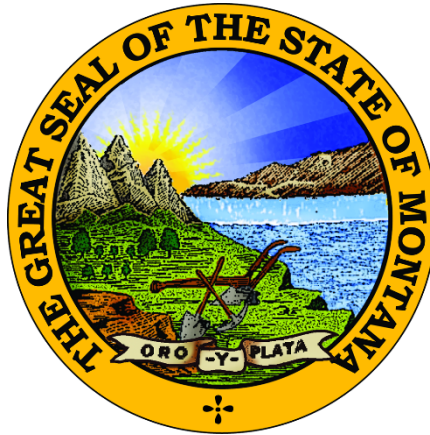


Montana Water Court
Report to the
Water Policy Interim Committee
September 2019



Decree Issuance Update

Decrees in an Objection Period:

Basin	Name	Date Prelim Issued	Original Obj Deadline	1 st Extended Deadline	2 nd Extended Deadline	Counter Obj Deadline	NOIA Deadline	Objections Rcd as of 8/22/19
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	9/24/19	101
76J	Flathead River, South Fork	11/29/18	5/28/19	n/a	n/a	8/2/19	10/15/19	1
39G	Beaver Creek, Tributary of Little Missouri River	12/19/18	6/17/19	n/a	n/a	8/26/19	11/4/19	20
43A	Shields River	2/14/19	8/13/19	10/15/19				467
40K	Whitewater Creek	3/7/19	9/3/19					1
	Blackfoot Compacts	4/4/19	10/1/19					3
40G	Sage Creek	4/11/19	10/8/19					16
43B	Yellowstone River above & including Bridger Creek	5/9/19	11/5/19					13
39F	Little Missouri River, above Little Beaver Creek	5/23/19	11/19/19					26

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):

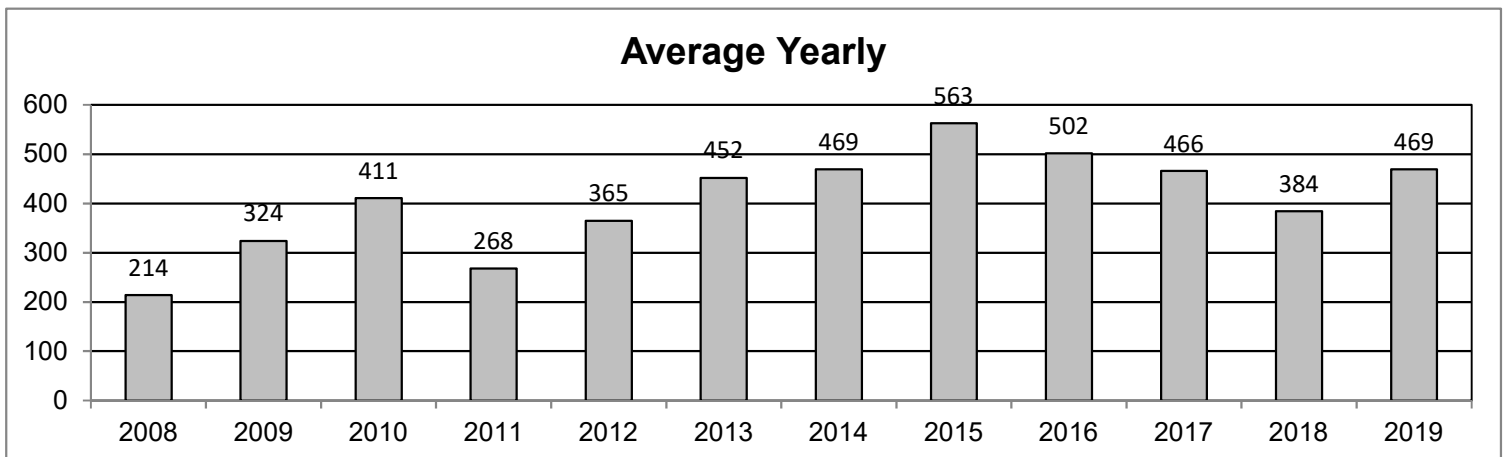
Basin	Name	Anticipated Receipt of Summary Report from DNRC	Master
39E	Box Elder Creek	Received; decree to be issued Fall 2019	Nate
40N	Rock Creek, Tributary of Milk River	Received; decree to be issued Fall 2019	
40E	Missouri River between Muss & Fort Peck Dam	Winter 2019	Nate
43BV	Sweet Grass Creek	1/1/20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

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	657	318	552						469

Claim Closure by Type:

Type	19-Jan	19-Feb	19-Mar	19-Apr	19-May	19-Jun	19-Jul
Objection	153	109	129	114	265	117	170
Motion to Amend	10	4	18	13	7	6	3
Certification	0	0	0	0	0	0	0
Other Action	73	45	71	79	31	42	10
Issue Remarks	315	89	273	250	354	153	369
Exempt Petition	6	0	3	1	0	0	0
Total	557	247	494	457	657	318	552



Compact Status

Compact Name	Case #	Status
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 8/3/19	Open Claims 8/3/19	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	Nate
42J	NA	NA	100%	100%	0	Complete	no	34	0	4	0	Nate
39H	NA	NA	100%	100%	0	Complete	no	1	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	38	7	11	0	Kathryn
42L	NA	06/25/84	100%	N/A	0	Complete	no	55	11	2	0	Kathryn
40O	677	04/06/98	NA	66.2%	229	Complete	no	60	0	0	0	Anna S.
76HF	1931	10/25/99	NA	100.0%	0	Pending	no	358*	0	0	1	Anika
43Q	466	04/24/00	NA	99.8%	1	Pending	no	357	2	7	3	
40Q	628	06/11/01	NA	100.0%	0	Complete	no	83	0	1	0	
40S	1451	06/11/01	NA	100.0%	0	Complete	no	71	1	5	0	Nate
40H	351	11/08/04	76.4%	99.7%	1	Complete	yes	25	0	5	0	
42KJ	1083	12/19/05	NA	98.8%	13	Complete	no	121	35	2	13	Anna S.
41O	1623	01/17/08	90.3%	99.9%	1	Pending	yes	229	0	2	0	
41D	2233	02/03/09	86.16%	99.9%	2	Pending	no	374	2	2	0	Kathryn
41QJ	857	04/28/09	88.68%	100.0%	0	Pending	no	368	2	0	0	Anika
42C	916	08/25/09	53.05%	99.9%	1	Complete	no	130	1	0	0	Kathryn
42B	566	08/25/09	73.32%	100.0%	0	Complete	no	20	0	1	0	Kathryn
40M	1464	08/09/10	68.99%	80.1%	292	Pending	no	234	0	4	0	Kathryn
40R	728	06/03/11	95.19%	98.2%	13	Complete	no	93	2	0	0	Anika
43E	488	09/26/11	62.50%	92.2%	38	Complete	no	21	0	0	0	Anika
43O	1135	10/03/11	47.93%	95.9%	47	Complete	no	65	0	0	0	Anika
41Q	1071	11/01/11	93.70%	99.6%	4	Pending	no	99	4	1	0	Maddy
40J	4789	04/10/11	76.76%	99.4%	27	Pending	yes	318	0	4	0	Anna S
41J	1062	06/11/12	64.88%	98.3%	18	Pending	no	515	0	0	0	Nate
76F	1346	06/30/12	96.81%	99.1%	12	Pending	no	330	0	0	1	Maddy
40B	1419	06/16/12	92.39%	99.4%	9	Pending	no	141	0	0	2	Julie
41R	848	03/12/12	97.20%	100.0%	0	Pending	no	89	0	1	0	Anika
41T	1471	09/17/13	100.00%	99.9%	1	Pending	no	133	0	0	2	
41A	1436	02/17/15		98.5%	21	Pending	no	339	1	0	1	
41B	992	02/17/15		92.5%	74	Pending	no	489	1	0	0	
42A	510	12/15/14		82.9%	87	Complete	no	88	0	0	0	Nate

Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 8/3/19	Open Claims 8/3/19	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		100.0%	0	Pending	no	6	0	0	0	
40I	414	01/06/15		98.6%	6	Pending	no	14	0	0	0	Maddy
40F	1218	04/28/15		95.6%	54	Pending	no	36	0	0	0	Anna S
42M	1868	07/20/15		99.1%	17	Complete	no	220	0	0	0	Anika
40EJ	1134	10/19/15		93.3%	76	Pending	no	132	0	0	1	AWJ
40T	161	12/22/15		89.4%	17	Pending	no	28	0	0	0	Maddy
41M	850	09/20/16		56.0%	374	Pending	no	103	0	0	0	Anna S
41P	1380	12/20/16		89.9%	139	Pending	no	98	0	0	10	Melissa
41L	620	04/24/17		76.3%	147	Pending	no	27	0	1	0	Anna S
76HA	1858	06/13/17		58.1%	778	Pending	no	358*	0	0	8	Anika
43P	1609	07/25/17		57.8%	679	Complete	no	101	0	0	0	Julie
76L						Pending	no	476	0	0	0	
76LJ						Pending	no	583	176	0	0	
TMAL	17	01/13/18		100.0%	0	n/a	no	0	0	0	0	CWJ
76GJ	751	08/08/17		92.8%	54	Pending	no	130	0	0	0	Kathryn
43D	1455	09/10/18		14.1%	1250	Pending	no	379	0	0	0	Anna S
40A	2850	11/26/18		22.4%	2212	Pending	no	471	0	0	6	Melissa
40C	1339	11/26/18		45.1%	735	Pending	no	120	0	0	6	Colton
40L	289	03/11/19		0.0%	289	Pending	no	111	1	0	0	Kathryn
41N	713	05/24/19		14.2%	612	Complete	no	12	0	0	37	Nate
41G	1347	07/09/19		0	1347	Pending	no	539	0	0	2	Maddy
76E	429	08/23/19			432	Pending	yes	21	0	0	1	Anika
41H					8	Pending	yes	495	0	0	0	Julie
39FJ	580	09/24/19			580	Complete	no	18	0	0	0	Melissa
76J	62	10/15/19			62	Pending	no	3	0	0	0	Melissa
39G					0	Complete	no	49	0	0	0	Anna S
43A					0	Pending	no	269	0	0	0	Anika
40K					0	Complete	no	16	0	0	0	Maddy
43B					7	Pending	yes	400	0	0	0	Kathryn
40G					0	Complete	no	67	0	0	0	Colton
39E					0	Complete	no	59	0	0	0	Nate
39F					4	Complete	no	31	0	0	0	Anika

Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 8/3/19	Open Claims 8/3/19	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	24	1	8	0	
43BV					2	Pending	no	50	0	9	0	Nate
40D					0	Complete	no	182	15	5	0	Julie
40E					2	Complete	no	155	3	18	0	Nate
41S					6	Pending	yes	1110	0	0	1	
41C					4	Pending	yes	257	11	11	0	
41E					1	Pending	yes	214	9	2	0	Maddy
41F					8	Pending	yes	273	0	12	0	Anna S
41I					19	Pending	yes	792	0	4	7	Melissa
41K					2	Pending	yes	217	0	5	0	Nate
41U					5	Pending	no	46	0	2	0	Anika
42K					0	Complete	no	32	4	4	0	Anna S
43BJ					0	Pending	no	33	0	1	0	Julie
43C					1	Pending	yes	235	8	0	0	Maddy
43QJ					0	Pending	no	84	1	22	0	Colton
76B					1	Pending	yes	14	1	1	0	Maddy
76C					1	Pending	yes	27	0	0	0	Kathryn
76D					25	Pending	yes	177	1	0	0	Colton
76G					7	Pending	no	566	1	2	0	Kathryn
76HB					1	Pending	no	425*	0	21	1	Colton
76HE					2	Pending	no	358*	2	1	2	Melissa
76I					1	Pending	no	12	0	1	0	Nate
76K					0	Pending	no	54	1	2	0	Julie
76M					0	Pending	no	183	0	18	0	Anika
76N					2	Pending	yes	112	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.
 HB110 and SB355 exempt filings as of 8/15/2019