

McElyea, Russ

From: Calkins, Sara
Sent: Wednesday, January 13, 2021 2:10 PM
To: Sutcliffe, James
Cc: Verhasselt, Jeremy; Tschida, Joe; Brown, Stephen; McElyea, Russ
Subject: RE: potential performance audit of water rights database
Attachments: Database Concerns 012021.docx

Good afternoon. Our talking points/concerns regarding the database are attached.

We look forward to meeting with you tomorrow.

Sara Calkins
Administrator
Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
(406) 577-7755
Sara.Calkins@mt.gov

From: Sutcliffe, James <JSutcliffe@mt.gov>
Sent: Tuesday, January 12, 2021 11:51 AM
To: McElyea, Russ <RMcElyea@mt.gov>
Cc: Verhasselt, Jeremy <JVerhasselt@mt.gov>; Tschida, Joe <Joseph.Tschida@mt.gov>; Calkins, Sara <Sara.Calkins@mt.gov>; Brown, Stephen <Stephen.Brown@mt.gov>
Subject: RE: potential performance audit of water rights database

Thanks for providing these in advance. We'll review them before our discussion on Thursday.

Best,

James Sutcliffe
Senior Management and Program Analyst
Montana Legislative Audit Division
406.444.3221

From: McElyea, Russ <RMcElyea@mt.gov>
Sent: Tuesday, January 12, 2021 11:35 AM
To: Sutcliffe, James <JSutcliffe@mt.gov>
Cc: Verhasselt, Jeremy <JVerhasselt@mt.gov>; Tschida, Joe <Joseph.Tschida@mt.gov>; Calkins, Sara <Sara.Calkins@mt.gov>; Brown, Stephen <Stephen.Brown@mt.gov>
Subject: RE: potential performance audit of water rights database

White paper attached.

Russ McElyea
Chief Water Judge
Montana Water Court

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Bozeman, MT 59771
(406) 586-4364

From: Sutcliffe, James <JSutcliffe@mt.gov>

Sent: Friday, January 8, 2021 3:44 PM

To: McElyea, Russ <RMcElyea@mt.gov>

Cc: Verhasselt, Jeremy <JVerhasselt@mt.gov>; Tschida, Joe <Joseph.Tschida@mt.gov>; Calkins, Sara <Sara.Calkins@mt.gov>; Brown, Stephen <Stephen.Brown@mt.gov>

Subject: RE: potential performance audit of water rights database

Judge McElyea,

Thanks for getting back to me so quickly. Coincidentally, just saw your testimony on SB 13 to the Senate Natural Resources Committee.

Looking at our schedules, it looks like 10:00 on Thursday the 14th would work for all of us. I will send along a Zoom meeting invite to you all shortly. We look forward to speaking with you.

Best,

James Sutcliffe

Senior Management and Program Analyst
Montana Legislative Audit Division
406.444.3221

From: McElyea, Russ <RMcElyea@mt.gov>

Sent: Friday, January 8, 2021 3:38 PM

To: Sutcliffe, James <JSutcliffe@mt.gov>

Cc: Verhasselt, Jeremy <JVerhasselt@mt.gov>; Tschida, Joe <Joseph.Tschida@mt.gov>; Calkins, Sara <Sara.Calkins@mt.gov>; Brown, Stephen <Stephen.Brown@mt.gov>

Subject: RE: potential performance audit of water rights database

Mr. Sutcliffe

Both water judges and Ms. Calkins are available the following dates and times:

January 11-all day

January 12, 14, & 15, 8:30-11:30

Regards,

Russ McElyea
Chief Water Judge
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✓
From: Sutcliffe, James <JSutcliffe@mt.gov>

Sent: Friday, January 8, 2021 2:21 PM

To: McElyea, Russ <RMcElyea@mt.gov>

Cc: Verhasselt, Jeremy <JVerhasselt@mt.gov>; Tschida, Joe <Joseph.Tschida@mt.gov>

Subject: potential performance audit of water rights database

Dear Judge McElyea,

I am a Management and Program Analyst (a position previously known as Performance Auditor) with the Montana Legislative Audit Division. We are currently in the process of conducting a performance audit assessment of the accuracy of data in and processes related to DNRC's Water Rights ownership database. An audit assessment determines whether to go forward with a performance audit and identifies potential areas of evaluation. As part of this process, we try to speak to important stakeholders and members of relevant government entities to ensure we get as comprehensive a view of the issues as possible.

I am hoping to schedule a time to speak with you (and/or with other representatives of the Water Court who understand issues related to the database) to get your perspective on data accuracy, process deficiencies, or any other concerns the court has related to DNRC's data management. Is there a time in the next couple of weeks that works for you to meet with us via Zoom? My cc'd colleagues would also be on the call – Jeremy Verhasselt is the Audit Oversight, Joe Tschida is audit staff, and I am the audit lead.

Please let me know if there are times that work for you, and we can try to arrange our schedules accordingly.

Thanks for your time,

James Sutcliffe

Senior Management and Program Analyst

Montana Legislative Audit Division

406.444.3221

Talking Points for Discussion with Database Performance Audit Team

- Ownership issues/updates
- Coding inconsistencies (behind the scenes coding that creates inconsistencies and errors)
- Not user friendly internally. Has not been updated to meet the needs of the current users. The upgrade is taking place on the old platform, but no discussion was held about what the business/users needed
- Not public facing
- Scanned docs are b/w, not date marked, not labeled, not searchable, and often missing information
- Public platforms are difficult to find, confusing to use, not always current, and require perfect data to perform a search
- Lots of bad data and inconsistencies
- Data migration issues
- Not flexible to allow for abnormalities
- Tech team and those in charge do not seem concerned with the public facing aspect or purpose of the database, which is to serve the water users and provide an accurate and accessible record of water rights

McElyea, Russ

From: Calkins, Sara
Sent: Thursday, March 18, 2021 8:52 AM
To: Ellis, Jamie
Subject: RE: Trident: Ad-Hoc Queries

More! 😊

Motions to Amend

- spatial analysis for points of diversion or source name change
 - owner names and addresses for those effected
- priority date change
 - owner names and addresses for those effected

For Interlocutory Decrees

- late claims
- misbasined and interbasin transfer claims that missed the first decree
- interbasin transfer claims that were not identified as interbasin transfers in the first decree
- all claims with unaddressed issue remarks
- any other timely filed claim that was not previously adjudicated
- open claims in the basin
- missing elements and information/issue remarks for both exempt and non-exempt claims

For Reexamination Decrees

- decree exceeded
- missing elements
- IBT/MB/claims not included in the previous decree
- late claims/exempt claims not included in previous decree

For enforcement - by source from one POD section to another. We would need claim number, owner, priority date, POD, purpose, source, flow rate, period of diversion.

Report of notice-only issue remarks for a decree

Report of exempt claims decreed in a basin

Versions missing an operating authority date

Reports for Motion To Amend notice – to include all tributaries in a defined hydrologic area

Outstanding/unresolved objections in a basin

From: Calkins, Sara

Sent: Thursday, March 18, 2021 7:09 AM

To: Ellis, Jamie <JEllis@mt.gov>

Subject: RE: Trident: Ad-Hoc Queries

I've asked a few people on my team to send me some examples since they're actually using the data. I gave them a deadline of noon...so I'll send ASAP.

For me:

NOIAs filed by a specific owner ID

Objections filed by a specific owner ID

NOIAs filed on claims owned by specific ID

Objections filed on claims owned by specific ID

Entire basin unique owner list/addresses with lowest claim number

All claims included in a decree

Reports specific to issue or information remark code

Reports specific to issue or information remark containing a word or series of words

Owners on a specific source

Owners on a specific ditch
All summary reports (by priority date, source, owner, etc.)
That's a good start for now. Please stand by for more later today.
Thank you Jamie!

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From: Ellis, Jamie <JEllis@mt.gov>
Sent: Monday, March 15, 2021 2:01 PM
To: Calkins, Sara <Sara.Calkins@mt.gov>
Subject: RE: Trident: Ad-Hoc Queries

Yes, please do!

Jamie Ellis

Project Manager
Water Resources Division

From: Calkins, Sara <Sara.Calkins@mt.gov>
Sent: Monday, March 15, 2021 2:00 PM
To: Ellis, Jamie <JEllis@mt.gov>
Subject: RE: Trident: Ad-Hoc Queries

Hi! My list will be long like Laura's. Ok if I try to get something to you tomorrow?

Sara Calkins

Administrator

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Sara.Calkins@mt.gov

From: Ellis, Jamie <JEllis@mt.gov>
Sent: Friday, March 12, 2021 1:51 PM
To: Ferch, James <JFerch@mt.gov>; Calkins, Sara <Sara.Calkins@mt.gov>; Hinck, Laura <LHinck2@mt.gov>
Subject: Trident: Ad-Hoc Queries

I need to capture a list of the special or ad-hoc queries that you need out of the Water Rights Query System. Things that you might have to run for WPIC, or decrees, or the public or leadership or enforcement. Really any query you can think of. Things that you might ask Dave to run etc. Literally give me any and all examples of things you have run or that you might need to run in your imagination.

Please respond to this email with anything you can think of. Try to be specific. Here are some examples:

- I might need terminated groundwater rights in a certain basin
- I might need active water rights which have been decreed in a certain basin

Thank you for helping me start to scope a future ad hoc query tool.

Jamie Ellis

Project Manager

Water Resources Division

Montana Department of Natural Resources and Conservation

Work: 406.444.9754

Cell: 406.461.3256

McElyea, Russ

From: McElyea, Russ
Sent: Tuesday, August 24, 2021 8:27 AM
To: Pakenham Stevenson, Anna
Cc: Calkins, Sara; Brown, Stephen
Subject: RE: Interlocutory decree order

Follow Up Flag: Follow up
Flag Status: Flagged

Here's an agenda:

Missed claims in summary reports. (this is the reason I asked you to read the order sent yesterday)

Inconsistent reports from data base.

Multiple versions of decree abstracts.

Problems meeting summary report issuance dates.

Need for more manpower assigned to projects involving data base.

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From: Pakenham Stevenson, Anna <Anna.PakenhamStevenson@mt.gov>
Sent: Tuesday, August 24, 2021 8:09 AM
To: McElyea, Russ <RMcElyea@mt.gov>
Cc: Calkins, Sara <Sara.Calkins@mt.gov>
Subject: RE: Interlocutory decree order

Good morning, I will certainly review before Monday.
Do we have an agenda for Monday?



Anna Pakenham Stevenson
Administrator
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1424 9th Avenue · Helena, MT 59620-1601
406.444.6605 · Anna.PakenhamStevenson@mt.gov

From: McElyea, Russ <RMcElyea@mt.gov>
Sent: Monday, August 23, 2021 3:44 PM
To: Pakenham Stevenson, Anna <Anna.PakenhamStevenson@mt.gov>

Cc: Calkins, Sara <Sara.Calkins@mt.gov>

Subject: Interlocutory decree order

Hi Anna

Can you review this order before our meeting next Monday? Thanks.

<https://courts.mt.gov/external/Water/A-Legal%20Resources/Order%20re%20Interlocutory%20Decrees.pdf?ver=2020-04-08-144904-697>

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McElyea, Russ

From: McElyea, Russ
Sent: Tuesday, October 19, 2021 10:13 AM
To: Pakenham Stevenson, Anna
Cc: Calkins, Sara
Subject: final decree issuance

Follow Up Flag: Follow up
Flag Status: Flagged

Anna

We are still having problems getting final decrees ready.

Sara and I would like to meet with you so we can work out an efficient and predictable protocol.

Our preference is to limit the meeting to the three of us.

Regards,

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McElyea, Russ

From: McElyea, Russ
Sent: Friday, November 19, 2021 11:07 AM
To: Pakenham Stevenson, Anna
Cc: Calkins, Sara; Brown, Stephen
Subject: Topics for Monday Meeting
Attachments: FW_ 40S_40O Basin Boundary Concern.pdf; Basin Line Boundary map 40O 40S.pdf; IX Ranch's Motion to Amend Judgment and Brief in Support.pdf

Dear Anna

Below is a list of issues we would like to discuss at our Monday meeting.

Inaccurate abstracts in 40H Final Decree. See attached motion from IX Ranch. What caused this problem? What are the solutions? How many other abstracts in 40H Final Decree are inaccurate? Does the Final Decree in Basin 40H need to be reissued because of these problems?

Department compliance with orders in Final Decrees. Final Decrees not on Department website. Abstracts in data base are not the same as abstracts attached to final decrees. These issues are related to our ongoing inability to get consistent versions of the same abstracts, a problem that has caused all of us extra work and delayed decree issuance.

Need for additional personnel/resources to deal with database bottleneck.

Training water court staff to run reports from database.

Missed issue remarks in decrees.

Make sure April 8, 2020 order regarding prep of summary reports and issuance of interlocutory decrees is in the right hands.

Mailing of future decrees

Ownership updates in final decree basins.

Changes to basin boundaries. See attached memo and map.

Removal of "type of right" language from future abstracts.

Creation of tabulations organized by claim number, source, and owner.

Timeline for issuance of future decrees. This is a topic for our quarterly meeting, but we would like to be on the same page as early as possible.

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McElyea, Russ

From: McElyea, Russ
Sent: Monday, November 29, 2021 9:34 AM
To: Calkins, Sara; Pakenham Stevenson, Anna
Cc: Brown, Stephen
Subject: RE: WC and DNRC weekly coordination meeting

Anna, by far the most important immediate concern is sorting out the issues we had with the 40H final decree. Those concerns can be divided into two groups: pre-decree issues and post decree issues.

The pre-decree issues included problems with multiple versions of abstracts and the struggle to get a final version we thought was accurate. Refining our approach to an accurate ownership list is also an important pre-decree issue.

Most important, however, are the post-decree concerns. It is absolutely essential for final decree abstracts to reflect water rights that are identical to the court's most recent orders regarding those rights. (ownership updates excepted) The motion to amend from IX Ranch shows this goal was not met, and raises the possibility that other water rights in the final decree are also inaccurate. The extent of the latter problem is unknown.

Accurate final decrees are essential to a meaningful adjudication process. This issue is so important that the water court will not issue any more final decrees until these problems are addressed. It is crucial that the Department identify the scope/extent of the problems with 40H final decree abstracts, the cause of those problems, and solutions which assure those problems will not be repeated in the future.

As you know, the Department has a constitutional and statutory obligation to maintain accurate water right records. The final decree in 40H did not accurately reflect prior orders of the water court and did not give water users an accurate description of their property interests.

Hope this prioritization of concerns helps.

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From: Calkins, Sara <Sara.Calkins@mt.gov>
Sent: Monday, November 29, 2021 8:48 AM
To: Pakenham Stevenson, Anna <Anna.PakenhamStevenson@mt.gov>
Cc: McElyea, Russ <RMcElyea@mt.gov>
Subject: RE: WC and DNRC weekly coordination meeting

That's great, thanks!

Sara Calkins
Administrator
Montana Water Court
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Sara.Calkins@mt.gov

From: Pakenham Stevenson, Anna <Anna.PakenhamStevenson@mt.gov>
Sent: Monday, November 29, 2021 8:47 AM
To: Calkins, Sara <Sara.Calkins@mt.gov>
Cc: McElyea, Russ <RMcElyea@mt.gov>
Subject: RE: WC and DNRC weekly coordination meeting

I am using this time to meet with staff on the larger list.
We can get back to you both on the status of the basins post meeting.
Does that work for you?

A



Anna Pakenham Stevenson
Administrator
Water Resources Division
1424 9th Avenue · Helena, MT 59620-1601
406.444.6605 · Anna.PakenhamStevenson@mt.gov

From: Calkins, Sara <Sara.Calkins@mt.gov>
Sent: Wednesday, November 24, 2021 10:23 AM
To: Pakenham Stevenson, Anna <Anna.PakenhamStevenson@mt.gov>
Cc: McElyea, Russ <RMcElyea@mt.gov>
Subject: RE: WC and DNRC weekly coordination meeting

Hi Anna. Can we keep this meeting to discuss the status of the remaining basins for 2021?

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-----Original Appointment-----

From: Pakenham Stevenson, Anna <Anna.PakenhamStevenson@mt.gov>
Sent: Wednesday, November 24, 2021 10:22 AM
To: Calkins, Sara; Murphy, Matthew; Hinck, Laura; Kuntz, Chris; Coey, David; Coleman, Karen; Ferch, James; Hughes, Nancy; Rennick, Laura
Cc: McElyea, Russ; Draper, Elizabeth; Heiser, Vicki
Subject: Canceled: WC and DNRC weekly coordination meeting
When: Monday, November 29, 2021 1:00 PM-2:00 PM (UTC-07:00) Mountain Time (US & Canada).
Where: Microsoft Teams Meeting
Importance: High

Lets cancel to allow DNRC to respond to the WC questions.
Happy Holidays!
Anna

Microsoft Teams meeting

Join on your computer or mobile app
[Click here to join the meeting](#)

Join with a video conferencing device

291818717@t.plcm.vc

Video Conference ID: 116 107 090 6

[Alternate VTC instructions](#)

Or call in (audio only)

[+1 406-318-5487,,338146867#](tel:+14063185487,338146867#) United States, Billings

Phone Conference ID: 338 146 867#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

McElyea, Russ

From: McElyea, Russ
Sent: Thursday, December 23, 2021 8:26 AM
To: Pakenham Stevenson, Anna
Cc: Brown, Stephen; Calkins, Sara
Subject: list of options for access to database
Attachments: Access_MGMT in database.docx

Anna

Attached is a list of tools that will help us issue decrees. Its not my intention to discuss these in detail on the 27th, but many of these options can be implemented without much effort by your team. In the short run, allowing Sara to operate more independently will decrease the workload for your people and allow the court to operate more efficiently.

Russ McElyea
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Access/Modification to Database Permissions for Water Court/CA

- Run reports
 - Final decree abstracts
 - Reports of info and issue remarks
 - Claims in closed cases but no operating authority dates
 - Claims on a particular source
 - Claims by owner
 - Claims by representative
 - Claims by remark
 - Number of owners in basins
 - Addresses of all unique WR owners in a basin
- Bulk creation of final decree versions
- Bulk removal of remarks
- Access to final decree abstracts
- Creation/amendments to remarks
- Removal/deletion of versions created in error
- Ability to make changes to decree issuance documents [maybe called reports?]
- Creation/running of tabulation reports
- Bulk add of operating authority dates

McElyea, Russ

From: McElyea, Russ
Sent: Monday, April 18, 2022 9:10 AM
To: Brown, Stephen; Calkins, Sara
Subject: RE: Agenda for DNRC Coordination Meeting today

Here's my list. Most items are the same, but some aren't.

ISSUES TO DISCUSS WTH DNRC

Status of Department Re-Org

Response time to emails

Concerns re jargon

Availability of 40H final decree abstracts to public

Readiness of OIT team to issue next final decrees

1. Have the problems we encountered last time been fixed?

2. What conversations have occurred with OIT team?

3. Withholding of CSKT abstracts?

4. Version skipping?

5. Failure to look for claims without operating authority.

6. Inability/Refusal to print abstracts that match most recent court orders.

7. Has our list of action items been submitted to OIT?

8. Do we still have a "flow chart" issue?

9. Has the silo problem been addressed?

Status of Water Court requests re database.

1. Ability to fix decree notices on our own.

2. General need to run our own reports. I.e., reports re issue and info remarks.

3. Need to see decree abstracts. Right now, we can't see what's being sent to the parties.

4. Ability to bulk load and remove items in data base. Example: issue and info remarks.

5. Ability to automate closure of open objections, addition of order adopting date and addition of operating authority date when a case closes.

6. Ability to delete versions.

7. Run abstracts so we can see them at any time.

Examination of severed claims.

Timing of Summary Reports.

Statements about 40H Final Decree at stakeholder meeting.

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From: Brown, Stephen <Stephen.Brown@mt.gov>
Sent: Monday, April 18, 2022 8:43 AM
To: Calkins, Sara <Sara.Calkins@mt.gov>; McElyea, Russ <RMcElyea@mt.gov>
Subject: RE: Agenda for DNRC Coordination Meeting today

Looks good except I thought we decided no fees for implied claims that already have been in a decree?

From: Calkins, Sara <Sara.Calkins@mt.gov>
Sent: Monday, April 18, 2022 8:30 AM
To: McElyea, Russ <RMcElyea@mt.gov>; Brown, Stephen <Stephen.Brown@mt.gov>
Subject: Agenda for DNRC Coordination Meeting today

Please let me know if you have any changes.

- Status of reorganization
 - Who is the contact person for the Water Court/DNRC now?
 - Should Sara continue to send emails to OIT, LH, and JE?
- How to improve response time to Water Court requests
- Reference to use of *jargon* in emails
- Revisit whether there are outstanding issues for Final Decree prep
 - **Laura, Jamie, Anna to meet with OIT to get an update**
- Permissions in the database
 - Revisit where we are with getting WC access to running reports and changes to Decree reports
 - **Laura is reviewing SSRS reports and meet with RESPEC - where are we at with this?**
 - Review summary report - reports request and discuss importance/timing
 - Revisit what goes into a decree and consistency with reports
 - Has this
 - Discussion re: changes to reports (Decree Report, Decree Report Owners Copy, Objection Notice) and WC taking ownership of those changes
 - New version alert/blocker
 - Laura to work with Susan to get this rolling. Jim Ferch approved.
- Severed claims not being reexamined? Change to the guidebook from 2017-2019.
- Discuss status of SRs due in 2022
 - 39FJ, Interlocutory, March/April 22
 - 40F, Interlocutory, Late Spring 22
 - 41E, Preliminary, Late Spring 22
 - 42M, Interlocutory, Summer 22
 - 39G, Interlocutory, Summer 22
 - 43O, Interlocutory, Summer 22
 - 41N, Interlocutory, late summer 22
 - 43P, Interlocutory, late summer 22
 - 41F, Preliminary, Fall 22
 - 76G, Preliminary, Fall 22
 - 40S, Interlocutory, Fall 22
- DNRC needs to receive Master's Reports when there DNRC action is needed based on the report
 - Example: Implied claim granted

- Water right fee required to be collected by DNRC for created implied claims (Rule 35(d) and § 85-2-225, MCA)

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McElyea, Russ

From: McElyea, Russ
Sent: Monday, May 2, 2022 11:01 AM
To: Calkins, Sara; Ellis, Jamie; Hinck, Laura; Ward, Nathaniel; Coey, David; Kuntz, Chris; Pakenham Stevenson, Anna
Cc: Brown, Stephen
Subject: RE: 41G 197227

All

At our December 2021 meeting with DNRC personnel in Helena, we made it clear that the Department does not have authority to modify water rights that have been the subject of prior water court orders, except through the statutory change process or because of updates to ownership. We have re-iterated that principle in several subsequent meetings and received repeated assurances that modification of water rights that have been the subject of prior Water Court orders would stop. The purpose of these communications was to ensure the integrity of court orders and to facilitate issuance of accurate final decrees.

Despite these conversations, it appears Mr. Coey has again modified a water right on his own initiative and without the authorization of this Court. In this instance, Mr. Coey's action effectively negated a Court order issued the previous month.

As we have indicated many times, this conduct on the part of DNRC personnel is not acceptable. Unfortunately, our efforts to communicate informally about resolution of this problem have been unsuccessful. That means the Court will change its response to these issues in the future if problems with unauthorized modification of water rights by agency personnel continue.

In the meantime, please send me a list of all water rights Mr. Coey has modified without authorization or request of the water court since December 21, 2021. That list should not include water rights modified pursuant to the DNRC's statutory change authority or pursuant to ownership updates. Please tender provide this list by close of business Friday, May 6.

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From: Calkins, Sara <Sara.Calkins@mt.gov>
Sent: Monday, May 2, 2022 9:14 AM
To: Ellis, Jamie <JEllis@mt.gov>; Hinck, Laura <LHinck2@mt.gov>; Ward, Nathaniel <NWard@mt.gov>
Cc: Brown, Stephen <Stephen.Brown@mt.gov>; McElyea, Russ <RMcElyea@mt.gov>
Subject: FW: 41G 197227
Importance: High

Hi! We've spoken about this in meetings before. Under no circumstances should Dave be changing elements of a water right. How can we be sure this doesn't happen again?

Thanks for your help,

Sara Calkins
Administrator
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From: Coey, David <dcoey@mt.gov>
Sent: Monday, May 2, 2022 9:04 AM
To: Calkins, Sara <Sara.Calkins@mt.gov>
Cc: Coleman, Karen <Karen.Coleman@mt.gov>; Ellis, Jamie <JEllis@mt.gov>; Gottwals, Addi <Addison.Gottwals@mt.gov>; Kuntz, Chris <CKuntz@mt.gov>; Ward, Nathaniel <NWard@mt.gov>
Subject: RE: 41G 197227

This was updated on 01/26/2022 for Enforcements by me per Adjudication request.

From: Calkins, Sara <Sara.Calkins@mt.gov>
Sent: Monday, May 2, 2022 6:26 AM
To: Coey, David <dcoey@mt.gov>; Coleman, Karen <Karen.Coleman@mt.gov>; Ellis, Jamie <JEllis@mt.gov>; Hinck, Laura <LHinck2@mt.gov>; Kuntz, Chris <CKuntz@mt.gov>; Ward, Nathaniel <NWard@mt.gov>
Subject: 41G 197227

The ditch name for this claim is not showing up in the database as it was issued by the Court. A master's report went out on 12/15/2021 changing the ditch name to Adkins Ditch but it is showing up as Morman Gulch now. Can you please tell me who made this change?

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McElyea, Russ

From: McElyea, Russ
Sent: Monday, February 6, 2023 8:22 AM
To: Ward, Nathaniel; Pakenham Stevenson, Anna; Powell, Chris
Cc: Calkins, Sara; Brown, Stephen
Subject: OBJECTIVES
Attachments: OBJECTIVES.docx

Good morning, all

Here is the list of objectives we provided Kerry and Rex in August. I would like to review this list during our call this morning.

Thanks, Russ

OBJECTIVES

1. Correct versioning problem.
2. Grant WC permissions immediately.
3. Provide list of water rights Dave Coey or other DNRC personnel have modified immediately.
4. Make Final Decree versions of 40H water rights in data base accessible to public and court.
5. Instruct all DNRC personnel that no one in the Department has authority to modify a water right decreed by the court except for updates to ownership, changes pursuant to statute or rule, or pursuant to a prior order of this court explicitly authorizing a modification.
6. Update internal DNRC permissions so water rights cannot be changed.
7. Provide timely responses to our requests.
8. Deliver what we ask for without modification.
9. Discuss changes to claim exam and re-exam with court before changing guidebook, including updates to and creation of issue remarks.