

TRIBE: Confederated Salish and Kootenai Tribes of the Flathead Reservation

UPDATE: July 15, 1987

During the legislative session, Tribal Chairman Michael Pablo and Tribal Attorney Dan Decker attended legislative hearings and testified in favor of the extension of the Commission. In addition, Mr. Pablo and Mr. Decker attended and participated in a Commission meeting held during the session.

Research continues into the many complex legal and historical questions raised by the reserved water right claims of the Confederated Tribes. The management of the federal irrigation project on the reservation is the subject of three additional lawsuits filed in federal court this spring.

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UPDATE: January 15, 1987

Since the previous report, the Commission has not met with representatives of the Confederated Tribes; the Chairman has corresponded with the Tribal Chairman. Chairman Galt acknowledged the support of the Tribes for continuation of the Commission as expressed to the Water Policy Committee of the Legislature this summer by the tribal attorney.

RELEVANT LITIGATION:

Litigation in federal court involving the Tribes, the Bureau of Indian Affairs, and the Joint Board of Control of the Flathead Irrigation Districts has raised issues concerning the nature of water rights held by non-tribal water users on the reservation, and the relationship between those claims and the claims of the Tribes for instream flows for fisheries.

RESEARCH:

~~Substantial research has been undertaken to identify the water rights claims being made on the reservation and the legal theories on which those claims are based.~~