

TRIBE: Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation

UPDATE: January 15, 2002

The Fort Belknap Compact passed the Montana legislature and was signed by the governor in April 2001. The final compact allocates 645 cfs from the Milk River to the Tribes, limited by the United States share of the natural flow of the Milk River and the Tribal capacity to develop water. It also quantifies the Tribal water rights in Peoples Creek, Beaver Creek, and Missouri River basin 40EJ. When uses upstream of the Reservation interfere with the Tribal water right the Tribes will obtain water from the federal Milk River Irrigation Project. The state's Fort Belknap cost share negotiating team met early in 2002 for an initial discussion of funding and authorization of specific mitigation measures necessary for federal legislation. The U.S. Bureau of Reclamation is moving forward on its feasibility study of mitigation alternatives. The Tribe and the Governor's office have written the U.S. Department of the Interior to request that a federal cost share team be assigned so that the Fort Belknap settlement can move forward to Congress.

TRIBE: Blackfeet Tribe of the Blackfeet Reservation

UPDATE: January 15, 2002

No formal negotiating sessions have been held since the last Water Court Report. The Blackfeet Tribe has submitted a proposal to the Commission for Birch Creek on the Reservation and a legal/technical meeting will be scheduled to discuss particulars of the proposal. The Tribe, State and United States representatives have continued to focus on exchanging information to allow the parties to examine the impacts of the Tribe's proposed 1997 settlement, which is still on the table. In addition, the Commission will ask the Tribe to support the resumption of claims examination on the Reservation. The Blackfeet will continue to be involved with work on the Fort Belknap federal legislation and St. Mary's rehabilitation, as mandated by the Fort Belknap compact.

TRIBE: Confederated Salish and Kootenai Tribes of the Flathead Reservation

UPDATE: January 15, 2002

A negotiating session was held on February 7, 2002, in Missoula. The written proposal the Tribes presented to the Commission in June 2001 was discussed. The parties agreed to disagree on the administrative issues presented in the proposal and to move forward with negotiations in other areas. They agreed to form working groups to address: 1) an interim agreement for water development on the reservation prior to the settlement of the Tribes' reserved water rights, and administration; 2) claims examination; and 3) Technical issues. The Interim Agreement working group will meet in March. A negotiating session has tentatively been scheduled for May 2002.

TECHNICAL WORK IN PROGRESS

The Technical working group is not scheduled to meet at this time. Commission staff will meet with the Bureau of Indian Affairs at the Flathead Agency in March to learn more about the operation of the Flathead Indian Irrigation Project.