

Defending our Treaty Rights—Securing our Water

Fredericks Peebles & Patterson LLP &
Natural Resources Consulting Engineers

January 23, 2020

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WHY ARE WE HERE?

- ▶ “The Court has found that the U.S. has mismanaged Indian trusts for nearly as long as it has been trustee.”
- ▶ “Since the founding of this nation, the United States’ relationship with the Indian tribes has been contentious and tragic.
 - ▶ *The Cherokee Nation v. Dept. of Interior*, Case No. 1:19-cv-02154 (Jan. 15, 2020) (Citing *Cobell v. Norton (Cobell VI)*, 240 F.3d 1081, 1086 (D.C. Cir. 2001))

Agenda

- Indian Water Rights are Treaty Rights
- Why do we have to fight for our Indian Water Rights?
- How does the FBIC claim its Indian Water Rights?
- What are our water sources & how much water will we own?
- Federal funding for water and economic development
- Congressional Strategy for Moving Forward

Indian Water Rights are Treaty Rights

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- ▶ Q: Do the Tribes have a right to the water flowing on, under, through, and bordering the Fort Belknap Reservation?
 - ▶ Yes. The U.S. Supreme Court said so.
- ▶ Q: Why?
 - ▶ In 1855, 1888, and 1895, the U.S. used Treaties to limit the Tribes' possession and use of land in what became Montana Territory—millions of acres of land were surrendered
 - ▶ In 1908, the Court created the Tribes' federal right to water
 - ▶ Water is needed to create a permanent homeland on the Ft. Belknap Reservation
 - ▶ This is known as the *Winters* Doctrine

Indian Water Rights: The Law of the Land

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- The creation of the Reservation and the federal government's trust responsibility are at the heart of Indian water rights
 - Report by the Democratic staff of the House Committee on Natural Resources (Oct. 10, 2016)
- The federal government holds title to the Reservation lands and its natural resources in trust for the benefit of the Tribes
 - The FBIC's Indian water=a natural resource & trust asset
- The federal government has responsibilities and an obligation to protect the Tribes' right to access and use their water.

Dept. of Interior's 1990 Criteria & Procedures for Indian Water Rights Settlements

Why do we have to fight for our Indian Water Rights?

- ▶ Water is Life!
- ▶ Unlike land, water flows—across boundaries, on and off the Reservation, and in and out of the State. The FBIC's Indian water rights are surrounded by State water users
- ▶ Federal law was created to determine how much water Tribes own of the waters flowing through, under & bordering the Reservation—but the source of water also flows within the State
 - ▶ *Arizona v. California* (1963): the quantity of the Tribes' water rights is based on the amount irrigated lands on the Reservation
 - ▶ PIA = practicably irrigable lands

Indian Water Rights are Not State Water Rights—They are Unique & Different

- Indian Water Rights are federal rights—not State rights
- How much water belongs to the FBIC?
 - Enough water to create a permanent homeland
 - Enough water to satisfy the future as well as present needs of the Reservation
- Tribes have “senior priority rights” to use the water
 - The right to use its water before any State water rights can be satisfied from shared streams
 - A senior priority date to use its water based on the Treaty of 1855
- Indian Water Rights cannot be lost due to non-use, forfeiture or abandonment (State law rule=use it or lose it)

Two ways to fight for the FBIC Indian Water Rights: Negotiations/Settlement or Litigation

- Wait—why do we have to fight for our water rights?
 - See Slide #2!!
 - We have the legal right to water, but we have to establish how much water we own
 - Remember: sources of water are shared with the State
 - Only a portion of the FBIC Indian Water Rights on the Milk River was litigated in 1908
 - Remember: You are the *Winters* Doctrine Tribes!!
- We want our right to administer our Indian Water Rights to be legally enforced

The FBIC Councils chose Negotiations over Litigation since the 1980s

- In the 1980s, the FBIC Council chose negotiations with the State of Montana and the Federal Government over litigation
 - Every Council since then has supported a negotiated settlement of our Indian water rights
- Negotiations start with an agreement on how much water, from what sources of water, and who will administer the Indian water
 - The FBIC-Montana Water Compact was finalized in 2001
 - It was approved by the FBIC Council and the State legislature

Why do we need a Congressional Water Rights Settlement? Two Reasons

- Congress must approve the 2001 Water Compact
- To settle claims against the U.S. for mismanaging our water rights and get funding for “wet water”
 - For water infrastructure to develop all of our water; otherwise, your water continues to run downstream unused
 - For economic development & land transfers
 - For certainty and to avoid a fight in the State water court
 - For Indian self-determination and self-sufficiency

Option #2: Secure Water Rights by Litigating

- ▶ **The “McCarran Amendment”** 43 U.S.C. 666 (1952)
 - ▶ The U.S. Supreme Court ruled that the “McCarran Amendment” applies to Indian water rights
- ▶ States can require Indian water rights to be litigated in State courts as part of a **General Stream Adjudication** that decides all valid water rights of every stream within **the State borders** (*Colorado River Water Cons. Dist. v. U.S.*, 424 U.S. 800 (1976))

The FBIC's water rights are now part of the State Water Court Litigation

- In 2013, the Montana Legislature put an expiration date on its Montana Water Rights Commission to end the effort to negotiate and settle Indian water rights
- The U.S., as trustee of the FBIC water rights, filed the FBIC water rights claims with the State Water Court by June 30, 2015
- The FBIC is now on track to have its water rights litigated in the State Water Court; non-Indian water users can file objections to our claims
- The Water Court must issue all preliminary decrees by 2024

The Risk of Litigation in the State Water Court

- Uncertainty with the State court rulings about your water rights: priority date, quantity, sources of water, administration
- A “paper water right” – no funding, your water rights are only on paper and cannot be developed without substantial funding
 - No funding for water conveyances & water-retaining facilities, such as dams and reservoirs & marketing Tribal water
 - No economic development
 - No land transfers
- No water development? non-Indians will continue to use your water

Allottee Rights to Use Tribal Water

- Allottee rights to use FBIC water for irrigation are protected by federal law, 25 U.S.C. § 381
 - The Secretary shall secure a just and equal distribution of the use of water for irrigation among the Indians residing on the reservation
- Water Rights Settlement Act
 - Incorporates § 381 into the Act
 - Act provides that: “Each allottee shall be provided tribal water rights that are equivalent to or exceed the tribal water rights that allottees have on the day before the date of enactment of the Act.”

Waiver & Release of Water-related Claims

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- Indian water settlements include monetary compensation for damages because the United States has mismanaged Tribal water rights—breached its trust responsibilities to the Tribes
- The Federal Government and the Tribes must reach an agreement on the amount of funding owed the Tribe for these damages
- The FBIC settles its claims—receives funds and land transfers
- The U.S requires the FBIC to “waive & release” its water claims against the United States—no future lawsuit related to the Tribes’ Indian water rights

FAQ

- Will the Tribal members vote to approve the Water Settlement?
 - Yes; (S.3113 Bill, pg 99); It cannot be implemented unless the members approve it
- Are we selling our water?
 - No; (S.3113 Bill, pg 16-17); only “temporary” use of the Tribal Water is allowed; the FBIC cannot and will not sell its Indian Water Rights
- Will the FBIC have authority over the Tribal Water Rights?
 - Yes; (S.3113 Bill, pg 16-17)
- Can the settlement funding be distributed as per capita payments?
 - No; (S.3113 Bill, pg 111); U.S. policy for Indian water settlements is that funding must be used for water development

FORT BELKNAP INDIAN COMMUNITY
**WATER RIGHTS AND
COMPREHENSIVE DEVELOPMENT PLAN**

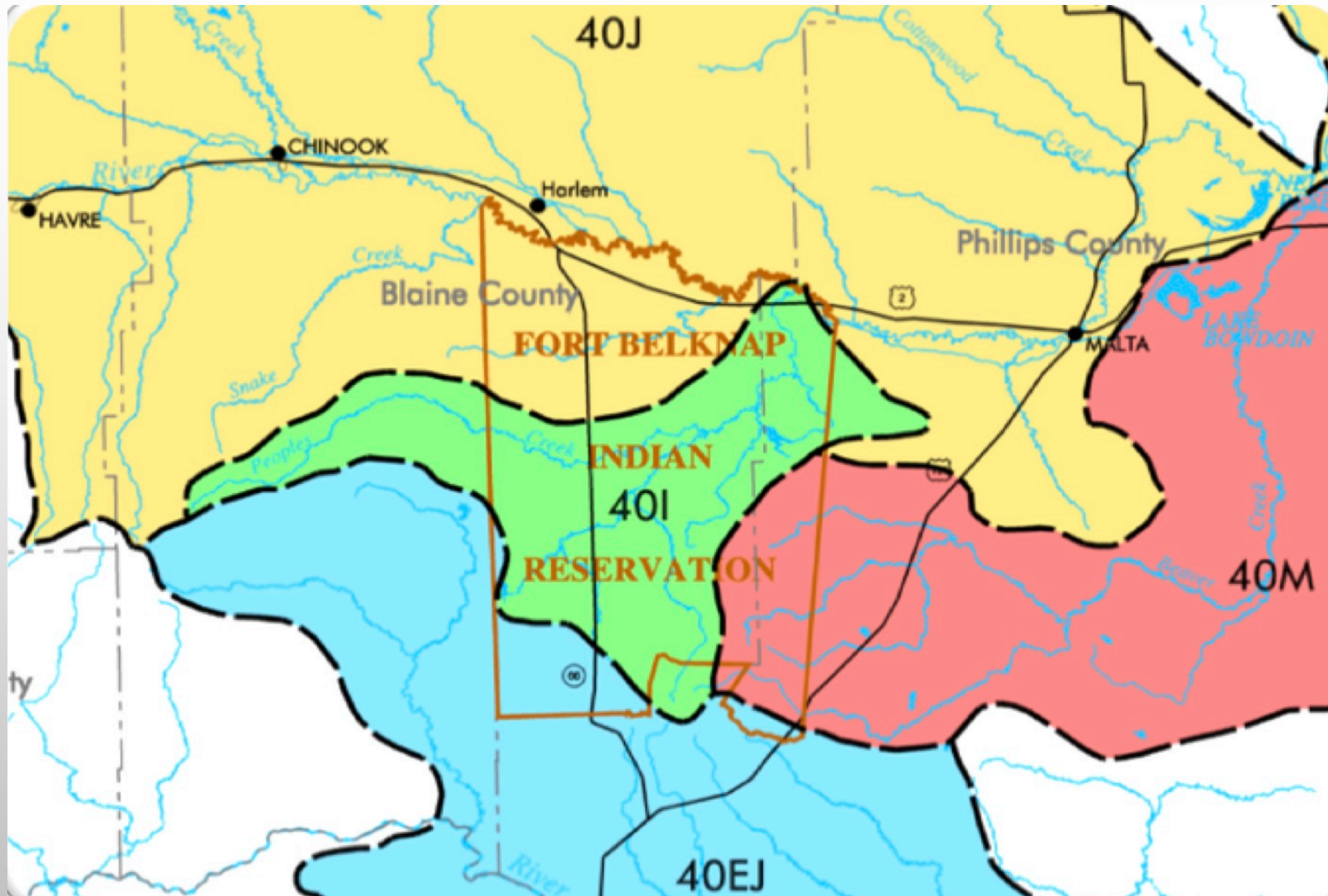
Wold Mesghinna
Natural Resources Consulting Engineers, Inc.
January 2020



MILK RIVER BASIN



HYDROLOGIC BASINS



MILK RIVER BASIN WATER RIGHTS

1. THE WINTERS RIGHT OF 125 CFS FOR THE FORT BELKNAP IRRIGATION PROJECT (10,425 ACRES) IS RECOGNIZED IN THIS AGREEMENT
2. AN ADDITIONAL 520 CFS FOR NEW IRRIGATION USES (19,390 ACRES) FROM DIRECT FLOW, OR TO BE STORED IN A NEW 60,000 AC-FT “FORT BELKNAP RESERVOIR”
3. AN ADDITIONAL 4,000 AC-FT OF MILK RIVER WATER FOR PRESENT AND FUTURE NON-IRRIGATION USES
4. THE FRESNO RESERVOIR $1/7$ SHARE IS PROTECTED AS STORED WATER

PEOPLES CREEK BASIN WATER RIGHTS

- EXCEPT FOR VERIFIED USES BY NON-INDIANS UPSTREAM, WEST OF THE RESERVATION, THE TRIBES WILL HAVE THE RIGHT TO USE THE ENTIRE FLOWS OF THE PEOPLES CREEK RIVER BASIN FOR ANY TYPE OF USE THAT THE TRIBES CHOOSE
- THE STATE HAS AGREED TO CONTRIBUTE \$5 MILLION TOWARD THE CONSTRUCTION OF AN ON-RESERVATION DAM AND RESERVOIR ON PEOPLES CREEK WITH A STORAGE CAPACITY OF ABOUT 3,000 AC-FT

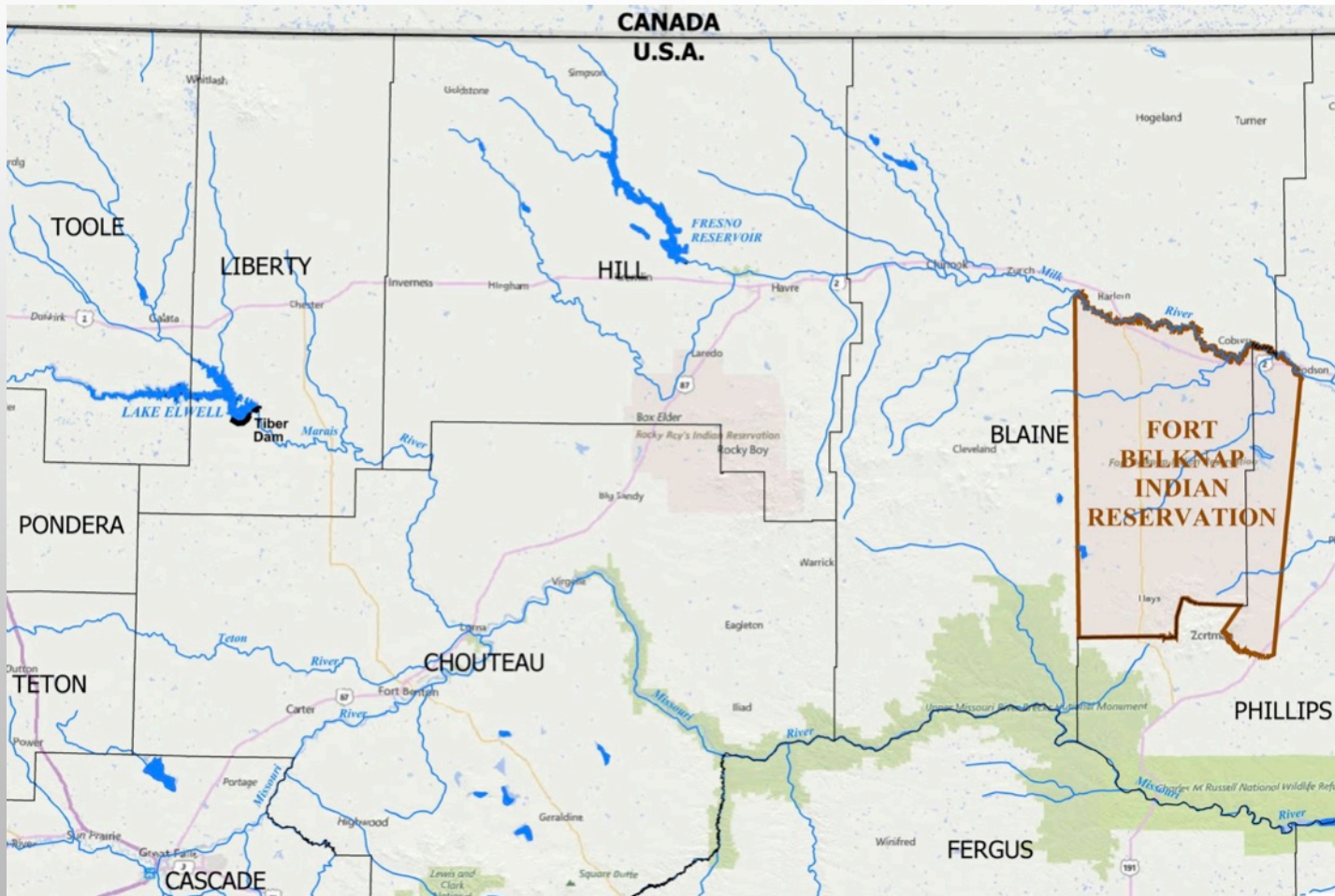
BEAVER CREEK BASIN WATER RIGHTS

- NEGOTIATED CLAIMS IN BASIN 40M ARE 8,024 AC-FT PER YEAR FOR HISTORIC, PRESENT, AND FUTURE USES

MISSOURI RIVER BASIN AND SUB-MARGINAL LANDS

- HISTORIC, PRESENT, AND FUTURE IRRIGATION CLAIMS OF 1,135 AC-FT PER YEAR FOR 297 ACRES OF HISTORIC AND 18 ACRES OF FUTURE IRRIGATION USES
- LITTLE SUCTION CREEK DIVERSION, IN THE MISSOURI RIVER BASIN, AMOUNTING TO 1,290 AC-FT PER YEAR, WHICH ARE SUPPOSED TO BE TRANSFERRED TO PEOPLES CREEK IN LAKE SEVENTEEN

STORED WATER IN LAKE ELWELL



- 20,000 AC-FT PER YEAR OF STORED WATER IN LAKE ELWELL
- THE TRIBES REQUEST THAT THE SECRETARY OF INTERIOR ALLOCATE STORED WATER IN LAKE ELWELL ON THE MARIAS RIVER

GROUNDWATER

- ▶ **Groundwater that is connected to surface water in the valleys is part of the surface water right**
- ▶ **The Tribes have the right to develop all deep groundwater**

MARKETING OF TRIBAL WATER RIGHTS

- ▶ **IN ADDITION TO USING THE TRIBE'S WATER RIGHTS FOR IRRIGATION, DOMESTIC, MUNICIPAL, COMMERCIAL, INDUSTRIAL, RECREATION, AND OTHER BENEFICIAL USES, THE TRIBES MAY ALSO MARKET THEIR WATER RIGHTS AND DERIVE INCOME FROM LEASING THEIR UNUSED WATER**
- ▶ **THE MONEY DERIVED FROM LEASING THE TRIBE'S WATER RIGHTS CAN BE USED FOR ANYTHING THE TRIBE ELECTS TO USE, INCLUDING BUT NOT LIMITED TO PER CAPITA DISTRIBUTION**

COMPREHENSIVE WATER DEVELOPMENT PLAN



What's
the
plan?

THE COMPREHENSIVE WATER DEVELOPMENT PLAN IS NEEDED TO ESTABLISH THE NECESSARY INFRASTRUCTURE FOR:

1. MAKING THE TRIBES' WATER RIGHTS USEABLE
2. THE CREATION OF JOBS ON THE RESERVATION
3. IMPROVEMENT OF LONG-TERM ECONOMIC VIABILITY

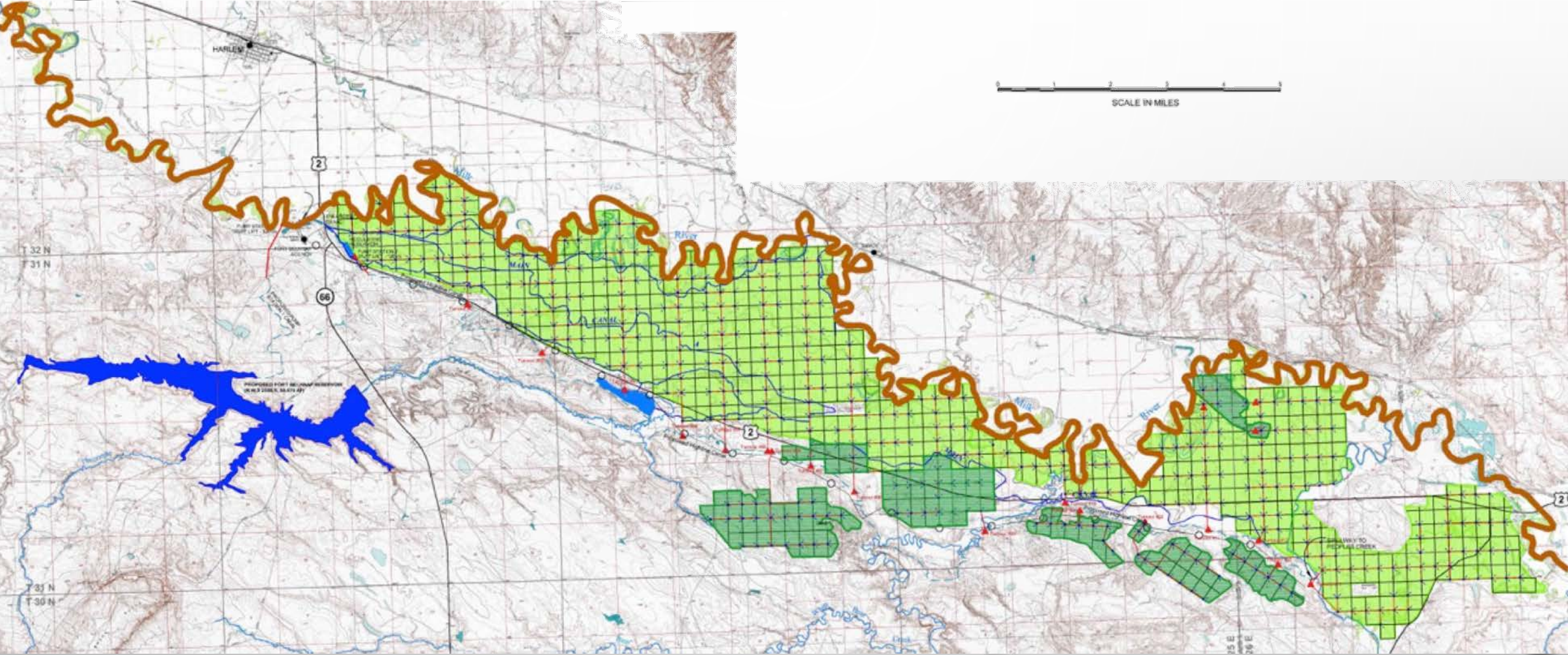
FOUR ACCOUNTS

1. TRIBAL LAND AND WATER, REHABILITATION, MODERNIZATION AND EXPANSION: **\$240,140,000**
 2. WATER RESOURCES AND WATER RIGHTS ADMINISTRATION, OPERATION AND MAINTENANCE: **\$61,300,000**
 3. TRIBAL ECONOMIC DEVELOPMENT: **\$168,390,000**
 4. WATER AND WASTEWATER REHABILITATION AND EXPANSION: **\$123,280,000**
- 1. GRAND TOTAL = \$593,110,000**

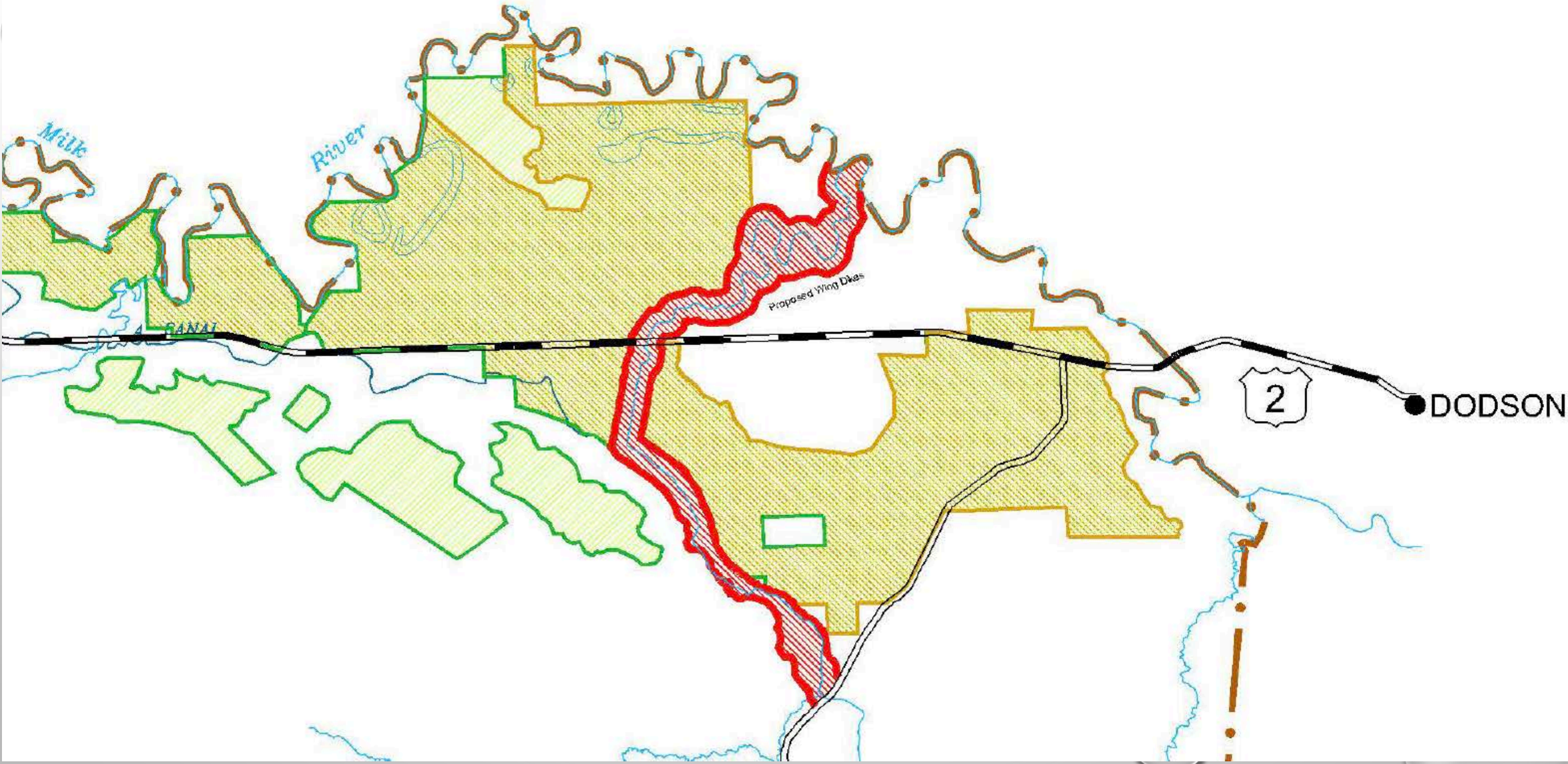
ACCOUNT 1

Project	Description	Estimated costs (2011 dollars)
1	Rehabilitation, Modernization, and Expansion of the FBIIP	\$201,905,265
2	Peoples Creek Flood Protection Project	\$9,272,945
3	Rehabilitation and Modernization of the Southern Tributary Projects	\$4,352,199
4	Peoples Creek Irrigation Project	\$6,032,524
5	Stock-water Distribution System	\$5,916,583
6	Peoples Creek Wetlands Project	\$4,555,350
7	Land Purchases	\$3,658,125
8	Revolving Loans for On-Farm Development	\$4,447,008
	Account 1 total:	\$240,140,000

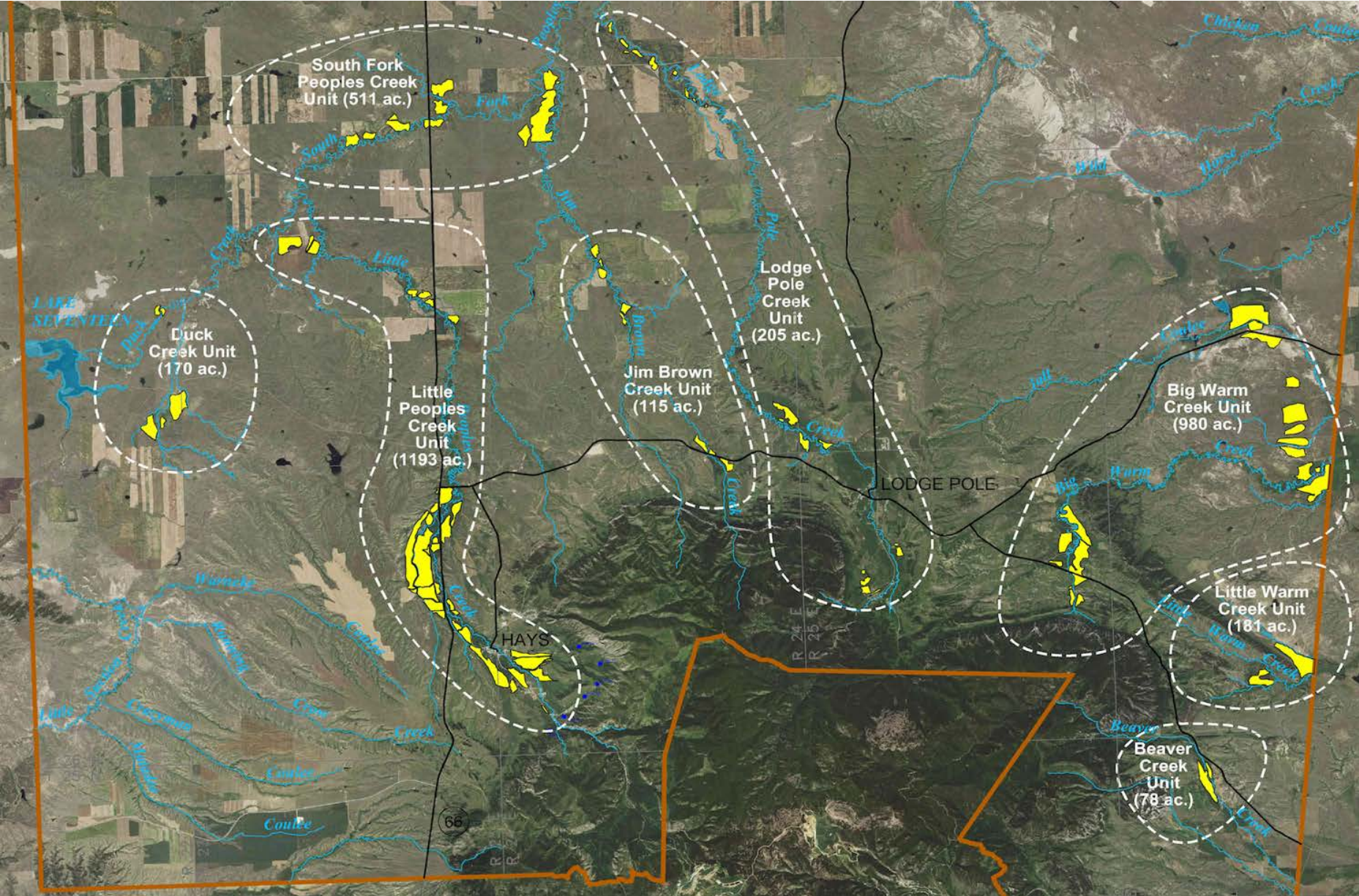
PROJECT 1



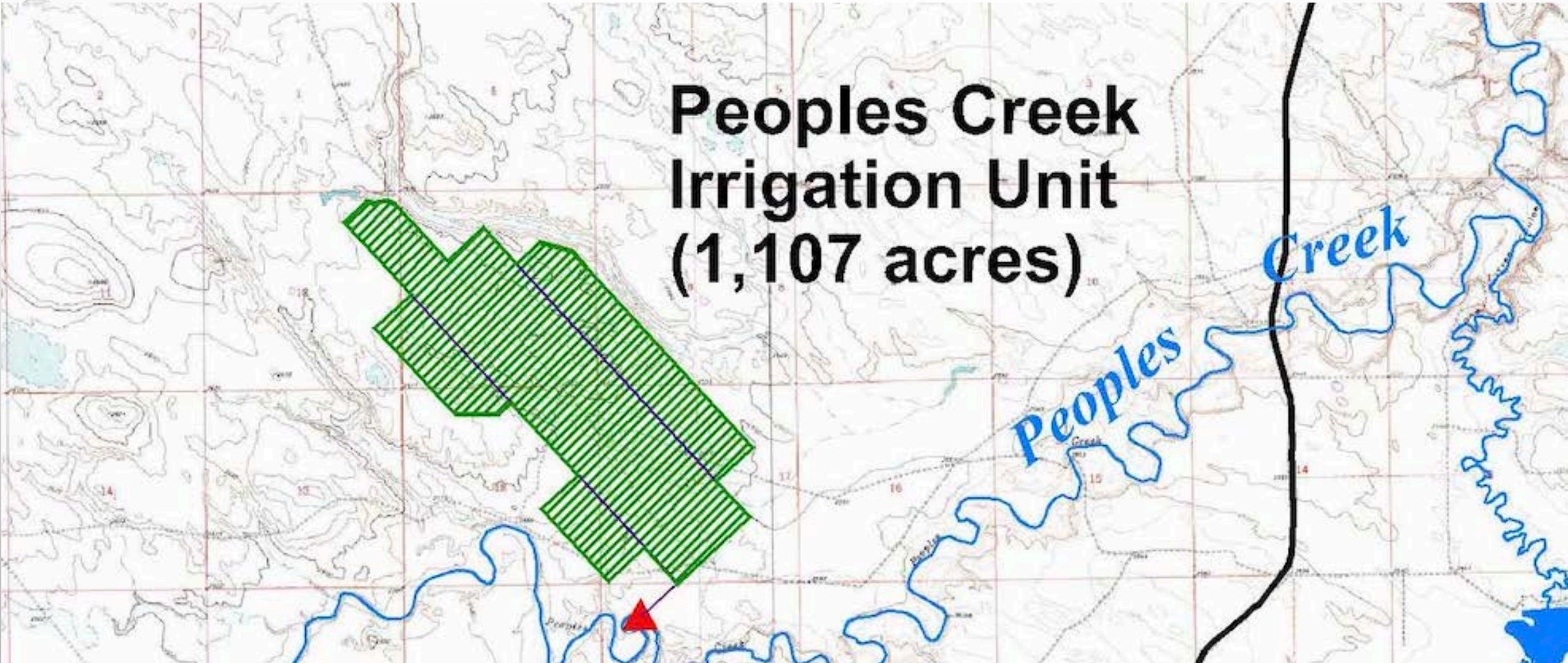
PROJECT 2



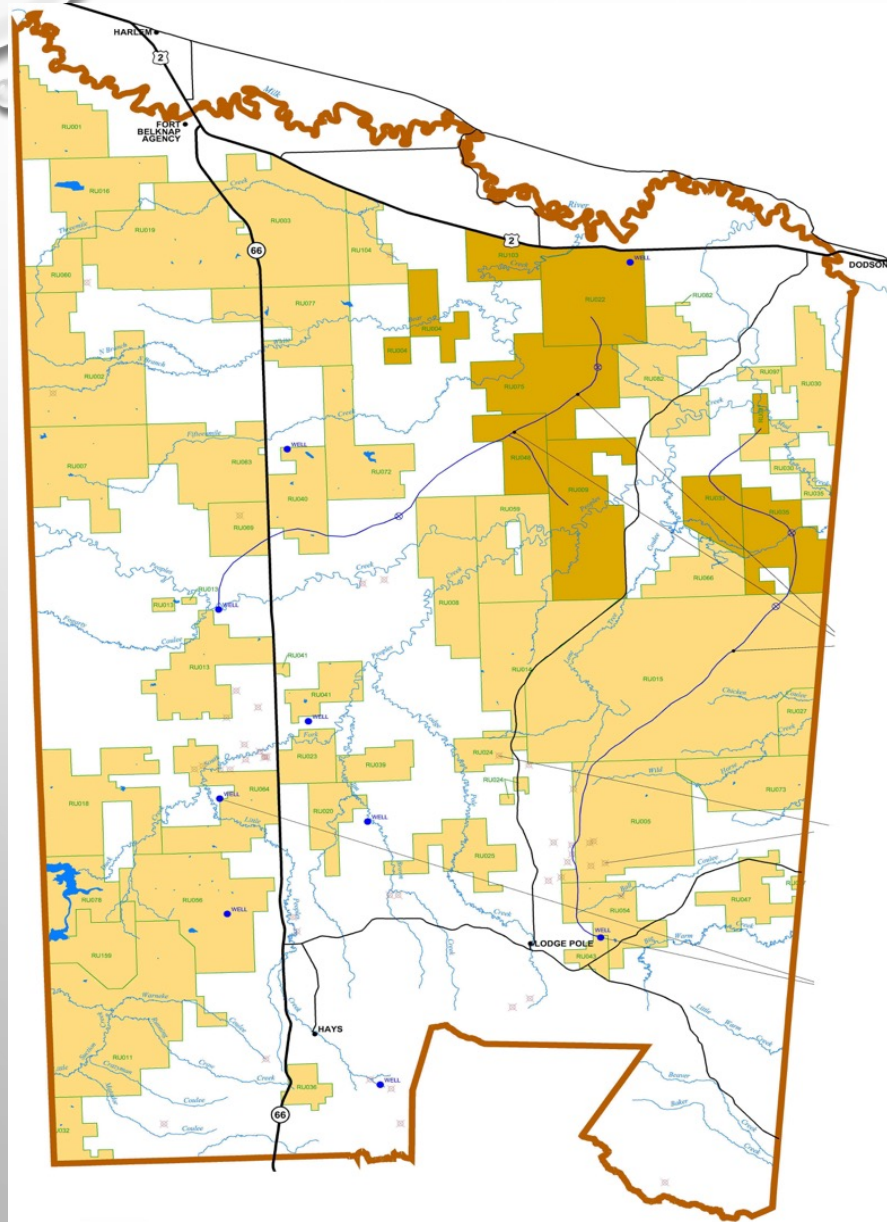
PROJECT 3



PROJECT 4



PROJECT 5



PROJECT 6



PROJECT 7



PROJECT 8



ACCOUNT 2

Project	Description	Estimated costs (2011 dollars)
9	Tribal Water Resources Department	\$22,012,500
10	Operation and Maintenance Trust Fund	\$39,287,500
	Account 2 total:	\$61,300,000

PROJECT 9



PROJECT 10



ACCOUNT 3

Project	Description	Estimated costs (2011 dollars)
11	Tribal Community Economic Development Fund	\$168,390,000
	Account 3 total:	\$168,390,000

PROJECT 11



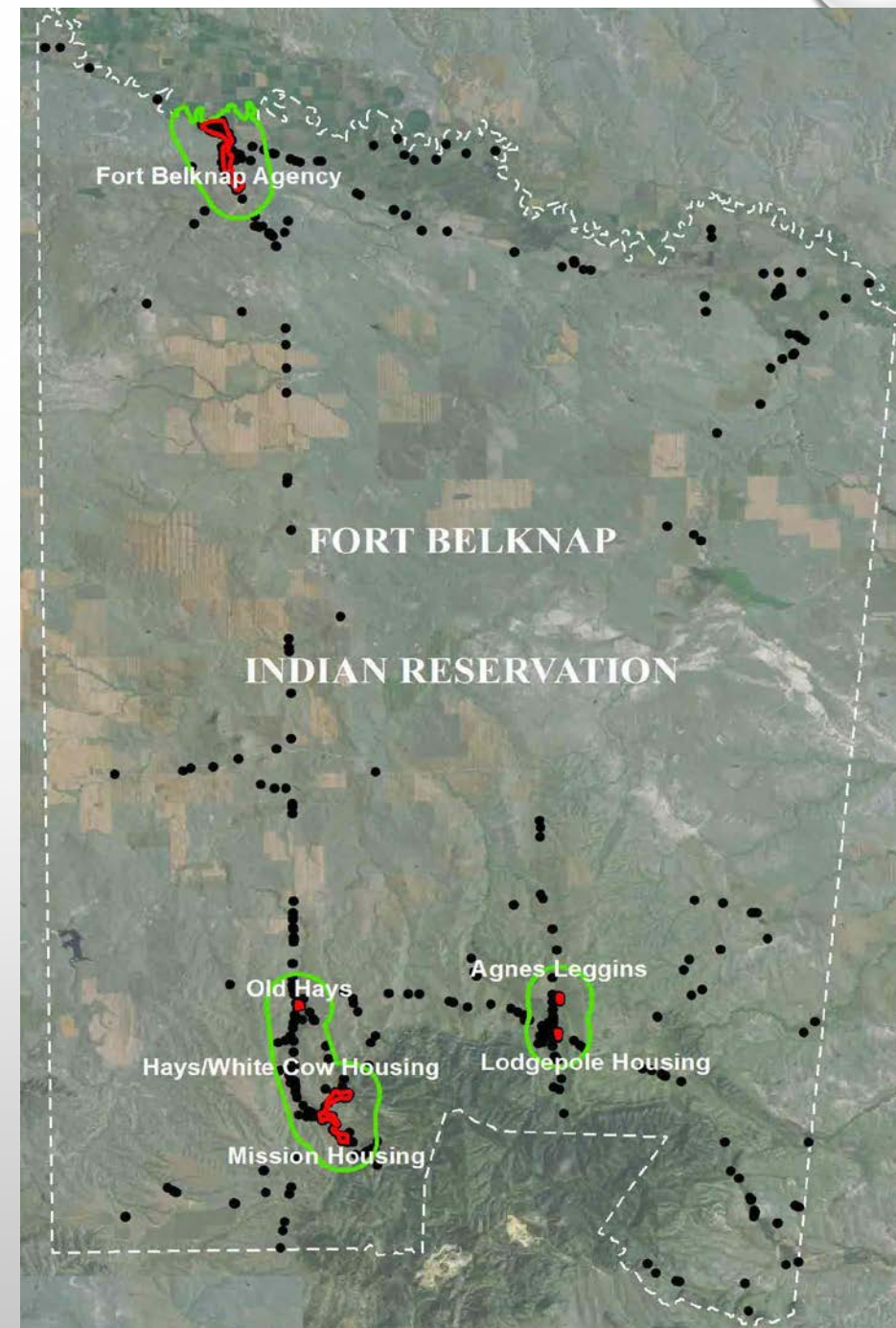
ACCOUNT 4

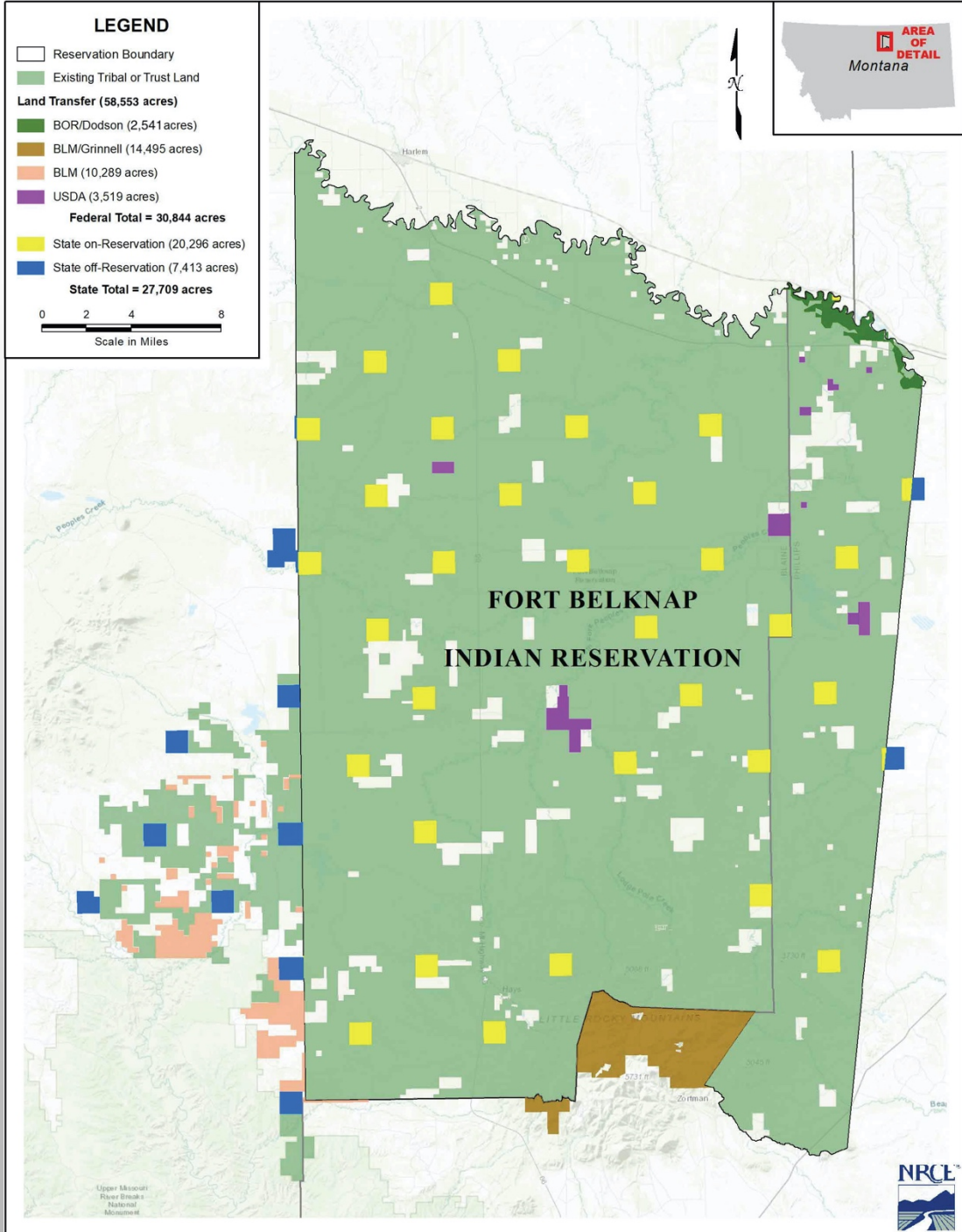
Project	Description	Estimated costs (2011 dollars)
12	Domestic Water Supply and Wastewater Systems	\$123,280,000
	Account 4 total:	\$123,280,000

PROJECT 12

MAP LEGEND

- POTABLE WATER WELLS FOR INDIVIDUAL HOME SITES
- NEW WASTEWATER TREATMENT FACILITIES
- AREAS TO BE SERVED BY WASTEWATER TREATMENT FACILITIES



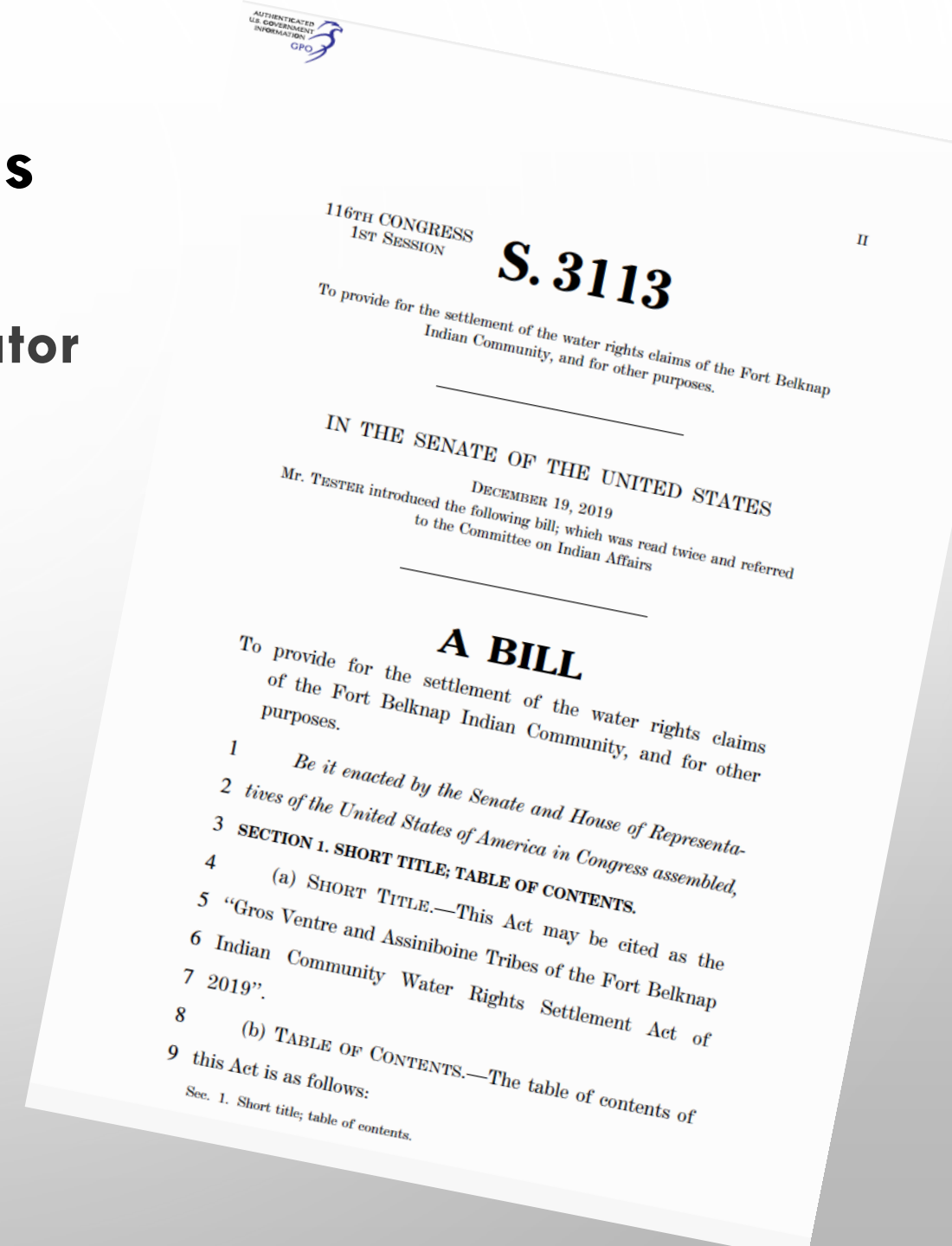


LAND TRANSFERS

- State Lands: 27,709 acres
- Federal Lands (BLM): 10,289 acres
- USDA Lands: 3,519 acres
- Grinnell Lands: 14,495 acres
- USBR Dodson Lands: 2,541 acres
- Total Federal: 30,844 acres
- Total Federal and State Lands: 58,553 acres

Progress in the U.S. Congress

- ➔ Introduced in the Senate by Senator Tester on December 19, 2019
- ➔ Working on House introduction
- ➔ Finalizing a bill for introduction takes months of work with congressional offices



Support for Water Settlement Bill

- Rocky Mountain Tribal Leaders
- Montana Governor
- Montana Lt. Governor
- National Wildlife Federation
- The Wilderness Society
- Montana Wildlife Federation
- Montana Wilderness Association
- Valley County Commissioners
- Milk River Joint Board of Control
- Upper Peoples Creek Irrigators

OFFICE OF THE GOVERNOR
STATE OF MONTANA

Steve Bullock
Governor

November 22, 2019

Mike Cooney
Lt. Governor

The Honorable Jon Tester
United States Senate - Montana
Jefferson State Office Building
Helena, MT 59601

The Honorable Greg Gianforte
Montana House of Representatives - Montana
North House Office Building
Helena, MT 59601

The Honorable Steve Daines
United States Senate - Montana
320 Hart Senate Office Building
Washington, DC 20510

Milk River IRRIGATION PROJECT
Joint Board of Control
1475 1st Avenue - Haere MT, 59501
Phone: 406-945-3383
Email: jenn@mrjbc.com

Valley County
501 Court Square, #1
Glasgow, MT 59230
John Fahlgren, Member

Paul Tweten, Chairman
Phone: (406)328-6219
Fax: (406)328-6217
wcooney@valleyco.org
Mary Armstrong

February 7, 2019

Dear Senator Tester, Senator Daines, and Representative Gianforte:

As Governor of Montana, my administration is committed to strengthening the government-to-government relationships between the State of Montana and sovereign governments. The Ft. Belknap Water Compact was established through an open process and I support the final passage of the Fort Belknap Indian Community (FBIC) Water Settlement Act of 2019 to complete the process.

The FBIC Water Settlement Act of 2019 is the next step forward in the long-standing goal of Montana to settle all federally reserved water rights claims through negotiated compacts.

The Ft. Belknap Water Compact provided the Montana Legislature 18 years ago with overwhelming support. The compact passed 94-4 in the State House and 41-6 in the State Senate. Representatives for the Milk River Joint Board of Control, identified in support of the compact nature that it would serve to properly protect the Milk River riparian system, which is the lifeblood of the riparian community in the area. Representatives for the Montana Water Resources Association added their support and indicated that the process for the compact was long and included multiple public comment opportunities.

The State of Montana continues to support the efforts to finalize the FBIC Water Compact of 2001 and the FBIC Water Settlement Act of 2019 presents an opportunity to do so. While certain provisions need further discussion, and there are some concerns about off-reservation, non-tribally held lands, the State supports the general framework of the Act. In addition, the State and the Tribes have met and agree there is a workable solution moving forward to these concerns.

The time has come to put the final piece of legislation in place to make the FBIC Water Right Compact a reality. The compact will protect both the State and the Tribes' water rights, improve the local economy of the riparian region through an influx of money into reservoirs, meet the need for critical water storage infrastructure improvements, and provide the Tribes with safe, clean water.

The state of Montana supports the Fort Belknap Indian Community in effecting the terms of the Ft. Belknap Water Compact through the passage of an FBIC Water Settlement Act of 2019 in the United States Congress. Let's not include in unnecessary debate or delay any longer on the passage and implementation of a beneficial water compact. The time to act is now.

Sincerely,

STEVE BULLOCK
Governor

STATE CAPITOL • P.O. BOX 200801 • HELENA, MONTANA 59620-0801
TELEPHONE: 406-441-1111 • FAX: 406-441-5329 • WEBSITE: WWW.MT.GOV

January 20, 2019

Dear Senator Tester, Senator Daines & Congressman Gianforte:

The Valley County Board of Commissioners support settlement of the Fort Belknap Indian Community Water Rights Settlement Act of 2019. The "Gros Ventre and Assiniboine Tribes" would provide or support irrigation which is critical to our economy. Water storage and use will not impact irrigation. Although we support the water rights settlement, we will support transfers included in the settlement bill. Our primary support is for water storage and use will not impact irrigation. We encourage you to work together for a water rights settlement that will benefit all Montanans.

Sincerely,

Paul Tweten, Chairman
Board of County Commissioners

John Fahlgren, Member

Mary Armstrong

[You can find the release at this link:](http://www.valleycountymt.gov/DocumentCenter/View/1446/Resolution-2019-01-01-02-03-04-05-06-07-08-09-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000)

NATIONAL WILDLIFE FEDERATION
SINCE 1936

Tester Bill Rights a Historic Wrong by Returning Ancestral Lands to Tribal Control
Contact: Mike Saccone, National Wildlife Federation, msaccone@nwf.org, 202-797-6634

MISSOULA, Mont. (October 19, 2019) — New legislation from U.S. Senator Jon Tester (D-Mont.) returns water rights of the Fort Belknap Tribe and will also return ancestral lands to tribal control by restoring the General Allotment Act federal trust status for the Tribes. The bill developed in collaboration with the Tribes, the state of Montana and other key stakeholders will bring certainty to both tribal and non-tribal water users throughout northern Montana.

Congress established the Fort Belknap Reservation in 1868 for the Assiniboine and Gros Ventre Tribes. In the early 1900s, gold was discovered in the lands of Montana and other key stakeholders. The tribe's water rights and returning the General Allotment Act federal trust status for the Tribes. The bill developed in collaboration with the Tribes, the state of Montana and other key stakeholders will bring certainty to both tribal and non-tribal water users throughout northern Montana.

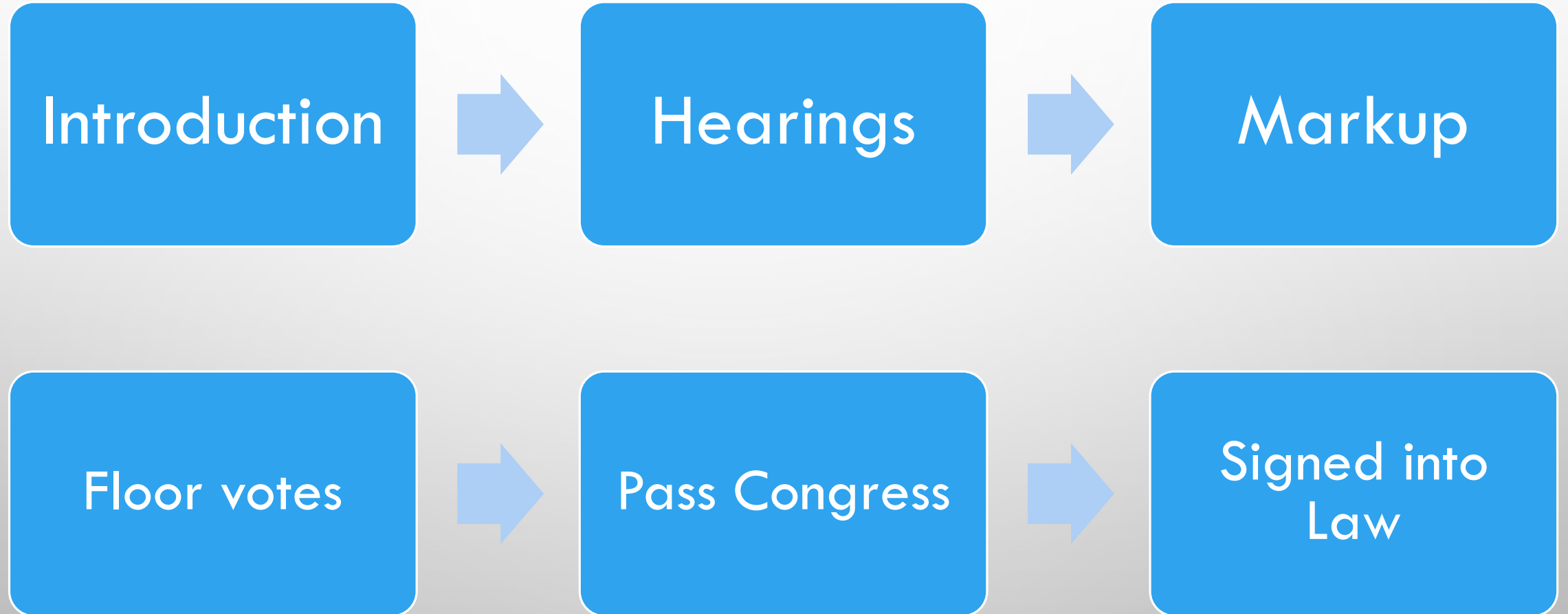
Senator Tester has taken an important step in righting a historic wrong by securing tribal and non-tribal water rights and returning the General Allotment Act federal trust status for the Tribes. The bill developed in collaboration with the Tribes, the state of Montana and other key stakeholders will bring certainty to both tribal and non-tribal water users throughout northern Montana.

In addition to bringing some overdue closure to the Tribes' claims, the proposal will benefit wildlife populations, habitat restoration, and water storage. The bill developed in collaboration with the Tribes, the state of Montana and other key stakeholders will bring certainty to both tribal and non-tribal water users throughout northern Montana.

Regional Executive Director for the National Wildlife Federation, said, "Senator Tester has taken an important step in righting a historic wrong by securing tribal and non-tribal water rights and returning the General Allotment Act federal trust status for the Tribes. The bill developed in collaboration with the Tribes, the state of Montana and other key stakeholders will bring certainty to both tribal and non-tribal water users throughout northern Montana."

Updating the water compact between Montana and the Fort Belknap Tribes will give certainty to both tribal and non-tribal water users. This is an important step for local water development and water conservation, Franco said.

Overview of Congressional Process



CONGRESSIONAL STRATEGIES

- **BUILD SUPPORT AND CREATE MOMENTUM**
- **EDUCATE MEMBERS OF CONGRESS**
- **GET HEARINGS IN THE HOUSE AND SENATE**
- **PUSH FOR BILL TO BE VOTED OUT OF COMMITTEES**
- **LOOK FOR “VEHICLES” TO PASS THE BILL**
- **PASSAGE IN BOTH THE HOUSE AND SENATE DURING THE SAME CONGRESS (116TH CONGRESS – TWO YEARS)**
- **BUILD ON WORK DONE IN PRIOR CONGRESS**