

# HB22 ADJUDICATION PROGRESS REPORT

9-16-2005, DNRC

## Personnel

- July 5, Hired 29 new water resources specialists and GIS support staff
- July 5-15 Trained all new specialists and 12 existing specialists
- Ongoing recruitment to fill remaining specialists positions (4)
- Recruiting for the additional 4 support staff continues

## Expenses as of 9-1-2005

- Operating costs (training, rent, equipment, etc.)	\$196,656
- Personnel services (wages, benefits)	<u>\$137,778</u>
Total	\$334,434

## Summary Report

- Union Creek Summary Report sent to the Water Court May 19, 2005
- The Teton Summary Report was sent to the Water Court August 15, 2005
- The Water Court will determine the Decree issuance dates

## Claims Examination Progress

- In fiscal year 2005, 1817 claims examined
- For July and August of Fy2006, 1026 claims examined
- Claims remaining to be examined 54,916

	Active Basins	Estimated completion
-Big Hole River	Summary report preparation	Winter 2005
-Smith River	Examination in progress	May 2007
-Missouri R to Sun R	Examination in progress	May 2007
-Blackfoot River	Examination in progress	Dec 2007
-Two Medicine	Examination in progress	June 2006
-Red Rock River	Examination in progress	Jan 2010
-Beaverhead River	Examination in progress	Jan 2010
-Flatwillow Creek	Examination in progress	July 2010
-Lower Tongue R	Examination in progress	Jan 2011
-Bitterroot R, E side	Examination in progress	Jan 2011
-Marias River	Examination in progress	June 2015

## District Court Enforcement actions

- Completed water court assistance on 20 streams this last season
- The water court has requested an additional 5 sources for next season

## Ownership Records

- Address comparison of 120,000 records to US postal service for validity
- 22,000 determined undeliverable, regional offices will research ASAP

### Billing System

- DNRC has met with Dept of Revenue 3 times
- DNRC hired a contractor to write the billing program, est. cost \$30,000
- Billing system completion date October 15, 2005

### Database Progress

TASK	Completed	In Progress
<b>Phase 1</b>		
Produce accurate, complete and timely decrees		
Complete data conversion for adjudication	y	
Correct conversion error	y	
Relocate data to support adjudication functions	y	
Develop an error report for adjudication	y	
Develop 'Standard' program	y	
Develop Summary Report	y	
Develop Decree report	y	
Develop the associated indexes for the Summary and Decree reports	y	
Produce the utilities, forms and reports to support enforcement actions		
Create and populate the 'Enforceable priority date' field	y	
Add X Y coordinates field to the Point of diversion records	y	
Add a commissioner number to the point of diversion	y	
Add an enforcement number to the point of diversion	y	
Create an enforcement form to track enforcement actions	y	
Develop water tabulation indexes		
<b>Phase 2</b>		
Enhance security and data integrity		
Lock decreed basins so only the water court can change data	y	
Validate TRS to basin	y	
Prohibit invalid relationships in the water right screen		y
Develop a screen for post decree corrections by the water court	y	
Update the users manual		
Automate the ownership update screen	y	
Enhance error messaging		
Improve public access		
Provide better data to NRIS		
Provide more complete data to NRIS		
Develop a standard water right abstract	y	
Develop GIS link		
Develop stand-alone GIS and database capabilities for DNRC		

### Phase 3

#### Improve system efficiency

- Improve water right abstract access by managers, water court staff, and dept staff
- Develop IT Unit and system plans
- Develop report tools (indexes) for use by dept staff
- Automate Compact reports
- Create public notice process for Change Authorizations y
- Provide an electronic docketing system for the water court
- Provide interface between database and document imaging (ISD's servers)
- Modify the 'Source' table in the database for proper sorting
- Complete the 52 items identified in 2001 for database efficiency

#### Develop HB22 billing system

- Add a new field to note 'Irrigation districts for billing purposes' y
- Add a new field to record the number of users y
- Develop the billing program y
- Develop the billing report and data transfer to Dept of Revenue y
- Develop the billing screen to track fees paid, appeals, etc. y

#### **HB22 Website and general Public Information**

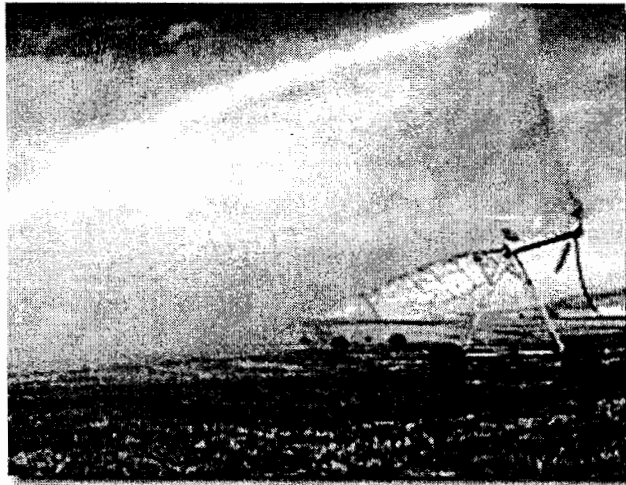
- Notice to irrigation districts sent 8-2005, requesting the number of users
- HB22 information website set-up 9-14-2005 : [http://dnrc.mt.gov/house\\_bill22](http://dnrc.mt.gov/house_bill22)
- Plan to notify property owners of HB22 in the next month via direct mail, public service announcements, flyers, newspaper, radio, etc.



## HOUSE BILL 22

## House Bill 22 Informational Site

- [House Bill 22 History](#)
- [House Bill 22 Simplified](#)
- [House Bill 22](#)
- [House Bill 609](#)
- [FAQ's](#)
- [General Water Rights Information](#)
- [Find Your Water Right](#)
- [Change Water Rights User Information](#)
- [News](#)



### Water Rights Adjudication in a nutshell.

Every water right is a story. The story begins when the water is diverted from a stream, well, lake, etc., and put to a beneficial use such as irrigation, domestic, or for stock. This is called appropriating water and is the legal basis for all water right in Montana. The Montana Department of Resources and Conservation (DNRC) is required to help the Montana Water Court in understanding the who, what, where, why and how of each old water right. This assistance helps the Water Court to issue water right decrees.

The Water Court has the exclusive authority under Montana's Water Use Act to decree and adjudicate (resolve) objections to, or issues on existing water rights (those with dates of first use, called priority dates, before July 1, 1973). Some claims date back to the first settlement of an area and have passed through many owners. Even though the owners of these old water rights had a valid claim to water, they were required to file Statements of Claim for these water rights by April 30, 1982, to preserve them. Statements of Claim were accepted until July 1, 1996 but claims filed after April 30, 1982 are subordinate or junior to Statements of Claim filed on or before April 30, 1982.

DNRC has the task of sorting through these old water rights basin by basin and

# HB22 ADJUDICATION PROGRESS REPORT

December 2005 DNRC

## Personnel

- July 5, Hired 29 new water resources specialists and GIS support staff
- July 5-15 Trained all new specialists and 12 existing specialists
- Ongoing recruitment to fill remaining specialists positions (6)
- Recruiting for the additional 3 support staff continues

## Expenses as of November 30, 2005

- Operating costs (training, rent, equipment, etc.)	\$209,715
- Personnel services (wages, benefits)	<u>\$484,722</u>
Total	\$694,437

## Summary Report

- Union Creek Summary Report sent to the Water Court May 19, 2005
- The Teton Summary Report was sent to the Water Court August 15, 2005

## Decrees

- Water Court issue date for Teton Decree is December 29, 2005

## Claims Examination Progress

- In fiscal year 2005, 1817 claims examined
- July thru Nov of Fy2006, 3535 claims examined
- Claims remaining to be examined 52,234

	<u>Active Basins</u>	<u>Estimated Completion</u>
-Big Hole River	Summary report preparation	Winter 2006
-Smith River	Examination in progress	May 2007
-Missouri R to Sun R	Examination in progress	May 2007
-Blackfoot River	Examination in progress	Dec 2007
-Two Medicine	Examination in progress	June 2006
-Red Rock River	Examination in progress	Jan 2010
-Beaverhead River	Examination in progress	Jan 2010
-Flatwillow Creek	Examination in progress	July 2010
-Lower Tongue R	Examination in progress	Jan 2011
-Bitterroot R, E side	Examination in progress	Jan 2011
-Marias River	Examination in progress	June 2015

## District Court Enforcement Actions

- Completed water court assistance on 20 streams this last season
- The water court has requested an additional 5 sources for next season, DNRC will work on two of the 5

### Ownership Records

- Address comparison of 120,000 records to US postal service for validity
- 22,000 determined undeliverable, research completed by Nov 30, 2005
- Montana Property Owner letter sent 11-18-2005
- Since July 2005 DNRC has issued 1487 water rights for new wells
- Since July 2005 DNRC has processed 3902 ownership updates
- Since July 2005 DNRC has corrected 6096 addresses
- Since July 2005 over 6000 work hours were dedicated to owner cleanup

### Billing System

- DNRC has met with Dept of Revenue 8 times
- Billing system is complete and bills will be sent to Dept of Revenue Dec 9, 2005

### Database Progress

- The system has been fully tested and is operational
- Contracts to bring database to functionality to date \$208,614

TASK	Completed	In Progress
<b>Phase 1</b>		
Produce accurate, complete and timely decrees		
Complete data conversion for adjudication	Y	
Correct conversion error	Y	
Relocate data to support adjudication functions	Y	
Develop an error report for adjudication	Y	
Develop 'Standard' program	Y	
Develop Summary Report	Y	
Develop Decree report	Y	
Develop the associated indexes for the Summary and Decree reports	Y	
Produce the utilities, forms and reports to support enforcement actions		
Create and populate the 'Enforceable priority date' field	Y	
Add X Y coordinates field to the Point of diversion records	Y	
Add a commissioner number to the point of diversion	Y	
Add an enforcement number to the point of diversion	Y	
Create an enforcement form to track enforcement actions	Y	
Develop water tabulation indexes		
<b>Phase 2</b>		
Enhance security and data integrity		
Lock decreed basins so only the water court can change data	Y	
Validate TRS to basin	Y	
Prohibit invalid relationships in the water right screen		Y
Develop a screen for post decree corrections by the water court	Y	
Update the users manual		Y

TASK	Completed	In Progress
Automate the ownership update screen	Y	
Enhance error messaging		
Improve public access		
Provide better data to NRIS		
Provide more complete data to NRIS		
Develop a standard water right abstract	Y	
Develop GIS link		
Develop stand-alone GIS and database capabilities for DNRC		
<b>Phase 3</b>		
Improve system efficiency		
Improve water right abstract access by managers, water court staff, and dept staff		
Develop IT Unit and system plans		
Develop report tools (indexes) for use by dept staff		
Automate Compact reports		
Create public notice process for Change Authorizations	Y	
Provide an electronic docketing system for the water court		
Provide interface between database and document imaging (ISD's servers)		Y
Modify the 'Source' table in the database for proper sorting		Y
Complete the 52 items identified in 2001 for database efficiency		
Develop HB22 billing system		
Add a new field to note 'Irrigation districts for billing purposes'	Y	
Add a new field to record the number of users	Y	
Develop the billing program	Y	
Develop the billing report and data transfer to Dept of Revenue	Y	
Develop the billing screen to track fees paid, appeals, etc.	Y	

### HB22 Website and general Public Information

- Notice to irrigation districts sent 8-2005, requesting the number of users
- HB22 information website set-up 9-14-2005 : [http://dnrc.mt.gov/house\\_bill22](http://dnrc.mt.gov/house_bill22)
- Link from Dept of Revenue website to HB22 website completed.
- Automated address correction on-line for public completed
- Continue to notify property owners of HB22 in the next month via public service announcements, flyers, newspaper, radio, etc.

**DNRC REPORT TO EQC  
HB22 ADJUDICATION PROGRESS**

January 27, 2006

**Claims Examination Progress**

- July thru Dec of FY2006, 4291 claims examined
- Claims remaining to be examined **51,359**

**Summary Report**

- Union Creek Summary Report sent to the Water Court May 19, 2005
- The Teton Summary Report was sent to the Water Court August 15, 2005

**Decrees**

- Water Court issued the Teton basin Decree on December 29, 2005
- 2,500 Teton basin claim files (over 76,000 documents) scanned & on the NRIS website for viewing

**Personnel**

- July 5, Hired 29 new water resources specialists and GIS support staff
- July 5-15 Trained all new specialists and 12 existing specialists
- November recruitment and filled remaining specialists positions (6)
- January recruitment and filled additional 3 support staff
- Current recruitment for 3 specialist positions due to turnover

**Expenses as of December 31, 2005**

- Operating costs (training, rent, equipment, etc.)	\$338,188
- Personnel services (wages, benefits)	<u>\$582,845</u>
Total	\$921,033

	<u>Active Basins</u>	<u>Estimated Completion</u>
-Big Hole River	Summary report preparation	Winter 2006
-Smith River	Examination in progress	May 2007
-Missouri R to Sun R	Examination in progress	May 2007
-Two Medicine	Examination in progress	June 2007
-Blackfoot River	Examination in progress	Dec 2007
-Red Rock River	Examination in progress	Jan 2010
-Beaverhead River	Examination in progress	Jan 2010
-Flatwillow Creek	Examination in progress	July 2010
-Lower Tongue R	Examination in progress	Jan 2011



-Bitterroot R, E side	Examination in progress	Jan 2011
-Marias River	Examination in progress	June 2015

### **District Court Enforcement Actions**

- Completed water court assistance on 20 streams this last season
- The water court has requested an additional 5 sources for next season; DNRC will work on two of the 5

### **Ownership Records**

- Address comparison of 120,000 records to US postal service for validity
- 22,000 determined undeliverable, research completed by Nov 30, 2005
- Montana Property Owner letter sent to 266,000 landowners on 11-18-2005
- Between July 2005 and the billing date 12-27-2005 DNRC has issued 1487 water rights for new wells
- Between July 2005 and the billing date 12-27-2005 DNRC has processed 3902 ownership updates
- Between July 2005 and the billing date 12-27-2005 DNRC has corrected 6096 addresses
- Between July 2005 and the billing date 12-27-2005 over 6000 work hours were dedicated to owner cleanup

### **Forms Received**

- Between Oct 2005 and present DNRC received 2987 applications for new wells
- Between Oct 2005 and present DNRC received 4457 Ownership transfers. Please see the chart in your handout for the increases

### **HB22 Website and general Public Information**

- Notice to irrigation districts sent 8-2005, requesting the number of users
- HB22 information website set-up 9-14-2005: [http://dnrc.mt.gov/house\\_bill22](http://dnrc.mt.gov/house_bill22)
- Automated address correction on-line for public completed
- Continue to notify public of HB22 via public service announcements, flyers, newspaper, radio, TV, etc. Details attached.

### **Billing System**

- DNRC has met with Dept of Revenue 8 times
- 108,000 bills mailed 12-27-2005 with 1-31-2006 payment deadline
- Estimated revenue generated \$6.2 million
- Revenue received \$1.605 million representing 35, 384 invoices paid (as of 1-13-2006)
- Appeals received 800+ to date
- Call Center (Hotline) has answered 5600 calls to date, 11 phone lines

- The 8 regional offices have handled more that 34,000 questions

RO	Walkin/Day	Phone/Day	Days	Total Contacts
Glasgow	20	175	19	3,705
Helena	50	250	19	5,700
Havre	18	175	19	3,667
Lewistown	30	160	19	3,610
Billings	50	200	19	4,750
Bozeman	53	160	19	4,047
Missoula	48	250	19	5,662
Kalispell	50	150	19	3,800
<b>Total/Day</b>	<b>319</b>	<b>1,520</b>		
<b>Total/19 Days</b>	<b>6,061</b>	<b>28,880</b>		<b>34,941</b>

- Second bill to be mailed late Feb

### Return Mail

- DNRC has received 29,000 pieces of return mail
- DNRC hired 17 temps on January 5th to process and locate new addresses or owners for the return mail, 5000+ have been processed to date
- Regional offices hired 6 temps to work on return mail, 4800+ have been processed to date
- 19,200 pieces of return mail remain and will be sent out by the end of February

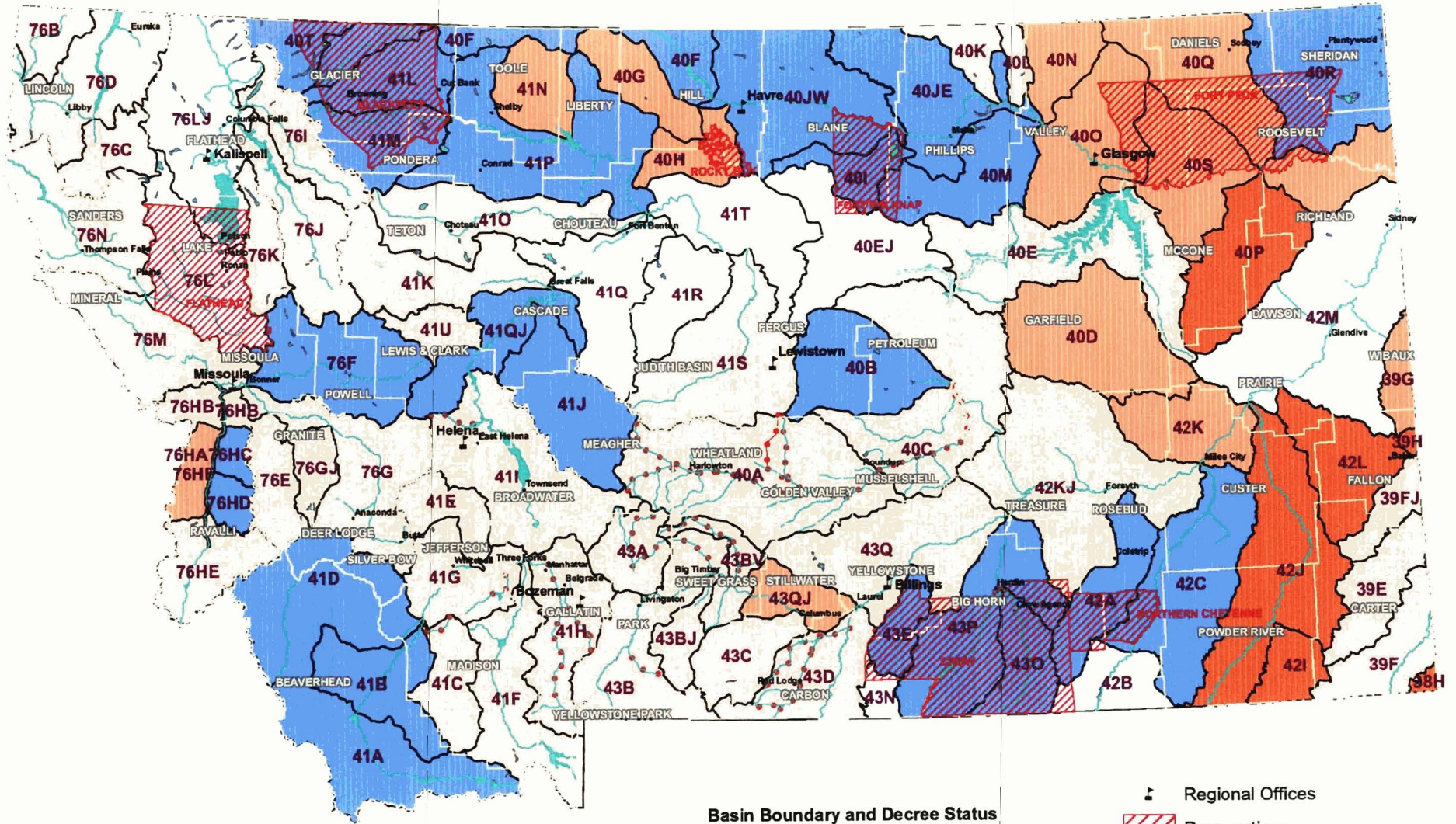
### Database Progress

- The system has been fully tested and is operational
- Contracts to bring database to functionality to date \$208,614

	TASK	Complete	In Progress
<b>Phase 1</b>			
	Produce accurate, complete and timely decrees		
	Complete data conversion for adjudication	Y	
	Correct conversion error	Y	
	Relocate data to support adjudication functions	Y	
	Develop an error report for adjudication	Y	
	Develop 'Standard' program	Y	
	Develop Summary Report	Y	
	Develop Decree report	Y	
	Develop the associated indexes for the Summary and Decree reports	Y	
	Produce the utilities, forms and reports to support enforcement actions		Y
	Create and populate the 'Enforceable priority date' field	Y	

	Add X Y coordinates field to the Point of diversion records	Y	
	Add a commissioner number to the point of diversion	Y	
	Add an enforcement number to the point of diversion	Y	
	Create an enforcement form to track enforcement actions	Y	
	Develop water tabulation indexes		y
<b>Phase 2</b>			
Enhance security and data integrity			
	Lock decreed basins so only the water court can change data	Y	
	Validate TRS to basin	Y	
	Prohibit invalid relationships in the water right screen		Y
	Develop a screen for post decree corrections by the water court	Y	
	Update the users manual		Y
	Automate the ownership update screen	Y	
	Enhance error messaging		
Improve public access			
	Provide better data to NRIS		y
	Provide more complete data to NRIS		
	Develop a standard water right abstract	Y	
	Develop GIS link		
	Develop stand-alone GIS and database capabilities for DNRC		
<b>Phase 3</b>			
Improve system efficiency			
Improve water right abstract access by managers, water court staff, and dept staff			
	Develop IT Unit and system plans		
	Develop report tools (indexes) for use by dept staff		
	Automate Compact reports		
	Create public notice process for Change Authorizations	Y	
	Provide an electronic docketing system for the water court		
	Provide interface between database and document imaging (ISD's servers)		Y
	Modify the 'Source' table in the database for proper sorting		Y
	Complete the 52 items identified in 2001 for database efficiency		
Develop HB22 billing system			
	Add a new field to note 'Irrigation districts for billing purposes'	Y	
	Add a new field to record the number of users	Y	
	Develop the billing program	Y	
	Develop the billing report and data transfer to Dept of Revenue	Y	
	Develop the billing screen to track fees paid, appeals, etc.	Y	

# Basin Location & Adjudication Status Map 12/29/2005



### Basin Boundary and Decree Status

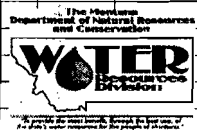
- Current
- Not Yet Examined
- Preliminary Decree
- Final Decree
- Temporary Decree

- Reservations
- Counties
- Enforcement Actions
- Rivers
- Regional Offices

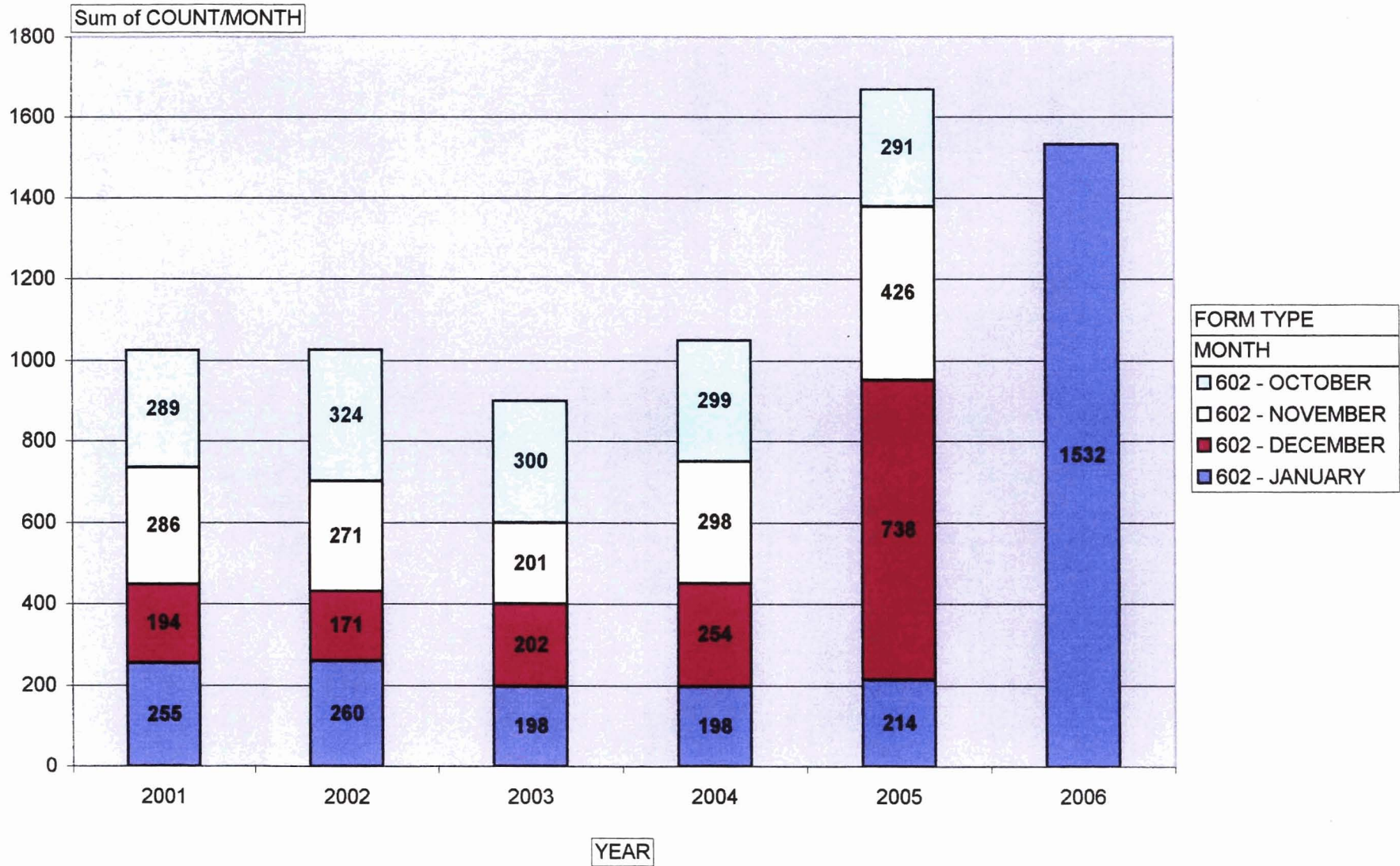


Montana General Adjudication Basin Status				1-27-2006		Total		Decreed	
			Date	Total	Unexamined	Claims	Verified		
Basin #	Basin Name	Cost	Issued	Claims	Claims	to Date	Claims		
	Northern Cheyenne Compact		19-Jan-94	1			1		
	Fort Peck Compact		6-Apr-94	1			1		
	National Park Service Compact		10-Dec-96	1			1		
	Rocky Boy's Compact		27-Apr-00	1			1		
	US F&WS Benton Lake Compact		5-Apr-01	1			1		
	US F&WS Red Rock Lakes Compact		10-May-02	1			1		
	US F&WS Black Coulee Compact		31-Oct-02	1			1		
<b>FINAL DECREES</b>									
1 42I	Little Powder River	\$ 65.00	31-May-83	2281	0	2281	yes		
2 42J	Powder River	\$ 65.00	31-May-83	8934	0	8934	yes		
3 40P	Redwater River	\$ 35.00	22-Mar-85	1940	0	1940	yes		
4 38H	Belle Fourche River above Cheyenne River	\$ 20.00	27-Mar-84	210	0	210	yes		
5 39H	Little Missouri below Little Beaver	\$ 20.00	27-Mar-84	203	0	203	yes		
6 42L	O'Fallon Creek	\$ 55.00	17-Apr-85	2786	0	2786			
<b>PRELIMINARY DECREES</b>				<b>16354</b>	<b>0</b>	<b>16354</b>			
1 40G	Sage Creek	\$ 20.00	20-Dec-83	943	0	943	yes		
2 41N	Willow Creek	\$ 25.00	6-Jul-84	1489	0	1489	yes		
3 40D	Big Dry Creek	\$ 55.00	28-Sep-84	2985	0	2985	yes		
4 39G	Beaver Creek	\$ 20.00	31-Jan-85	708	0	708	yes		
5 43QJ	Yell R from Bridger to Clarks Fork Yellowstone	\$ 20.00	23-Jul-85	1088	0	1088	yes		
6 40N	Rock Creek	\$ 30.00	13-Aug-85	1520	0	1520	yes		
7 42K	Yellowstone River between Tongue & Power	\$ 30.00	19-Sep-85	1479	0	1479	yes		
8 40O	Milk River below Whitewater including Beaver Cr	\$280.00	24-May-95	3403	97	3306			
9 76HF	Westside Subbasin Bitterroot River	\$365.00	14-Jan-98	3774	0	3774			
10 40S	Missouri River below Fort Peck Dam	\$265.00	29-Dec-99	2966	14	2966			
11 40Q	Poplar River	\$170.00	29-Dec-99	2080	0	2080			
12 40H	Big Sandy Creek	\$ 85.00	22-Jan-03	827	30	797			
<b>TEMPORARY PRELIMINARY DECREES</b>				<b>23262</b>	<b>141</b>	<b>23138</b>			
1 76N	Lower Clark Fork	\$ 25.00	28-Feb-84	1245	0	1245	yes		
2 76C	Fisher River	\$ 20.00	28-Feb-84	245	0	245	yes		
3 76D	Kootenai River	\$ 25.00	22-Mar-84	1462	0	1462	yes		
4 76B	Yaak River	\$ 20.00	22-Mar-84	104	0	104	yes		
5 76GJ	Flint Creek	\$ 20.00	29-Mar-84	1050	0	1050	yes		
6 76E	Rock Creek	\$ 20.00	29-Mar-84	719	0	719	yes		
7 41U	Dearborn River	\$ 30.00	10-May-84	876	0	876	yes		
8 41S	Judith River	\$ 90.00	17-May-84	5268	0	5268	yes		
9 41F	Madison River	\$ 55.00	25-Jul-84	2842	10	2832	yes		
10 76K	Swan River	\$ 20.00	9-Aug-84	573	0	573	yes		
11 76I	Middle Fork Flathead River	\$ 20.00	9-Aug-84	199	17	182	yes		
12 76J	South Fork Flathead River	\$ 20.00	9-Aug-84	130	0	130	yes		
13 76M	Middle Clark Fork River	\$ 50.00	29-Nov-84	2587	7	2580	yes		
14 43BV	Sweet Grass Creek	\$ 20.00	19-Dec-84	826	0	826	yes		
15 43B	Yellowstone River above & incl Bridger Creek	\$ 80.00	16-Jan-85	4890	30	4860	yes		
16 40L	Frenchman Creek	\$ 20.00	16-Jan-85	418	0	418	yes		
17 39FJ	Little Beaver Creek	\$ 20.00	31-Jan-85	984	0	984	yes		
18 39F	Little Missouri above Little Beaver Creek	\$ 50.00	1-Feb-85	2993	0	2993	yes		
19 39E	Box Elder Creek	\$ 45.00	1-Feb-85	2474	1	2473	yes		
20 40E	Missouri R. between Muss & Fort Peck Dam	\$ 50.00	7-Mar-85	3010	0	3010	yes		
21 43BJ	Boulder River tributary of Yellowstone	\$ 20.00	3-Apr-85	826	0	826	yes		
22 40A	Musselshell River	\$100.00	7-May-85	5812	0	5812	yes		
23 41K	Sun River	\$ 50.00	14-May-85	2856	0	2856	yes		
24 76G	Clark Fork River above Blackfoot River	\$ 80.00	17-May-85	4935	0	4935	yes		
25 41E	Boulder River tributary of Jefferson River	\$ 25.00	20-Jun-85	1249	0	1249	yes		
26 43C	Stillwater River	\$ 35.00	7-Nov-85	1743	0	1743	yes		
27 41H	Gallatin River	\$105.00	26-Sep-85	5756	11	5745	yes		
28 43A	Shields River	\$125.00	3-Aug-88	3395	0	3395	yes		
29 41G	Jefferson River	\$135.00	17-Oct-89	2474	67	2407	yes		
30 40K	Whitewater Creek	\$160.00	21-Nov-89	3967	378	3589	yes		
31 40C	Lower Musselshell River	\$185.00	6-Feb-90	3871	1	3870	yes		
32 41C	Ruby River	\$130.00	14-Nov-90	2201	18	2183			
33 76HB	North End Subbasin Bitterroot River	\$135.00	16-Sep-92	1164	3	1161			
34 43D	Clarks Fork Yellowstone River	\$275.00	9-Jun-93	2646	16	2630			
35 76HE	South End Subbasin Bitterroot River	\$145.00	25-May-94	1533	4	1529			
36 41I	Missouri R above Holter Dam	\$480.00	8-Mar-95	5237	69	5168			
37 43Q	Yell R between Clarks Fork Yell & Bighorn River	\$210.00	29-Dec-98	2473	0	2473			

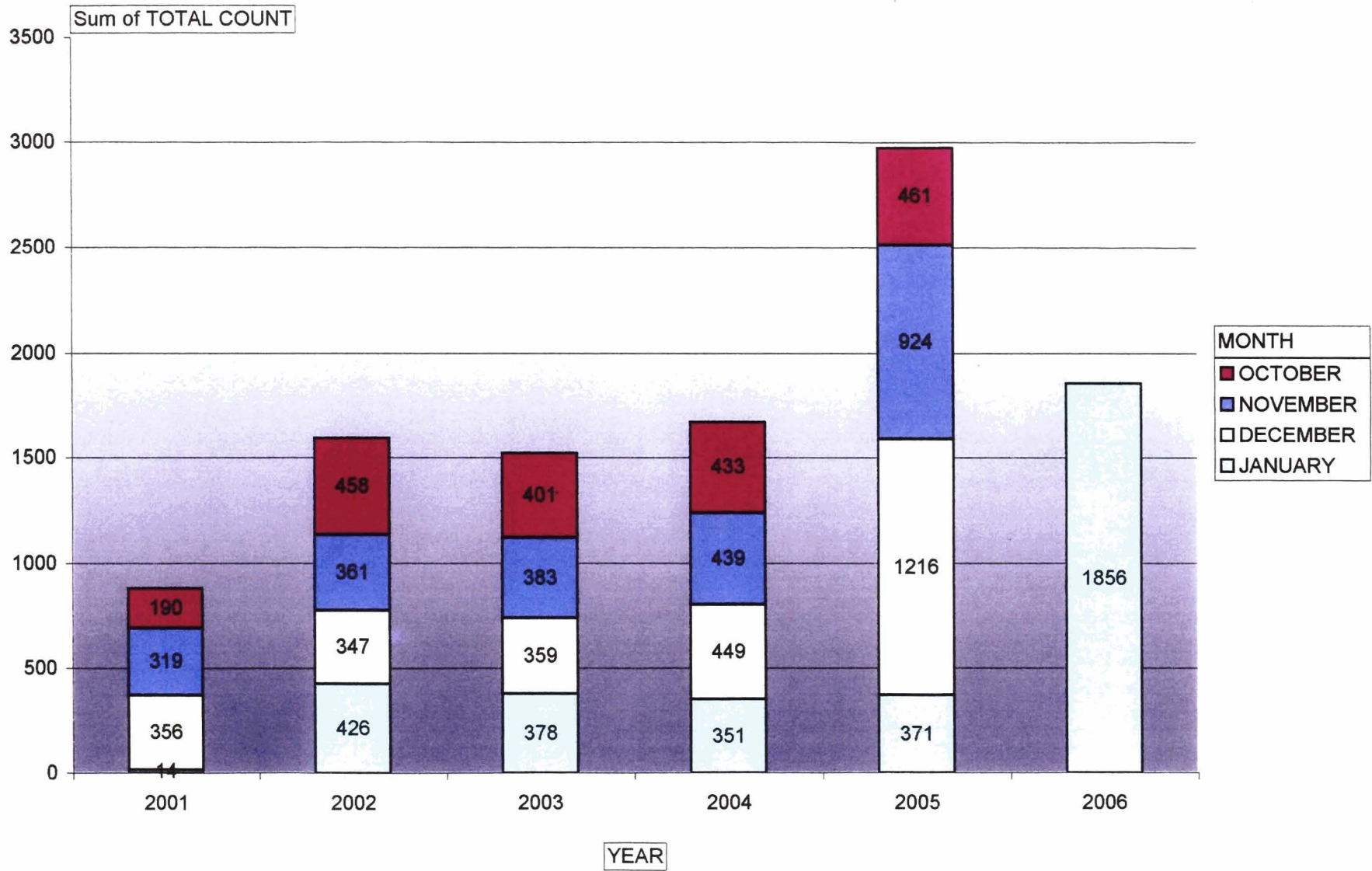
Montana General Adjudication Basin Status				1-27-2006		Total		Decreed	
Basin #	Basin Name	Cost	Date Issued	Total Claims	Unexamined Claims	Claims to Date	Verified Claims		
38 42KJ	Yell R between Bighorn & Tongue Rivers	\$520.00	14-Nov-03	4775	8	4767			
39 41O	Teton River	\$355.00	29-Dec-05	2524	0	2524			
				<b>89808</b>	<b>640</b>	<b>91692</b>			
				<b>TOTAL CLAIMS</b>	<b>UNEXAMINED CLAIMS</b>	<b>Total Examined</b>			<b>%</b>
<b>BASINS CURRENTLY BEING EXAMINED</b>									
<b>BILLINGS REGIONAL OFFICE</b>									
1 42A	Rosebud Creek			1201	259		942		78.4%
2 42C	Tongue River below Hanging Woman			4689	3362		1327		28.3%
3 43E	Pryor Creek			623	0		623		100.0%
4 43O	Little Big Horn River			1197	0		1197		100.0%
5 43P	Bighorn River below Greybull River			2132	58		2074		97.3%
<b>BOZEMAN REGIONAL OFFICE</b>									
1 41A	Red Rock River			2767	2448		319		11.5%
<b>FRESNO REGIONAL OFFICE</b>									
1 40R	Big Muddy Creek			2006	1615		391		19.5%
<b>HAVERE REGIONAL OFFICE</b>									
1 40T	St. Mary River			181	0		181		100.0%
2 40F	Milk River above Fresno			2323	0		2323		100.0%
3 40I	Peoples Creek			670	46		624		93.1%
4 40J	Milk River between Fresno Res & Whitewater			12856	16		12840		99.9%
5 40M	Beaver Creek Tributary of Milk River			2923	18		2905		99.4%
6 41L	Cut Bank River			647	0		647		100.0%
7 41P	Marias River			3688	3431		257		7.0%
8 41M	Two Medicine River			1117	305		812		66.4%
<b>HELENA REGIONAL OFFICE</b>									
1 41B	Beaverhead River			2141	2121		20		0.9%
2 41D	Big Hole River			3886	0		3886		100.0%
<b>KALISPER REGIONAL OFFICE</b>									
1 76L	Flathead River below Flathead Lake			3068	2992		76		2.5%
<b>LAWISTOWN REGIONAL OFFICE</b>									
1 40B	Flatwillow Creek			3633	1862		1771		48.7%
<b>MISSOULA REGIONAL OFFICE</b>									
1 76HA	Bitterroot River, East side			2837	2371		466		16.4%
<b>SWAT TEAMS</b>									
1 41J	Smith River			2653	1970		683		25.7%
2 41QJ	Missouri River from Holter Dam to Sun River			2443	1460		983		40.2%
3 76F	Blackfoot River			3690	2485		1205		32.7%
				<b>Total</b>	<b>63371</b>	<b>26819</b>	<b>36552</b>		
<b>BASINS YET TO BE EXAMINED</b>									
				<b>TOTAL CLAIMS</b>	<b>UNEXAMINED CLAIMS</b>	<b>Total Examined</b>			<b>%</b>
1 76LJ	Flathead River including Flathead Lake			5275	5275		0		0.0%
2 40EJ	Missouri Riv between Bullwacker & Musselshell			2531	2531		0		0.0%
3 41Q	Missouri River from Sun River to Marias River			4079	4079		0		0.0%
4 41R	Arrow Creek			2204	2013		191		8.7%
5 41T	Missouri River from Marias incl Bullwacker Cr			3073	3073		0		0.0%
6 42B	Tongue River including Hanging Woman			1342	1342		0		0.0%
8 42M	Yellowstone River below Powder River			5282	5282		0		0.0%
9 43N	Shoshone River			164	164		0		0.0%
				<b>23950</b>	<b>23759</b>		<b>191</b>		
				<b>Grand Total</b>	<b>216745</b>	<b>51359</b>			



**DNRC - WATER RESOURCES DIVISION**  
**Notice of Completion of Ground Water Development (Form 602)**  
**By Month from 2001 - 2006**



### DNRC - WATER RESOURCES DIVISION Ownership Update Forms Received By Month from 2001 - 2006





## **HB22 Website and general Public Information Information/Education Projects Completed:**

Website – Completed November 2005 20,000+ hits to date

1. News Releases – 3 completed – distributed statewide  
(Dailies/weekly's/radio/TV/Magazines – Water Strategist/Prairie Star/Trader's Dispatch)
2. Emails Distribution Lists – Three separate emails have gone out regarding HB22 to specific stakeholders, all county commissioners, all Clerks of Court, constituents, peripheral groups and political figures (Forest Service, MACO, MLCT, BLM, MACD, state employees) to inform their members/employees.
3. Television interviews conducted on the following stations:
  - a. KTVH (Helena) – Jan. 24<sup>th</sup>, 2006
  - b. KPAX (Missoula)– Dec. 16<sup>th</sup>, 2005
4. Radio interviews conducted on the following stations:
  - a. KOFI (Kalispell)– Jan. 18<sup>th</sup>, 2006
  - b. Northern Broad. (Billings) Inter. with Sen. Walt McNutt – Jan. 12<sup>th</sup>, 2006
  - c. KBLL (Helena)– Jan. 20<sup>th</sup>, 2006
5. Print Interviews
  - a. Missoulian – Perry Backus (Jan. 06)
  - b. Great Falls Tribune – Jared Miller (Dec. 05)
  - c. Lee Bureau – Jennifer McKee (Nov. 05)
6. Letter to the Editor -- Written by DNRC Director, Mary Sexton
  - a. Distributed to all daily and weekly papers in the state – (Dec. 05)
8. Three-part power point presentation for DNRC Regional Water Offices to take to constituent groups/organizations (Elks club, Rotary club, Moose club, Eagles FOE) to inform and engage them about HB22.

### **Future Interviews Scheduled/Planned**

Television: HCTV – Community Pulse: Feb 13<sup>th</sup>  
Aging Horizons – Feb. 14<sup>th</sup>  
Montana Ag Live  
Montana Focus

Radio: KMMS AM (Bozeman) – Feb. 3<sup>rd</sup>  
KOFI

Print: Additional news releases

Website :Continue to make updates/upgrade to make more user-friendly

**TOP 100 BILLS**

Invoice #	Amount	Customer
4216	\$72,600.00	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS,
4215	\$54,840.00	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS,
3187	\$52,440.00	PP&L MONTANA LLC,
4050	\$44,440.00	MOUNTAIN WATER COMPANY,
9241	\$37,720.00	BUTTE-SILVER BOW COUNTY,
4778	\$33,500.00	MALONEY RANCHES,
15426	\$33,400.00	TYRREL, NILA R
103953	\$27,420.00	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS,
31679	\$20,080.00	POGUE, SETH F
10326	\$19,060.00	AMAX EXPLORATION INC,
3485	\$16,440.00	PEACE VALLEY PARTNERSHIP,
5170	\$16,040.00	LEXINGTON SILVER-LEAD MINES INC,
5814	\$15,140.00	JUDITH GOLD CORP,
108220	\$15,120.00	MONTANA, STATE OF DEPT OF NATURAL RESOURCES,
1734	\$14,760.00	STONE CONTAINER CORP,
8927	\$11,880.00	CHICAGO MILWAUKEE ST PAUL & PACIFIC RR CO,
93247	\$10,580.00	NORTHWESTERN CORP,
10228	\$10,260.00	ASARCO INC,
9249	\$10,180.00	BNSF RAILWAY CO,
42561	\$10,080.00	MCBRIDE, GWEN VR
5781	\$9,120.00	KALISPELL, CITY OF,
100636	\$9,080.00	MARYSVILLE GREENWAY LLC,
6926	\$9,060.00	GREAT FALLS, CITY OF,
10130	\$8,440.00	AVISTA CORPORATION,
9684	\$8,400.00	BILLINGS, CITY OF,
6512	\$8,380.00	HELENA, CITY OF,
7818	\$8,040.00	EMERALD RESOURCES CO,
16150	\$8,000.00	TOWNER, ROB L
108094	\$8,000.00	MONTANA, STATE OF DEPT OF ENVIRONMENTAL QUALITY,
70963	\$7,680.00	DIXON, ROBERT D
94443	\$7,360.00	ROSEBURG RESOURCE CO,
10321	\$7,340.00	ANACONDA-DEER LODGE CITY-COUNTY,
49970	\$7,200.00	KNOPF, LORENE M
9720	\$7,100.00	BIG SKY COUNTY WATER & SEWER DIST #363,
2722	\$7,000.00	ROCKY MOUNTAIN EXPLORATION CO,
80589	\$7,000.00	BOYER, BILL
6365	\$6,400.00	HIRSCHY, JACK LIVESTOCK INC,
93619	\$6,220.00	DUFFY, DELILAH B
74485	\$6,180.00	COOPER, CAMRON
6428	\$6,060.00	HIGHLANDS QUEST,
3426	\$6,040.00	PHILIPSBURG TOWN OF,
4517	\$6,040.00	MEAGHER COUNTY NEWLAND CREEK WATER DISTRICT,
99612	\$6,000.00	M A Q LLC,
10283	\$5,580.00	ARCO ENVIRONMENTAL REMEDIATION LLC,
29932	\$5,480.00	REEB, MARGARET I
4236	\$5,460.00	MONTANA TUNNELS MINING INC,
56493	\$5,340.00	HOLMAN, LAUREL D
5042	\$5,320.00	LIVINGSTON, CITY OF,
65965	\$5,020.00	FRAME, MARJORIE L
673	\$5,000.00	WESTVIEW MOBILE HOME PARK LLC,

1940	\$5,000.00	SPAR MINING CO,
108222	\$5,000.00	MONTANA, STATE OF DEPT OF NATURAL RESOURCES,
9451	\$4,620.00	BOZEMAN, CITY OF,
309	\$4,460.00	YT TIMBER LLC,
83468	\$4,460.00	BECK, DONALD R
1928	\$4,400.00	SPITZBERGEN SHIPPING CO,
108066	\$4,380.00	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS,
70577	\$4,320.00	DORAZI, JR, JOHN Z
71538	\$4,280.00	DEPUY, DAVID W
40779	\$4,260.00	MERCHANT, JAMES R
5802	\$4,200.00	JTL GROUP INC,
22684	\$4,140.00	SKINNER, ANDY R
820	\$4,120.00	WARM SPRINGS RANCH PARTNERSHIP,
8465	\$4,120.00	CROWN PACIFIC PARTNERSHIP,
1792	\$4,100.00	STIMSON LUMBER CO,
3120	\$4,100.00	QUARTZ HILL MINING CO,
13301	\$4,100.00	WARD, JOHN M
7086	\$4,080.00	GLASGOW, CITY OF,
38249	\$4,080.00	MOUAT, SHIRLEY M
404	\$4,060.00	WOLF POINT, CITY OF,
579	\$4,060.00	WHITEFISH, CITY OF,
7039	\$4,040.00	GOLDEN BASIN CO INC,
8295	\$4,040.00	DEER LODGE, CITY OF,
8930	\$4,020.00	CHICO HOT SPRINGS RANCH,
52738	\$4,020.00	JOHNSTON, MARGARET M
34085	\$4,000.00	PALMER, MARY ELLEN
49229	\$4,000.00	KRALIC, JOAN M
67038	\$4,000.00	FINNEGAN, GRACE J
2226	\$3,520.00	SHELL OIL CO,
73602	\$3,440.00	CRISAFULLI, ANGELO J
8717	\$3,260.00	COLUMBIA FALLS ALUMINUM CO LLC,
85833	\$3,200.00	ANTONIOLI, FRANK M
4823	\$3,160.00	MADISON FORK RANCH,
66202	\$3,160.00	FOSSUM, ORVILLE G
3273	\$3,140.00	POLSON, CITY OF,
5494	\$3,120.00	KOOTENAI DEVELOPMENT CO,
68892	\$3,120.00	ELLIOTT, EVERETT C
556	\$3,100.00	WILDER RESORTS INC,
3660	\$3,100.00	OREGON SHORT LINE RAILROAD CO,
90501	\$3,080.00	PLOYHAR, LUKE
1638	\$3,060.00	SUPERIOR, TOWN OF,
3071	\$3,060.00	RAE WATER & SEWER DIST 313,
54763	\$3,060.00	IRVINE, NORMAN J
4448	\$3,040.00	MILES CITY, CITY OF,
7048	\$3,040.00	GLENDIVE, CITY OF,
7771	\$3,040.00	EPC PROPERTIES CO,
19166	\$3,040.00	STRATTON, VADIS V
106998	\$3,040.00	LEWIS & CLARK CAPITAL LLC,
7205	\$3,020.00	GARY OPERATING CO,
7498	\$3,020.00	FLATHEAD COUNTY WATER DISTRICT #1 EVERGREEN,

<b>FEES BY CATEGORY</b>		
Category	Fees Pd/Category	% of fee
-----	-----	
Commercial 1-100 AF	\$79,300.00	1.26%
Commercial >100-5000 AF	\$346,000.00	5.51%
Commercial >5000 AF	\$48,000.00	0.76%
Industrial 0-1000 AF	\$15,720.00	0.25%
Industrial >1000-4000 AF	\$64,000.00	1.02%
Industrial >4000 AF	\$50,000.00	0.80%
Instream Flow 0-50000 AF	\$18,420.00	0.29%
Instream Flow >100000 AF	\$46,000.00	0.73%
Instream Flow >50000-1000000 AF	\$116,000.00	1.85%
Irrigation Group User	\$178,700.00	2.84%
Mining 0-1000 AF	\$21,520.00	0.34%
Mining >1000-4000 AF	\$203,000.00	3.23%
Mining >4000 AF	\$176,000.00	2.80%
Municipal 0-1000 AF	\$17,660.00	0.28%
Municipal >1000-4000 AF	\$129,000.00	2.05%
Municipal >4000 AF	\$90,000.00	1.43%
Power Generation 0-100000 AF	\$4,920.00	0.08%
Power Generation >100000-1000000 AF	\$18,000.00	0.29%
Power Generation >1000000 AF	\$54,000.00	0.86%
Other Water Rights LT 20	\$3,891,800.00	61.94%
Other Water Rights GT 20	\$714,800.00	11.38%
<b>Total</b>	<b>\$6,282,840.00</b>	<b>88.62%</b>

**Fee By Purpose  
Billing Cycle**

Purpose	Fee Type	Graduation Scale based on Volume or flat fee with 20 water rights max.	# of Water Rights	Fee Rate per WR/Bien	Revenue Generated	Total by Purpose	% of Revenue Generated	Actual Billed by %
Current as of — 11/16/04								
Owners with less than 20 water rights	Flat	\$10 per water right per year	182985	20	\$ 3,659,700.00	\$ 3,659,700.00	58.64%	
Owners with more than 20 water rights	Flat	Cap of \$200 per year (# of owners)	2164	400	\$ 865,600.00	\$ 865,600.00	13.87%	
							73%	73.32%
Commercial	Graduated	0 ac ft - 100 ac ft	3847	20	\$ 76,940.00			1.26%
		>100 ac ft - 5000 ac ft	341	1000	\$ 341,000.00			5.51%
		> 5000 ac ft	27	2000	\$ 54,000.00	\$ 471,940.00	7.56%	0.76%
								7.53%
Industrial	Graduated	0-1000 ac ft	773	20	\$ 15,460.00			0.25%
		>1000 ac ft - 4000 ac ft	64	1000	\$ 64,000.00			1.02%
		> 4000 ac ft	25	2000	\$ 50,000.00	\$ 129,460.00	2.07%	0.80%
								2.07%
Mining	Graduated	0-1000 ac ft	1070	20	\$ 21,400.00			0.34%
		>1000 ac ft - 4000 ac ft	208	1000	\$ 208,000.00			3.23%
		> 4000 ac ft	88	2000	\$ 176,000.00	\$ 405,400.00	6.50%	2.80%
								6.37%
Municipal	Graduated	0-1000 ac ft	956	20	\$ 19,120.00			0.28%
		>1000 ac ft - 4000 ac ft	134	1000	\$ 134,000.00			2.05%
		>4000 ac ft	43	2000	\$ 86,000.00	\$ 239,120.00	3.83%	1.43%
								3.76%
Power Generation	Graduated	0 - 100,000 ac ft	246	20	\$ 4,920.00			0.08%
		>100,000 ac ft - 999,999 ac ft	18	1000	\$ 18,000.00			0.29%
		> 999,999 ac ft	27	2000	\$ 54,000.00	\$ 76,920.00	1.23%	0.86%
								1.23%
Instream Flow *	Graduated	0 - 50,000 ac ft	508	20	\$ 10,160.00			0.29%
*this category is not capped at 20 Rights		>50,000 ac ft - 1,000,000 ac ft	76	1000	\$ 76,000.00			0.73%
per owner		>1,000,000 ac ft	7	2000	\$ 14,000.00	\$ 110,320.00	1.77%	1.85%
								2.87%
Irrigation Districts	Flat		218	800	\$ 174,400.00	\$ 174,400.00	2.79%	2.84%
*Fee is per user with a cap of \$400								
per irrigation district or ditch company								
**These #s assume that all meet the cap of 40 users								
***May not include all of the federal projects								
Instream Flow Res. (FWP)	Graduated	0-50,000 ac ft	67	20	\$ 1,340.00			
Yellowstone		>50,000 ac ft - 1,000,000 ac ft	16	1000	\$ 16,000.00			
		> 1,000,000 ac ft	6	2000	\$ 12,000.00			



# DNRC REPORT TO EQC HB22 ADJUDICATION PROGRESS

MAY 19, 2006

## Claims Examination Progress

- First benchmark 8,000 claims by 12-31-2006
- Claims examined July thru **April FY06** **5,655**
- Claims remaining to be examined **49,786**
- Claims examined by Purpose
  - o Irrigation **937** **16%**
  - o Stock **3,436** **61%**
  - o Domestic **882** **16%**
  - o Other **400** **7%**
  - 5,655**
  - o Percentages similar to breakdown of remaining claims

## Summary Reports

- Union Creek Summary Report sent to the Water Court May 19, 2005
- Teton Summary Report was sent to the Water Court August 15, 2005

## Decrees

- Teton Basin Decree - Water Court issued on December 29, 2005
  - o 2,500 claim files (over 76,000 documents)
  - o Scanned and viewable on the NRIS website
- Union Creek Decree - Water Court Issued on March 10, 2006
  - o 42 claim files in Certified Case
  - o Scanned and viewable on NRIS website

## Basin Status

<u>Active Basins</u>	<u>Estimated Completion</u>
-Big Hole River	Summary report preparation Summer 2006
-Missouri R to Sun R	<b>Examination in progress Dec 2006</b>
-Smith River	<b>Examination in progress Apr 2007</b>
-Two Medicine	Examination in progress June 2007
-Blackfoot River	<b>Examination in progress June 2007</b>
-Big Muddy Creek	Examination in progress July 2009
-Red Rock River	Examination in progress Jan 2010
-Beaverhead River	Examination in progress Jan 2010
-Flatwillow Creek	Examination in progress July 2010
-Lower Tongue R	Examination in progress Jan 2011
-Bitterroot R, E side	Examination in progress Jan 2011
-Marias River	Examination in progress June 2015

## District Court Enforcement Actions

- Completed water court assistance on 20 streams 2005 season
- Automated indexes **will be used for 2007** on 20+ streams
- The water court requested 5 additional sources for 2006 season;  
**DNRC worked on 3 of the 5 (Pipestone, Little Pipestone, and Dry Creek)**

**Personnel**

- May 2006: Recruitment for 2 specialist positions due to turnover
- 11 positions have turned over since July 2005;
- This is a 28% turnover rate ( 2 changed regional offices, 3 got better jobs at DNRC, 1 was dismissed, 5 left for other jobs)
- The remainder of the additional 39 positions are filled

**Expenses thru APRIL 2006**

- Operating costs (training, rent, equipment, etc.)	\$ 473,760
- Personnel services (wages, benefits)	<u>\$1,147,726</u>
<b>Total</b>	<b>\$1,621,486</b>
<b>Budget</b>	<b>\$2,037,7402</b>

**Billing System**

- 108,000 bills mailed Dec. 27, 2005 with Jan.31, 2006 payment deadline
- 18,552 2<sup>nd</sup> Bills mailed March 1, 2006 with payment deadline March 17, 2006
- Estimated revenue generated \$6.2 million
- **Revenue received \$5.018 million representing 88,089 invoices paid (in full /or part**

Invoice Payment Statistics

	Invoice Counts	Fees Paid	Balance Due
Appealed	4,608	\$ 341,813.06	\$ 585,186.94
Paid	88,089	\$4,677,161.94	\$0
Unpaid	15,802	\$0	\$ 688,368.35
<b>Totals</b>	<b>108,499</b>	<b>\$5,018,975.91</b>	<b>\$1,273,555.29</b>

**Appeals**

- **4,648 Appeals received to date**
- **3,012 appeals based on ownership; 1,636 appeals based on fee calculation**
- **40 appeals have been resolved to date (7 denied, 33 resolved with fee correction)**
- **Hired an Appeals Hearings Examiner**
- **Amounts generated per billing category – see attached table**
- **Statistics for the top 100 bills – see attached**

**Ownership Records / Forms Received**

- **77,807 Addresses corrected and/or added, though ownership updates (Form 608) since July, 2005**
- **13,800 work hrs. dedicated to owner/address cleanup since July**
- **Forms received since July, 2005 are dramatically higher than pervious years:**

Ownership Updates (Form 608)  
Notices of Completion of Groundwater Development (Form 602).

Fiscal Year	608 Counts	602 Counts
2006	11704	5131
2005	5414	3453
2004	4780	3053
2003	4616	2869



## HB22 Website and General Public Information

- Call Center (11 phone lines) received 9600 calls and was shut down March 31, 2006
- Notice to irrigation districts sent 8-2005, requesting the number of users
- HB22 information website set-up 9-14-2005: [http://dnrc.mt.gov/house\\_bill22](http://dnrc.mt.gov/house_bill22)
- Automated address correction on-line for public completed
- The 8 regional offices have handled more than 54,000 questions
- Continue to notify public of HB22 via public service announcements, flyers, newspaper, radio, TV, etc.

## Database Progress

- The system has been fully tested and is operational
- Contracts to bring database to functionality to date \$295,255

	TASK	Complete	In Progress
<b>PHASE 1</b>			
<b>Produce accurate, complete and timely decrees</b>			
	Complete data conversion for adjudication	Y	
	Correct conversion error	Y	
	Relocate data to support adjudication functions	Y	
	Develop an error report for adjudication	Y	
	Develop 'Standard' program	Y	
	Develop Summary Report	Y	
	Develop Decree report	Y	
	Develop the associated indexes for the Summary and Decree reports	Y	
<b>Produce the utilities, forms and reports to support enforcement actions</b>			
	Create and populate the 'Enforceable priority date' field	Y	
	Add X Y coordinates field to the Point of diversion records	Y	
	Add a commissioner number to the point of diversion	Y	
	Add an enforcement number to the point of diversion	Y	
	Create an enforcement form to track enforcement actions	Y	
	Develop water tabulation indexes		Y
<b>PHASE 2</b>			
<b>Enhance security and data integrity</b>			
	Lock decreed basins so only the water court can change data	Y	
	Validate TRS to basin	Y	
	Prohibit invalid relationships in the water right screen		Y
	Develop a screen for post decree corrections by the water court	Y	
	Update the users manual		Y
	Automate the ownership update screen	Y	
	Enhance error messaging		Y
<b>Improve public access</b>			
	Provide better data to NRIS		Y
	Provide more complete data to NRIS		Y
	Develop a standard water right abstract	Y	

		Complete	In Progress
	Develop GIS link		
	Develop stand-alone GIS and database capabilities for DNRC		Y
<b>PHASE 3</b>			
<b>Improve system efficiency</b>			
	Improve water right abstract access by managers, water court and dept staff		
	Develop IT Unit and system plans		Y
	Develop report tools (indexes) for use by dept staff		Y
	Automate Compact reports		Y
	Create public notice process for Change Authorizations	Y	
	Provide an electronic docketing system for the water court		
	Provide interface between database and document imaging (ISD's servers)	Y	
	Modify the 'Source' table in the database for proper sorting		Y
	Complete the 52 items identified in 2001 for database efficiency		Y
<b>Develop HB22 billing system</b>			
	Add a new field to note 'Irrigation districts for billing purposes'	Y	
	Add a new field to record the number of users	Y	
	Develop the billing program	Y	
	Develop the billing report and data transfer to Dept of Revenue	Y	
	Develop the billing screen to track fees paid, appeals, etc.	Y	

## ACTUAL BILLED AMOUNTS BY CATEGORY

HB22 - 2005 BILLING CYCLE	
<b>Billing Category</b>	<b>Amount</b>
Commercial 1-100 AF	\$ 79,140.00
Commercial >100-5000 AF	\$ 345,000.00
Commercial >5000 AF	\$ 48,000.00
Industrial 0-1000 AF	\$ 15,700.00
Industrial >1000-4000 AF	\$ 64,000.00
Industrial >4000 AF	\$ 50,000.00
Instream Flow 0-500000 AF	\$ 18,360.00
Instream Flow >1000000 AF	\$ 46,000.00
Instream Flow >50000-1000000 AF	\$ 116,000.00
Irrigation Group User	\$ 178,380.00
Mining 0-1000 AF	\$ 21,520.00
Mining >1000-4000 AF	\$ 203,000.00
Mining >4000 AF	\$ 176,000.00
Municipal 0-1000 AF	\$ 17,660.00
Municipal >1000-4000 AF	\$ 129,000.00
Municipal >4000 AF	\$ 90,000.00
Other Water Rights	\$ 4,589,060.00
Power Generation 0-100000 AF	\$ 4,900.00
Power Generation >100000-1000000 AF	\$ 18,000.00
Power Generation >1000000 AF	\$ 54,000.00
<b>TOTALS</b>	<b>\$ 6,263,720.00</b>

## TOP 100 INVOICES

INV#	FEES DUE	PAYMENTS	STATUS	OWNER
673	\$5,000	\$5,125	Appealed	WESTVIEW MOBILE HOME PARK LLC,
820	\$4,120	\$120	Appealed	WARM SPRINGS RANCH PARTNERSHIP,
2226	\$3,520	\$0	Appealed	SHELL OIL CO,
3071	\$3,060	\$120	Appealed	RAE WATER & SEWER DIST,
3426	\$6,040	\$0	Appealed	PHILIPSBURG TOWN OF,
3485	\$16,440	\$1,000	Appealed	PEACE VALLEY PARTNERSHIP,
3660	\$3,100	\$0	Appealed	OREGON SHORT LINE RAILROAD CO,
4216	\$72,600	\$72,600	Appealed	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARK
4517	\$6,040	\$0	Appealed	MEAGHER COUNTY NEWLAN CREEK WATER DISTRICT
4778	\$33,500	\$400	Appealed	MALONEY RANCHES,
5042	\$5,320	\$0	Appealed	LIVINGSTON, CITY OF,
6365	\$6,400	\$0	Appealed	HIRSCHY, JACK LIVESTOCK INC,
6428	\$6,060	\$0	Appealed	HIGHLANDS QUEST,
7039	\$4,040	\$0	Appealed	GOLDEN BASIN CO INC,
7205	\$3,020	\$0	Appealed	GARY OPERATING CO,
7818	\$8,040	\$0	Appealed	EMERALD RESOURCES CO,
8465	\$4,120	\$0	Appealed	CROWN PACIFIC PARTNERSHIP,
8927	\$11,880	\$0	Appealed	CHICAGO MILWAUKEE ST PAUL & PACIFIC RR CO,
9241	\$37,720	\$37,720	Appealed	BUTTE-SILVER BOW COUNTY,
9249	\$10,180	\$10,180	Appealed	BNSF RAILWAY CO,
9720	\$7,100	\$0	Appealed	BIG SKY COUNTY WATER & SEWER DIST #363,
10130	\$8,440	\$8,440	Appealed	AVISTA CORPORATION,
13301	\$4,100	\$40	Appealed	WARD, JOHN M
15426	\$33,400	\$0	Appealed	TYRREL, NILA R
22684	\$4,140	\$140	Appealed	SKINNER, ANDY R
34085	\$4,000	\$0	Appealed	PALMER, MARY ELLEN
40779	\$4,260	\$0	Appealed	MERCHANT, JAMES R
42561	\$10,080	\$0	Appealed	MCBRIDE, GWEN VR
49229	\$4,000	\$0	Appealed	KRALIC, JOAN M
54763	\$3,060	\$3,060	Appealed	IRVINE, NORMAN J
56493	\$5,340	\$0	Appealed	HOLMAN, LAUREL D
65965	\$5,020	\$0	Appealed	FRAME, MARJORIE L
66202	\$3,160	\$180	Appealed	FOSSUM, ORVILLE G
68892	\$3,120	\$3,120	Appealed	ELLIOTT, EVERETT C
70577	\$4,320	\$320	Appealed	DORAZI, JR, JOHN Z
71538	\$4,280	\$300	Appealed	DEPUY, DAVID W
73602	\$3,440	\$480	Appealed	CRISAFULLI, ANGELO J
74485	\$6,180	\$0	Appealed	COOPER, CAMRON
80589	\$7,000	\$250	Appealed	BOYER, BILL
83468	\$4,460	\$0	Appealed	BECK, DONALD R
85833	\$3,200	\$1,200	Appealed	ANTONIOLI, FRANK M
93247	\$10,580	\$8,620	Appealed	NORTHWESTERN CORP,
93619	\$6,220	\$400	Appealed	DUFFY, DELILAH B
99612	\$6,000	\$60	Appealed	M A Q LLC,
100636	\$9,080	\$0	Appealed	MARYSVILLE GREENWAY LLC,
108094	\$8,000	\$8,000	Appealed	MONTANA, STATE OF DEPT OF ENVIRONMENTAL QUAL
108220	\$15,120	\$0	Appealed	MONTANA, STATE OF DEPT OF NATURAL RESOURCES,
108222	\$5,000	\$0	Appealed	MONTANA, STATE OF DEPT OF NATURAL RESOURCES,
<b>Total</b>	<b>\$442,300</b>	<b>\$161,875</b>	<b>Appealed</b>	
2722	\$7,000	\$0	Billed	ROCKY MOUNTAIN EXPLORATION CO,
5170	\$16,040	\$0	Billed	LEXINGTON SILVER-LEAD MINES INC,
10228	\$10,260	\$0	Billed	ASARCO INC,

**TOP 100 INVOICES**

19166	\$3,040	\$40	Billed	STRATTON, VADIS V
31679	\$20,080	\$0	Billed	POGUE, SETH F
106998	\$3,040	\$0	Billed	LEWIS & CLARK CAPITAL LLC,
<b>Total</b>	<b>\$59,460</b>	<b>\$40</b>	<b>Billed</b>	
309	\$4,460	\$4,460	PAID	YT TIMBER LLC,
404	\$4,060	\$4,060	PAID	WOLF POINT, CITY OF,
556	\$3,100	\$3,100	PAID	WILDER RESORTS INC,
579	\$4,060	\$4,060	PAID	WHITEFISH, CITY OF,
1638	\$3,060	\$3,060	PAID	SUPERIOR, TOWN OF,
1734	\$14,760	\$14,760	PAID	STONE CONTAINER CORP,
1792	\$4,100	\$4,100	PAID	STIMSON LUMBER CO,
1928	\$4,400	\$4,400	PAID	SPITZBERGEN SHIPPING CO,
3120	\$4,100	\$4,100	PAID	QUARTZ HILL MINING CO,
3187	\$52,440	\$52,440	PAID	PP&L MONTANA LLC,
3273	\$3,140	\$3,140	PAID	POLSON, CITY OF,
4050	\$44,440	\$44,440	PAID	MOUNTAIN WATER COMPANY,
4215	\$54,840	\$54,840	PAID	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARK
4236	\$5,460	\$5,460	PAID	MONTANA TUNNELS MINING INC,
4448	\$3,040	\$3,040	PAID	MILES CITY, CITY OF,
4823	\$3,160	\$3,160	PAID	MADISON FORK RANCH,
5494	\$3,120	\$3,120	PAID	KOOTENAI DEVELOPMENT CO,
5781	\$9,120	\$9,120	PAID	KALISPELL, CITY OF,
5802	\$4,200	\$4,200	PAID	JTL GROUP INC,
5814	\$15,140	\$15,140	PAID	JUDITH GOLD CORP,
6512	\$8,380	\$8,380	PAID	HELENA, CITY OF,
6926	\$9,060	\$9,060	PAID	GREAT FALLS, CITY OF,
7048	\$3,040	\$3,040	PAID	GLENDIVE, CITY OF,
7086	\$4,080	\$4,080	PAID	GLASGOW, CITY OF,
7498	\$3,020	\$3,020	PAID	FLATHEAD COUNTY WATER DISTRICT #1 EVERGREEN,
8295	\$4,040	\$4,040	PAID	DEER LODGE, CITY OF,
8438	\$3,020	\$3,020	PAID	CUT BANK, CITY OF,
8717	\$3,260	\$3,260	PAID	COLUMBIA FALLS ALUMINUM CO LLC,
8930	\$4,020	\$4,020	PAID	CHICO HOT SPRINGS RANCH,
9451	\$4,620	\$4,620	PAID	BOZEMAN, CITY OF,
9684	\$8,400	\$8,400	PAID	BILLINGS, CITY OF,
10283	\$5,580	\$5,580	PAID	ARCO ENVIRONMENTAL REMEDIATION LLC,
10321	\$7,340	\$7,340	PAID	ANACONDA-DEER LODGE CITY-COUNTY,
28274	\$3,020	\$3,020	PAID	ROBERTSON, CORBIN J JR
29932	\$5,480	\$5,480	PAID	REEB, MARGARET I
38249	\$4,080	\$4,080	PAID	MOUAT, SHIRLEY M
46280	\$3,020	\$3,096	PAID	LINDBERG, DARWIN D
52738	\$4,020	\$4,020	PAID	JOHNSTON, MARGARET M
67038	\$4,000	\$4,000	PAID	FINNEGAN, GRACE J
70963	\$7,680	\$7,680	PAID	DIXON, ROBERT D
90501	\$3,080	\$3,080	PAID	PLOYHAR, LUKE
94443	\$7,360	\$7,360	PAID	ROSEBURG RESOURCE CO,
103953	\$27,420	\$27,420	PAID	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARK
108066	\$4,380	\$4,380	PAID	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARK
<b>Total</b>	<b>\$385,600</b>	<b>\$385,676</b>	<b>PAID</b>	
1940	\$5,000	\$0	Returned	SPAR MINING CO,
7771	\$3,040	\$0	Returned	EPC PROPERTIES CO,
10326	\$19,060	\$0	Returned	AMAX EXPLORATION INC,

### TOP 100 INVOICES

16150	\$8,000	\$0	Returned	TOWNER, ROB L
49970	\$7,200	\$0	Returned	KNOFF, LORENE M
<b>Total</b>	<b>\$42,300</b>	<b>\$0</b>	<b>Returned</b>	

**DNRC REPORT TO EQC**  
**HB22 ADJUDICATION PROGRESS**  
September 12, 2006

**Claims Examination Progress**

- First benchmark 8,000 claims by 12-31-2006
  - Claims examined July 2005 thru **August FY06**      **9,394**
  - Claims examined by Purpose
    - o Irrigation                      1,776      19%
    - o Stock                              5,484      58%
    - o Domestic                        1,389      15%
    - o Other                                745      8%
- 9,394**

**Claims remaining to be examined**                      **46,137**  
Total Claims examined based on original  
remaining 57,000 claims (57,000 – 46,137) =      **\*10,864**

\*1470 claims were examined prior to enactment of HB22

**Summary Reports**

- Union Creek Summary Report sent to the Water Court May 19, 2005
- Teton Summary Report was sent to the Water Court August 15, 2005

**Decrees**

- Teton Basin Decree - Water Court issued on December 29, 2005
  - o 2,500 claim files (over 76,000 documents)
  - o Scanned and viewable on the NRIS website
- Union Creek Decree - Water Court Issued on March 10, 2006
  - o 42 claim files in Certified Case
  - o Scanned and viewable on NRIS website

**Basin Status**

<u>Active Basins</u>	<u>Estimated Completion</u>
-Big Hole River	Summary report preparation Nov 2006
-Missouri R to Sun R	Summary report preparation Dec 2006
-Smith River	Summary report preparation Apr 2007
-Lower Tongue R	Examination in progress Jan 2007
-Two Medicine	Examination in progress June 2007
-Blackfoot River	Examination in progress June 2007
-Big Muddy Creek	Examination in progress July 2009
-Red Rock River	Examination in progress Jan 2010
-Beaverhead River	Examination in progress Jan 2010
-Flatwillow Creek	Examination in progress July 2010
-Bitterroot R, E side	Examination in progress Jan 2011
-Marias River	Examination in progress June 2015

**District Court Enforcement Actions**

- Completed water court assistance on 23 streams 2005 season
- The water court requested 5 additional sources for 2006 season
- DNRC worked on 3 of the 5 (Pipestone, Little Pipestone, and Dry Creek)
- **Automated indexes will be used for 2007 on 20+ streams**

**Personnel**

- June 2006: Recruited and filled 7 Specialist vacancies.
- 20 positions have turned over since July 2005; eight internal transfers within DNRC

**Expenses**

**For FY06**

- Operating costs	\$ 639,320
- Personnel services	<u>\$1,382,274</u>
	Total \$2,021,595
	Budget \$2,037,740

**For FY07**

- Operating Costs	\$378,999
- Personnel services	<u>\$178,640</u>
	<b>Total \$557,639</b>
	Budget 2,106,845

**Billing System**

- 108,000 bills mailed Dec. 27, 2005 with Jan.31, 2006 payment deadline
- 18,552 2<sup>nd</sup> Bills mailed March 1, 2006 with payment deadline March 17, 2006
- Estimated revenue generated \$6.2 million
- Revenue received \$5.067 million representing 88,871 invoices paid (in full /or part
- Amounts generated per billing category – see attached table

**Appeals**

- 4,728 Appeals received to date
  - o 3,071 appeals based on ownership;
  - o 1,916 appeals based on fee calculation
- **114 appeals have been resolved to date (19 denied, 95 resolved with fee correction)**

**Ownership Records / Forms Received**

- **84,067** Addresses corrected and/or added, though ownership updates (Form 608) since July, 2005
- **15,600** work hrs. dedicated to owner/address cleanup since July 2005

(Form 608) Ownership Updates

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

Fiscal Year	608 Counts	602 Counts
<b>2007</b>	<b>1300</b>	<b>580</b>
2006	13998	5848
2005	5414	3453
2004	4780	3053
2003	4616	2869



### Database Progress

- The system has been fully tested and is operational
- Contracts to bring database to functionality to date **\$357,500**
- **Final contract for items in progress \$350,000**

	TASK	Complete	In Progress
<b>PHASE 1</b>			
	<b>Produce accurate, complete and timely decrees</b>		
	Complete data conversion for adjudication	Y	
	Correct conversion error	Y	
	Relocate data to support adjudication functions	Y	
	Develop an error report for adjudication	Y	
	Develop 'Standard' program	Y	
	Develop Summary Report	Y	
	Develop Decree report	Y	
	Develop the associated indexes for the Summary and Decree reports	Y	
	<b>Produce the utilities, forms and reports to support enforcement actions</b>		
	Create and populate the 'Enforceable priority date' field	Y	
	Add X Y coordinates field to the Point of diversion records	Y	
	Add a commissioner number to the point of diversion	Y	
	Add an enforcement number to the point of diversion	Y	
	Create an enforcement form to track enforcement actions	Y	
	<b>Develop water tabulation indexes</b>	<b>Y</b>	
<b>PHASE 2</b>			
	<b>Enhance security and data integrity</b>		
	Lock decreed basins so only the water court can change data	Y	
	Validate TRS to basin	Y	
	Prohibit invalid relationships in the water right screen		Y
	Develop a screen for post decree corrections by the water court	Y	
	Update the users manual		Y
	Automate the ownership update screen	Y	
	Enhance error messaging		Y
	<b>Improve public access</b>		
	Provide better data to NRIS		Y
	Provide more complete data to NRIS		Y
	Develop a standard water right abstract	Y	
	Develop GIS link		
	Develop stand-alone GIS and database capabilities for DNRC		Y
<b>PHASE 3</b>			
	<b>Improve system efficiency</b>		
	Improve water right abstract access by managers, water court and dept staff		
	Develop IT Unit and system plans		Y
	Develop report tools (indexes) for use by dept staff		Y
	Automate Compact reports		Y

	Create public notice process for Change Authorizations	Y	
	Provide an electronic docketing system for the water court		
	Provide interface between database and document imaging (ISD's servers)	Y	
	Modify the "Source" table in the database for proper sorting	Y	
	Complete the 52 items identified in 2001 for database efficiency		Y
<b>Develop HB22 billing system</b>			
	Add a new field to note 'Irrigation districts for billing purposes'	Y	
	Add a new field to record the number of users	Y	
	Develop the billing program	Y	
	Develop the billing report and data transfer to Dept of Revenue	Y	
	Develop the billing screen to track fees paid, appeals, etc.	Y	