



Date: March __, 2025
Subject: Custody of "180-day" Water Right Registrations on the Flathead Reservation

This document describes DNRC's limited role accepting and completing initial data entry for certain water right registration applications, prior to transmitting the applications to the Flathead Reservation Water Management Board for processing.

Background

When the Confederated Salish and Kootenai Tribes-Montana (CSKT-MT) Water Compact went into effect on September 17, 2021, certain water users on the Flathead Reservation were allowed to register their existing uses during a 180-day filing period from September 17, 2021, to March 21, 2022 (pursuant to Sections 2-1-106, 107(1), CSKT Compact Unitary Administration and Management Ordinance (§ 85-2-1902, MCA)). DNRC refers to registrations filed during this period as "180-day Registrations." Section 2-1-106(2) of the Ordinance allows for the registration of suspended existing uses that were developed on or after July 1, 1973, at a volume and flow rate that would qualify as an exception to the permit requirements of § 85-2-306, MCA, and for which a Notice of Completion of Groundwater Development (DNRC Form 602) or an Application for Provisional Permit for Completed Stock Water pit or Reservoir (DNRC Form 605) was filed with the DNRC but not processed by the DNRC. The Compact also allows for the registration of exempt rights, as defined in § 85-2-222, MCA, for water put to use prior to July 1, 1973, and for which statements of claim were **not** filed in the Montana General Stream Adjudication on or before June 30, 2019 (DNRC Form 222F).

The CSKT-MT Compact designated a joint state-tribal governing entity called the Flathead Reservation Water Management Board (FRWMB) to administer water uses on the Flathead Reservation, pursuant to the Unitary Administration and Management Ordinance, § 85-20-1902, MCA. When the filing period began on September 17, 2021, the FRWMB was not yet operational. DNRC accepted the 180-day registrations on behalf of the FRWMB in accordance with the Memorandum of Agreement between the State of Montana and the Confederated Salish and Kootenai Tribes *Regarding Procedures for Receiving Registration Applications for Certain State-Based Uses on the Flathead Indian Reservation Upon Effective Date of Water Rights Compact*. DNRC completed initial data entry on these registrations and designated them in "Pending" status in the Water Rights Information System. DNRC received 1,394 180-day



Registrations on behalf of FRWMB and held them until FRWMB completed setting up its initial operations.

Next Steps

DNRC will transfer 180-day Registrations to the FRWMB in March 2025. FRWMB is responsible for determining whether each application is correct and complete and authorizing water rights, as applicable.

The FRWMB will contact registration owners if they need additional information and will notify owners when they complete processing. If you have immediate questions, please contact FRWMB by emailing contact@frwmb.gov, calling (406) 201- 2532, or visiting the office at 400 Main St. SW, Ronan, MT 59864.

