



Summary of the Confederated Salish & Kootenai Tribes - Montana Compact

August 2025

Introduction

The [Confederated Salish and Kootenai Tribes – Montana Compact](#) (Compact) is a water rights agreement between the State of Montana, the Confederated Salish and Kootenai Tribes (CSKT), and the United States. The Compact resolves CSKT's reserved water right claims and creates a joint state-tribal system for administering water rights on the Flathead Indian Reservation. The CSKT-Montana Compact provides flexibility, local control, and certainty. This document summarizes the Compact, the associated [Unitary Administration and Management Ordinance](#) (Ordinance), and recent Water Court updates.

Protection of Existing Uses of Water:

- **Limits CSKT's rights to make call on junior water users.** CSKT agreed to relinquish their right to *make call* against any non-irrigation water user with a priority date
 - prior to September 17, 2021, on the Flathead Reservation, and in the Bitterroot, Lower Clark Fork, Kootenai, and Flathead basins.
 - prior to April 24, 2015, in the Upper Clark Fork and Blackfoot basins.

CSKT agreed to further limits on its right to make call as described in Article III, Section G, Paragraphs 1-5 of the Compact.

- **The State of Montana through DNRC** continues to administer water rights off the Flathead Reservation. Within the boundaries of the Flathead Reservation, a state-tribal Board administers applications for new water uses and changes to existing uses.
- **Quantifies and conditions CSKT's instream flow rights** on and off the Flathead Reservation in exchange for CSKT's agreement to relinquish all other claims within Montana.
- **Recognizes existing Tribal uses**, including traditional Tribal cultural and religious uses.
- **Provides funding for improving Flathead Indian Irrigation Project** water management

What does it mean to *make call*?

"Call" means the right of the holder of a water right with a senior priority date and an immediate need for a use of water to require a holder of a water right with a junior priority date to refrain from appropriating water otherwise physically available until the senior water right is satisfied.

and reducing impacts on fisheries.

Administration of Water Rights on the Flathead Reservation

- **Establishes the state-tribal Flathead Reservation Water Management Board (FRWMB)** to administer water rights for both state and tribal water users on the Reservation. The FRWMB has five voting members: two members selected by the Governor; two members appointed by the Tribal Council; and the fifth member selected by the other four members. The United States Department of the Interior appoints a sixth, non-voting member.
- **Enacts the Unitary Administration & Management Ordinance** to govern the administration of water uses on the Reservation. The Ordinance provides procedures for permitting new uses of water or changing existing uses and the process for enforcing water rights. The Montana Legislature and the CSKT Tribal Council approved the Ordinance.
- **Describes the powers and duties of FRWMB** and the process to review the FRWMB's decisions. Neither the FRWMB's jurisdiction nor the Ordinance's jurisdictional area extend off the Reservation.
- **Makes no changes to how water right ownership transfers** to the buyer, or is withheld by the seller, in real estate transactions.
- **Open for Business:** In 2022 the FRWMB hired primary staff and began processing water right applications. The FRWMB's Office of the Engineer is located at 400 Main Street SW in Ronan. Contact them at contact@frwmb.org or 406-201-2532.

Registration of existing water uses on the Flathead Reservation:

- **Registration opportunity:** Provided a filing period (September 17, 2021, through March 16, 2022) for registering certain previously unrecorded existing uses of water on the Flathead Reservation that were put to use before the Compact went into effect on September 17, 2021.
- **Transfer to FRWMB:** DNRC accepted – but did not process – water use registrations for certain uses on the Flathead Reservation between August 22, 1996 (when the Montana Supreme Court *Ciotti* decisions paused DNRC water rights administration on the Reservation) and March 16, 2022 (the due date for registrations). DNRC held these registrations until April 28, 2025, when all 2,767 registrations were transferred to the FRWMB for processing. FRWMB will process these filed registrations and issue certificates for water uses in compliance with registration requirements. For more information on registrations, applicants can contact the FRWMB.

Water Court Update

- There are two ongoing Montana Water Court proceedings that involve water rights on the Flathead Reservation. These proceedings are separate and independent from each other.
 - **Water Court Approval of Compact.** The Water Court is reviewing the Compact through its decree process to ensure it is fair and reasonable. For updated information, visit the CSKT-MT Compact page on the [Water Court's website](#).

- **Statewide Water Adjudication.** The Water Court is in the late stages of conducting a comprehensive statewide adjudication of over 240,000 water rights that existed prior to July 1, 1973. The Water Court has issued preliminary decrees in the two hydrologic basins that overlap with the Flathead Reservation. On February 21, 2025, the Water court issued the Preliminary Decree for Basin 76LJ. On May 2, 2025, the Water Court issued the Preliminary Decree for Basin 76L. Objections to the Court’s findings must be filed by water right claimants before November 18, 2025, for Basin 76LJ and October 29, 2025, for Basin 76L. For more information, visit the [Water Court’s website on Public Notices](#) and scroll down to find these basins.

For more information visit the [DNRC CSKT-MT Compact](#) page.

Or call the DNRC Compact Implementation Program at 406-444-5700.