

IN THE WATER COURT OF THE STATE OF MONTANA  
CONFEDERATED SALISH AND KOOTENAI TRIBES – MONTANA – UNITED STATES  
COMPACT

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CASE NO. WC-0001-C-2021

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**PROPOSED PREHEARING ORDER**

\_\_\_\_\_ [Party name(s)]<sup>1</sup> files the following proposed prehearing order pursuant to the Water Court’s Case Management Order No. 6 issued February 27, 2025, Case Management Order No. 7 issued March 5, 2025, and subsequent orders specific to this hearing. This proposed order also is in accordance with Montana Rule of Civil Procedure 16(e) and Uniform District Court Rule 5, and is intended to be incorporated into the final Prehearing Order entered by the Court.

**AGREED FACTS**

The following facts are admitted, agreed to be true and require no proof.  
[Enumerate all agreed facts, including facts admitted in the pleadings.]

**CONTENTIONS**

The [Objector’s/Compact Parties’] contentions are as follows:

1. [Provide enumerated list of contentions.]

**EXHIBITS**

Attached to the prehearing order are exhibit lists for each party identifying by number and brief description each exhibit. At or prior to the prehearing conference, each

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<sup>1</sup> All material in italicized and in brackets should be replaced with information specific to this hearing.

party shall state any objection(s) to the other party's exhibits. Any exhibit offered at the hearing to which no objection was made in the prehearing order will be admitted into evidence.

The [*Objector/Compact Parties*] may offer the following exhibits: [*Provide exhibit list as an attachment*]

### **WITNESSES**

The [*Objector/Compact Parties*] intend to call the following witnesses to testify at the hearing:

1. [*Provide enumerated list of witnesses, including the identification of any witness for who prehearing testimony has been filed.*]

### **ISSUES OF FACT**

The following issues of fact, and no others, remain to be litigated at the hearing:

1. [*Provide enumerated list specifying each factual issue.*]

### **ISSUES OF LAW**

The following issues of law, and no others, remain to be litigated at the hearing:

1. [*Provide a concise statement of each issue of law that remains unresolved and within the scope of this hearing.*]

### **DISCOVERY**

The following discovery responses will be offered as evidence at the hearing:

1. [*Identify any discovery*]

The final prehearing order shall refer to all those portions of depositions upon oral examination and interrogatories, requests for admissions, and answers and responses that the parties intend to introduce into evidence. Any objections to the use of the above documents shall be stated, and if not stated, shall be deemed waived.

### **STIPULATIONS**

[*Include any stipulation in addition to the agreed facts set forth above.*]

### **HEARING**

It is estimated that this hearing will require \_\_\_\_\_ hours. The matter will be tried

before the Court without a jury.

IT IS HEREBY ORDERED that this Prehearing Order shall supersede the pleadings and govern the course of the hearing of this cause, unless modified to prevent manifest injustice.

IT IS HEREBY ORDERED that all objections and responses shall be amended to conform to this prehearing order.

DATED this \_\_\_\_ day of \_\_\_\_\_ 2025.