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Senators tester and Daines, Rep. Gianforte, Tribal and State officials join signing ceremony cementing Historic partnership

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WASHINGTON— U.S. Secretary of the Interior Ryan Zinke and Blackfeet Nation Chairman Harry Barnes today signed documents implementing the Blackfeet Water Rights Settlement of 2016 and the accompanying Blackfeet Water Compact, which resolve a decades-long battle by the Blackfeet Tribe of Montana to protect its water rights while also accommodating state and federal water requirements. Secretary Zinke has worked on the issue as a State Senator in the Montana State Legislature, as the U.S. Representative from Montana, and now as Secretary of the Interior.

The parties signed the Blackfeet Tribe-Montana-United States Compact as required by the Blackfeet Water Rights Settlement Act. The Secretary and the Chairman also executed certain Waivers and Releases of Claims, an Execution Statement, and a Process Agreement. After the Compact is executed, the parties will file the Compact with the Montana Water Court, beginning the process for issuing a final decree of the Tribe's water rights as part of Montana's state-wide adjudication. Issuance of the final decree is one of several events that must occur for the Settlement to become final and enforceable.

"The Blackfeet are one of Montana's great warrior Nations, and like true warriors, they fought every step of the way for their people to get this settlement over the finish line. I was proud to stand by them as a State Senator, Congressman and now Secretary of the Interior," **said Secretary Zinke**. "The Blackfeet have given up so much during this long process. Water is more than a drinking source to the Blackfeet, it's their life source and we must respect and honor their culture and rights. I'm grateful for the work of many tireless officials and public servants over the years from the Tribe, State, Congress, and Federal government who have made this day a reality."

"This journey for justice and empowerment for the Blackfeet people with respect to one of our most vital resources has taken well over a century and a half," **said Blackfeet Tribe Chairman Harry Barnes**. "Now, we start on a new path to realizing what our ancestors had always valued: the preservation of our culture, our people, and our opportunities to make real the treaty promise of a homeland for the Blackfeet people and our right to control our destiny."

"It is my pleasure to extend my congratulations to Chairman Barnes and members of the Blackfeet Tribe on this important milestone for their community," **said Governor Steve Bullock of Montana**. "Today's agreement reflects many years of dedication and hard work on behalf of state, federal and tribal partners and our congressional delegation. I'm pleased that together we are able to celebrate and affirm the sovereign rights of the Blackfeet Nation to their water resources."

"The Blackfeet Tribe has been waiting a long time for this day," **said Senator Steve Daines**. "Today's ceremony marks an important step toward the Blackfeet Tribe and surrounding communities having access to reliable water and seeing improvements to water infrastructure projects critical to farmers,

ranchers and the local economy."

"The Blackfeet Water Compact reaffirms water rights, saves taxpayers from costly litigation, and invests in critical water infrastructure in northwest Montana," **Senator Jon Tester said**. "I was proud to have introduced and fought for this bill in Congress and will continue to hold Congress accountable to the Blackfeet Nation to secure the funding needed to carry out this historic agreement. I want to congratulate Chairman Barnes and the Blackfeet people on the culmination of years of hard work."

"Today is a great day for Chairman Barnes and the Blackfeet Tribe, who have waited far too long for this agreement," said **Congressman Greg Gianforte**. "The settlement is the direct result of the hard work and dedication of the Tribe, the Department of Interior, and other key stakeholders. I will continue working with the Tribe and my colleagues to implement the full settlement in a timely manner." The Blackfeet Water Rights Settlement is found at Title III, Subsection G of the Water Infrastructure Improvements for the Nation, or WIIN, Act. That legislation was signed on December 16, 2016. The Settlement:

- Recognizes the Blackfeet Tribe's religious and cultural uses of water.
- Resolves all outstanding Blackfeet water claims, quantifies a tribal water right to more than 750,000 acre-feet of surface water and nearly all groundwater on the Reservation, and funds the construction and rehabilitation of water related infrastructure on the Reservation for the benefit of the tribal community.
- Includes an allocation of 45,000 acre-feet of water from Lake Elwell located behind Tiber Dam, a U.S. Bureau of Reclamation (BOR) facility.
- Confirms tribal instream flow water rights on ceded lands that now are a part of the Lewis and Clark National Forest and Glacier National Park.
- Grants the Tribe the exclusive right to develop hydropower within the St. Mary Unit of the Milk River Project, a BOR project.
- Funds not only water-related construction projects, but fisheries, recreation, and energy programs as well. Such programs are designed to promote economic development and develop long term employment opportunities for Blackfeet tribal members.
- Resolves age-old disputes among the Tribe and its neighbors, as well as with the state and the federal government, and encourages long-term harmony and cooperation among all parties

The Blackfeet Tribe's water rights were reserved by treaty with the United States in 1855. Starting in the 1970s, the Tribe more vigorously worked to defend and define its rights in the face of demands by other users to the water resources covered by the treaty agreement.

On April 20, 2017, Blackfeet Tribe members voted in a referendum to accept the Blackfeet Water Compact and Settlement Act, which had been negotiated between the Tribe and the state and approved by the Montana legislature in 2009.

The tribal members' approval of the compact confirmed the Blackfeet Tribe's waters rights and jurisdiction over its water, and provided more than $470 million - $422 million from the federal government and $49 million from the state – for water-related projects.

Congress included initial funding for the Blackfeet Water Rights Settlement Act at the level of $800,000 in its enacted spending bill for Interior for Fiscal Year 2017.

While serving as a Montana state senator, Secretary Zinke began working to resolve the Tribe's water

rights issue. He continued to do so when he was elected to Congress as the state's single House member and then to his current post.

On March 9, 2018, Secretary Zinke signed the first authorization of funds for the Blackfeet Tribe under its expenditure plan. The authorization transfers the $800,000 to the Blackfeet Settlement Trust Fund set up under the act.

The funds will be used for the following purposes:

- Budget Item 1 - $230,000: Establish Water Compact Implementation Oversight Committee
- Budget Item 2 - $250,000: Hire staff
- Budget Item 3 - $120,000: Hire an engineering consultant
- Budget Item 4 - $200,000: Contract for legal services

The Blackfeet Water Rights Settlement is a crucial and long-awaited step towards achieving the permanent tribal homeland promised to the Blackfeet Tribe in the treaties and agreements ratified by Congress between 1855 and 1896 that serve as the foundation of the relationship between the Tribe and the United States: *Treaty with the Blackfeet*, 1855, Oct. 17, 1855, 11 Stat., 657, Ratified Apr. 15, 1856, Proclaimed Apr. 25, 1856, *Act of April 15, 1874* (18 Stat. 28, chapter 96), *Agreement of 1888*, ratified by the Act approved May 1, 1888 (25 Stat. 113), *Agreement of 1895*, dated September 26, 1895, ratified by the Act approved June 10, 1896 (29 Stat. 321, 353).
