

Mr. Chairman and committee Members, My name is Tim Orr, ORR, I farm in St. Ignace Mt we raise Cattle, oats, barley, some wheat, some weeds, My family has been farming and irrigating here since 1873, My wife and I bought our farm from my Dad in 1975, we've went through many irrigation seasons, not thankfully yet with the restrictions of the CSKT compact in place. I have no doubt it will severely limit our ability to raise crops and cattle within the Flathead Irrigation Project. With these compact restrictions there will no doubt be disputes far into the future about the amount of water we'll receive, it will give less than necessary amounts of water historically used to raise crops and cattle. "SHOW DUTY STATUS MAP". There has not been one State official show up at a Flathead joint Board of Control meeting to talk water or policy. The Irrigators put the Joint Board back together three months ago. The Tribe and Governor seem to think they can communicate, but without the irrigators, nothing will be solved. We have come here for a year with volumes of law, filed in our Lake, Missoula, Flathead, and Sanders county court houses, since 1904. We have tried for over two years to get into the Flathead Project vault to get historic flow and diversion recording data that has been recorded since 1904, even with freedom of information requests the project manager still refuses access. Just so you know, the Flathead Project has recorded flows and diversions every day, during the season since 1904. We promise you, we will keep digging and bringing law and historic documents, to these great halls of justice, with some hope we will receive some.

We are here today to talk about the UMO. (Unitary Management Ordinance). No matter how you look at it it's a political board. This takes my friends and neighbors out of the Montana court system. This is totally unacceptable. We have a God given Constitutional Right to State and Federal courts, with jury's of our peers. Judges who can be voted on. With the Governor appointing and the Tribal council appointing this board, Ask yourself what type of individual will be chosen, it will be someone with their political views, and they most likely won't know anything about, farming, ranching or irrigating. There's also a good chance to be prejudice against agriculture. Some how these days, fish, and worse than that, fish that can't be harvested like Bull Trout have precedence over the real staples of life, grain, meat, fruit, and vegetables. Our Grand parents can tell you the importance of irrigating and food.

I want to share with you my concern with this political board, perhaps a prejudice board. I gave you a handout of my testimony, on the second page you will see some Council minutes, bring your attention to (3) highlighted and read that statement, "READ". On the previous paragraph a lessee was delinquent, and they are going to work with him, but, a lessee who associates with his neighbors and thinks for himself and works to defend his property rights is outcast and deprived of the land he's made his living from the last 20 years, these individuals have paid leases on time, and took good care of the land, what more could a land owner ask?, The CSKT Council has made it clear here they are going to make policy with prejudice. This UMO board will not work for this reason alone. No other compact has a UMO. We won't be the first.

I will not as a Mission District Commissioner on the Flathead Joint Board of Control subject my Irrigators to this type of prejudice. We, 28,000 proud Western Montanans' have a Constitutional Right to a fair Water Court or any other State or Federal court. Yes, I am the Tribal Member on paragraph 3, no my lease has not been

renewed, I came to you last year saying I irrigated 305 ac, I did not get 75 ac lease renewed last year so I only Irrigate 230 ac this year, look like it will be less next year.

I ask you who are writing this new law that will affect my grand children who are the 6<sup>th</sup> generation to raise cattle in St. Ignatius Montana. What kind of future will this law you are so eager to pass bring them. Is it full of hundreds of years of pervious law and historical protections for delivery of the water that truly feeds the world? Can they 20 years from now feed this hungry world, like their Dad, Grandpa, Great and Great Great Grandpa's has done.

I'm Old and Grey enough to give you some advice, a wise man from Kalispell, stood in these Great halls of justice a year and a half ago and asked for 2 years, time to make this right, you are not even close, things like this UMO will not be accepted, put yourself in our shoes, this CSKT compact will be contested because it goes against 110 years of law and history. Irrigators and the tax payers in our community's deserve a fair deal. What the problem with taking 1 or 2 or 5 years if necessary to make this agreeable, don't try to force it down our throats. All we have heard is legal threats from the Tribe, and the compact commission, the ball is truly in their court, their demands are truly unacceptable.

May God give you wisdom, thank You for you Time and I hope you take it.

~~by [redacted] and Doug Dupuis, Tribal Lands Department, presented the spring bid.~~

(1) The Tribal Lands staff requested conditional approval of the bid award for the 44 lessees that are currently out of compliance. Lessees would have to come into compliance by the end of summer to receive the bid award. Otherwise, the lease would be awarded to the next highest bidder or readvertised.

**MOTION** by Terry Pitts to go along with the recommendation of the department and award the bids on the condition that the lessees enter into a compliance plan with the TLD to come into compliance. Seconded by Leonard Gray. Carried, unanimous (9 present).

(2) There are many lessees who are in good standing and submitted qualified bids, will meet the high bid as the previous lessee, or submitted the highest or best bid. Lands requested approval to award leases to these individuals. ~~Wade~~ discussed his lease. ~~Wade~~ did not know that lessees had to bid within 90 percent of the previous bid. ~~Wade~~ installed new fence on his lease and did weed control. ~~Wade~~ thinks he should be awarded the bid since he came within ten percent of the nonmember's bid. Clayton Matt informed council that he met with ~~Wade~~ to discuss a plan for his delinquency. Doug would like the opportunity to have the Lands staff meet with Wade on this matter; he does have options that can be pursued. Council requested that TLD work out proposed options for Mr. Hendrickson and present back.

(3) There are two bidders that are members of the Water Users Association. Prior council action required a member of the Water Users Association to publish an advertisement in the newspaper announcing that they are no longer a member of the association and go to the courthouse and obtain an affidavit verifying the disassociation before the individual could be awarded a bid. Council would like to follow those same procedures. TLD will find out if one of the individuals filed the affidavit.

(4) There are six tracts where the Tribes own more than 50% of the allotment. There were high bids from nonmembers and bids from tribal members much below that. Those tribal members were contacted to see if they would meet the high bid so the nonmember bids could be rejected and a bid could be negotiated with the members. The first one is Lease 4023. The tribal member was not willing to meet the high bid. There are three tribal members willing to meet the high bid. The council action requested is to reject all bids on Leases 4766, 4767 and 4779 and negotiate with the tribal member bidders.

**MOTION** by Leonard Gray to reject all bids on Leases 4766, 4767 and 4779 and negotiate with the tribal member bidders. Seconded by Terry Pitts. Carried, unanimous (9 present).

(5) Lease 4023. The policy requires fair market value for allotments. The Tribes are obligated to accept the high bid on allotments. The lease will be awarded to a nonmember since the tribal member was not willing to meet the high bid.

(6) Tribal Council approval is needed to accept the bids from the bidders in good standing and who met the 90% rule and are the highest or best bid.

**MOTION** by Leonard Gray to accept the bids from the bidders in good standing and who met the 90% rule and are the highest or best bid. Seconded by Bing Matt. Carried, unanimous (9 present).

Doug Dupuis and Clayton Matt, Tribal Lands Department, requested approval of a memorandum of understanding with Salish Kootenai College to assist with range inventories in fiscal year 2014, for an amount not to exceed \$9,000. The tribal council has approved such MOUs for the past five years.

**MOTION** by Leonard Gray to approve a memorandum of understanding with Salish Kootenai College to assist with range inventories in fiscal year 2014, for an amount not to exceed \$9,000. Seconded by Carole Lankford. Carried, unanimous (9 present).

Clayton Matt and Carolee Wenderoth, Tribal Lands Department, discussed the proposed contractor agreement for Reuben Mathias to monitor and mow the Sunny Shores property

for 30 days. The contractor agreement requires the contractor to have liability insurance for 30 days. The contractor agreement requires Reuben has requested a waiver of the insurance. Terry Pitts advised that there are tribal do this type of work and have liability insurance is to exclude all maintenance duties from the contract or workers comp. His only duty then someone else to do the maintenance work. Clay through a temporary employment agreement at maintenance work.

Jim Durglo, Ron Swaney and C.T. Camel, Tribal Lands Department, discussed the proposed work during the summer for the period June 16 students were interested. Council directed that recruit within SKC for tribal member students.

Jim Durglo, Ron Swaney and C.T. Camel, Tribal Lands Department, discussed the proposed amount of \$3,000 for an individual in the amount of \$3,000 for received tribal council approval to purchase a pop machine. They will stock it and use the proceeds to support the balance left after purchasing the vending machines with pop and snacks. It was request.

Jim Durglo, Ron Swaney and C.T. Camel, Tribal Lands Department, discussed the proposed purchase of an ATV 4 wheeler, which is capital equipment. Tribal Council approved the purchase.

**MOTION** by Carole Lankford to authorize the purchase of an ATV 4 wheeler. Seconded by Vernon Finley. Carried, unanimous.

Carrie Irvine and Bud Gillin, Salish Kootenai Tribal Council, discussed the proposed water and sewer rate increase. There has been a \$10 increase each for both water and wastewater. The proposal is for a \$10 increase each for both water and wastewater. Use month. There are currently 1,095 hook-ups. SKH have a reserve fund to pay the cost to repair or replace the water and sewer lines. Tribal members having a hard time paying their bills. One year period (increase amount by one third per year will bring back other options).

Carrie Irvine and Bud Gillin, Salish Kootenai Tribal Council, discussed the proposed expansion of the area to be sprinkled. They asked the existing sprinkler system. If so, then they will commit. It would take pressure off the current system. Council showed interest in the request.

\*\*\*\*\* Lunch

Arlene Templer and James Steele Sr., Department of Public Safety, discussed the rate of pay for the security officer position. Arlene offered him a rate of \$1.14 per hour. At that time he declined, but now are sufficient funds in the budget for the pay increase. Tribal council action is required.

**MOTION** by Leonard TwoTeeth to approve the rate of pay for the security officer position. Seconded by Terry Pitts. Carried, 8 for, 1 against.

Arlene Templer and Corky Sias, Department of Public Safety, discussed the proposed lease of a bus for the CDL training. Last year they leased the TERS bus but it broke down.