

letters VALLEY JOURNAL Oct 31, 2012

Water draft threatens 'existing uses'

Editor,

The much-discussed CSKT-FJBC water use agreement draft violates an important principle that has guided this water compact negotiation: existing uses must be protected. If adopted, the draft agreement would put many farm and ranch families — tribal and nontribal — out of business, because irrigation water delivered in the future would be significantly below what they had expected and relied on in the past.

Under the draft agreement, individual farms and ranchers would be limited to a maximum farm turnout allowance of 1.4 acre-feet per acre (af/ac). But that is a theoretical maximum. The operational turnout allowances are lower and will vary depending on location and hydrologic conditions. For example,

the maximum operational turnout allowances in the Mission Valley would range between 1.03 to 1.14 af/ac.

The Flathead Indian Irrigation Project plan of operation that was adopted when the cooperative management entity was established in 2010 to manage this irrigation project states that individual FIIP water users have historically been eligible to receive "delivery of irrigation water up to 1.5 acre-feet per acre of assessable land without further charge." In addition, and depending on a water user's land classification, "federal regulations allow FIIP water users up to 4 acre-feet/acre except in the Moiese district, which allows up to 6 acre-feet/acre."

Given the large investments that many irrigators have made in modern irrigation technologies, I doubt that any farm requires up to 4, let alone 6, acre-feet per acre. But reducing all farm turnouts to a range of 1.03

to 1.14 af/ac goes to the other extreme. For example, given soil conditions and very low rainfall in many areas of the Mission Valley, it would be impossible for a large number of relatively small family farms to continue to grow hay, corn, wheat, potatoes, fruits and a wide range of vegetables. Many of these farms are located in Moiese Valley, where I raise hay, but many are located outside of Moiese.

It is up to the official negotiators under this compact negotiation to make sure that a FIIP water use agreement does not make a mockery of the principle of protecting existing uses.

**Dick Erb
Moiese**

8000000-10000000

Montana State Legislature

2013 Session

Exhibit: 42

**This exhibit is several 3-dimensional items;
DVD'S**

[4] -Dated 2/13/13 Proposed MT-CSKT Compact

**[4] Titled US & MT Water Laws CERT Lake ,Sanders
Missoula County**

[2] Titled US & MT Water Laws CERTS

The original exhibit is on file at the

Montana Historical Society and may

be viewed there.

**Montana Historical Society
Archives, 225 N. Roberts, Helena,
MT 59620-1201
Phone (406) 444-2681**

Scanning by: Susie Hamilton