



Steve Kelly, who ranches between Carter and Fort Benton, says the Teton River near his place tends to dry up in about the third week of July. He and other downstream farmers and ranchers are objecting to the amount of water being used by upstream irrigators in the state's water rights adjudication process. "We just feel there will be so many streams in Montana that will eventually be in the same situation as the Teton is in," Kelly said. (PHOTO BY RION SANDERS)

Water war: Teton River hot spot in statewide fight over rights

BY KARL PUCKETT • TRIBUNE STAFF WRITER • AUGUST 9, 2009

The lower Teton River is drying up almost yearly and drought isn't the cause, insists rancher Steve Kelly, who is frustrated by the shortages of water for his hayfields, livestock and home.

"The alternative was to dig wells," said Kelly, who ranches between Carter and Fort Benton. "Then the wells went dry."

Upstream and downstream users in the Teton River basin, which spans almost 200 miles through the heart of agricultural country, are feuding over scarce water supplies.

Kelly and others from Carter to Loma are blaming irrigators 100 miles to their west near the Rocky Mountains for using so much water that flows aren't strong enough to make it to the plains where they live.

But that charge is denied by Choteau-area ranchers such as Ross Salmond, president of Eldorado Cooperative Canal Co., who get first crack at the river and use its water to make hay and other crops flourish based on a 100-year-old court decision.

"We just want to maintain what we've got," Salmond said.

Similar disputes over water are occurring across the state as part of a massive, decades-long effort by the state to examine the accuracy of every historic water rights claim in Montana. Statewide, there are 219,000 pre-1973 claims in 85 river basins.

But the users in the Teton are in a particularly fierce battle, water experts say.

The river has 2,500 claims to its waters, and farmers, ranchers and residents have filed 500 objections to how others are using the river system.

Many of the disagreements pit upstream and downstream users against one another with livelihoods and the overall health of the Teton in the balance.

"How those water rights ultimately are determined is going to have significant ramifications on how that resource gets used," said John Bloomquist, an attorney who represents five upstream clients in the Teton, including Eldorado and Teton Cooperative Canal Co.

Agricultural interests may have the most riding on the outcome.

In 2006, the industry statewide produced crops worth \$1.1 billion and livestock and related products totaling \$1.3 billion, according to a 2009 state Department of Natural Resources and Conservation study.