Pending	no	419	0	0	0	Ben
40C	1339	11/26/18		34.8%	873	Pending	no	95	0	0	4	Ben
40L	289	03/11/19		0.0%	289	Pending	no	2	1	0	0	Andrea
41N	713	05/24/19			713	Complete	no	6	0	0	0	Nate
41G	1347	07/09/19			10	Pending	no	160	0	0	0	Maddy
76E					2	Pending	yes	17	0	0	0	Anika
41H					3	Pending	yes	320	0	1	0	Julie
39FJ					4	Complete	no	13	0	0	0	Melissa
76J					0	Pending	no	1	0	0	0	Melissa
39G					0	Complete	no	13	0	0	0	Anna S
43A					0	Pending	no	102	0	0	0	Andrea
40K					0	Complete	no	0	0	0	0	Maddy
43B					6	Pending	yes	180	0	0	0	Kathryn
40G					0	Complete	no	16	0	0	0	Andrea
39E					13	Complete	no	23	0	0	0	Nate
39F					1	Complete	no	25	0	0	0	Anika

## Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 5/1/19	Open Claims 5/1/19	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed	Late Claims (Action needed)	Mis-basined/ Missed Decree Claims	Pending Motions to Amend	Master
40N					1	Pending	yes	10	1	8	0	Ben
43BV					3	Pending	no	26	0	9	1	Nate
40D					0	Complete	no	58	15	5	0	Julie
40E					2	Complete	no	52	3	18	0	Nate
41S					7	Pending	yes	294	0	0	2	Ben
41C					29	Pending	yes	43	11	11	1	Andrea
41E					1	Pending	yes	20	9	2	0	Maddy
41F					8	Pending	yes	108	0	12	0	Anna S
41I					21	Pending	yes	261	0	4	6	Melissa
41K					2	Pending	yes	86	0	5	1	Nate
41U					5	Pending	no	21	0	2	0	Anika
42K					0	Complete	no	14	4	4	0	Anna S
43BJ					0	Pending	no	18	0	1	0	Julie
43C					0	Pending	yes	191	8	1	0	Maddy
43QJ					3	Pending	no	51	1	22	0	Colton
76B					1	Pending	yes	5	1	1	0	Maddy
76C					1	Pending	yes	14	0	0	0	Kathryn
76D					25	Pending	yes	75	1	0	0	Andrea
76G					5	Pending	no	226	1	2	2	Kathryn
76HB					1	Pending	no	284*	0	21	1	Colton
76HE					0	Pending	no	284*	2	1	0	Melissa
76I					1	Pending	no	11	0	1	0	Nate
76K					0	Pending	no	23	1	2	0	Julie
76M					5	Pending	no	114	0	18	0	Anika
76N					2	Pending	yes	47	35	0	0	Anna S

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.