

**DNRC REPORT TO EQC
HB22 ADJUDICATION PROGRESS
May 13, 2008**

Claims Examination Progress

- First benchmark 8,000 claims by 12-31-2006
 - **Second benchmark 19,000 claims by 12-31-2008**
 - Claims examined July 2005 thru **April, 30 2008** **25,818**
 - Claims examined by Purpose
 - o Irrigation 5,586 22%
 - o Stock 15,636 60%
 - o Domestic 2,758 11%
 - o Other 1,838 7%
- 25,818**

Claims remaining to be examined **31,182**
 Total Claims examined based on original
 remaining 57,000 claims (57,000 – **31,182**) = ***25,818**

*1470 claims were examined prior to enactment of HB22

Summary Reports to Water Court

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 Creek (42B)	December 5, 2007

Decrees Issued by Water Court

Teton Basin Decree	December 29, 2005	2,500 claims
Union Creek Decree	March 10, 2006	42 claims
Big Hole River Decree	April 6, 2007	3,892 claims
Missouri River 41QJ	Feb 6, 2008	2,584 claims
Tongue River 42C	Feb 28, 2008	4710 claims
Tongue River 42B	Feb 28, 2008	1345 claims

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

BASINS BY COMPLETION DATE - DNRC WORK PLAN 2008				
BASIN COUNT	BASIN NAME	WORK STATUS	EST COMPLETE DATE	
1	Beaver Creek (40M)	Summary prep pending	6	2008
2	Flatwillow Creek (40B)	Summary prep pending	6	2008
3	Smith River (41J)	Summary prep pending	7	2008
4	Pryor Creek (43E)	Examination in progress	7	2008
5	Milk River between Fresno & Whitewater (40J)	Summary prep pending	9	2008
6	Little Big Horn River (43O)	Summary prep pending	1	2009
7	Shoshone River (43N)	To be Examined	3	2009
8	Big Horn R below Greybull R (43P)	Summary prep pending	3	2009
9	Beaverhead River (41B)	Examination in progress	7	2009
10	Rosebud Creek (42A)	Summary prep pending	7	2009
11	Big Muddy Creek (40R)	Examination in progress	10	2009
12	Peoples Creek (40I)	Summary prep pending	12	2009
13	Arrow Creek (41R)	To be Examined	7	2010
14	Missouri R to Marias (41Q)	Examination in progress	7	2010
15	Flathead River (76LJ)	Examination in progress	12	2010
16	Milk River above Fresno (40F)	Summary prep pending	7	2011
17	Flathead R below Flathead Lake (76L)	Examination in progress	10	2011
18	Red Rock River (41A)	Examination in progress	3	2012
19	Cut Bank River (41L)	Summary prep pending	7	2012
20	St. Mary River (40T)	Summary prep pending	7	2012
21	Two Medicine River (41M)	Summary prep pending	8	2012
22	Yellowstone R below Powder R (42M)	To be Examined	8	2012
23	Marias River (41P)	Examination in progress	4	2014
24	Missouri R from Marias to Bullwacker (41T)	Examination in progress	5	2014
25	Missouri R between Bullwacker & Musselshell (40EJ)	To be Examined	3	2015
26	Bitterroot R, E side (76HA)	Examination in progress	6	2015

District Court Enforcement Actions

- Completed water court assistance on 23 streams 2005 season
- Completed water court assistance on 23 streams 2006 season
- Completed water court assistance on 26 streams 2007 season
- **Completed water court assistance on 30 streams 2008 season**
- Automated indexes are now in use

Expenses

YTD FY08: Operating Costs	\$ 282,837.00
Personnel services	<u>\$ 1,355,855.00</u>
Total	\$ 1,638,692.00
Budget	\$ 2,506,301.00

Billing System

- 108,000 bills mailed Dec. 27, 2005
- 18,552 2nd bills mailed March 1, 2006
- Estimated revenue generated \$6.2 million
- Revenue received **\$5.149 million** representing 93,737 invoices paid (in full /or part)

Appeals

- 4,999 Appeals received to date
 - o 3,071 appeals based on ownership;
 - o 1,928 appeals based on fee calculation
- **1948 appeals have been resolved to date (265 denied, 1683 resolved with fee correction)**
- Hired a temp to help resolve appeals

Ownership Records / Forms Received

(Form 608) Ownership Updates

(Form 602) Notices of Completion of Groundwater Development (wells 35gpm or less)

Fiscal Year	608 Counts	602 Counts
2008	4251	2431
2007	6098	3720
2006	13998	5948
2005	5414	3453
2004	4780	3053

- **HB 39 Automate Ownership Updates effective July 1, 2008**
 - o **Testing Geocode field in water rights in database.**
 - o **Geocodes will be loaded in database by July 1.**
 - o Redesign of DOR Realty Transfer Certificate completed August 2007
 - o Purchase software for matching property geocodes with water right parcels in July. Match and upload geocodes to water right database by June 2008.
 - o DOR Orion property records system updated with water right fields by June 2008

- Public and realty industry education on HB 39 and new process Aug 2007 thru June 2008

Database Progress

- **Testing development of Reserved Water Right Compact water right records, automating annual reporting and implementing subordination provisions. Completion date – August 2008.**
- Moved Water Right Database to ITSD in May 2007.
- Automated water court objection list (120 hours) August 2007