

IN THE WATER COURT OF THE STATE OF MONTANA
THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD
RESERVATION –STATE OF MONTANA-UNITED STATES COMPACT

Montana Water Court

IN THE MATTER OF THE ADJUDICATION)
 OF THE EXISTING AND RESERVED RIGHTS)
 TO THE USE OF WATER, BOTH SURFACE) **CASE NO. WC-0001-C-2021**
 AND UNDERGROUND, OF THE)
 CONFEDERATED SALISH AND KOOTENAI)
 TRIBES OF THE FLATHEAD RESERVATION)
 WITHIN THE STATE OF MONTANA)

**STIPULATION OF WITHDRAWAL OF OBJECTION AND STATEMENT OF NO
CALL BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE
FLATHEAD RESERVATION, STATE OF MONTANA, AND UNITED STATES**

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1. The Parties to this Stipulation are the Confederated Salish and Kootenai Tribes of the Flathead Reservation, the State of Montana, and the United States of America (collectively, the “Compacting Parties”), and [REDACTED] (“Objector”).
 2. The Objector timely filed his Notice of Objection and Request for hearing with the Montana Water Court regarding the Confederated Salish and Kootenai Tribes - State of Montana - United States Compact (“Compact”). See ROA [REDACTED]
 3. The Objector holds two water rights that have a purpose other than irrigation. Those water rights are: [REDACTED] Statement of Claim, and [REDACTED], Statement of Claim, as set forth in the General Abstracts attached hereto.
 4. Objector alleges that the Tribes and the United States will be able to exercise the Tribal Water Right in a way that harms him. Pursuant to Article III.G.1 of the Compact, the Tribes and the United States have agreed not to exercise the Tribal Water Right found in

the Preliminary Decree to make a call against the water rights of Objector described in paragraph three and will not seek to do so.

5. The State concurs that under the Compact the Tribes and the United States are unable to make a call on the water rights described in paragraph three.
6. Based upon the foregoing, the undersigned Objector agrees to withdraw his objection, and further understands that this withdrawal will be filed in the docket for this case and, upon filing, Objector will be dismissed as an Objector in this case, removed from the service list, will not receive further filings from the Court or other parties related to this case, and will not be able to file an appeal regarding the ultimate disposition of this case.
7. The Parties agree that this Stipulation provides the entire agreement of the Parties.
8. Each of the Parties represents and affirms that the person or persons executing this Stipulation on their behalf is legally authorized to bind the party in this matter and is executing this Stipulation voluntarily, in good faith and without any misunderstanding, misrepresentation, overreaching, duress, or undue influence, whatsoever.
9. The Parties agree that this Stipulation may be signed separately by each party.
10. This Stipulation is binding on all heirs, successors and assigns, representatives, and agents of the Parties.

OBJECTOR

DATED: 08/16/2023



COMPACT PARTIES

DATED: 8/22/2023

/s/ David Harder
Attorney for the United States of America

DATED: 8/22/2023

/s/ Daniel J. Decker
Attorney for the Confederated Salish & Kootenai Tribes

DATED: 8/22/2023

/s/ Molly Kelly
Attorney for the State of Montana

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2023, I served a true and correct copy of the foregoing **STIPULATION OF WITHDRAWAL OF OBJECTION AND STATEMENT OF NO CALL BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, STATE OF MONTANA, AND UNITED STATES** by electronic mail to counsel for the Compact Parties and by first-class mail, postage prepaid, upon the Objector:



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/s/ **Jean Saye**

Jean Saye, Legal Secretary