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July 26, 2016

### **CSKT Water Compact, Federal Settlement Legislation Completes First Step in Congressional Ratification Process**

(Helena, Mont.)—The CSKT Water Compact and the federal settlement legislation seeking to resolve the claims of the Confederated Salish & Kootenai Tribes against the federal government recently received its first hearing in the Senate Indian Affairs Committee.

The settlement legislation would settle the claims of the CSKT against the federal government for decades of neglect and mismanagement of tribal lands and waters. It would also ratify the CSKT Water Compact as passed by the Montana State Legislature and provide funding for the negotiated agreement that defines the federally reserved water rights of the Tribes.

In Senator Tester's S. 3103, the CSKT Water Compact is ratified by one provision in the bill which references the Compact as passed by the Montana State legislature (*Click [here](#) to view the provision in S. 3103 that would ratify the Compact*). The rest of the bill is dedicated to explaining the terms and components of the settlement between the federal government and the CSKT.

S. 3103 makes no changes to the negotiated agreement passed by the Montana State Legislature, it simply includes the language necessary for it to be presented to Congress and ratified.

"The Compact is a negotiated agreement that has been passed by the Legislature and is subject to ratification by Congress before it can be fully implemented," said Lorents Grosfield, a Co-chair of Farmers and Ranchers for Montana ("FARM"). "Congress cannot change the Compact without it being returned to the State for a review of any changes made. It is an agreement between separate parties—one party cannot unilaterally change the Compact without the consent of the others involved in the agreement."

By ratifying the CSKT Water Compact more of Montana's water resources will be controlled locally, rather than by the federal government. The CSKT made many concessions throughout the negotiation process, one of which was agreeing to co-own instream flow rights with Montana Fish, Wildlife, & Parks. They also have agreed to cede many of the off-reservation rights to ensure that those with existing water rights are not forced to defend them before the Montana Water Court.

"Without the Compact farmers and ranchers across Montana would be faced with decades of costly litigation," said Walt Sales, a FARM co-chair. "The Compact makes sure that those who want to pursue litigation have the ability to do so without committing all Montanans to expensive court proceedings."

Additionally, without the Compact, the federal government could limit the amount of water available for irrigation in order to ensure that certain aquatic species such as the Bull Trout have sufficient instream flow water. With the Compact, decisions on how water is managed are placed in the hands of Montanans.

The Montana Constitution, which is the guiding document that governs the CSKT Water Compact, gives us control of our state's water resources. By ratifying the CSKT Water Compact we are ensuring that decisions related to our water remain in the hands of Montanans—not the federal government.

Through the passage of S. 3103 an estimated 6,330 jobs will be created in Montana and \$52.9 million in recurring, annual economic activity will be generated in the state. While 6,200 of those jobs are temporary, 130 of them will be permanent jobs that will continue to directly benefit our state for years to come.

"The passage of the settlement legislation and ratification of the Compact will create a significant number of jobs in our state," said Karen Fagg, FARM Co-Chair and Billings business owner. "The State of Montana, the CSKT, the federal government, and stakeholders from across Montana have worked tirelessly to put together this agreement in a way that will fulfill their needs as well as the needs of their neighbors. What they have accomplished is a Compact that will improve our state for all Montanans."

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