



ENERGY KEEPERS, INC.

A CORPORATION OF THE CONFEDERATED SALISH & KOOTENAI TRIBES

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Mail Code: DHAC, PJ-12
888 First Street, N.E.
Washington, D.C. 20426

August 25, 2023

Re: FERC Project No. 5 – Seli's Ksanka Qlispe' Project FY 2023 Water Year Operations
Summary for Docket P-5-104

Dear Secretary Bose:

SxwŃq?els l Suwečm / Ksukłłmumał 'A-kałmukwa'its, Incorporated, (d/b/a Energy Keepers, Incorporated), is a federally chartered corporation created and wholly owned by the Confederated Salish & Kootenai Tribes ("CSKT") of the Flathead Reservation, pursuant to Section 17 of the Indian Reorganization Act of 1934. Energy Keepers, Inc. ("EKI").

CSKT and EKI are the co-licensees of FERC Project No. 5, the Seli's Ksanka Qlispe' Project (SKQ) located on Tribal Land 6 miles below the natural outlet of Flathead Lake (Lake) on the Lower Flathead River. CSKT, with their wholly owned Section 17 Corporation, EKI, are the only federally recognized Indian tribe that solely owns a FERC licensed project. SKQ as originally constructed controls the top ten feet of the Lake within its natural geologic confines, storing 1,219,000 acre feet of water for the purposes of hydroelectric generation. The License provides the Licensee the authority to manage the storage within that ten (10) foot range of high and low shoreline elevations for energy production within the conditions of the License for minimum instream flows in the Lower Flathead River, regional and local flood control, and coordinated operation with the operators of the Federal Columbia River Hydroelectric system.

This letter is a summary for the record of EKI's operation of SKQ for the water year 2023.

Unprecedented Water Conditions in 2023

For water year 2023 water supply forecasted for SKQ by NOAA's River Forecast Center were below average for every month except May (Figure 3). The volumes realized for June at 40%

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and July at 29% of average are a new record low. Once August's water supply is realized we will have a new three month record low water supply for the SKQ Project.

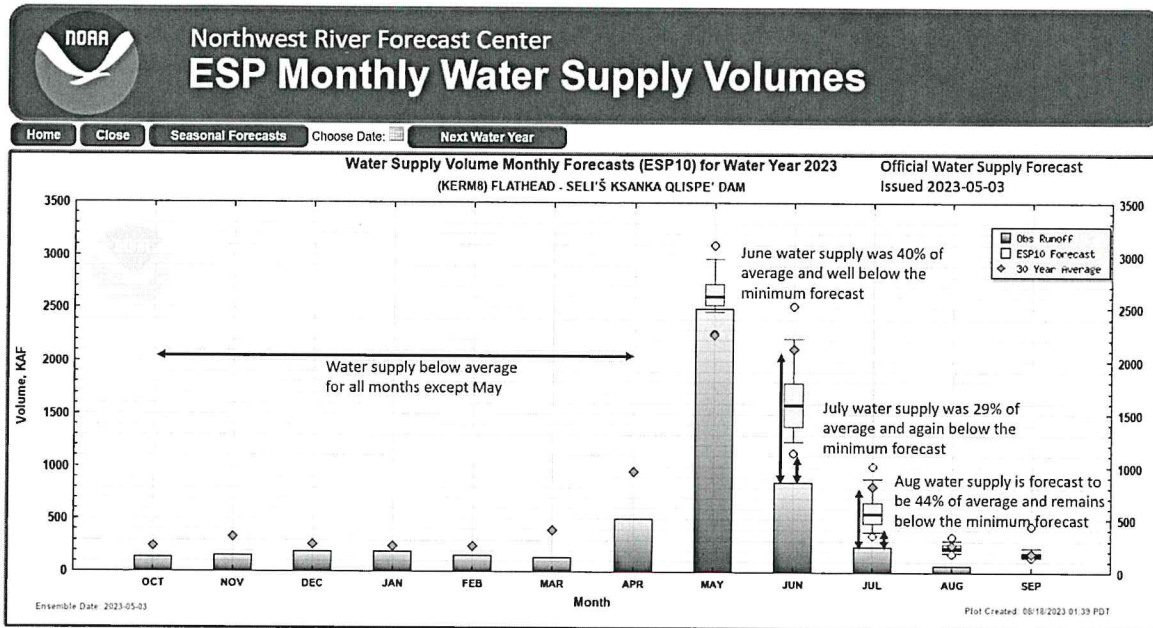


Figure 1: NOAA's Northwest River Forecast Center Water Supply Forecast for SKQ. The blue bars show the actual observed runoff with the green dots showing the 30-year average (1991 – 2020) and the yellow whisker plots showing the minimum and maximum range of the forecast.

The above average water supply for the month of May was a result of record setting runoff of low snowpack conditions. On May 1, 2023, snowpack was 83% of median in areas that impact the inflow into the Lake. This combined with unseasonably high temperatures in the early weeks of the month depleted snowpack in the northern reaches of the Flathead Basin at a record rate (Figure 1). The Badger Pass SNOTEL (sight) managed by the US Department of Agriculture is one of many SNOTEL (sights) across the Upper Flathead Basin that provides the necessary snow water data for water managers in the basin.

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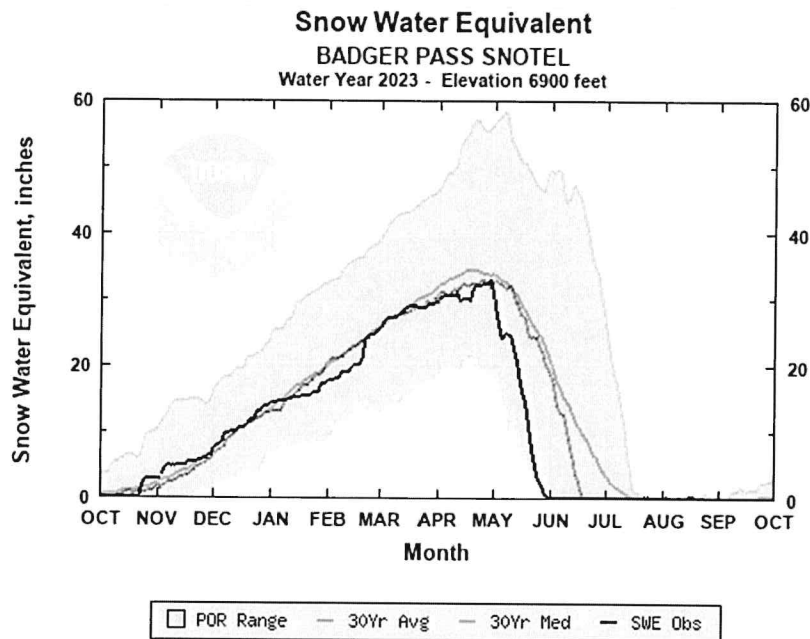


Figure 2: Snow water equivalent (amount of water held in snowpack) for the Badger Pass SNOTEL site in 2023 (black line) relative to the 30-year average and median (green lines). While typically snowmelt persists through June and into July, snowmelt was effectively zero by the start of June.

This unprecedented fast runoff of the low snowpack presented challenges for EKI to achieve the License authorized storage in the Lake for use by the Licensee. EKI coordinated hydrologic modeling for the Flathead Basin frequently with the US Army Corps of Engineers (ACOE) to secure flood risk management deviations allowing for the maximum License allowed retention of the expedited May runoff. With these ACOE deviations secured, EKI ramped SKQ down to License Article 56 minimum flow requirements per the ramping rates in License Articles 57 and 58. This achieved refill early, June 12, 2023 (Figure 3). As illustrated in Figure 3, EKI successfully captured the maximum possible early May runoff without exceeding the License authorized top elevation level of the Lake, 2893. However, by June 1, the snowpack was 15% of median with many of the snow measurement sites that contribute to summer inflows at zero. With this low water supply situation the inflows into Flathead Lake decreased below the FERC license minimum outflow requirements by mid-June. This imbalance of volume between inflow and required minimum outflow was made up with 22.5% of the authorized storage, resulting in a decrease of 30" in the elevation of the Lake at the time of this summary.

EKI's early coordination efforts with the ACOE eliminated any need to implement License Article 60's Drought Management Plan. The status of which is not yet final¹.

¹ In accordance with Article 60 of the License the former owner of SKQ, PPL Montana filed a Drought Management Plan with the Secretary of Interior in 2002. To facilitate the Secretary's authority to accept, modify, or reject this Drought Management Plan the Bureau of Indian Affairs drafted a Final Environmental Impact Statement (FEIS). A final Record of Decision has not been issued for this FEIS. EKI intends to re-engage with the Secretary of Interior on this issue later this calendar year.

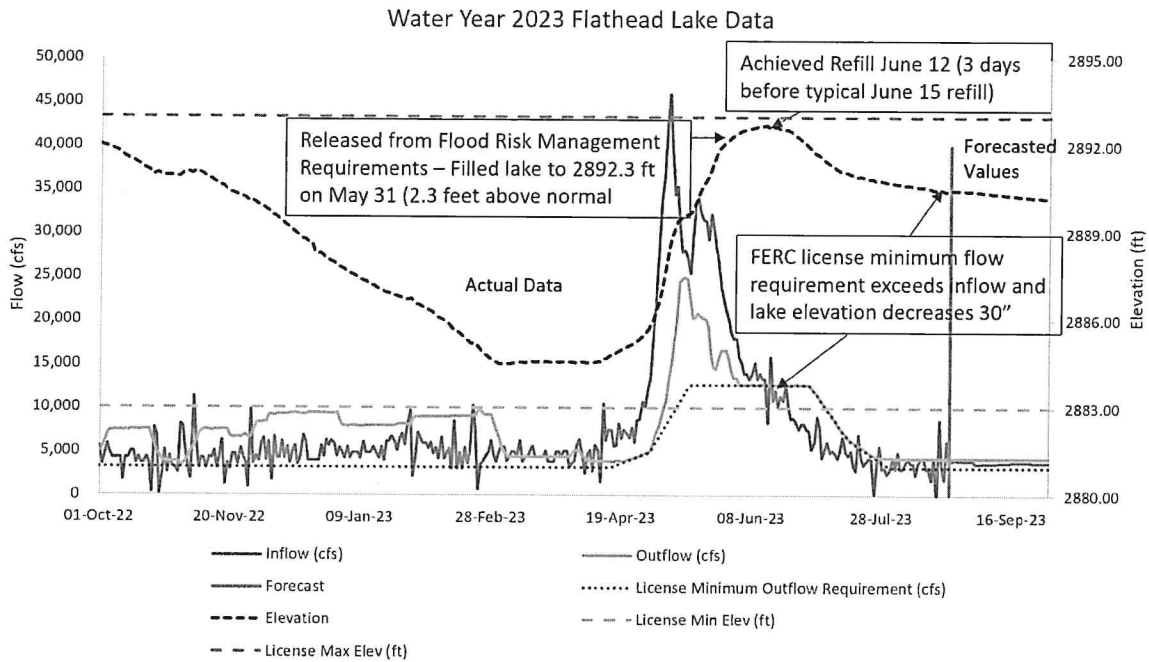


Figure 3: Shows the inflow² and outflow of Flathead Lake with the dashed red line showing the FERC license minimum outflow requirements. The dashed black line shows the lake elevation with the dashed gray lines showing the FERC license minimum and maximum elevation range.

Impacts of Lower-Than-Average Lake Level

Hydropower generation at the SKQ project is driven by water supply to the project (Figure 1), the low water supply conditions for Water Year (WY) 2023 have resulted in lower-than-average hydropower generation output at SKQ (Figure 4). If forecasts are realized for the remaining six weeks of WY 2023, EKI will end the year at 880,470 MWh, a new record low. The average output for SKQ is 1,033,830 MWh per WY. Figure 5 shows the monthly generation at SKQ project for WY 2023 along with the monthly average generation from WY 2016 – 2022.

² Because there are not gages on all the contributing inflows into Flathead Lake, the methodology for calculating the inflows to the reservoir are to use the USGS elevation data for site 12371550 and content tables to calculate the change in storage and then use the known outflow from USGS site 12372000 to calculate the inflow (storage change + outflow = inflow). Ice, wind, or other issues can cause bounces in the elevation readings that result in spiky data.



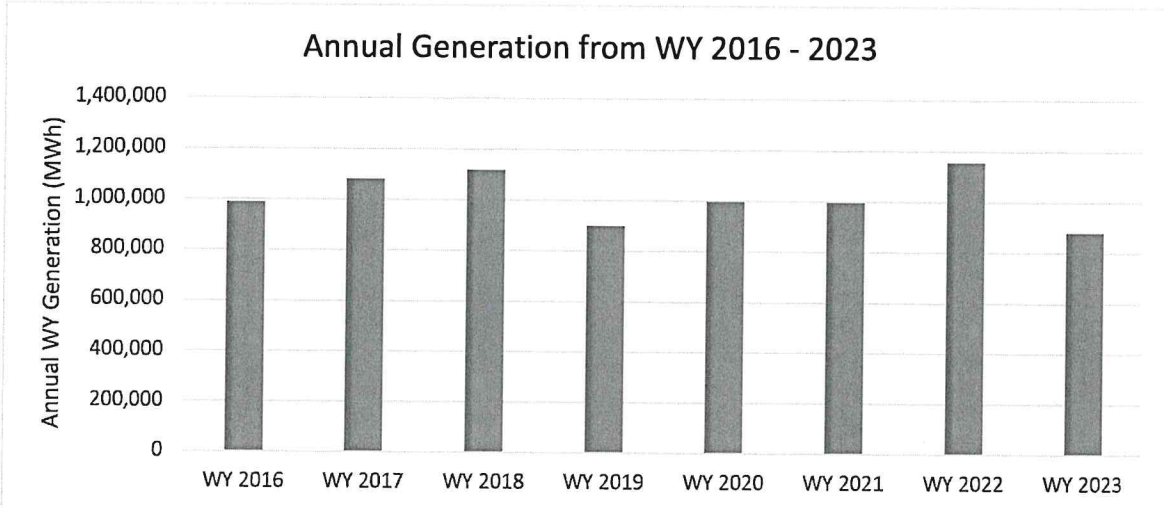


Figure 4: Annual generation data compiled from when EKI acquired the project WY 2016 – 2023. Values from August 24, 2023 to September 30, 2023 are based on estimated generation modeled using NOAA’s River Forecast Center 8/24/2023 forecast.

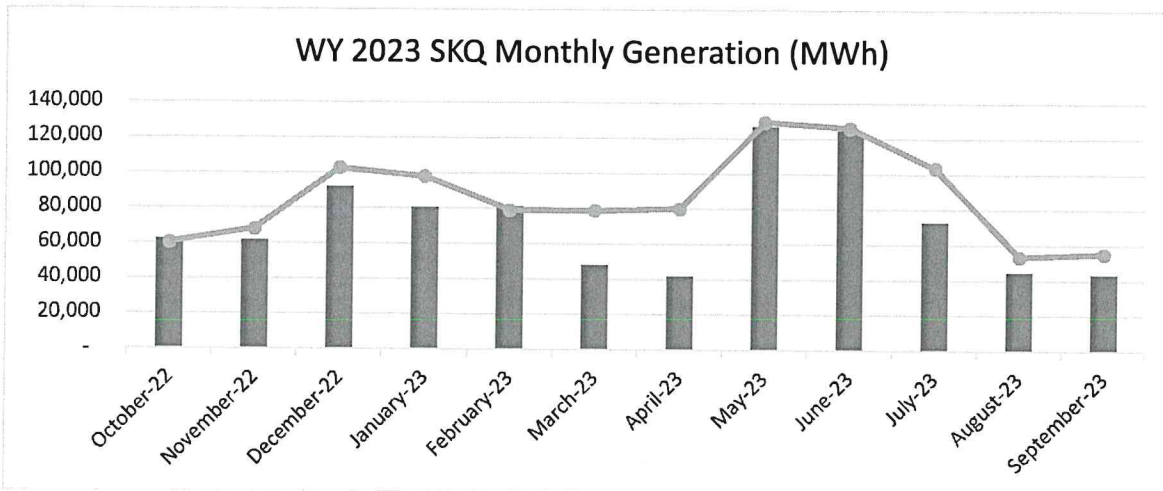


Figure 5: Monthly generation for WY 2023 with the orange line showing the average monthly generation from when EKI acquired the project WY 2016 – 2022. Values from Aug 24, 2023 to September 30, 2023 are based on estimated generation modeled using NOAA’s River Forecast Center 8/24/2023 forecast.

This low generation has resulted in a reduction of net income for EKI in excess of \$18,000,000. With net income flowing directly back to CSKT as the sole shareholder from EKI this will result in a substantial reduction in available revenue provided for this year.

Beyond the impact from lost generation, CSKT’s 4 marina businesses that depend on the Lake level were forced to close early, estimates of this loss of business are not yet available.

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Beyond boat storage impacts at CSKT owned marinas and some other marinas owned by private parties or boat storage impacts at some private docks, access to the Lake has not been impacted. All but one of the many public boat launching facilities remain open.

Public Information Summary of WY 2023 Lake Level (see Appendix 1 for those listed without links)

EKI sent information out to the public starting May 30, 2023 to warn about potential impacts to the recreation season as the hydrologic conditions changed. EKI frequently updated the Energy Keepers Facebook page throughout the season as forecasts changed:

- May 30 post started warning about concerns around low snow pack and the lake level sagging during the recreational season.
- June 6 post described that with the decreasing forecasts the lake elevation estimates would impact summer recreation and boats getting off lifts will likely be affected.
- June 30 post updated the forecast estimating a 22-inch drop in elevation.
- July 10 post informed the public of an estimated 24-inch drop in elevation by July 15, 2023.
- July 21 post estimated a 30-inch draft by the end of August.
- August 11 post estimated the project would be 2.7 ft below full pool (over 32 inches).

As the streamflow forecasts dropped in June and the estimates for larger impacts to seasonal recreation were apparent, EKI reached out to local media outlets to more broadly distribute the information. As the lake elevation continued to drop, intense public interest lead to many EKI supported newspaper articles, television and radio interviews:

- Lake County Leader:
<https://leaderadvertiser.com/news/2023/jun/29/lake-level-drops-prematurely/>
<https://leaderadvertiser.com/news/2023/jul/13/lake-level-could-hit-lowest-level-saturday/>
- Valley Journal:
<https://www.valleyjournal.net/Article/29340/Low-Flathead-Lake-levels-cause-deep-concern>
- Daily Interlake:
<https://dailyinterlake.com/news/2023/jun/29/flathead-lake-level-drops-prematurely/>
<https://dailyinterlake.com/news/2023/jul/09/water-levels-continue-be-major-concern-flathead-la/>
<https://dailyinterlake.com/news/2023/jul/14/management-team-objects-releasing-water-out-hungry/>
- Flathead Beacon:
<https://flatheadbeacon.com/2023/06/29/as-flathead-lake-level-hits-record-low-concerns-rise-up-for-boat-and-business-owners/>
<https://flatheadbeacon.com/2023/07/15/no-action-taken-on-low-flathead-lake-levels-hungry-horse-reservoir/>
<https://flatheadbeacon.com/2023/08/09/save-flathead-lake-group-demands-truth-over-depleted-water-levels/>

- Char-Koosta News:
https://www.charkoosta.com/news/flathead-lake-water-levels-lower-than-usual/article_1347f6b8-21b2-11ee-9d3d-d3336f9ad478.html
- MT Outdoor Radio Show and Podcast: Downrigger Dale sits down for a frank discussion with Brian Lipscomb the CEO of Energy Keepers, the company that owns the dam on Flathead Lake. This was a VERY enlightening discussion that provided a whole lot of answers to many of our listeners questions.
<https://montanaoutdoorpodcast.buzzsprout.com/2116786/13346325>

Because of the intense public interest, other entities such as the University of Montana's Flathead Lake Biological Station have also compiled hydrologic and climatic factors contributing to the low water levels in Flathead Lake:
<https://flbs.umt.edu/newflbs/outreach/news-blog/posts/flbs-perspective-on-flathead-lake-level/>
<https://flbs.umt.edu/newflbs/outreach/news-blog/posts/diving-into-2023-flathead-lake-level-data/>


Unfortunately, there have also been groups that have used the intense public interest to push agendas unrelated to the operations of the dam. There were full page ads in major Montana newspaper Sunday editions (Billings Gazette, Missoulian, Bozeman Daily Chronicle) the last two Sundays of July that were inaccurate and contributed to misinformation around the low lake levels (see Appendix 3). There have also been groups with websites and meetings that present incomplete or inaccurate information about the 2023 SKQ operations (<https://saveflatheadlake.com/>).

Conclusion

EKI's operation of SKQ to meet the unprecedented condition of WY 2023 have been prudent and are within the authorizations of the License.

It is also important to note that EKI does not see WY 2023 conditions as a one-off event. WY 23 conditions reflect ongoing changing climatic conditions. As EKI continues to adjust to these changing conditions, the maintaining of Lake elevation in the top one foot will not be possible and in fact may result in catastrophic outcomes. EKI and others have continued to encourage lake shore dock owners to adjust their infrastructure to accommodate these changing conditions.

Respectfully submitted,


Brian Lipscomb | Energy Keepers, Inc.
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Polson, MT 59860
brian.lipscomb@energykeepersinc.com

CC: Secretary Haaland, BOR, ACOE, BPA, MT Delegation, MT Governor, CSKT Tribal Council, EKI Board of Directors

- Missoulian:
https://missoulian.com/news/local/flathead-lake-water-data-human-error/article_9950e914-27e7-11ee-b7d2-bbd4119b0fe8.html
https://missoulian.com/news/state-regional/flathead-lake-at-historic-low/article_67c91922-1d04-11ee-a867-6367fa673e7c.html
https://missoulian.com/news/state-regional/flathead-lake-continues-to-drop/article_faba7b76-24f8-11ee-b789-235e322e96e1.html
- Billings Gazette:
https://billingsgazette.com/flathead-lake-receding/article_f33a0065-0cd0-532e-b1d6-67b7a36ca7aa.html
- Daily Montanan:
https://dailymontanan.com/2023/07/14/montana-sees-climate-pressure-on-waterways-amid-warmest-global-temperatures-in-decades/?utm_source=www.mountainwestnews.org&utm_medium=newsletter&utm_campaign=books-pencils-and-erasure
- Montana Free Press:
https://montanafreepress.org/2023/07/17/frustration-builds-as-flathead-lake-continues-to-drop/?utm_source=www.mountainwestnews.org&utm_medium=newsletter&utm_campaign=books-pencils-and-erasure
<https://montanafreepress.org/2023/07/10/flathead-lake-at-precarious-level-as-drought-comes-to-northwest-montana/>
<https://montanafreepress.org/2023/08/10/whats-to-blame-for-too-little-water-in-flathead-climate-or-mismanagement/>
- Bozeman Daily Chronical:
https://www.bozemandailychronicle.com/news/environment/montana-sees-climate-pressure-on-waterways-amid-warmest-global-temperatures-in-decades/article_5fb7ad8c-24ea-11ee-adfb-cb4b7bc031c9.html
https://helenair.com/news/state-and-regional/flathead-lake-water-data-human-error/article_383d1c25-558d-5ff2-945c-6f2e48b87dc2.html
- NBC:
<https://nbcmontana.com/news/local/skq-dam-ceo-weighs-in-on-dropping-water-levels-at-flathead-lake>
<https://nbcmontana.com/news/local/whats-to-blame-for-too-little-water-in-flathead-lake-climate-or-mismanagement>
- KPAX:
<https://www.kpax.com/news/western-montana-news/dam-operators-beginning-of-pattern-of-ever-decreasing-levels-in-flathead-river-basin>
<https://www.kpax.com/news/western-montana-news/water-management-team-votes-down-proposal-to-raise-flathead-lake-water-levels>
- Scripps:
<https://scrippsnews.com/stories/shrinking-montana-lake-stresses-tourism-energy-production/>
- KTVQ:
<https://www.ktvq.com/news/montana-news/frustration-builds-as-flathead-lake-continues-to-drop>



Energy Keepers, Inc.

July 10 at 6:03 PM ·

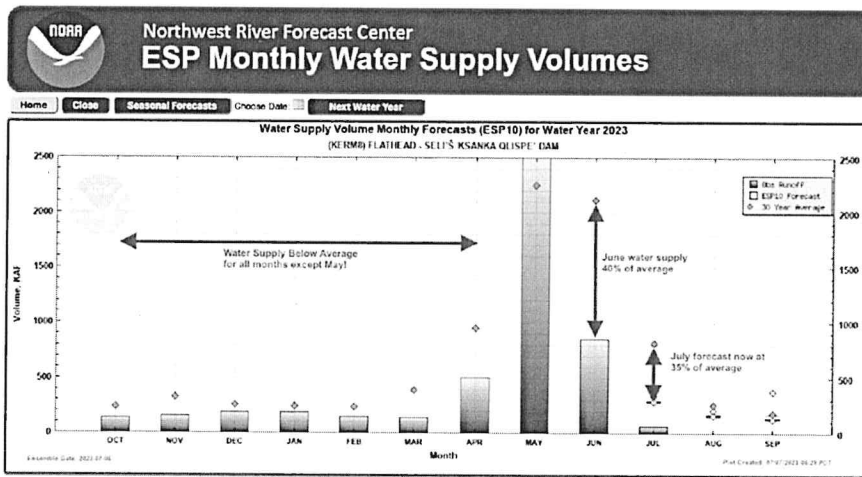
https://www.nwrfc.noaa.gov/water_supply/monthly/monthly_forecasts.php?id=KERM8

<https://waterdata.usgs.gov/monitoring-location/12372000/#parameterCode=00060&period=P30D&compare=true>

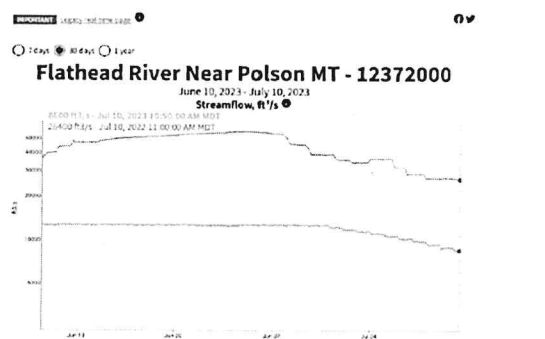
Flathead Lake Level Update:

Flathead Lake Elevation is now at 2891.25 ft, 1.75 ft below full pool and is forecasted to be 2.0 feet below full pool by July 15, 2023.

The water supply volumes coming into Flathead Lake continue to decrease. We finished June at 40% of average and now have predictions from the [NOAA Northwest River Forecast Center](#) for July that are 35% of average and declining daily for the SKQ Project. This is the driest June and forecasted July and August water supply for the entire 74 year record.



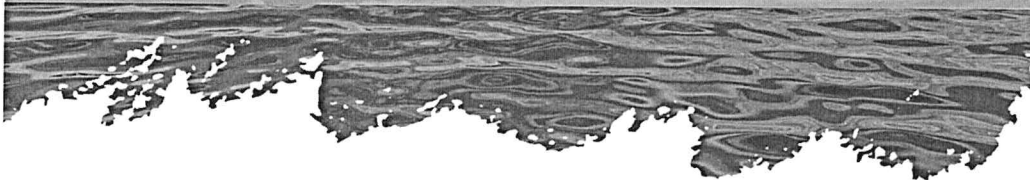
Outflows at the SKQ Project are now at 8600 cfs and continue to be held at FERC License minimums! Last year on this same date outflows were 26,400 cfs.



Paid full page ads in major Montana print newspaper publications with incorrect information (<https://bloximages.chicago2.vip.townnews.com/billingsgazette.com/content/tncms/assets/v3/edition/5/d2/5d2337a9-8130-5fa0-9944-6ea65bbc590b/64c5efa92f1b7.pdf.pdf>)

HISTORIC GUIDELINES FOR FLATHEAD LAKE LEVEL MANAGEMENT

A PUBLIC SERVICE ANNOUNCEMENT by Bill & Irene, LLC



Some say that if you forget history, "you are doomed to repeat it."

But in the case of the protection of magnificent Flathead Lake and the historic Kerr Dam, if we forget the history of these two jewels and the "rules of the road" for managing them, we are doomed to lose them.

This is the second article of this series. To read the first article please go to: bit.ly/FlatheadLake

WHAT HAPPENED TO FLATHEAD LAKE IN 2023:

- Nature produced an early snowmelt in April and runoff in May which flowed into Flathead Lake. Flathead Lake reached full pool about June 14. After the snowmelt and early runoff, the streams and rivers entering Flathead Lake naturally diminished in flow are now unable to fill the lake.

- While the lake was filling, and between May 10th and June 3rd, the managers of Kerr Dam, the CSKT-Energy Keepers, at a minimum released the "Flathead System Compact Water Right" of 229,383 acre-feet to generate power at the dam. The hydropower was sold to a Washington State utility with the profits accruing to the CSKT-Energy Keepers (*Associated Press citing Montana Public Radio, March 30, 2020, "CSKT Signs 15-Year Contract with Washington Utility"*). This water was also used to simultaneously protect downstream fisheries.

- The Flathead System Compact Water Right is approximately equal to the top two (2) feet of Flathead Lake. To release the water from Kerr Dam, the CSKT Energy Keepers utilized a process in the CSKT Compact which is presently being reviewed by the Montana Water Court.

- By July 6th Flathead Lake was a foot and a half below full pool, and by the 17th the level of Flathead Lake had dropped to two feet below full pool, causing significant economic and environmental damage to the region, lakeshore owners and businesses, and recreationalists.



- Efforts to resolve the issue by Senator Daines, Congressman Zinke, and Governor Gianforte focused on Hungry Horse reservoir releases without mentioning the Compact or acknowledging that the level of Flathead Lake is controlled entirely by the CSKT-Energy Keepers in consultation with the Department of the Interior Bureau of Indian Affairs (BIA).

The existing and ongoing damages from this man-made drop in Flathead Lake levels resulting from the use of Compact water, coupled with the CSKT-Energy Keepers promise of fluctuating lake levels in the future, has prompted a call for the Declaration of Emergency by Flathead and Lake Counties from Governor Gianforte in part to "help them prepare for the future".

WHAT ABOUT HISTORY?

The major feature of the 2023 Flathead Lake disaster is the decision to release the Flathead System Compact Water Right of 229,383 acre-feet from Kerr Dam in May and early June to generate power before Flathead Lake had reached full pool. History provides that:

- **The Flathead Irrigation Project.** Before the construction of Kerr Dam, Flathead Lake and the Flathead River were already being used for irrigation, commerce, and to generate power to pump water to parts of the Flathead Irrigation Project (FIP) which was authorized by Congress in 1908.

- **The Nine-Foot Easement.** In 1909 the United States reserved power sites on the reservation and in 1911 set aside a nine-foot easement around Flathead Lake above the then-low water mark (2,883 feet) to store water for power and irrigation purposes. Kerr Dam raised the elevation of the lake by ten (10) feet to today's full pool elevation 2,893 feet.

- **1920 Federal Power Administration (FPA) Rules.** The FPA in supporting the development of large-scale power on the Flathead River limited the generation of power at Flathead Lake to 14,540 cubic feet per second (cfs) and only after the lake reached full pool elevation. Those conditions were carried forth into the FERC licensing for Kerr Dam through 2015 with the last license-holder before Energy Keepers, Pennsylvania Power and Light (PP&L) and thus presumably carried through to the present license.

- **1930 Flathead Power Report.** Kerr Dam was constructed for everyone: irrigators, individual Indians, communities, the United States for irrigation project, "white settlers" who were irrigating, and the owner of the project Rocky Mountain Power Company, later Montana Power Company.

DOES CHANGING THE NAME OF THE KERR PROJECT CHANGE ITS HISTORY, PURPOSES, OR OBLIGATIONS?

The short answer is "No".

Upon the purchase of Kerr Dam in 2015, the CSKT-Energy Keepers changed the name of Kerr Dam to The Sel'i's Ksanka Qlisp'e Dam, abbreviated here as "SKQ". By itself, name change, or new ownership does not re-purpose the dam or relieve it from its historic obligations and practices.

Changing the name also does not erase the fact that Kerr/SKQ is now a federal dam because it was "recaptured" for the federal government by the CSKT. Its main purposes are still power, irrigation, and flood control with fisheries operations included.

But wait...

Enter the Daines-Tester-Gianforte "Montana Water Rights Protection Act", passed in 2020, which allows for the re-purposing of Kerr Dam and the Flathead Irrigation Project into "fisheries projects" controlled by the CSKT for the benefit of the CSKT Tribal government.

Does it now become clear why Senator Daines, former Congressman and now Governor Gianforte, and Congressman Zinke didn't mention the CSKT Compact or their "signature" legislation, the Montana Water Rights Protection Act as possible reasons for the 2023 events affecting Flathead Lake levels?

ENSURING THE 2023 FLATHEAD LAKE DISASTER NEVER HAPPENS AGAIN

- We believe the 2023 disaster on Flathead Lake could have been avoided if existing FERC license guidelines had been followed, specifically the limitation on hydropower generation to 14,540 cfs and the requirement to use the power generation right only after Flathead Lake reached full pool, but never in May.

- All the entities involved--the state of Montana, the United States Department of the Interior, and the CSKT-Energy Keepers--could have acted before the disaster began unfolding but chose not to.

- All the entities involved in the 2023 disaster must operate the Kerr/SKQ facilities in consideration of all the interests that depend on the historic effective management that protects fisheries, irrigation, recreation, environment, and lake shore values.

- Unlocking the truth about Flathead Lake, Kerr, the newly named "SKQ", the CSKT Compact, and the Montana Water Rights Protection Act is the way to prevent the 2023 Flathead Lake disaster from ever happening again.

- Unbridled power, disregard of all who use this lake, and yielding to greed will destroy Flathead Lake.

- All the above will destroy shoreline property values on Flathead Lake

Paid for by Bill & Irene, LLC
Treasurer W. Sego
P.O. Box 105 UPS Store, HWY 93
Polson, MT 59860

Appendix 3: Paid full page ads in major Montana print newspaper publications with incorrect information ([https://bloximages.chicago2.vip.townnews.com/missoulian.com/content/tncms/assets/v3/edition/1/17/1759906-786e-](https://bloximages.chicago2.vip.townnews.com/missoulian.com/content/tncms/assets/v3/edition/1/17/1759906-786e-5422-a8ef-511683957b99/64bb553ea61a1.pdf.pdf)

5422-a8ef-511683957b99/64bb553ea61a1.pdf.pdf)

C8 | SATURDAY, JULY 22, 2023

MISSOULIAN



Lake shore owners, may we together analyze what's just happened?

What if the disaster unfolding on Flathead Lake was not a result of climate change, weather, or the "stubborn bureaucracy", but instead was "simply" the CSKT Energy Keepers implementing the CSKT Compact by using the "Flathead System Compact Water Right" to generate power?

The Flathead System Compact water right is 229,000 acre-feet of water sourced from the south fork, north fork, and mainstem of the Flathead River. The South Fork of the Flathead River is captured and released from Hungry Horse, joins other tributaries of the Flathead River stored in Flathead Lake, and then is released at Kerr Dam. The volume of this water right is approximately equivalent to the top two (2) feet of Flathead Lake. The elevation of Flathead Lake today is 2,891 feet, two feet below the full pool of 2,893 feet. And heading down.

While there have been visits by Senator Daines and Congressman Zinke and a task force established by Governor Gianforte to "solve" the problem, they have focused only on further releases from Hungry Horse Reservoir to "stabilize" the lake level. Do they not know that the level of Flathead Lake is controlled entirely by Kerr Dam and its owner, the CSKT-Energy Keepers?

No one has even mentioned the CSKT Compact, the Flathead System water right, or that the Kerr Federal Energy Regulatory Commission (FERC) License held by the CSKT Energy Keepers allows the modification of the releases from Kerr Dam at the operator's discretion and as needed with permission of the Secretary of the Interior. Did anyone ask?

To solve a problem, we can all agree that all the facts are necessary. This article sheds some light on what also may have happened to Flathead Lake during the spring and summer of 2023.

TIMING IS EVERYTHING

Acknowledging the complexity of dam and reservoir management, timing is everything. Flood control, irrigation, and power are the primary purposes of both Hungry Horse and Kerr Dams, with fishery operations included. Kerr Dam's releases, hourly release rates, and between-day flows are further regulated by the FERC license for

fishery purposes now held by the CSKT-Energy Keepers. The timing and coordination of these operations, which also include lake level recreational guidelines, has been the essence of the stable management of the Flathead system for decades in the context of annual weather patterns.

The timing of snowmelt and streamflow is obviously important and informs the decisions of reservoir operators. According to the Natural Resources Conservation Water Supply Outlook Reports, by the end of March 2023, the snowpack in most of western Montana was 90%-100% of normal to well-above normal. Warm temperatures in April caused an early snow melt runoff in May and thus most reservoirs began filling in late May and early June.

Below is a graph from the U.S. Geological Survey comparing the 22-year record of Flathead Lake levels (orange line) with the 2023 record of fill (blue line). The sharp blue line indicates that Flathead Lake reached its peak for 2023 in June, much earlier than the long-term record. It also shows the lake level beginning to quickly fall in

so in a fashion that could reflect "peak" energy production and/or "pulsed" fish flows. The sustained release of the FERC license minimum throughout the month of June further drew down lake levels. Thus, the damage to Flathead Lake happened in May and June. Importantly May/June is when those adjustments to Kerr releases should have been requested and implemented. Timing is everything.

In 2023, the timing of storage in Flathead Lake and releases from Kerr Dam by the CSKT/Energy Keepers appears to be a definitive reason why Flathead Lake was uncharacteristically depleted below full pool by July 1.

How much water did the CSKT/Energy Keepers release in May and June over and above the FERC minimum flow? How much water did Energy Keepers release above "flood control requirements"? Were these releases more or less than the Flathead System Compact water right of 229,000 acre-feet?

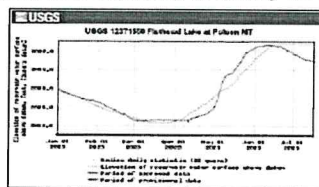
The Kerr Dam FERC license provides Energy Keepers the discretion to adjust river flows below the dam to address environmental needs like maintaining lake levels while protecting fish at the same time pursuant to approval by the Secretary of the Interior. Energy Keepers chose not to exercise that discretion, and our federal and state leaders chose not to mention it. Think about that.

PROTECTING FLATHEAD LAKE

Thousands of property owners and businesses around Flathead Lake were unexpectedly greeted with the direct consequences of the CSKT Flathead Compact, which never examined the impact of the CSKT-promised fluctuating lake levels on the multibillion-dollar investments around Flathead Lake. If shoreline is worth \$10,000 to \$15,000 a linear foot, and if the certainty of lake levels in summer has been a factor for investment in this area and enjoyment of millions of people for decades, the exercise of the Flathead System Compact Water Right in 2023 has already shown devastating and perhaps long-term consequences on the property values around Flathead Lake and to the regional economy.

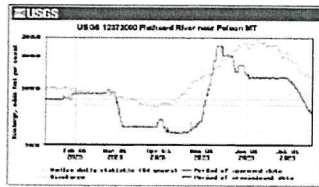
Could it have been avoided?

Paid for by Bill & Irene, LLC
Treasurer W. Sego
P.O. Box 105 UPS Store, HWY 93
Polson, MT 59960



June, falling to more than a foot below full pool on July 1:

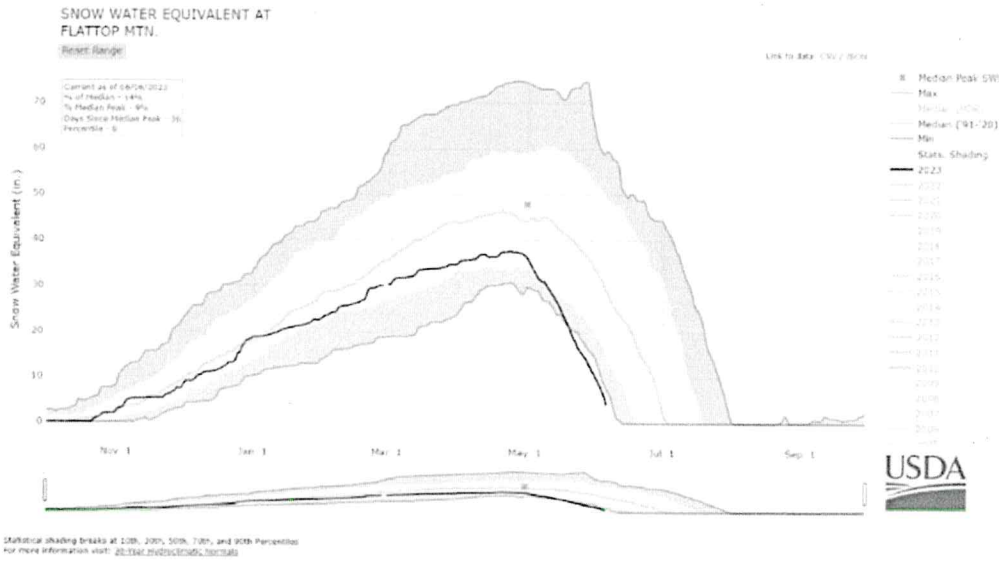
What did the Flathead River below Kerr Dam look like during this same period? The graph below compares the 84-year record of the Flathead River below Kerr Dam with the flow of the Flathead River below Kerr Dam during 2023. The graph shows that Energy Keepers released most of the water stored in Flathead Lake in May and did





Energy Keepers, Inc. is feeling hopeful.
Published by Travis Togo · Just now ·

As a follow-up to our post from May 30th... Flathead Lake is now almost completely full. Current lake elevation is 2892.6' and the slowly filling on the very tail end of the freshet. Pretty much all snow has melted in the Flathead River Basin above Flathead Lake. Only tiny amounts of snow at extremely high elevation remain. The image below shows the current snow condition at Flattop Mountain in Glacier Park. It's the lowest snow reading for this date in over 50 years. Only 14% of average snowpack remains. Our modeling shows Flathead Lake achieving complete refill in the coming days but still shows the possibility of the lake "sagging" by a full foot over the summer to maintain the required minimum flows on the lower Flathead River. The current forecast does not look much better or worse than a week ago. We just want to keep everyone informed of conditions we will likely see over the summer. Let's all hope for some rain! We have a little bit in the forecast. Ready for summer!



Energy Keepers, Inc.
June 30 at 8:36 PM ·

Operations Update:

An extremely warm, and often rainy, month of May greatly depleted the snowpack in the northern reaches of the Flathead basin. Energy Keepers coordinated with the Army Corps of Engineers to actively update flood risk management calculations to ensure the high May runoff was captured to refill the lake.

The snowpack that would normally support continued high flows through the month of June and into early July was all but gone at the end of May. The current June streamflow volume forecast is at 40% of average and July is at 34% of average- a decrease from the last operation update. The SKQ project decreased the lake outflow to minimum streamflow requirements on June 3. The SKQ project will continue to operate at minimum flow requirements until the lake levels have stabilized. However, due to the low inflow into the lake, the elevation began to drop last week and is expected to continue to drop until approximately mid-July. Without substantial precipitation or an increase in streamflows, the lowest level is anticipated to be near 22 inches or 1.8 feet below full pool. Once the level has stabilized it will remain near that level through the recreation season.

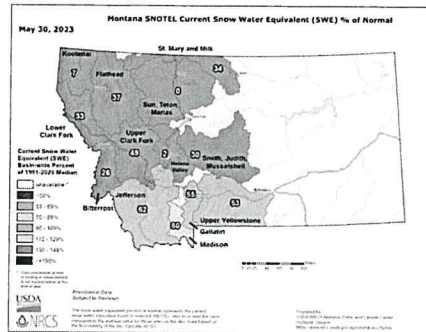
36.5 inches below (08.28.23)

Appendix 1: Information provided on Energy Keepers, Inc Facebook page.



Energy Keepers, Inc. is 😊 feeling happy.
 May 30 at 11:41 PM · 🌐

Good afternoon! Flathead Lake is in its top foot and ready to roll for summer recreation. The current lake elevation is 2892.3'. Over the next two weeks the lake will continue to fill to completely full, approximately 2893.0'. This is all great news for summer recreation. However, an extremely warm, and often rainy, month of May greatly depleted our snowpack in the northern reaches of the basin. The snowpack that would normally support continued high flows through the month of June and into early July is all but gone. As you can see in the plot below there is almost no snowpack remaining in the Flathead River Basin. Current streamflow forecasts show the lake slowly drafting during the month of July to support the minimum in-stream flow required in the lower Flathead River. **It's quite possible that we see the lake "sag" by up to almost one foot through the middle of the summer. This should have little to no impact on summer recreation but we just wanted to let the public know what we are seeing as early as possible. Get out and enjoy the lake and have a wonderful summer!**



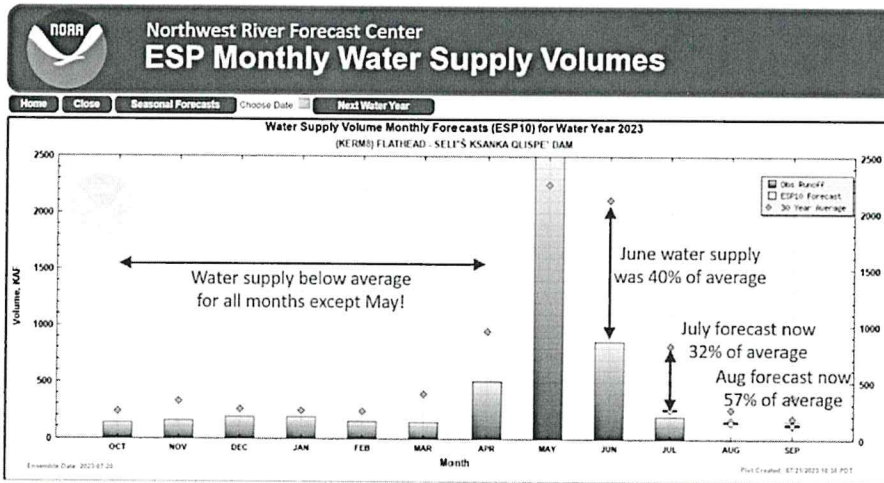


Energy Keepers, Inc.

July 21 at 9:04 PM

Flathead Lake Level Update:

Flathead Lake is now at 2890.93 ft, 2.07 ft below full pool and is forecasted to be 2.2 ft below full pool by August 1, 2023. The water supply volumes coming into Flathead Lake continue to decrease and actual streamflows have been below the forecast. We finished June at 40% of average and now have predictions from the NOAA Northwest River Forecast Center for July that are 32% of average and declining daily for the SKQ Project.

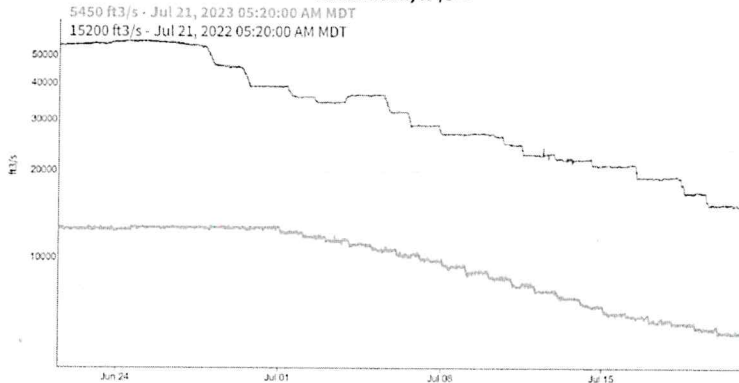


Outflows at the SKQ Project are now at 5,450 cfs and continue to be held at FERC License minimums! Last year on this same date outflows were 15,200 cfs

Flathead River Near Polson MT - 12372000

June 21, 2023 - July 21, 2023

Streamflow, ft³/s





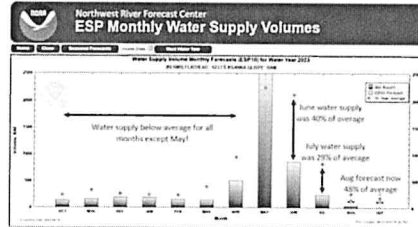
Energy Keepers, Inc.
August 11 at 2:56 PM ·



ENERGY KEEPERS, INC.

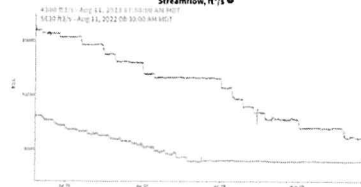
Flathead Lake Level Update: Aug 11, 2023

Flathead Lake is now at 2890.6 ft, 2.4 ft below full pool and is forecasted to be 2.7 ft below full pool by August 31, 2023. Water supply forecasted for Flathead Lake by NOAA's River Forecast Center have fallen further below average for the remainder of the water year. We finished July at 29% of average and now have predictions from the NOAA Northwest River Forecast Center for August that are 48% of average.



Outflows at the SKI Project are now at 4,300 cfs - last year on this same date outflows were 5,630 cfs

Flathead River Near Polson MT - 12372000
July 12, 2023 - August 11, 2023



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