

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



ANGELA MCLEAN
LT. GOVERNOR

January 30, 2015

Sanders County
Board of Commissioners
PO Box 519
1111 Main Street
Thompson Falls, MT 59873

Dear Members of the Sanders County Board of Commissioners:

Thank you for your letter of January 15, 2015, concerning the proposed water compact with the Confederated Salish & Kootenai Tribes. You write that you believe issues brought forward by the Flathead Joint Board of Control (FJBC) "have not been fully addressed and therefore we feel the negotiations are incomplete." Since the close of the 2013 legislative session, staff from my Office, the Attorney General's Office, and from the Reserved Water Rights Compact Commission have met with members of the FJBC and the various attorneys representing the FJBC. These meetings were conducted for the purpose of addressing the concerns expressed by the FJBC. After extensive negotiations with the Tribes and the federal government, substantive progress was made in all of the FJBC's identified areas of concern.

Some of the key improvements to the renegotiated Compact include (1) water delivery entitlements that run with the land for irrigators receiving water through the Flathead Indian Irrigation Project; (2) a new technical team with irrigator representation that will ensure irrigation needs are met while fulfilling the instream flow requirements of the Tribes; (3) local government participation in nominating the appointees who will represent the State on the water administration board that will manage water permitting on the Flathead Reservation; and (4) a precise definition of "court of competent jurisdiction."

I have attached to this letter a memorandum from my chief legal counsel that was recently sent to the Flathead County Board of Commissioners. The memorandum addresses many of the misperceptions that are common with regard to the Compact. I would ask that you review the memorandum, as well as the proposed Compact itself, and reconsider your opposition.

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The negotiations have resulted in a fair Compact which protects the interests of the parties and the stakeholders, including the FJBC. I would not support an agreement that did otherwise.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Bullock", with a long horizontal flourish extending to the right.

STEVE BULLOCK
Governor

Enclosure