

**DNRC REPORT TO WPIC
ADJUDICATION PROGRESS
May, 2016**

Claims Reexamination Progress

The Department met every benchmark set for it by the Legislature in 2005 with the completion of initial examination of the 57,000 unexamined claims. The 2015 Legislature set new benchmarks for completion of the next phase of the adjudication including:

- First benchmark 10,000 claims by 6-30-2017
- Second benchmark 30,000 claims by 6-30-2019
- Third benchmark 60,000 claims by 6-30-2021
- Fourth benchmark 90,000 claims by 6-30-2023

***Reexamination claims completed to date:**

Total = 968

<u>Summary Reports to Water Court</u>	<u>Date Issued</u>
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 (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)	February 6, 2009
Big Muddy Creek (40R)	April 6, 2009
Missouri River, Sun River to Marias River (41Q)	June 16, 2009
Beaverhead River (41B)	August 14, 2009
Arrow Creek (41R)	October 23, 2009
Missouri River, from Marias River to Bullwhacker Creek (41T)	November 17, 2009
Milk River above Fresno Reservoir (40F)	April 15, 2011
Rosebud Creek (42A)	December 13, 2012
Red Rock River (41A)	January 10, 2013
Peoples Creek (40I)	February 5, 2013
Shoshone River (43N)	February 12, 2013
Yellowstone River below Powder River (42M)	July 17, 2013
Missouri R between Bullwhacker & Musselshell (40EJ)	September 25, 2013
St. Mary River (40T)	January 31, 2014

Marias River (41P)	September 8, 2014
Two Medicine River (41M)	October 27, 2014
Cut Bank Creek (41L)	January 23, 2015
Mainstem Bitterroot River and East Side (76HA)	May 8, 2015
Bighorn River below Greybull River (43P)	June 10, 2015

<u>Pending Summary Reports to Water Court</u>	<u>Estimated Completion Date Issued</u>
Flathead River (76LJ)	September 2016
Flathead R below Flathead Lake (76L)	September 2016

<u>Decrees Issued by Water Court</u>	<u>Date Issued</u>	<u>Number of Claims</u>
Teton River (41O)	12/29/2005	2,541
Union Creek (part of 76F)	3/10/2006	42
Big Hole River (41D)	4/6/2007	3,892
Missouri River (41QJ)	2/6/2008	2,584
Tongue River (42C)	2/28/2008	4,710
Tongue River (42B)	2/28/2008	1,345
Forest Service Compact	5/19/2008	262
BLM-Montana Compact	3/6/2009	2
Beaver Creek (40M)	3/20/2009	2,942
Big Muddy Creek (40R)	1/28/2010	2,029
Pryor Creek (43E)	2/25/2010	629
Little Big Horn River (43O)	3/17/2010	1,176
Missouri River from Sun River to Marias River (41Q)	5/27/2010	4,127
Milk River between Fresno Res & Whitewater (40J)	6/24/2010	12,897
Smith River (41J)	12/16/2010	2,719
Blackfoot River (76F)	2/10/2011	3,717
Flatwillow Creek (40B)	5/5/2011	3,677
Arrow Creek (41R)	6/23/2011	2,179
National Bison Range Compact	9/30/2011	97
Missouri River, from Marias River to Bullwhacker Creek (41T)	4/19/2012	3,073
Crow Tribe of Indians Montana Compact	1/28/2013	NA
Beaverhead River (41B)	5/9/2013	2,238
Red Rock River (41A)	5/9/2013	2,861
Rosebud Creek (42A)	5/23/2013	1,220
Shoshone River (43N)	6/13/2013	165
Peoples Creek (40I)	6/20/2013	686
Milk River above Fresno Reservoir (40F)	12/12/2013	2,339
Yellowstone River below Powder River (42M)	1/24/2014	5,290
Bowdoin National Wildlife Refuge Compact	4/2/2014	7
Missouri River between Bullwhacker & Musselshell River (40EJ)	4/25/2014	2,676
St. Mary River (40T)	6/25/2014	267
Two Medicine River (41M)	3/20/2015	1,149
Marias River (41P)	4/23/2015	3,905
US F&WS, Charles M. Russell National Wildlife Refuge-Montana Compact	7/30/2015	114

BLM Upper Missouri River National Monument- Montana Compact	9/24/2015	2
Cut Bank Creek (41L)	10/8/2015	722
Bitterroot River, East Side (76HA)	12/4/2015	2,867
Bighorn River below Greybull River (43P)	1/28/2016	2,117

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

<u>Reexamination - Summary Reports to Water Court</u>	<u>Date Issued</u>
Flint Creek (76GJ)	10/30/2015

Assistance for District Court Enforcement of Water Court Decrees

2005 season	completed water court assistance for 23 projects
2006 season	completed water court assistance for 23 projects
2007 season	completed water court assistance for 26 projects
2008 season	completed water court assistance for 32 projects
2009 season	completed water court assistance for 36 projects
2010 season	completed water court assistance for 38 projects
2011 season	completed water court assistance for 38 projects
2012 season	completed water court assistance for 40 projects
2013 season	completed water court assistance for 42 projects
2014 season	completed water court assistance for 42 projects
2015 season	completed water court assistance for 49 projects
2016 season	completed water court assistance for 21 projects

Ownership Updates

Department staff validate water right geocodes for property transfers:

- In 2010, 3,821 ownerships were updated involving 9,460 water rights
- In 2011, 6,245 ownerships were updated involving 15,765 water rights.
- In 2012 8,729 ownerships were updated involving 20,496 water rights.
- In 2014 7,618 ownerships were updated involving 18,360 water rights.
- In 2015 7,711 ownerships were updated involving 17,483 water rights
- So far this fiscal year 7691 ownerships have been updated involving 14,749 water rights**

Post Decree Assistance (July - FY2016)

<u>Case type</u>	<u>Case count</u>	<u>Work hours</u>
Certified case		71
Case with Objector	73	1,518
85-2-248 case	170	4,156
General assist		1,244
Total hours		6,989

Post Decree assistance primarily involves working with claimants and the Water Court to help resolve issue remarks on water rights. Assistance includes meeting with claimants, conducting field investigations, mapping, and providing recommendations and technical reports pertaining to individual cases. In addition, assistance is requested by the Water Court to help with certified cases before and after the initial decree phase. Unique requests to help the Water Court resolve specific cases such as large basin mapping projects, and other technical requests fall within the general assistance category.

SB355 Fillings (effective Oct 1, 2013)

The department has received 1,035 statements of claim to date. Of these, 214 have the purpose of domestic and 821 have the purpose of stock. Examination is occurring on basins nearing initial decree and basins with notice deadlines.