

STATE CAPITOL, HELENA, MT 59601



April 20, 1979

Dear Montana Citizen:

The United States has recently filed four lawsuits in United States District Court seeking to adjudicate the Indian reserved water rights and all other water rights on the Flathead, Rocky Boy, Fort Belknap and Fort Peck Indian Reservations. They are asking the Federal Court to issue a decree which will set out the extent and priority date of each water right. You may soon be receiving a summons notifying you that you have been named as a defendant in one of these lawsuits, depending upon the area in which you live. You may be named as a defendant even though you do not own or claim any water rights, since the list of defendants was compiled in part from land ownership records, and not from water rights ownership records.

If you do receive a summons you should contact your own attorney for advice on what steps you should take to protect your rights. You are entitled to represent yourself, if you choose to do so. The State of Montana has also been named as a defendant in these lawsuits and will participate actively as a party. The state cannot, however, individually represent the persons who have been named as defendants.

You should not be unnecessarily alarmed at being named as a defendant in these lawsuits. If you do wish to claim a water right it means that you and your attorney will have to appear in the Federal Court to substantiate your claim. At the same time, the State will endeavor to use its best efforts to achieve a negotiated compact setting out the Indian reserved water right claims under the procedure which has been enacted by the recent legislative session. If this can be accomplished on one or more of the reservations there may be no further action in the lawsuit involving that reservation.

Based upon past experience in other areas of the State, it is likely that the Federal Court will set some date, beyond that shown on your summons, in which you must answer or otherwise respond to the lawsuit. You should be notified if this happens, and it is a matter you should discuss with your attorney. You are also welcome to call Mr. Rick Gordon, Department of Natural Resources at 449-3712 if you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Thomas L. Judge".

THOMAS L. JUDGE
Governor

"AN EQUAL OPPORTUNITY EMPLOYER"

