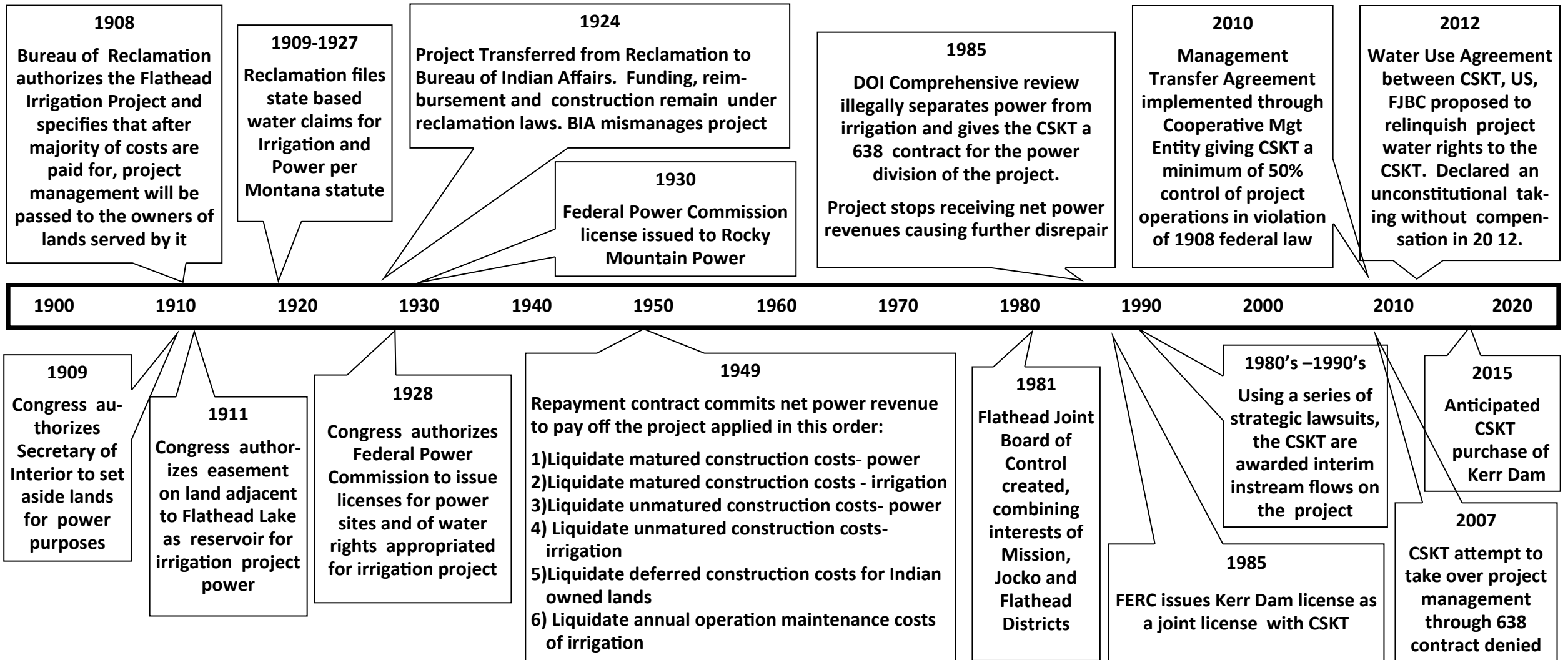


# FLATHEAD IRRIGATION AND POWER PROJECT TIMELINE



# FLATHEAD WATER COMPACT TIMELINE

1970's—1980's		1990's	2000	2010
Namen I and II lawsuits determine tribes own the banks and bed of the south 1/2 of Flathead Lake		Negotiations start and end	Compact negotiations resume	Tribe Submits third proposal
1972	1980	1993	2001	2011
Montana Constitution ratified affirming all existing uses of water. Article IX—state owns all the water for the beneficial use of its citizens.	Negotiations begin and stop	Compact commission extended to 1999	CSKT proposal: 1) all water on and under Reservation is “owned by US in trust for CSKT 2) Establishment of a single water administration system. 3) Negotiations include Tribal off-reservation aboriginal water rights.	State submits off reservation instream flow proposal to the tribes
	1982			2012
1973	1985	1996	2002	Irrigator Water Use Agreement introduced May Public review documents posted 10/2012 Revised Compact submitted 11/2012 Series of public meetings held Nov-Dec
	Montana Water Use Act passed in legislature, establishing a permitting and tracking process	Ciotti decision—Montana Supreme Court decided that the state could not issue water permits within reservation boundaries until the CSKT's federal reserved water rights are quantified.	Negotiations stop to work on interim agreement CSKT say they will quantify their own water rights CSKT v. Stults—MT Supreme Court again ruled DNRC is prohibited from issuing water permits until the Tribes' water rights are quantified.	
1979	1987	1999	2005	2013
Montana legislature creates Reserved Water Rights Compact Commission to provide for equitable division of waters between state and federal reserved water rights including tribes	Tribes sue Flathead Irrigation and Power Project and win time immemorial instream flows.	Compact commission extended to 2005	Interim agreement abandoned and parties agree to work on complete settlement	Compact and water use agreement revised 02/2013 Water use agreement held to be an unconstitutional taking without compensation. Compact commission is forced to submit the compact to legislature without it. Compact bill fails in House Judiciary committee and an attempt to blast to the floor fails. Salomon bill to give compact a fast track to 2015 Legislature fails in House appropriations committee Governor Bullock vetoes SB265 to extend the compact commission, requiring CSKT to submit their claims to the water court by July 2015
	Tribes pass ALCO for waterway protection regulations			
	1988		2006	
	Compact commission extended to 1993		2007	
	1988		2009	
	Tribal Ordinance 44D—state allows tribal hunting and fishing jurisdiction over non-Indians on the reservation		Compact commission extended to 2013	2014
				CSKT files federal suit to circumvent the state of Montana water court and 20th district court to ask for declaration of ownership of irrigation water rights by the CSKT. Suit also claims CSKT own all water on the reservation and that all land remains in aboriginal title.