

| 2008 | | | | | | | | | | | | | |
|---------------|---------------|---|--|------------------------------|-------|--------------------------|----------------|--|---------------------|---------------------|--------------|---------------|---|
| Complaint No. | Date Received | Complainer | Complaine | Source | Basin | Related WR No. | Complaint Code | Complaint Description | DNRC Staff Assigned | Field Investigation | Outcome Code | Resolved Date | Outcome Description |
| BLRO-08-01 | 4/2/2008 | Jim Merchant | Western Land Res | Cottonwood Cr | 42C | 179614-42C | C1,C3 | Constructed dam no wr or dam safety approval. | Kerbel | 5/8/2008 | R2 | 8/3/2008 | Dam was removed. |
| BLRO-08-02 | 7/16/2008 | Shawn Tilleca | Jerry Rahn | Developed Spring | 43Q | 43B-194514 | C3 | Developed Spring impacted existing spring | Kerbel | 7/16/2008 | R3 | 7/16/2008 | New developed spring modified. |
| BLRO-08-03 | 3/6/2008 | Gary Carter, etal | Pond & Stream Consult. | Fiddler Cr | 43C | | C1 | New pond constructed. | Kerbel | 3/6/2008 | R4 | 3/6/2008 | Field Investigation resolved issues with all parties. |
| BLRO-08-04 | 3/6/2008 | Vern Keller, etal | Hanley | Middle Fork Fiddler Cr | 43C | | C1 | New ponds constructed. | Kerbel | 3/6/2008 | R4 | 3/6/2008 | Field Investigation resolved issues with all parties. |
| BUO-08-01 | 6/18/2008 | Carol Roark, Co-Chair, Gateway Opencut Mining Group | TMC at Rock, LLC (aka Nuss Gravel Pit) | Groundwater, UT Fish Creek | 41H | | C1 | Gravel washing without a water right. | SC, KS | No | R2 | | Gravel pits have hired consultant to solve water right issue |
| BUO-08-02 | 7/15/2008 | Titeca Family | Jerry and Mary Rahn | Groundwater, UT Poison Creek | 43B | 43B 194514 | C3 | Rahn's developed a spring which affected Titeca's spring flow | KS (KK) | Yes (KK) | R11 | | Titecas and Rahns working out agreement through consultant |
| BUO-08-03 | 8/6/2008 | Doug Fairhurst | Fairview Cemetary (Three Forks) | Groundwater | 41F | 41F 101837, 30015696 | C3 | Cemetary's irrigation well lowering water table below domestic well with a senior right | KS | Yes (KS, JB) | R11 | | Fairhurst drilled well deeper, DNRC measuring Cemetary Observation Well |
| BUO-08-04 | 8/22/2008 | Tamra Call Marital Trust | Susan & Jeffrey Bridges | Deep Creek, South Fork | 43B | 43B 45969, 30513 | C1, C3 | Alleged illegal point of diversion | KS | No | R6 | | Deep Creek is a decreed source with repeat complaints--referred to District Court for Water Commissioner (NRCS investigated and ruled natural channel, not manmade diversion) |
| BUO-08-09 | 8/22/2008 | Leonard Milne | Burt Otis | Emigrant Creek | 43B | 43B 193732, 30447 | C5 | 2 Users with same priority date--one not getting water | KS, PD | No | R6 | | Emigrant is a decreed source and this is a repeat complaint that Scott has field investigated--referred to District Court to petition for a Water Commissioner |
| BUO-08-05 | 9/19/2008 | Walsh W-Bar Ranch, Inc. | Lottco, Inc | Trout Creek | 41B | 41B 110308, 194258 | C3 | New pod catching debris and preventing water flow | KS | No | R3, R6 | | Complaine wants to work with complainer to resolve issue, complainer did not respond to DNRC phone call requesting more info--decreed source water rights, no investigation merited at this time |
| BUO-08-06 | 9/23/2008 | Andreas Luder | Flying J Inc/Tamra Call Marital Trust | Deep Creek, South Fork | 43B | 43B 192535 | C1 | Diverting water after period of diversion has ended | PD | No | R6 (R7) | | Complaine filing petition for Water Commissioner |
| BUO-08-07 | 12/5/2008 | Amelia Kelly | David and Cora Rall | Middle Cottonwood Creek | 41H | 41H 23562, 33079 | C5 | Alleged winter maintenance issue of pond permit (also water quality, adverse affect, inadequate means of diversion, secondary pod issue) | JB, (KS) | Yes | R11 | | This is an ongoing battle between neighbors, Water Commissioner has been on in the past. Complainers have filed dissatisfied water users' complaint against Water Commissioner. This is an ongoing issue with no easy resolution. |
| BUO-08-08 | 12/31/2008 | Steve Kelly/Clarice Dreyer | David and Cora Rall | Middle Cottonwood Creek | 41H | 41H 101024-01, 115513-01 | C5 | Similar to above complaint--made a party | JB, (KS) | Yes | R11 | | This is an ongoing battle between neighbors, Water Commissioner has been on in the past. Complainers have filed dissatisfied water users' complaint against Water Commissioner. This is an ongoing issue with no easy resolution. |
| GUO-08-01 | 4/8/2008 | Miles Knutsen | Terry Traeger | GW | 40S | 172370 | C1,C5 | Water Right Abandoned cannot resume diversion | Biggar | Yes | R1 | 4/16/2008 | abandonment issues not found |
| GUO-08-02 | 4/18/2008 | Miles Knudsen | Terry Traeger | GW | 40S | 172370 | C1, C5 | Statutory abandonment issue 85-2-405 | Larson | Yes | R1, R6 | 4/24/2008 | issues clarified by statute |
| GUO-08-03 | 5/2/2008 | Harmon, Berwick, Gran | Terry Traeger | GW | 40S | 172370 | C1, C5 | Statutory abandonment issue 85-2-405 | Larson | Yes | R1, R6 | 5/12/2008 | issues clarified by statute |

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| HVRO-08-01 | 3/6/2008 | FWP | Robert Stephen | Deep Creek | 41O | 158988 | C1 | Water diverted to illegal pond | Larson | No | R6 | 4/16/2008 | Water Court Jurisdiction |
| HVRO-08-02 | 4/11/2008 | Monte Giese | Pat Saylor | Teton River | 41O | 32857, 58, 60 | C1 | Water diverted to illegal pond | Miles | Yes | R3 | 4/14/2008 | Illegal Use Terminated |
| HVRO-08-03 | 5/9/2008 | FWP | Pat Saylor | Teton River | 41O | 32857, 58, 60 | C1 | Water diverted to illegal pond | Miles | Yes | R3 | 5/20/2008 | Illegal Use Terminated |
| HVRO-08-04 | 5/29/2008 | Lyle Ophus | IX Ranch | Big Sandy Creek | 40H | 30017203 | C1 | Unauthorized changed water POU | Larson | Yes | R2 | 6/4/2008 | Illegal Use Terminated |
| HVRO-08-05 | 6/10/2008 | Monte Giese | Kirk Klingaman | Teton Coop Res. Co. | 41O | 113433 | C1 | Illegal water use | Miles | Yes | R1;R6 | 6/13/2008 | Water Court Jurisdiction |
| HVRO-08-06 | 6/18/2008 | Merten Freyholtz | Don Miller | Sage Creek | 40G | 110881 | C3 | Illegal creek crossing/dam elevated | Larson | Yes | R3/R1 | 6/24/2008 | Illegal Use Terminated |
| HVRO-08-07 | 6/24/2008 | Lyle Ophus | Chauvet Ranch | Big Sandy Creek | 40H | N/A | C2 | Flooding property rights/water distribution | Larson | Yes | R6/R8 | 6/27/2008 | District Court Jurisdiction |
| HVRO-08-08 | 6/30/2008 | Merten Freyholtz | Don Miller | Sage Creek | 40G | 110881 | C1/C3 | Illegal pond/creek crossing | Larson | Yes | R1 | 7/2/2008 | No Violation Found |
| HVRO-08-09 | 7/2/2008 | Robert Savoie | Town of Valier | Ground Water | 41P | 31761 | C4 | Distribution of Valier's municipal water right | Larson | No | R1;R6 | 7/8/2008 | Town Council Jurisdiction |
| HVRO-08-10 | 8/7/2008 | FWP | Teton Prairie LLC | Willow Creek | 41O | 112114 | C1 | Larger than permitted reservoir | Miles/Cross | Yes | R11 | See HVRO-09-05 | Application Terminated |
| KRO-08-01 | 1/28/2008 | Ellis Fisher | Jim Smith | Crystal Lakes SD | 76D | 21672-00 | C5 | Operation of Water System | TE | No | R6 | 2/12/2008 | DEQ took lead |
| KRO-08-02 | 2/20/2008 | Roy VanDekop | David Staloway | Bear Creek | 76LJ | | C1 | Construction of an impoundment | TE | Yes | R11 | | Working with neighbor |
| KRO-08-03 | 4/15/2008 | David Billow | Robert Riefen | Grave Creek | 76D | 109528 | C1 | Ditch Diverted | TE | No | R6 | 4/16/2008 | District Court issue |
| KRO-08-04 | 4/22/2008 | Stacey Renshaw | Marty Mehl | Bootjack Lake | 76LJ | | C5 | Dam allowing too much water out flow | TE | Yes | R10 | 4/23/2008 | On going |
| KRO-08-05 | 5/19/2008 | Bruce Gunderson | J. Schreckendgust | Rhodes Creek | 76LJ | 53620 | C3 | Headgate preventing streamflow | TE | Yes | R5 | 5/30/2008 | Resolution |
| KRO-08-06 | 7/7/2008 | Melvin Paret | Robert Blackford | Well | 76LJ | 90155-00 | C1 | Use of water in low water area affecting others | TE | No | R6 | 7/23/2008 | May become a court issue |
| KRO-08-07 | 9/17/2008 | Gerald Barron | Tim Johnston | Well | 76LJ | C111253 | C-1 | Neighbor filling pond w/o permit | TE | No | R2 | 9/19/2008 | Illegal use terminated |
| KRO-08-08 | 11/7/2008 | Anne Bolger Petryszak | Samuel Petryszak | Walker Creek | 76LJ | 34939-00 | C1 | Use of irrigation and domestic water from Walker Creek | MP | Yes | R1 | 12/1/2008 | No use from Walker Creek found. |
| LRO-08-01 | 1/1/2008 | McGuire/Buckingham/P PL | Catlin Ranch, LP | Catlin Creek | 41J | 8 Water Rights | C1 | Illegal change in POU of 8 water rights | S. Irvin | No | R9 | | District Court complaint filed 12-31-08 |
| LRO-08-02 | 4/2/2008 | Kim Harian | Dan Hassel | Ground water well | 41S | None | C5 | Improper abandonment of a well | S. Sundheim | No | R2 | 4/21/2008 | Well driller performed necessary action to properly abandon well. |
| LRO-08-03 | 5/21/2008 | Wade Hoge | James/Russell Degner | Yellow Water Creek | 40B | 40B 29426 | C3 | Junior water user interfering with a senior water user | S. Irvin | No | R6 | 5/21/2008 | Not DNRC jurisdiction |
| LRO-08-04 | 5/20/2008 | C Bar J Ranch | American Fork Ranch | Lebo Creek | 40A | None (Exempt) | C1 | Illegal change from stock direct to a pipeline system | D. Mann | No | R11 | | Change app. filed to comply w/law |
| LRO-08-05 | 5/20/2008 | Glennie Ranch | American Fork Ranch | Lebo Creek | 40A | None (Exempt) | C1 | Illegal change from stock direct to a pipeline system | D. Mann | No | R11 | | Change app. filed to comply w/law |
| LRO-08-06 | 6/23/2008 | DBWUA | Frank Roma | Musselshell River | 40A | Multiple | C4 | Unauthorized appropriation from Deadmans Canal | S. Sundheim | Yes | R2 | 7/16/2008 | DBWUA payments restored and measuring device constructed |
| MRO-08-01 | 3/3/2008 | Tom Opre | Kenneth Rosdahl | UT Rumble Creek | 76K | 80120 | C1, C4 | Alleged illegal pond restricting flow of water. | B.Schultz | Yes | R1,R6 | 8/13/2008 | Rosdahl cooperative. Provided evidence of natural pond. Contends that he excavated material to widen road. Does not want beneficial use. May be 404 or WQ issue(DEQ). |

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| MRO-08-02 | 4/1/2008 | Robert Jehs | Carl Stevens | UT West Twin | 76M | 30031245 | C1, C4 | Alleged illegal pond restricting flow of water. | B.Schultz | Yes | R3, R4 | 9/12/2008 | Stevens agrees to regulate so outflow=inflow of surface water |
| MRO-08-03 | 4/18/2008 | Jeffery Ince | Kelly & Tom Jolley | NF Rye Creek | 76H | 30023401 | C1 | Alleged illegal diversion from NF Rye to pond | B.Schultz | Yes | R2,R4 | 5/13/2008 | Agree to remove illegal headgate after high water. Filed 602 for GW component. |
| MRO-08-04 | 4/30/2008 | Carol Kinney | Jim Edwards | UT Clark Fork River | 76M | | C3 | Obstruction to ditch/swale restricting flow | B.Schultz | No | R2 | 5/5/2008 | Blockage removed |
| MRO-08-05 | 4/30/2008 | Grant Schermer | Angela Prince | Lyon Creek | 76H | | C1 | Alleged illegal pond restricting flow of water. | B.Schultz | Yes | R11 | 8/22/2008 | Illegal on-stream pond found. Reportedly reduced level by opening outflow. Have not field checked. |
| MRO-08-06 | 5/2/2008 | Dan Humphrey | Gene Lidsey | Sawmill Creek | 76H | 108783 | C1 | Alleged illegal pond restricting flow of water. | B.Schultz | Yes | R4 | 5/7/2008 | GW pond. Submitted 602 |
| MRO-08-07 | 5/30/2008 | Rory Richardson | Elmer Stratton | WF Six Mile | 76M | 103805 | C1 | Alleged illegal diversion to illegal pond | B.Schultz | Yes | R3 | 7/11/2008 | Stratton agreed to close off diversion. |
| MRO-08-08 | 6/19/2008 | Gerald Sisler | Kootenai Sprs Ranch | UT Bitterroot | 76H | 5094 | C4 | Alleged blockage of natural drainage | B.Schultz | Yes | R1 | 7/2/2008 | No illegal use found during field review. Reduced wastewater from Kootenai Sprs Ranch (not irrigating). |
| MRO-08-09 | 8/15/2008 | Henry Kanner | Joseph Tenzer | Rye Creek | 76H | 150386 | C2 | Alleged over-irrigation resulting in road damage | B.Schultz | No | R3 | 9/2/2008 | Tenzer cut back on irrigation and stock tank fill |
| MRO-08-10 | 8/25/2008 | Langton,Melaney,Wood | Wm. Goodin | Big Creek | 76H | 46577 | C3 | Alleged mis-appropriation of senior water | B.Schultz | Yes | R2 | 10/2/2008 | Gooding informed he has no rights to ditch in question. |
| MRO-0811 | 8/29/2008 | Nancy McDonald | Bruce&Patti Gruwell | Nine Mile Creek | 76M | 107684&103357 | C1 | Alleged illegal on-ditch pond,restricting ditch access | B.Schultz | No | R1 | 9/15/2008 | Gruwell cleaned ditch, added berm and removed trees to maintain ditch & limit overflow flooding. |
| MRO-08-12 | 9/5/2008 | Jim Brown | Bill Phelps | Gillinger Ditch | 76H | 74267 | C1 | Alleged over-app. of water to on-ditch pond | L.Schock | Yes | R1 | 10/9/2008 | Phelp's pond is within permit specifications. Problem with constrictions upditch of Phelps. |
| MRO-08-13 | 10/16/2008 | Susan Brown | Danny Clagett | Spring Creek | 76H | | C5 | Alleged shutting off headgate to natural stream | B.Schultz | No | R1 | 11/7/2008 | Issue is CD jurisdiction -intermittent or perennial |
| MRO-08-14 | 10/23/2008 | Craig Ekin | ??? | Canyon Creek | 76H | | C1 | Alleged illegal appropriation to pond | B.Schultz | No | R10 | 12/1/2008 | Asked for more information via telephone on 10/23/08. No response. |
| 2009 | | | | | | | | | | | | | |
| Complaint No. | Date Received | Complainer | Complainee | Source | Basin | Related WR No. | Complaint Code | Complaint Description | DNRC Staff Assigned | Field Investigation | Outcome Code | Resolved Date | Outcome Description |
| BLRO-08-05 | 6/8/2009 | Keith Goodhart | Bruce Delorey | Sweet Grass Cr | 43BV | 43BV-12262 | C1 | Irrigating without a change | Kerbel | None | R2 | 6/8/2009 | Stopped Irrigating with Pivot |
| BLRO-08-06 | 6/24/2009 | Art Arnold | Ken Wahl | UT W Rosebud | 43C | 43C-106059&60 | C1 | Permitte not following conditions in hearing order. | Kerbel | 6/24/2009 | R3 | 8/6/2009 | Field Investigation found Permittee made modifications. |
| BLRO-08-07 | 6/23/2009 | Pat Erger | Ken Higgins | Graham Cr | 43BJ | | C1 | Illegal Ponds | Kerbel | 7/23/2009 | R3 | 8/12/2009 | |
| BLRO-08-08 | 9/16/2009 | Gloria Kandle | Gary Goddard | Hump Cr | 43QJ | 43QJ-96425 | C1 | Illegal Ponds | Kerbel | 9/16/2006 | R1 | 9/16/2009 | Field Investigation found Pond as Permitted. |
| BUO-09-01 | 1/13/2009 | Amelia Kelly | David and Cora Rall | Middle Cottonwood Creek | 41H | 41H 23562, 33079 | C5 | Similar to above complaints--wrapped into investigation | JB, (KS) | Yes | R11 | | This is an ongoing battle between neighbors, Water Commissioner has been on in the past. Complainers have filed dissatisfied water users' complaint against Water Commissioner. This is an ongoing issue with no easy resolution. |
| BUO-09-02 | 4/3/2009 | Ruby River Properties | Bradley Livestock LC | Caldwell Springs | 41C | 41C 195281 | C1 | Alleged illegal use of water--pod and pou not represented by a water right | KS | Site Visit | | | Letter sent giving 9/25/2009 deadline for compliance |
| BUO-09-03 | 5/5/2009 | Betty Schneiter | Trout Headwaters/Colter Run Ranch | Schneiter Springs | 41H | 41H 8896 | C4 | Upstream owner developing spring and channelizing ditch | KS | No | R11 | 6/10/2009 | Water was delivered in same amounts as past after construction work. |

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| BUO-09-04 | 6/1/2009 | 41 Virginia City Water Users | Steve Weddle and Daisy Ferreras | UT of Alder Creek | 41C | | C1, C5 | Illegal Surface Water Pond on old dumpsite | KS, PD | Yes (6/11/09) | R1 | 6/12/2009 | Site visit found pond is strictly city water filled, no surface water source (and lined). DEQ has already investigated the water quality allegation and found no violations. |
| BUO-09-05 | 8/31/2009 | Doris Payne | Buzz Basini | Deep Creek | 43B | 43B 192667,192668 | C1, C3, C4 | Secondary ditch headgate being tampered with and water taken illegally | KS | No | R2 | | Illegal use stopped |
| BUO-09-06 | 9/8/2009 | Lois Norby | ? | Spaulding Brook | 41H | | C1, C3 | Possible illegal ponds upstream lessening flow of creek | KS | Pending | | | (This area being looked into for wetland issues, too) |
| HVRO-09-01 | 2/6/2009 | Lyle Ophus | Chauvet Ranch | Big Sandy Creek | 40H | N/A | C2 | Flooding property rights/water distribution | Larson | No | R6/R8 | 2/9/2009 | District Court Jurisdiction |
| HVRO-09-02 | 6/8/2009 | Scott Siemens | N. Chinook Irrig. Asso. | Lodge Creek | 40J | 40185 | C3 | User in violation of Court stipulated agreement | Larson | No | R1/R6 | 6/9/2009 | District Court Jurisdiction |
| HVRO-09-03 | 6/30/2009 | Lyle Ophus | IX Ranch | Big Sandy Creek | 40H | 30017203 | C1 | Unauthorized changed water POU | Larson | Yes | R1 | 6/30/2009 | No Violation Found |
| HVRO-09-04 | 7/27/2009 | Monte Giese | Post 1973 Permittees | Teton River | 41O | All Permits | C1/C3 | Permits adversely affect prior rights LTWU | Larson | No | R2/R3 | 7/29/2009 | Teton Water Availability Letter Sent |
| HVRO-09-05 | 9/3/2009 | FWP | Teton Prairie LLC | Willow Creek | 41O | 112114 | C1 | Diverting water outside basin closure timeframes | Miles | Yes | R11 | | Permit Verification Show Cause Hearing Scheduled |
| HRO-09-01 | 4/7/2009 | Kramer Ranch | Five Rockin MS Angus Ranch | Dempsey Creek | 76G | 91885 | C1 | Storage constructed in 2007 without a water right for the storage | Jim Beck | Yes | R11 | 5/11/2009 | Requested that a that a permit of change be filed and measuring device be installed |
| HRO-09-02 | 1/6/2009 | Reid Molen | --- | Humbug Creek | 76F | None listed | C4 | Water not be diverted or allowed to be diverted into Lake Michele | Jim Beck | Yes | R5 | | Appropriate 608s to be filed and the ditch easement is to be researched by the Lake Michelle owners |
| HRO-09-03 | 6/19/2009 | BOR | Sitz Ranch Management Partnership | Well | 41B | 30028374 and 30028375 | C1 | Two irrigation wells are diverting water before a permit is issued from applications | Jim Beck | Yes | R11 | | Applicant will wait the outcome of the hearings on his permit applications. Hearing examiner denied applications on 12/14/2009. |
| HRO-09-04 | 6/19/2009 | BOR | Donald Dallaserra | Well | 41B | None listed | C1 | An irrigation well being pumped before a permit application has been made | Jim Beck | Yes | R2 | 7/21/2009 | Water user will discontinue the use of the well and prepare to make a permit application |
| HRO-09-05 | 7/17/2009 | Charles Stokke and Marsha Lowe | Diana Neely | Stuart Mill Spring | 76G | None listed | C5 | Aleged interference with stream flows | Terry Eccles | Yes | R1 & R6 | 9/9/2009 | Mr. Stokke will meet with the local CD to secure compliance with 310 permit. He will discuss building setbacks with the count planner. |
| HRO-09-06 | 8/31/2009 | Mill Creek Irrigation Dist. | Willow Glen Ranch | Mill Creek | 76G | 27918 | C1 & C3 | A new diversion is taking water from Mill Creek and other water users are short of water | Jim Beck | Yes | R11 | Response date 3/1/2010 | Harts Basin Ranch is planning to file a change in POD or ask the Water Court to accept an objection to their claims, maintaining that the diversion in use was historic. |
| HRO-09-07 | 9/1/2009 | Rob Miller | Joe Jany | Willow Creek | 76G | 91288 | C1, C3 & C4 | Water is being used through an unclaimed diversion. An abandoned ditch has not been plugged. Illegal use of stock water. | Terry Eccles | Yes | R11 | | |
| HRO-09-08 | 8/7/2009 | BOR | Schuett Partnership | Well | 41B | None listed | C1 | An irrigation well(s) being pumped before a permit application has been made | Terry Eccles | | | | |

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| KRO-09-01 | 2/23/2009 | Van De Kop, Rory | Stalowy, David | Bear Creek | 76K | none | C1 | Pond being excavated on Bear Creek | TE | Yes 3-6-2009 | R1 | 3/9/2009 | Complainee will obtain water right for groundwater diversion via a pit for less than 10 AF/yr using a DNRC Form 602 when project is completed. |
| KRO-09-02 | 3/25/2009 | Hutten, Jeffrey & Tamara | Halluk, Juan | Ground water | 76LJ | none | C1, C2 | Leaking artesian well with no WR | MP | Yes 4-17-2009 | R2 | 4/20/2009 | House not hooked up to well, Cap sealed by Glazier drilling on 4-20-2009. |
| KRO-09-03 | 3/25/2009 | Hutten, Jeffrey & Tamara | Vaugh, Robert L. | Ground water | 76LJ | none | C1 | Well has no water right or well log. | MP | No | R11 | | Phone call with Michelle Vaughn on 4-6-2009. Discussed need to get a water right. Ms. Vaughn agreed to make a 602 application. |
| KRO-09-04 | 4/15/2009 | Herron, Mark | Scott Roskam | Unnamed Tributary to Flathead River (Flathead Lake) | 76LJ | 30043795 | C1 | Pond constructed without a permit | MP | Yes 5-13-2009 | R4 | | Ground Water Certificate issued for pond. |
| KRO-09-05 | 4/23/2009 | Billie, Roy & Virginia | NRCS & Marc Scott | Stinger Creek | 76LJ | 103223, 103221 | C1 | Wetland constructed without a permit. | MP | Yes 5-13-2009 | R1 | | Project funded by NRCS moved and meandered channel. No water right can be issued for this instream use. Wetland restoration was not the intent of the project nor can a water right be issued for a restored natural wetland. |
| KRO-09-06-a | 5/5/2009 | Paret, Melvin | Robert Blackford | Ground water | 76LJ | 90155 | C1 | Water from domestic well used to fill pond | MP | Yes 5-18-2009 | R4 | | 602 filed for pond. |
| KRO-09-06-b | 5/11/2009 | Ridell, Joan | Robert Blackford | Ground water | 76LJ | 90155 | C1 | Water from domestic well used to fill pond | MP | Yes 5-18-2009 | R4 | | 602 filed for pond. |
| KRO-09-07 | 5/18/2009 | Hark, Grant, Deborah, Pearl | Driggs, Leland QCC | Indian Creek Dutch | 76D | | C3 | Shutting water off at irrigation ditch | MP | No | R6 | | Dispute regarding decreed right is jurisdiction of courts. |
| KRO-09-08 | 5/19/2009 | Quirk Cattle Company | Hark, Pearl | Indian Creek Dutch | 76D | 118113, 118111 | C3 | Shutting water off at irrigation ditch | MP | No | R6 | | Dispute regarding decreed right is jurisdiction of courts. |
| KRO-09-09 | 8/18/2009 | Malin, Phil | Grizzly Stone | Spring Henry Creek | 76N | 30046018, 113128, 113129 | C4 | Mining of Shale could interfere with complainer's sprin appropriation | MP | No | R6 | 8/18/2009 | referred to DEQ |
| KRO-09-10 | 12/28/2009 | Hernandez/Hinds | Mike & Nancy Masten | Unnamed Tributary to Clark Fork River | 76N | 4688 36665 | C4 | Wasting of water preventing adequate flow resulting in freezing of water line | | No | R6 | 1/19/2010 | Masten has a claim for stock use up to 25 gpm. Since this is a decreed basin disputes regarding decreed claims are the jurisdiction of the court system |
| LRO-08-07 | 1/16/2009 | Jerry & Sue Evans | Town of Geyser | Ground water well | 41R | None | C2 | Uncontrolled flowing wells/waste/improper abandonment | A. Robinson | Yes | R2 | 4/8/2009 | Leaking well plugged/abandoned. |
| LRO-08-08 | 5/21/2009 | Don/Judy Van Der Hagen | Neal Bouma | UT Sun River | 41K | None | C1 | 3 illegal ponds constructed. | S. Irvin | Yes | R11 | | Permit app. filed but not resolution until decision. |
| LRO-08-09 | 6/4/2009 | Orville Skogen | Bob Murray | UT Sun River | 41K | 41K 215055 | C1, C3, C4 | Illegal diversion and interference with water rights. | S. Irvin | Yes | R6 | 7/10/2009 | No or limited authority -defer toCCCD. |
| LRO-08-10 | 7/14/2009 | C Bar J Ranch | Chad Sedgwick | Crooked Creek | 40A | 40A 205263, 67, 68 | C1, C3 | Illegal diversion and interference with water rights. | S. Irvin | Yes | R1 | 7/21/2009 | No violation found. Priority date issue between water users |
| LRO-08-11 | 7/15/2009 | Bob Murray | Orville Skogen | UT Sun River | 41K | None | C1, C5 | Illegal diversion and potential floodplain issues | S. Irvin | Yes/previous | R1/R6 | 7/17/2009 | CCCD jurisdiction. |
| LRO-08-12 | 10/22/2009 | Russ Barrett | Doug Rohrer | UT Sun River | 41K | 41K 200215 | C1, C5 | Illegal diversion/use and potential property damage | S. Irvin | Yes | R11 | | Violater has drained ponds |
| LRO-08-13 | 11/16/2009 | W. Shortridge | W. Rau | Hardy Creek | 41QJ | Multiple | C1 | Diversion outside of period of appropriation | S. Irvin | No | R2 | 11/23/2009 | Illegal use terminated. |
| LRO-08-14 | 12/11/2009 | Todd & Jean Klick | Bob Murray | UT Sun River | 41K | 41K 146309 | C5 | Property damage due to flooding from dam. | S. Irvin | No | R6 | 12/15/2009 | Civil matter between parties or conservation district matter. |
| MRO-09-01 | 2/5/2009 | Anna Mae Paddock | George Furniss | Rock Creek | 76H | 30029037 | C1,C2 | Alleged year-round diversion causing flooding | B.Schultz | No | R8 | 2/10/2009 | Matter has previously been heard in District Ct. Asked Judge Langton for guidance. No response. |
| MRO-09-02 | 2/11/2009 | Msla CD | David & Virginia Holmes | Smith Creek | 76K | 76K110499 | C1 | Diversion to pond. Applied for 310 permit for diversion | B.Schultz | No | R2 | 3/5/2009 | Ceased diversion until they go thru the permit of change process. |

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|----------------------|----------------------|-----------------------|-------------------|--|--------------|-----------------------|-----------------------|--|----------------------------|----------------------------|---------------------|----------------------|--|
| MRO-09-03 | 4/23/2009 | Msla Co. Health Dept | Dean Roberts | Hayes Creek | 76H | none | C1 | Pump on Hayes Cr bank & pipe to Roberts property | B.Schultz | No | R2 | 5/20/2009 | Pump pulled according to Health Dept |
| MRO-09-04 | 5/11/2009 | Robert Kwapy | Magruder & Aoyama | Kootenai Creek | 76H | | C1 | Alleged over appropriation in order to get water to property | B.Schultz | No | R6 | 5/12/2009 | Water Court/District Court/Commissioner issue |
| MRO-09-05 | 5/22/2009 | Lorna Jay Holmes | ?? | Sheafman Creek | 76H | | C2 | Alleged over-appropriation resulting in flooding. | B.Schultz | No | R5 | 5/26/2009 | Flooding/property damage issues a civil matter. |
| MRO-09-06 | 6/9/2009 | US Forest Service | Richard Nemetz | McIntyre Gulch | 76M | | C1 | Alleged illegal pond | B.Schultz | Yes | R2 | 7/2/2009 | Owner agreed to cease diverting to pond. |
| MRO-09-07 | 6/11/2009 | Debra Docherty | Lee Holmer | S. Willoughby Cr | 76H | 99784 | C1,C3 | Alleged enlarged pond | L.Schock | Yes | R3 | 7/13/2009 | Pond not enlarged. Holmer informed to respond to senior call. |
| MRO-09-08 | 6/18/2009 | Tom&Tricia Kiefer | Lee Holmer | S. Willoughby Cr | 76H | 130001, 130995 | C1,C3 | Alleged enlarged pond | L.Schock | Yes | R3 | 7/13/2009 | Pond not enlarged. Holmer informed to respond to senior call. |
| MRO-09-09 | 6/18/2009 | Benyus & Merrill | Lee Holmer | S. Willoughby Cr | 76H | 103860 | C1, C3 | Alleged enlarged pond | L.Schock | Yes | R3 | 7/13/2009 | Pond not enlarged. Holmer informed to respond to senior call. |
| MRO-09-10 | 7/9/2009 | J. Lubertazzi | Wm.Smith | Nelson Cr | 76H | 147938, 39, & 40 | C1, C3 | Alleged diversion for irrigation without water right | B.Schultz | Yes | R2 | 8/12/2009 | Smith informed of Lubertazzi's rights. Told not to interfere with conveyance. |
| MRO-09-11 | 7/24/2009 | Stokke | Neeley | Stuart Mill | | | | DeerLodge Co. Forwarded to Helena RO | HRO | | | | File sent to Terry Eccles, HRO manager |
| MRO-09-12 | 6/19/2009 | Bigelow-Blodgett Cem | Peterson | Blodgett Cr | 76H | | C3 | Peterson denies access to fix obliterated ditch | B.Schultz | No | R5 | 7/24/2009 | Ditch access issue. Not DNRC jurisdiction |
| MRO-09-13 | 7/23/2009 | Foss | Huggins | LostHorse,WardDitch | 76H | 105037&38 | C3 | Adequate water not available downditch | B.Schultz | Yes | R11 | | Parties attempting to work out equitable distribution |
| MRO-09-14 | 7/20/2009 | Wright (Parsons) | Faggerstrom | Canyon, PutnamDitch | 76H | 2510 | C3 | Adequate water not available downditch | B.Schultz | Yes | R3, R5 | 8/9/2009 | Distribution of claims jurisdiction of WC. Ditch access not DNRC issue. |
| MRO-09-15 | 7/27/2009 | Ostrander | Roberts | Dickson Cr | 76H | | C1 | Irrigation without water right | B.Schultz | Yes | R2 | 8/24/2009 | Roberts agreed to quit irrigating from creek. Drilled well-confirmed |
| MRO-09-16 | 9/2/2009 | Peter Steele | Michael Birr | McGinty Gulch | 76M | 99383, 107756 | C3 | Steele denied access to pipeline. | B.Schultz | No | R5 | 9/8/2009 | Both parties produced documents re: easement, title to pipeline. Civil matter. |
| MRO-09-17 | 9/3/2009 | Ince | Jolley | NF Rye Creek | 76H | 150386 | C1 | Alleged surface water diversion to GW pond | B.Schultz | Yes | R1 | 9/10/2009 | No evidence of SW diversion to pond found. |
| MRO-09-18 | 12/4/2009 | Jesse Staat | John Kellogg | North Swamp Cr | 76H | 148172 | C1 | Alleged diversion in excess of allocation | B.Schultz | No | R1 | 12/7/2009 | Kellogg provided information showing diversion shut down. |
| MRO-10-01 | 11/20/2009 | Charles Ingalls | Jones | UT Bitterroot | 76H | | C1,C2 | Allegedly raised level of ponds causing flooding | B.Schultz | yes | R3 | 6/2/2010 | Jones agreed to reduce level of their pond |
| 2010 | | | | | | | | | | | | | |
| <u>Complaint No.</u> | <u>Date Received</u> | <u>Complainer</u> | <u>Complaine</u> | <u>Source</u> | <u>Basin</u> | <u>Related WR No.</u> | <u>Complaint Code</u> | <u>Complaint Description</u> | <u>DNRC Staff Assigned</u> | <u>Field Investigation</u> | <u>Outcome Code</u> | <u>Resolved Date</u> | <u>Outcome Description</u> |
| BLRO-08-09 | 7/22/2010 | Swanson, Bill & Janet | Johnson, Dan | Big Porcupine | 42KJ | 42KJ-176442 | C1 | Illegal Diverson | Kerbel | 7/30/2010 | R3 | 7/28/2010 | Field investigation found Johnson made corrective modifications - written agreement between the parties was obtained. Johnson has wr for diversion in NW Sec 1 7N-38E. |
| BUO-10-01 | 1/6/2010 | (DEQ) | Howard Nelson | Sourdough Creek | 41H | ? | C1 | Possible illegal pond on Sourdough Creek in Bozeman | KS, PD | No | R2 | | Diversion materials removed |
| BUO-10-02 | 5/20/2010 | Leonard Eblen | David Warwood | North Cottonwood Cr | 41H | 41H 33075 | C3 | Junior user diverting all water in creek | KS, PD | Maybe | | | Once high water recedes, will meet with parties at headgate |
| BUO-10-03 | 6/22/2010 | David Warwood | Leonard Eblen | North Cottonwood Cr | 41H | 6483, 6485 | C4 | Countercomplaint to previous complaint, asserts that headgate has been wrongly changed | KS, PD | Maybe | | | Once high water recedes, will meet with parties at headgate |
| BUO-10-04 | 7/19/2010 | William Kidd | Jeffrey Wingard | UT of Blaine Spring Creek, aka Holly Creek | 41F | 27903 | C1 | Illegal POD alleged | KS, PD | No | R3 | | Looking into point of diversion, verification may indicated different pod then database |

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|------------|-----------|---------------------|--|-------------------------|------|---|--------|--|------------------|-----|--|---------|-----------|--|
| BUO-10-05 | 7/25/2010 | Amelia Kelly | David and Cora Rall | Middle Cottonwood Creek | 41H | 41H 85013, 23562, 33079 | C4 | Pond discharge in ditch affecting water quality | TS | | | | | |
| BUO-10-06 | 7/25/2010 | Amelia Kelly | David and Cora Rall | Walton Creek | 41H | 41H 23558 | | unclear | TS | | | | | |
| HVUO-10-01 | 5/20/2010 | Lyle Ophus | Chauvet Ranch | Big Sandy Creek | 40H | N/A | C2 | Flooding property rights/water distribution | Miles | No | | R6/R8 | 5/24/2010 | District Court Jurisdiction |
| HVUO-10-02 | 5/20/2010 | Lyle Ophus | IX Ranch | Big Sandy Creek | 40H | 30017203 | C1 | Unauthorized changed water POU | Miles | Yes | | Pending | | Pending Verification of Change Authorization |
| HVUO-10-03 | 7/27/2010 | Monte Giese | Post 1973 Permittees | Teton River | 41O | All Permits | C1/C3 | Permits adversely affect prior rights LTWU | Miles | No | | R2/R3 | 8/3/2010 | Teton Water Availability Letter Sent |
| HRO-10-01 | 1/7/2010 | BOR | Lohman (now Kriegel) | Well | 41B | None listed | C1 | An irrigation well(s) being pumped before a permit application has been made | Jim Beck | Yes | | R3 | 2/10/2010 | A pipeline from a surface water source is being installed to replace the well as a water source for the irrigation. |
| HRO-10-02 | 2/11/2010 | BOR | Stoddard | Well | 41B | None listed | C1 | An irrigation well(s) being pumped before a permit application has been made | Jim Beck | | | | | |
| HRO-10-03 | 4/30/2010 | Boroadwater County | Clovercrest Land & Cattle (William Nutt) | Cottonwood Creek | 41I | None listed | C1 | Installation and use of a pond without a water right | Jim Beck | | | | | |
| HRO-10-04 | 4/30/2010 | Dave & Judy Rowland | Round Grove Ranch Co. | Spring | 41I | 015267 015268 | C1, C3 | Additional irrigated land is reportedly being irrigated w/ the diversion decreasing the flow from a wetland. | Jim Beck | | | | | |
| HRO-10-05 | 5/14/2010 | Nila Tyrrel | John Wright | Indian Creek | 41I | 90273 90279 90282 90285 90293 90296 90297 90299 90304 | C1 | Diversion of water from Indian Creek without a water right | Jim Beck | | | | | |
| HRO-10-06 | | Lloyd Neal | | Willow Creek | 41K | | C1, C3 | Diversion of more water than the amount released from Nilan | Terry Eccles | | | | | |
| HRO-10-07 | 7/26/2010 | William Tucker | Meriwether Ranch | Big Hole River | 41D | | C1 | Water user no repairing or using ditches. Using groundwater for irrigation without a permit. | Terry Eccles | | | | | |
| HRO-10-08 | 7/27/2010 | BOR | Stone Creek Ranches | Well | 41B | None listed | | An irrigation well(s) being pumped before a permit application has been made | Terry Eccles | | | | | |
| KRO-10-01 | 3/8/2010 | Michael McCoy | Thomas Chadwick | unnamed spring | 76LJ | 76LJ 147174 | C3 | Drainage ditch dug by neighbor cut off water supply to developed spring. | Pitman/Albr echt | Yes | | R6 | 3/31/2010 | Determined that claimed water right that included complainer as owner was in error. Water right for developed spring is a ground water certificate. Sent letter to complainer explaining his water rights and jurisdiction by courts for drainage issues and g |
| KRO-10-02 | 3/30/2010 | Robert Heckman | Lester M. Morgan | Buffalo Bill Ck. | 76N | 76N 105413 | C1 | Water being diverted outside claimed period of diversion. | Pitman | No | | R2 | 4/7/2010 | Complainee stopped diversion after a call was mase by a senior appropriator, Mr. Gillibrand. |
| KRO-10-03 | 4/8/2010 | James Gillibrand | Lester Morgan | Buffalo Bill Ck. | 76N | | C2 | Runoff from flood (furrow) irrigation by Morgan floods complainers property. | Pitman | No | | R6 | 4/29/2010 | Sent email with explanation of jurisdiction for such a complaint is with the courts. |
| KRO-10-04 | 6/9/2010 | Ben Cox | Kurt Tedhams Trust | Mosquito Ck. | 76N | 105404, 105406, 105407 | C4 | | | | | | | |
| KRO-10-05 | 6/25/2010 | Ben Cox | Lee and Peggy Matthews | Mosquito Ck. | 76N | 02776, 027767 | C4 | | | | | | | |

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| KRO-10-06 | 6/23/2010 | Frank Cavanaugh | David Neumann and Barbra Benson | Spring Tributary to Pleasant Valley Fisher River | 76C | 30018912 | C1 | | | | | | | |
| KRO-10-07 | 8/3/2010 | Robert Halloran | John Shezak | Swan River | 76K | 30048944 | C1 | Pumping water from Swan River without water right to do so. | Olson | No | R2 | 8/4/2010 | Complainee called by Olson, KUO. Complainee thought it was ok to pump water for lawn and garden irrigation because he had a ground water certificate wate right. Complainee was informed a permit is required to divert water from the Swan River. Complainee | |
| LRO-08-15 | 3/3/2010 | Rob Nylund | Robert Durocher | Muddy Creek | 41QJ | 41QJ 111525 | C5 | Abuse of permit conditions. | S. Irvin | No | R3 | 3/26/2010 | Resolved | |
| MRO-10-02 | 1/11/2010 | Msla CD (notice) | Simmons | Clark Fork | 76G | 5086 | C5 | Change in POD; 3000 ft downstream | B.Schultz | No | R3 | 1/20/2010 | Ceased excavation before reaching river. | |
| MRO-10-03 | 1/9/2010 | Msla CD (notice) | Clark | Owl Creek | 76K | 109609 | C1 | Onstream pond constructed w/o water right | L.Schock | Not yet | R11 | | Developing remeiation plan as ordered by Msla CD. | |
| MRO-10-04 | 4/5/2010 | Frank Malik | Hachenberger | Mill Creek | 76H | 104958 | C1 | Alledged illegal on-ditch pond | B.Schultz | Yes | R3 | 5/7/2010 | Pond reduced to < .1 AF-no change needed. | |
| MRO-10-05 | 5/3/2010 | Msla Co. Rd Dept | Greenough L&L Co | Blackfoot River | 76F | 9835 | C1 | Alledged added POD | B.Schultz | No | R11 | | Owner working with consultant on pod change. In place since 1981. | |
| MRO-10-06 | 5/14/2010 | Feltus | Edwards | Clark Fork River | 76M | 99553 | C3 | Alledged diversion to illegal pond | B.Schultz | No | R11 | | Owner working with consultant to amend claim | |
| MRO-10-07 | 5/18/2010 | Roberts | Ostrander | Dickson Creek | 76H | | C1 | Follow-up on 09-15. Appl for pond submitted? | B.Schultz | Yes | R2 | 6/1/2010 | Owner agreed to allow pond to fill in-as per CD recommendation. | |
| MRO-10-08 | 5/21/2010 | Jensen | Long | Sweathouse Cr | 76H | 215093 | C3 | Ditch modifications restrict water movement | B.Schultz | No | R5 | 6/4/2010 | Ditch put back. Jensen agrees to clean Victor Town Ditch | |
| MRO-10-09 | 5/25/2010 | Ostrander | Roberts | Dickson Creek | 76H | | C1 | Existing pond with no water right. See 09-15. | B.Schultz | yes | R1 | 6/4/2010 | Discussed with CO. Decided not to pursue violation. See file. | |
| MRO-10-10 | 6/14/2010 | Colpitts | Heiland | Ward Irr District | 76H | 45383 | C3 | Intercepting his groundwater | B.Schultz | no | R1 | 7/1/2010 | Discussed with Herland. No changes to system in 10 yrs. Colpitts did not return my calls. | |
| Complaint Codes | | | | | | | | | | | | | | |
| C1 | Alleged illegal appropriation (unlawful use of water) | | | | | | | | | | | | | |
| C2 | Alleged waste of water | | | | | | | | | | | | | |
| C3 | Alleged preventing water from moving to person with prior use | | | | | | | | | | | | | |
| C4 | Alleged interference of rightful use of water | | | | | | | | | | | | | |
| C5 | Other | | | | | | | | | | | | | |
| Resolution Codes | | | | | | | | | | | | | | |
| R1 | No violation found | | | | | | | | | | | | | |
| R2 | Resolved - illegal use terminated | | | | | | | | | | | | | |
| R3 | Resolved - use modified to comply with water right | | | | | | | | | | | | | |
| R4 | Resolved - appropriate water right secured | | | | | | | | | | | | | |
| R5 | Not DNRC jurisdiction - Ditch Easement or Trespass Issue | | | | | | | | | | | | | |
| R6 | Not DNRC jurisdiction - Referred Parties to (enter proper authority- ie Water Court, District Court, CD, DEQ, etc) | | | | | | | | | | | | | |
| R7 | Parties petition for a Water Commissioner | | | | | | | | | | | | | |
| R8 | Parties have entered into a civil action | | | | | | | | | | | | | |
| R9 | DNRC has entered into civil action vs. Complainee | | | | | | | | | | | | | |
| R10 | Insufficient information provided by Complainer - No DNRC action | | | | | | | | | | | | | |
| R11 | Outcome Pending | | | | | | | | | | | | | |