

Jason:

Here is the background on the MLWA and Jay F. Stein for your information and the committee's notebooks. I have both linked and attached Mr. Stein's article on the administration of tribal reserved water rights under the McCarran amendment. Up to you and Chairman Vincent whether you include the paper or just the link. Thanks, Kate

**MONTANA LAND AND WATER ALLIANCE, INC.**, a Montana non-profit corporation, was formed out of Concerned Citizens of Western Montana and is dedicated to preserving and protecting all rights and benefits associated with ownership of property in the state of Montana. Our efforts include legally defending the constitutional rights of property owners; developing and advocating for appropriate legislation to strengthen property rights and opposing legislation that is destructive of or impedes those rights; investigating, publishing and disseminating research specific to water, land and other property rights issues, and providing public information, education and networking with similar efforts across the state. The Montana Land and Water Alliance has engaged attorney Jay F. Stein to advise us on the proposed CSKT Compact. The MLWA Board Chair is Catherine Vandemoer, Ph.D.

**JAY F. STEIN** is a founding member of Stein & Brockmann, P.A. (formerly Simms & Stein, P.A.), and has 35 years experience in water rights law. Mr. Stein is a New Mexico Board Certified Specialist in Water Law and his practice is limited to water law. He works in administrative, district court, and appellate proceedings in state and federal court, primarily in New Mexico, and has worked with other clients in Kansas, Wyoming, Nebraska, Texas, California, and the Republic of Mexico. Mr. Stein served as counsel to the New Mexico State Engineer and Interstate Stream Commission for nine years. Past experience includes trial work in the litigation of *Kansas v. Colorado*, Original No. 105, (first phase) for the State of Kansas. *Kansas v. Colorado* was a suit for construction and enforcement of the Arkansas River Compact, 63 Stat. 145 (1949), brought by the State of Kansas for under deliveries to Kansas caused by diversions upstream in Colorado. In Wyoming, he represented the Midvale Irrigation District in the Big Horn Adjudication on Federal/ tribal/state water issues. He also served as water counsel to Baja California in *CDEM v. United States*, D. Nev. CV-S-05-0870-KJD-PAL, a suit to enforce the Republic of Mexico's water rights in the United States District Court for the District of Nevada.

**McCarran and Administration of Indian Water Rights**

<http://opensiuc.lib.siu.edu/cgi/viewcontent.cgi?article=1284&context=jcwre>

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