



November 16, 2020

The Hon. Mitch McConnell, Majority Leader  
United States Senate  
Washington, D.C. 20510

The Hon. Charles Schumer, Minority Leader  
United States Senate  
Washington, D.C. 20510

The Hon. Nancy Pelosi, Speaker  
United States House of Representatives  
Washington, D.C. 20515

The Hon. Kevin McCarthy, Minority Leader  
United States House of Representatives  
Washington, D.C. 20515

*Delivered via email:*

- [katelyn\\_bunning@mcconnell.senate.gov](mailto:katelyn_bunning@mcconnell.senate.gov);
- [sharon\\_soderstrom@mcconnell.senate.gov](mailto:sharon_soderstrom@mcconnell.senate.gov);
- [veronica\\_watters@schumer.senate.gov](mailto:veronica_watters@schumer.senate.gov);
- [sarah.swig@mail.house.gov](mailto:sarah.swig@mail.house.gov);
- [dan.meyer@mail.house.gov](mailto:dan.meyer@mail.house.gov)

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi and Minority Leader McCarthy:

On behalf of the members of Montana Conservation Voters (MCV), a not-for-profit advocacy organization based in Montana, we write to ask for your support in quickly approving S. 3019, the *Montana Water Rights Protection Act*, introduced by Senators Steve Daines and Jon Tester.

This bipartisan bill would ratify the water compact negotiated by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States government. The compact is the result of decades of collaborative work, followed by years of transparent deliberation and approval by the Montana Legislature. The Legislature approved the compact with bipartisan support, including from Montana's Democratic Governor and Republican Attorney General.

In addition to settling the Tribes' Reservation-based water rights, S. 3019 would also settle Tribal rights outside the Flathead Reservation, thereby providing certainty to non-Native American water rights holders. By virtue of the 1855 Treaty of Hellgate, the Tribes hold water rights across two-thirds of the State of Montana. Through this compact, the Tribes have agreed to forego their water rights east of the Continental Divide, retaining only protective in-stream flow rights off-Reservation on the west side of the Divide. Consequently, this legislation is crucial not only for the Tribes, but for thousands of non-Native American irrigators and ranchers. S. 3019 would also settle Tribal claims against the United States, its trustee, regarding past federal mismanagement of Tribal water resources.

This legislation would initiate and fund the process of long-overdue repair and renovation of the Flathead Indian Irrigation Project. The Project has had disastrous impacts on fish and wildlife

through the disruption or dewatering of numerous streams on the Flathead Indian Reservation. The bill would help the Tribes, and the State Montana, safeguard fisheries across our state through in-stream flow protections. We view passage of this legislation as essential for necessary ecological improvements that have also long been liabilities for the federal government.

Finally, this legislation would restore the National Bison Range back to federal trust ownership for the Tribes—its original status under the Hellgate Treaty. The Bison Range is located in the center of the Reservation and was initially populated by bison descending from a Reservation-based herd managed by Tribal members. We have long advocated for the right of the Tribes to manage the National Bison Range.

The Tribes, Montana ranchers, and fish and wildlife all have much at stake with this critical legislation. Timely Congressional action is paramount. We urge you to work with Montana's congressional delegation to approve S. 3019, or another vehicle with its provisions, before the 116<sup>th</sup> Congress adjourns.

Respectfully,



Aaron Murphy  
Executive Director  
Montana Conservation Voters

CC: Chairwoman Shelly Fyant & Tribal Council Members, CSKT  
Senator Steve Daines  
Senator Jon Tester  
Representative Greg Gianforte  
Governor Steve Bullock