



# CHANGING HORSES IN THE MIDDLE OF THE STREAM!

## FACT SHEET ON SB72

- In the middle of the most important & impactful Water Court proceedings in Montana's history for the Flathead Compact, the state of Montana continues to change the water rules by changing horses in the middle of the stream!

- Before the ink is even dry on the latest Water Court order which is at the beginning of its proceedings, Senate Bill 72 (SB72), if passed by the House, would create new 'sub-courts' under the Water Court for western Montana. This would revise the rules for the administration of water rights in western Montana.

- The governor, who voted for the Compact as a Congressman, and is busy implementing it before Water Court approval or disapproval, would politically appoint the judges.

- These sub-courts could adjudicate the water rights of water users off the reservation before the Flathead Compact proceedings are even done! But should this happen if everyone's water rights in western Montana are affected by the Flathead Compact?

- SB72 does not apply to the Flathead Reservation. The water rights of Montana citizens who live within the exterior boundaries of the reservation are left up to resolution by the Flathead Water Management Board before the Water Court has finished its proceedings. The Water Court proceedings could potentially include a ruling on the validity of the Flathead Water Management Board itself.

- Because of its appearance as a 'sub-court' of the Water Court, SB72 removes the Montana District Courts – and juries – as an avenue for remedies to water rights injuries for all citizens in western Montana.

- SB72 implements Section 13 (k) of the Daines-Tester Montana Water Rights Protection Act by creating a "court of competent jurisdiction" before the existing Water Court Flathead Compact proceedings are completed.

- SB72 got to the House through the Senate as a governor-favored "horse trade". But this bill involves the lives and livelihood of Montana citizens who get hurt by political horse-trades that become "law".

- Time for a FULL STOP on SB72. Stop politicizing the water rights of Montana Citizens!

- Let the Water Court proceedings finish without changing the rules in midstream!

**DEMAND THE DEFEAT OF SB 72!**

**CALL YOUR REPRESENTATIVE**

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