



Fort Belknap Indian Community – Fact Sheet Water Settlement Bill Protects Private Property Rights

Q #1: Does the FBIC Water Settlement Bill include the transfer of any privately owned lands?

A #1: No. Private property rights, including land and mineral rights, will not be transferred under the Bill. FBIC has worked with both the Federal and State governments to ensure that private landowners' property rights are protected. First, the Federal Government, i.e., Bureau of Land Management (BLM), Bureau of Reclamation, and the Department of Agriculture, and the FBIC will not transfer *any* private property rights as part of the Federal land transfer request. Second, the State will not transfer *any* private property rights as part of the State lands to be transferred to the FBIC.

Q #2: What about private fee lands within the Grinnell lands area?

A #2: As above, no private property rights will be transferred under the Bill. Within the Grinnell lands area, only BLM lands will be transferred to the Bureau of Indian Affairs (BIA) for FBIC. This includes only 14,496 acres needed to manage FBIC's watershed. Within this area there are a few private landowners. Their private property rights will not be affected. Please see the attached map.

Q #3: Will private landowners in the Grinnell lands area be able to access their lands?

A #3: Yes. Private landowners will have the same access to their lands. The Bill requires that "any Federal land transferred ... shall be conveyed and taken into trust *subject to valid existing rights, contracts, leases, permits, and rights-of-way*["] Section 6(b)(3), Federal Land Transfers, Terms and Conditions.

Q #4: Are there any private lands included in the State lands transfers?

A #4: No. FBIC has been working with, and continues to work with, the State to ensure that no privately owned lands are included in the State land transfer portion of the bill.

Q #5: Will individuals with grazing leases lose their grazing rights on State lands?

A #5: No. Individuals with grazing or other private rights on State lands transferred to the Federal government will retain their rights. The Bill requires that "any State lands transferred to the United States shall be conveyed . . . *subject to any valid existing rights, contracts, leases, permits, or rights-of-way*["] Section 6(a)(5)(D), Exchange of Federal and State Land, Terms and Conditions. See attached land transfer map.

Finally, very few private individuals currently use lands that will be transferred under the Bill. See attached "Summary of the Current Use of the Lands to be Transferred."

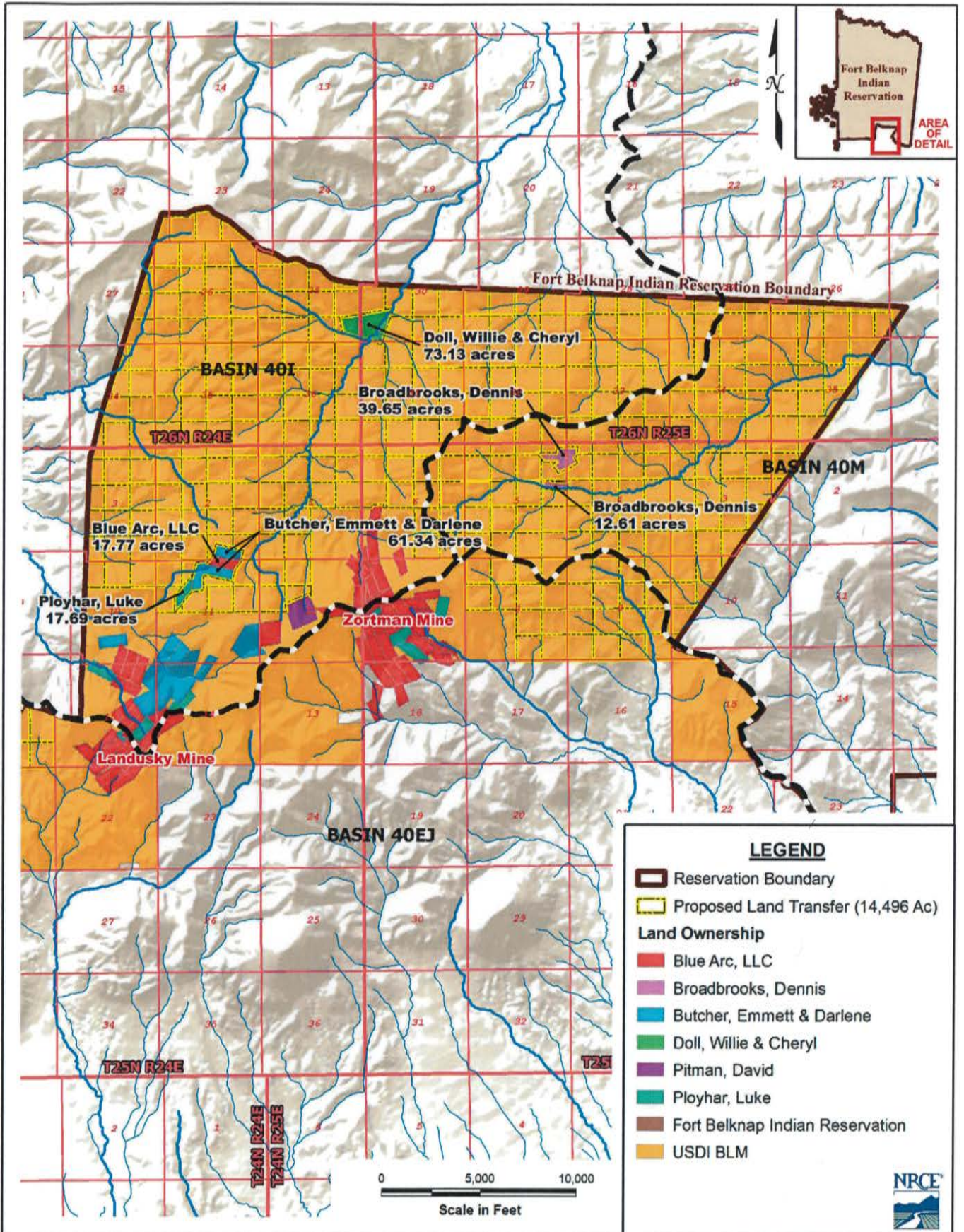
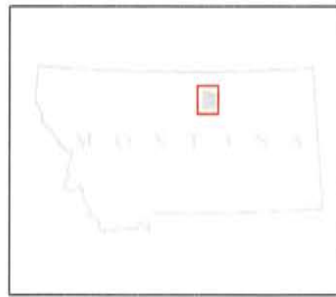
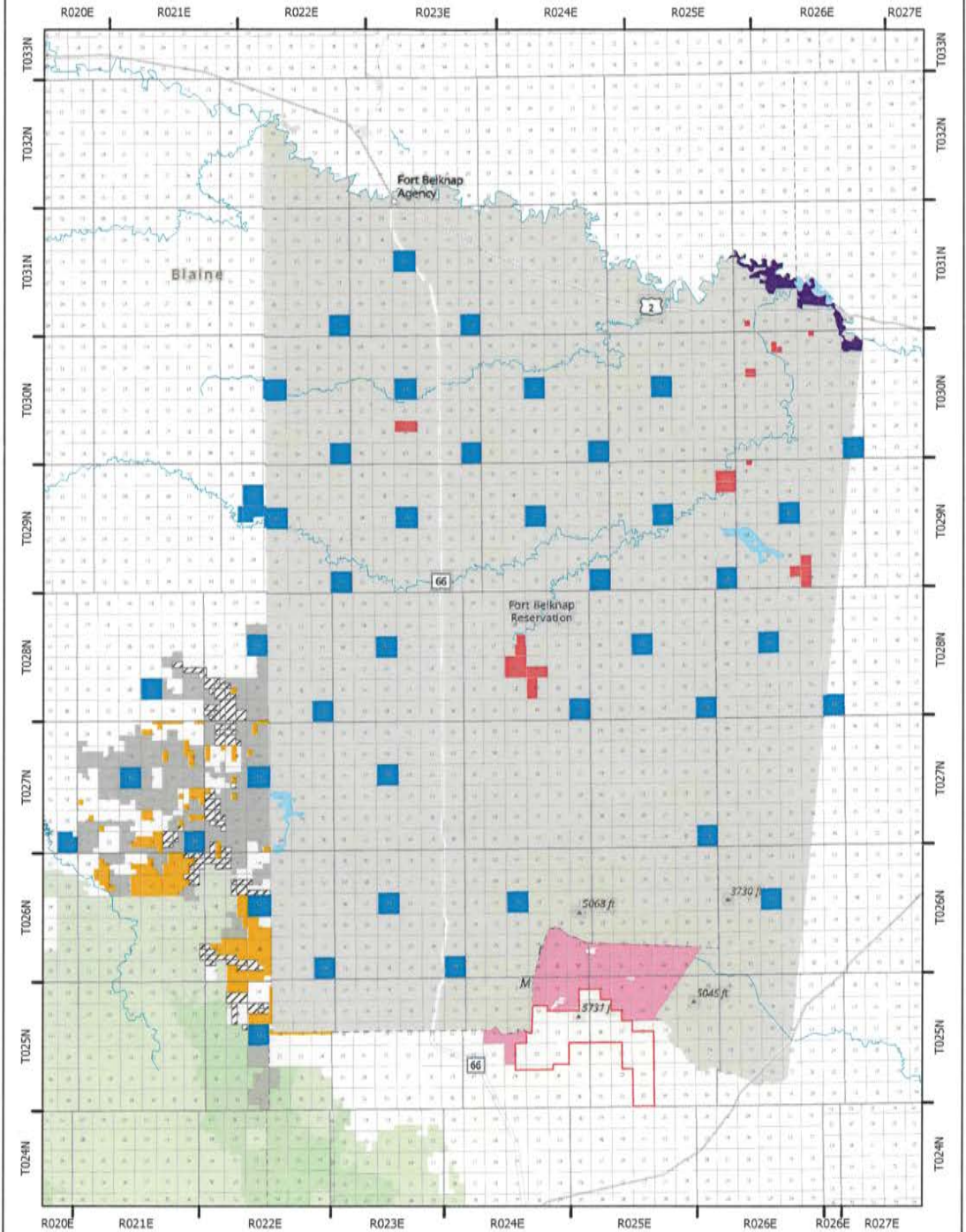


Figure 1: Pertinent Land Ownership and Grinnell Land Private Inholdings of the Little Rockies Area, MT

October 2022

DRAFT FBIC Water Settlement Bill Land Transfers



- BOR Land Transfers
- Grinnell Land Transfers
- Department of Agriculture Land Transfers
- BLM Land Transfers
- State Land Transfers
- CERCLA Boundary 85 Fed Reg 63,289
- Fort Belknap Indian Reservation
- Fort Belknap Submarginal Lands
- Hancock Lands



Department of Interior
BUREAU OF INDIAN AFFAIRS
 Rocky Mountain Region

Map and/or other documents...
 The information contained on this map is for informational purposes only and should not be used as a basis for any legal or financial decisions. The information is provided as a courtesy and is not intended to constitute an offer of any financial product or service. The information is provided as a courtesy and is not intended to constitute an offer of any financial product or service. The information is provided as a courtesy and is not intended to constitute an offer of any financial product or service.

**Current Use of Lands to Be Transferred to Fort Belknap Indian Community
as part of the Water Rights Settlement Act
November 1, 2019**

The numbers reported below were provided by the Montana Departments of Natural Resources & Conservation (DNRC) and Fish, Wildlife and Parks (MFWP). The DNRC provided current land use data for the State lands identified for transfer. The MFWP provided estimates for the levels of hunting on the lands identified for transfer. Within the State hunting levels are reported by "Hunting District" with the exception of turkey hunting which is done at the county level. Hunting Districts cover geographic areas across the State and vary by species. The Bureau of Land Management does not issue hunting licenses.

The exact level of hunting within a specific parcel of land is unknown. MFWP estimated the level of hunting on lands designated for transfer to the Fort Belknap Indian Community (FBIC) based on the percentage of land area for transfer in relation to the larger Hunting District or county. This results in an estimate of hunters using the lands identified for transferred, but does not take into account geography, hunting opportunities on that parcel, or ability to access a parcel.

Leasing of State lands within the Fort Belknap Indian Reservation (approximately 19,557 acres)

- FBIC holds a grazing lease for 19,017 acres.
- An individual tribal member holds a farming lease for 540 acres.

Leasing of State Lands in the Sub-marginal Land Transfer Area (approximately 6,165 acres)

- All of the State land within the Sub-marginal Area is leased for livestock grazing.
- Approximately 1,920 acres are leased to FBIC.
- Approximately 4,245 acres are leased to private individuals.

Hunting on State Lands in the Sub-marginal Land Transfer Area

- State land within the Sub-marginal Land Transfer Area is included in 4 Hunting Districts and makes up less than 1% of these Hunting Districts.
- 68 hunters are estimated to use the State lands identified for transfer to FBIC annually.
- Approximately 0.7 bighorn sheep, 2.1 elk, 33 deer, 5.2 antelope and 0.5 turkeys are harvested from these State lands annually.
- No Outfitting Licenses have been issued for State lands within the Sub-marginal Area.

Hunting on BLM Grinnell Notch Land Transfer Area (approximately 14,496 acres)

- The area to be transferred to FBIC is included in 2 Hunting Districts.
- The area includes only 22.5% of the bighorn sheep Hunting District and it is estimated that 1 hunting license is issued for bighorn sheep in this area annually.
- The area includes only 2.8% of the elk and deer Hunting District and it is estimated that 45 hunting licenses are issued annually for elk and deer in this area (with possible duplication of some hunters).
- The area makes up less than 1% of the turkey hunting area which is done at the county level.
- Overall, the estimated annual average harvest that occurs in this area is approximately 1 mountain lion, 0.2 bighorn sheep, 3.3 elk, 12.4 deer, and 0.3 turkeys.
- Estimates of hunting levels do not account for the mountainous and wilderness character of the lands to be transferred and difficulty of access. In addition, the western side of the Grinnell Notch Transfer Area is only accessible from the Reservation.
- A very small amount of fishing occurs on Beaver Creek within the Grinnell Notch Transfer Area, however, there is no data on numbers.