

ELECTRONICALLY FILED

WALTER E. CONGDON
Attorney for Lake County
106 4th Avenue East
Polson, MT 59860
lorigoffeaapc@gmail.com
waltercongdon@gmail.com

WC-0001-C-2021

October 4, 2024

BRUCE A. FREDRICKSON
Rocky Mountain Law Partners, PC
1830 3rd Ave. E., Ste 301
Kalispell, MT 59901
bruce@rmtlawp.com
nikki@rmtlawp.com

Montana Water Court

KIMBERLY L. FIELD
Field Law Offices, PLLC
P.O. Box 573
Ronan, MT 59864
kim.field@kfieldlawoffices.com

Attorneys for Objectors

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

CASE NO. WC-0001-C-2021

REQUEST AND IDENTIFICATION OF ISSUES FOR ORAL ARGUMENT
FOR HEARING SET FOR NOVEMBER 14th & 15th, 2024

COMES NOW the following Objectors, listed on Exhibit A attached hereto, by and through their attorneys of record, Walter E. Congdon, Bruce A. Fredrickson and Kimberly L. Field and hereby file their *Request and Identification of Issues for Oral Argument for Hearing set for November 14th and 15th, 2024.*

Objectors hereby submit their request for oral argument pursuant to this Court's Order dated September 24, 2024 and under Mont. R. Civ. Pro. 56(c)(2)(A)-(B), and Mont.

U.D.C.R. 2(d).

As per this Court's Order dated September 24, 2024, Objectors identify the following issues founded in our objections which we propose to address in oral argument on November 14, 2024 and November 15, 2024:

1. Issues regarding ratification of the Compact by the Tribes, State of Montana and the United States, and which or what Compact;
2. The unspecified Water claims, including water quality, navigation, and other claims;
3. The remedy issues including call on only large agricultural irrigation water, nonidentification or specification of a Court of competent jurisdiction and denial or non-acknowledgement of Treaty remedies, rights and obligations;
4. Public Opinion as an aspect of Compact fairness, adequacy and reasonableness;
5. We acknowledge an oral response from the Compacting Parties' during oral argument is probable and we request a similar opportunity in respect to their oral arguments; and
6. We acknowledge the Court indicated it will probably request certain discussion or oral argument regarding specific issues identified by some or all parties. We anticipate addressing any such inquiries to us or the Objectors we have appeared for.

DATED this 4th day of October, 2024.

/s/ Walter E. Congdon
WALTER E. CONGDON

/s/ Bruce A. Fredrickson
BRUCE A. FREDRICKSON

/s/ Kimberly L. Field
KIMBERLY L. FIELD

Exhibit A

Walter E. Congdon
Attorney for Lake County
106 4th Avenue East
Polson, MT 59860
(406) 883-7231
Lorigoffeaapc@gmail.com
Waltercongdon@gmail.com

Adams Landscape & Construction, Inc.
Adams, Amanda Ranstrom
Adams, Benjamin J.
Avery, Charlene L
Avery, Hugh R
Blattner Family Revocable Living Trust
Blizzard, Blair A
Blizzard, Richard G
Board of Lake County Commissioners
Bricker, Billye A.
Bricker, Wayne
Brown, Roy W.
Brown, Victoria D.
Callison, Jaqueline
Callison, William
Cromwell, Hazel
Cronian, Rodger W.
Fricke, Charles A.
Hall, Carolyn O.
Haun, Cathy
Hill, Devin

Hill, Tina
Hood, Michelle
Hungry Horse County Water and Sewer District
Inouye, Valerie
Iwata, Shirley
Jackson, David
Jackson, Debra
Jones, Lane E
Juneman, Margaret S.
Kembel, Robert D.
LaBella Lane LLC
Leroy Gebhardt Revocable Trust
Loge, Denley M.
Mineral County Political Subdivision
Missoula Irrigation District
Mitchell, Chelle
Mitchell, David H
North Big Arm Bay Landowners Association
Osborne, Charlotte
Osborne, Peter
Paradise Water District

Kimberly L. Field
Field Law Offices, PLLC
405 Main SW, Ste. 2
PO Box 573
Ronan, MT 59864
(406) 676-0677
kim.field@kfieldlawoffices.com

A Abel Properties LLC
Blevins, Beth M
Blevins, Craig H
Detert, Roger R
Detert, Rosemary J
Longhorn Arena LLC
Lyons, Charley E.
Olmsted, LaVonne C.

Olmsted, Ronald B.
Otoupalik, Ernest
Smyth Family Trust
Smyth, Russell T.
Thomas, Tad
Vallejo, Roy
Vallejo, Sheila

Bruce A. Fredrickson
Rocky Mountain Law Partners, P.C.
1830 3rd Ave. E., Ste. 301
Kalispell, Montana 59901
(406) 314-6011
bruce@rmtlawp.com
nikki@rmtlawp.com

Agather, Mark A
Belk, William H. III
Bigley, Valli T.
Boychuck, Anne
Boychuck, Daniel
Carstensen, Andrew B.
Carstensen, Deborah L.
Creston Countryside Estates Phase II
Gebhardt, Chris M.
Gebhardt, Stephanie W.

Hapner, Robbie L.
JV Valley Holdings, LLC
Mission View Terrace HOA
Richard C. Cary Trust
Robert L. & Donna Y. Fink Living Trust
Sullivan, Jody L.
Vail Revocable Trust
Western Acres Homeowners' Association
William V. Tropp Trust

CERTIFICATE OF SERVICE

I certify that I served a true and accurate copy of the foregoing document on the following persons with a request for delivery receipt by email as set forth below on this 4th day of October, 2024.


Kimberly L. Field

Montana Water Court 1123 Research Drive P.O. Box 1389 Bozeman, MT 59771-1389 watercourt@mt.gov	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail
Todd Kim David W. Harder, Assistant Attorney General Senior Attorney for Legal Issues U.S. Department of Justice Indian Resources Section Environment & Natural Resources Division 999 18th Street South Terrace, Suite 370 Denver, Colorado 80202 David.harder@usdoj.gov efile denver.enrd@usdoj.gov	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail
Rebecca M. Ross Senior Attorney United States Department of Justice Indian Resources Section Environment and Natural Resources Division 150 M Street, NE Washington DC 20002 Rebecca.ross@usdoj.gov	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail
Yosef Negose Trial Attorney United States Department of Justice Indian Resources Section Environment and Natural Resources Division P.O. Box 7611 Ben Franklin Station Washington, D.C. 20004 yosef.negose@usdoj.gov	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail

<p>James Cooney Trial Attorney United States Department of Justice Indian Resources Section Environment and Natural Resources Division 150 M Street, NE Washington DC 20002 James.Cooney@usdoj.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Molly M. Kelly Jennifer C. Wells Montana DNRC 1539 Eleventh Avenue P.O. Box 201601 Helena, MT 59601 Molly.kelly2@mt.gov Jean.Saye@mt.gov CND602@mt.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Chad Vanisko Montana Attorney General Agency Legal Counsel Agency Legal Services Bureau 1712 Ninth Avenue P.O. Box 201440 Helena, MT 59620-1440 chad.vanisko@mt.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Terisa Oomens Montana Attorney General Agency Legal Counsel Agency Legal Services Bureau 1712 Ninth Avenue P.O. Box 201440 Helena, MT 59620-1440 Terisa.oomens@mt.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Daniel J. Decker Melissa Schlichting Christina M. Courville Zach Zipfel Confederated Salish & Kootenai Tribes Tribal Legal Department P.O. Box 278 Pablo, MT 59855 Melissa.Schlichting@cskt.org Christina.Courville@cskt.org daniel.decker@cskt.org Pamela.McDonald@cskt.org Zacharv.Zipfel@cskt.org</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>

<p>Ryan Rusche Sonosky, Chambers, Sachse, Enderson & Perry, LLP P.O. Box 2930 Columbia Falls, MT 59912 rusche@sonosky.com hwalddrop@sonosky.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Bruce A. Fredrickson Angie M. LeDuc Rocky Mountain Law Partners, P.C. P.O. Box 1758 1830 3rd Avenue East, Suite 301 Kalispell, MT 59903 bruce@rmtlawp.com angie@rmtlawp.com nikki@rmtlawp.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Walter E. Congdon 425 Brooks Street Missoula, MT 59801 lorigoffeaapc@gmail.com Waltercongdon@gmail.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Cassie R. Dellwo Five Valleys Law, PLLC 1410 S. Reserve Street, Suite C Missoula, MT 59801 cassie@fivevalleyslaw.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Debra Jackson Mineral County Deputy County Attorney 300 River Street P.O. Box 339 Superior, MT 59872 djackson@co.mineral.mt.us wcongdon@co.mineral.mt.us</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Graham J. Coppes Ferguson Law Office, PLLC P.O. Box 8359 Missoula, MT 59807 grahamc@fergusonlawmt.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>
<p>Kimberly L. Field Field Law Offices, PLLC 405 Main SW, Ste. 2 P.O. Box 573 Ronan, MT 59864 kim.field@kfieldlawoffices.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail</p>

Benjamin J. Hammer Omvig Hammer Law, P.C. P.O. Box 1202 Kalispell, MT 59903 ben@ohlawmt.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail
Megan Hansen Sanders County Attorney 1111 Main St. W. P.O. Box 519 Thompson Falls, MT 59873 mhansen@co.sanders.mt.us countyattorney@co.sanders.mt.us	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail
Kristin L. Omvig Omvig Hammer Law, P.C. P.O. Box 1202 Kalispell, MT 59903 kristin@ohlawmt.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail
Matthew W. William MW Law Firm PLLC 777 E Main Street, Ste 205 Bozeman, MT 59715 mattheww53@aol.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail
Brian K. Gallik Gallik & Bremer, P.C. 777 East Main, Suite 202 P.O. Box 70 Bozeman, Montana 59771-0070 brian@galliklawfirm.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail