



FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT FREQUENTLY ASKED QUESTIONS

What are Indian water rights?

Indian reserved water rights are Treaty rights that guarantee that the Gros Ventre and Assiniboiné Tribes sufficient water for a permanent homeland. In 1908, the Supreme Court ruled in *Winters v. United States*, that the Tribes reserved water rights with the establishment of the Reservation. Indian reserved water rights include a specific quantity of water from sources of water flowing through, bordering, and underlying the Reservation that will be administered by the Fort Belknap Indian Community (FBIC).

Why do water rights matter?

Water is life. The FBIC right to water for the Reservation ensures that the basic needs of the Tribal community are met. These federal water rights ensure that FBIC has continued opportunities to develop and use its water for irrigation, stock water, domestic, commercial, industrial and municipal uses; and for recreation, fish and wildlife, cultural uses and other uses determined necessary—now and in perpetuity—without interference by other water users in the state.

How much of the water is reserved for the Fort Belknap Indian Community?

The amount of water reserved will be the amount that is needed to fulfill the purposes of the Reservation for both the present and the future needs. Federal law establishes that the amount of reserved water is determined by the irrigable lands within the Reservation, although once quantified, it can be used for purposes determined by the FBIC. The FBIC has the most senior priority right to use its water without interference from state water users based on the date of the 1855 Treaty.

Why are we negotiating our water rights with federal and state governments?

Unlike land ownership, water flows across government boundaries, on and off the Reservation and in and out of the State. The FBIC has federal water rights surrounded by State water users. The purpose of negotiations is to resolve the Indian water rights of the FBIC, avoid costly litigation against those who would oppose the Tribal water rights, and settle the FBIC's water rights damage claims against the U.S. through Congressional approval of the Gros Ventre and Assiniboiné Tribes' Water Rights Settlement Act. Because of the federal government's past mismanagement of the FBIC's water rights and resources, breaching its trust obligations to the

Tribes, the Water Settlement will provide monetary and non-monetary compensation for the FBIC damage claims.

We believe it's best to resolve water issues amicably with our non-Tribal neighbors. With Congressional approval of the Water Rights Settlement Act, the water rights of the FBIC will be secured for the Tribes and Tribal members—forever.

What will the Water Settlement between the Fort Belknap Indian Community and the United States fund?

The \$593 million in funding will provide critical support for the development of essential water projects, create economic opportunity and jobs for Tribal Members, improve Tribal access to our water resources, and improve the overall economy of the FBIC. The funds will:

- Provide support for water infrastructure projects, such as improved irrigation and water storage, for Tribal use, including water marketing efforts.
- Provide economic benefits for the Tribes and Tribal members, including specific economic development funds to be used for the betterment of the FBIC.
- Allow the Tribe to improve the economic environment of the Reservation, as well as the grazing, vegetation, fishery, geological, biological, wildlife, recreational, and cultural resources.