

Water Court Information

Questions to Sara Calkins, Administrator/Clerk of Courts, MT Water Court:

1. Who are the current division water judges?
 - Honorable Dan Wilson - Clark Fork River Basin Water Division
 - Honorable Yvonne Laird - Lower Missouri River Basin Water Division
 - Honorable Elizabeth Best - Upper Missouri River Basin Water Division
 - Honorable Katherine M. Bidegaray - Yellowstone River Basin Water Division

2. How do the division water judges get assigned a case?
 - We assign cases to Division Water Judges when both of our judges have a conflict. We have only assigned 1 case to a Division Water Judge in 2023 and it was transferred back to us for a Senior Water Master to handle. We did not assign any cases to Division Water Judges in 2022.
 - The last time a Water Court case was handled by a District Court Judge [to completion] was a 2018 MAPA case.

3. How many non-adjudication cases were in the water court in 2022? Civil, enforcement, etc. For example, if the water court completed adjudication today and ended, how many active cases would go to District Court?
 - 12 non adjudication cases were filed with the Water Court in 2022.
 - 8 non adjudication cases have been filed with the Water Court in 2023 to date
 - 2 Senior Water Masters were appointed as Special Masters on 2 District Court cases, in 2022 and 2023.
 - There are 51 open non adjudication cases filed prior to 2022.

4. What is the average time it takes the water court to hear a non-adjudication case?
 - Unfortunately, I am unable to provide an average time. Litigation is subject to different scenarios and we have not tracked how long it takes each case to be completed.

District Court Information

Questions to Beth McLaughlin, Supreme Court Administrator:

1. How many ongoing water rights enforcement cases are in Montana District Courts? And at which district courts are they?

2020 District Court Water Cases TOTAL 15		
District Court	Opened	Reopened
Gallatin	1	1
Lincoln	1	
Musselshell	1	
Petroleum	1	
Ravalli		10
TOTAL	4	11
% of District Court Cases	55,000*/15	.027%

**total number of all cases each year in District Court according to Beth McLaughlin*

2021 District Court Water Cases TOTAL 19		
District Court	Opened	Reopened
Beaverhead	1	2
Ferguson	1	
Golden Valley	1	
Madison	2	
Ravalli		12
SUBTOTAL	5	14
% of District Court Cases	55,000*/19	.034%

**total number of all cases each year in District Court according to Beth McLaughlin*

2022 District Court Water Cases TOTAL 16		
District Court	Opened	Reopened
Broadwater	2	

Judith Basin	1	
Lewis and Clark	1	
Madison	2	
Park	2	
Ravalli	3	2
Sweet Grass	2	
Wheatland	1	
TOTAL	14	2
% of District Court Cases	55,000*/16	.029%

**total number of all cases each year in District Court according to Beth McLaughlin*