

IMMEDIATE RESPONSE REQUESTED

MONTANA LANDOWNERS & WATER USERS MAY LOSE ABILITY TO UTILIZE WATER FOR DECADES

SYNOPSIS: Impacted property owners and water right holders in 54 of Montana's 90 water basins are likely to be the subject of litigation before the **Montana Water Court** without implementation of the Confederated Salish & Kootenai Tribes ("CSKT") Water Compact ("The Compact").

WHAT IS THE CSKT COMPACT? The Compact is a negotiated agreement made between the State of Montana, the federal government, and the CSKT, with input from agricultural groups and water users to prevent existing water rights from being challenged in Court. The Compact was passed on a bipartisan basis by the Montana State Legislature and signed by the Governor in 2015, and is now awaiting final approval in the United States Congress. Consequently, under Montana law, the CSKT was required to file their tribal claims in the Montana Water Court.

HOW DOES THIS IMPACT MY PROPERTY? Public records indicate you may have a financial, property or other interest that could be jeopardized without final approval of the Compact.

COULD I LOSE THE ABILITY TO USE WATER ON MY PROPERTY? YES. IF THE COMPACT IS NOT RATIFIED BY CONGRESS, YOU MAY LOSE THE ABILITY TO USE WATER ON YOUR PROPERTY FOR IRRIGATION, AGRICULTURE, COMMERCIAL, RESIDENTIAL, AND OTHER USES FOR DECADES WHILE THE MONTANA WATER COURT ADJUDICATES THE CSKT'S CLAIMS.

CAN I FIGHT THIS IN WATER COURT? Like all state based claims, all tribal claims are presumed valid, predate most if not all other water use claims, and can be enforced against all other water users until adjudication is completed. Without the Compact, any legal action will require existing water right holders to prove their rights predate those of the CSKT, which have a priority date of 1855, or time immemorial.

WHAT CAN I DO TO PROTECT MY PROPERTY INTEREST AND SUPPORT THE COMPACT? Hundreds of impacted property owners have formed *Farmers and Ranchers for Montana* ("FARM") - a coalition representing agriculture, irrigators, business and other stakeholders across Montana dedicated to implementing the Compact. FARM works to elevate these voices with Montana's federal representatives to underscore the importance of the Compact and ensure its timely passage to protect Montana's economy and avoid costly litigation.

ACT NOW. Join FARM and add your voice to the chorus calling on Congress to implement the Compact. Visit www.MontanaWaterCompact.com.