

Sincerely,
JOHN M. (JM) PECK, P.E., *Manager, Trapper Creek Ranch Montana Farm
Bureau; Young Farmer and Rancher Committee Chairman.*

June 22, 2020

Greetings,

I am stating my support of S. 3019. The Montana Water Protection Act will define the federally reserved water rights of the Confederated Salish and Kootenai Tribes and settle the legal claims of the Tribes against the federal government. It will provide protection to existing water right holders in Montana and protect Montana farmers and ranchers from being forced to protect their water rights through costly legal proceedings. I support the passage of S. 3019.

ALLEN MARTINELL, *Pres., Water Users Irrigation Company*

BOZEMAN, MT
June 19, 2020

Dear U.S. Senate Committee on Indian Affairs,

I am writing to ask for bipartisan support of the Montana Water Protection Act (S. 3019).

I am a water rights holder and irrigator in the Gallatin Valley. As you know the CSKT Compact is critical to the protection of Montana's water right owners and will eliminate years of litigation and millions of dollars in attorneys fees.

I appreciate your support on this matter.

Thank you,

GEORGE ALBERDA.

June 20, 2020

I write this to support SB 3019, as a farmer and irrigator on the Flathead Indian Reservation. If this does not pass, this will destroy agriculture as we know it on this reservation.

MARY STRANAHAN.

MONTANA WATER RESOURCES ASSOCIATION
June 19, 2020

Dear Chairman Hoeven and Vice Chairman Udall:

Montana Water Resources Association supports passage of the Montana Water Rights Protection Act, S. 3019, introduced by Senator Steve Daines and co-sponsored by Senator Jon Tester. The settlement legislation is a very important step in the long process of ratifying a negotiated settlement of Confederated Salish-Kootenai Tribes (CSKT) claims, including reserved water right claims.

In Montana, our State Legislature recognized the benefit of negotiation and determined that it was appropriate to negotiate separate tribal reserved water right compacts and respective Congressional settlements with each of our state's federally recognized tribes. In 2015 the Legislature passed the negotiated CSKT water right compact, approving the last of seven tribal compacts in Montana.

The Montana Water Rights Protection Act provides for settlement of CSKT water right claims, prevents costly litigation, and protects Montana water rights. Additionally, S. 3019 provides for economic development and jobs as well as crucial funding for infrastructure rehabilitation and water efficiency improvements within the Flathead Irrigation Project, and very importantly, recognizes and protects Montana's primacy over our water resources.

We extend appreciation to our Montana Congressional Delegation for their support and encourage your support for and passage of the Montana Water Rights Protection Act.

Sincerely,

MICHAEL E. MURPHY, *Executive Director.*

MONTANA STATE SENATE
June 22, 2020

Good morning,

I would like to express my strong support for SB 3019. I have a long history with this issue. I have lived in the heart of the Mission Valley and the Flathead Indian Reservation for over 60 years on a 600-acre irrigated dairy farm. I have represented this area in the Montana Legislature for 10 years. I served on the Montana Reserved Water Rights Compact Commission and was involved in the negotiations for the agreement between the CSKT, the State of Montana and the Federal interests. I helped champion SB 262 through the Montana Legislature in 2015.

Agriculture is the lifeblood of the Mission Valley and the Flathead Reservation. This negotiated agreement allows for robust fisheries and the opportunity for the Flathead Indian Irrigation Project (FIIP) to revitalize. Instream flows will be increased as efficiencies are met within the repairs and maintenance of FIIP. This will benefit everyone from sportsman to farmers and ranchers.

This agreement brings some clarity to the water rights of tens of thousands of Montanans. The compact (SB 262) and the settlement agreement (SB 3019) will bring the CSKT Federal Reserve Rights to the tribe for ratification and then to the Montana Water Court to be adjudicated. If this doesn't happen, the CSKT rights go into effect and the Water Court must go back and reopen the process anywhere there is a claim by the CSKT. These claims involve well over half of the state and would very likely take multiple decades and affect tens of thousands of individuals, business owners, cities and towns etc.

There is an allocation of 90,000-acre feet of water under federal control that can be utilized from Hungry Horse Reservoir. This will be leased water that can only be utilized in Montana. It has the potential to be the new water that Western Montana will need for many decades.

The Compact (SB 262) is a true negotiated agreement where all parties worked together to reach a consensus. It has survived both constitutional and fact challenges. I believe SB 3019 is very similar legislation. It has taken many turns and incredible dedication and effort by all parties involved to get to the hearing process. I again strongly support this legislation.

Sincerely,

DAN SALOMON—SENATOR, MONTANA DISTRICT #47

MONTANA STOCKGROWERS ASSOCIATION
June 19, 2020

Dear Chairman Hoeven and Vice Chairman Udall:

On behalf of the Montana Stockgrowers Association (MSGA), we are submitting this letter in support of S 3019, the Montana Water Rights Protection Act, introduced by Senator Steve Daines and Senator Jon Tester.

For more than 130 years, MSGA has been dedicated to influencing public policy improving the profitability of Montana's ranching families and protecting their private property rights. Our members have determined this legislation meets the needs of the water right holders and will eliminate decades of litigation. The Montana Water Rights Protection Act will ensure that historical water use by all water users on and off the reservation are protected.

The success of Montana's agriculture industry is dependent upon water and water right certainty. It is easily the single most important resource for people across Montana, which is why MSGA has long supported an agreement such as the Montana Water Rights Protection Act. This legislation will permanently eliminate 97 percent of all CSKT's water rights claims across Montana, which will save taxpayers over \$400 million and protect the water rights of all Montanans. It will prevent years of costly litigation for Montana water users and provide much needed certainty for all parties involved.

MSGA would like to thank the committee for your consideration passing this important legislation.

Sincerely,

this legislation represents good Tribal policy, good wildlife policy and good land-use policy. It has the support of many land- and wildlife-oriented organizations (locally, regionally and nationally), and the US Fish and Wildlife Service has been supportive of the idea.

While we understand there are efforts by some to transfer public lands out of federal ownership and into state ownership, restoration of the National Bison Range is an entirely different matter. Fundamentally, the National Bison Range would remain in federal ownership, but would once again be held in trust for CSKf. In addition, the National Bison Range was originally Tribal Reservation land taken without Tribal consent—a fact that distinguishes it from virtually any other situation. Finally, as mentioned above, the very bison for which the NBR was created descend from a herd that was started and managed by CSKT members at a time when the plains bison was under a very real threat of extinction.

NPCA supports this legislation, including ratification of the CSKT–MT water compact as well as provisions to ensure the NBR will be managed for both conservation and public access, just as Theodore Roosevelt envisioned when establishing the NBR. Restoration of management authority of the NBR to the CSKT honors the historic and cultural ties of Tribes to both the land and to the bison, and recognizes the many groundbreaking successes of the CSKT wildlife and wildland programs.

Sincerely,

MICHAEL JAMISON, *Glacier Program Manager*

MONTANA FARM BUREAU FEDERATION
June 19, 2020

Dear Chairman Hoeven and Vice Chairman Udall:

On behalf of the more than 20,000 member families of the Montana Farm Bureau Federation, I am reaching out to share our support for S. 3019, the Montana Water Rights Protection Act, which is sponsored by Senator Steve Daines and Senator Jon Tester of the great state of Montana. Our farmer and rancher members raise a variety of commodities on irrigated and non-irrigated land all across our vast state. Many of them will be impacted directly by the passage of this incredibly important piece of legislation.

Our organization was very active in the passage of the CSKT Water Compact during the 2015 Montana Legislative Session. Our farmer and rancher members supported this negotiated agreement and recognize the years of work and compromise that went into coming up with a product that satisfied the needs of irrigators and water right holders on and off the reservation, as well as the demands of the Tribe. We appreciate the bipartisan support that has gotten the Compact this far, and ask for your support of S. 3019 to get it even closer to completion.

It is important to note that without passage of this important bill and completion of the Compact, our farmer and rancher members in approximately two-thirds of the state, will be subject to years of expensive litigation with regard to their water rights. Many have already gone through the adjudication process or spent a good deal of time and money settling the rights they currently hold. Without their water rights, many farms and ranches in Montana would be in severe jeopardy. Also, given that Montana is a headwaters state, our members believe the finalizing our adjudication process statewide is incredibly important. The sooner we are able to finalize this chapter in water rights history, the sooner we will be able to achieve the task of final adjudication.

Thank you for your time and consideration,

HANS MCPHERSON, *President*

FORMER COMMISSIONERS, FLATHEAD INDIAN IRRIGATION PROJECT
February 6, 2019

As former commissioners on the three irrigation districts that represent irrigators on the Flathead Indian Irrigation Project (FIIP), we encourage you to take every opportunity to promote funding, passage and enactment of the CSKT Water Compact this year.

The FIIP delivers water to over 800 irrigators on 128,000 acres. Project water makes it possible to grow a wide range of crops including alfalfa, grass hay, barley, oats, wheat and corn and also grow pasture for goats, sheep, horses and especially cattle. The project also delivers water to many families growing organic vegetables for local markets.

As former commissioners, we know how much time and effort the Compact Commission and our tribal, state and federal governments devoted over many years to