



**BIA Comments on International St. Mary – Milk Rivers Administrative Measures Task Force, Report to the International Joint Commission, April 2006.**

Page 21, History of Administrative Procedures, 5th paragraph: The BIA agrees that data on irrigated acreage are outdated and supports updating this information.

Page 30, Suggestions, 1 & 2: The BIA supports the above suggestions as they may lead to a more accurate estimate of natural flow on the Milk River.

Page 32, Suggestions, 4 & 5: Keeping the irrigated acreage up-to-date is strongly supported, as is a GIS base map with that information. BIA also supports making such information, including the GIS data, accessible to the public. In addition to updating irrigated acres and types of irrigation systems, an additional category should be added to include factors that affect actual water use (i.e. partial service, full service, water supplied by groundwater, crops grown, etc.)

Page 33, General Comments, first bullet: The calculation of natural flows and apportionments should be a transparent process with all procedures and data available for public use and view. BIA suggests that the IJC offer such information on their website. Also, any published data should be available in dual units.

Page 40, Instream Flow Requirements, third paragraph, 1, 2, & 3: It is not clear here whether the “average annual flow” and “average monthly flow” refer to natural flow or gaged flow.

BIA agrees that determining appropriate instream flows is important and supports future efforts to quantify a requirement, as long as the tribes’ natural flow water right and irrigation water use are not impacted.

Page 93, Appendix I, Note: The differences between the two models should be outlined explicitly. From the information presented on pages 93 to 105, the differences between the models are not clear.

For example, Alberta states that it includes Canadian Verdigris diversions in its computation of Milk River natural flow, while Montana does not. However, the computed flows shown in the tables on pages 96 and 103 are the same. What is the explanation for why the two models compute the same natural flows when the methods appear to be different? Moreover, the values in Table 2, pages 99 and 105, which are common to both tables, do not appear to differ.

BIA also suggests that the formatting of this section be updated so that the table numbering is consecutive. As it stands now, having two tables called “Table 2” is confusing.

Page 93, 3<sup>rd</sup> paragraph beginning with “The current IJC Mile River accounting...”: BIA supports efforts to produce more accurate natural flow estimates and requests that future changes to the calculations be made available for public review and comment prior to implementation.

Page 94, 2<sup>nd</sup> full paragraph beginning with “Because the Milk River...”: A more quantitative description of how the two Milk River flows differ should be included here, as well as a justification for why the unpublished values were used instead of the published values.