

Montana Water Court
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WC-0001-C-2021

June 14, 2024

Montana Water Court

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

CASE NO. WC-0001-C-2021

ORDER SETTING CONFERENCE TO CLARIFY BRIEFING ORDER

The Court sets a conference by Zoom for Tuesday, **June 18, 2024**, at **1:30 PM**, Mountain Time to respond to questions it has received from certain parties about the briefing requirements set forth in Case Management Order No. 4. The Court will address questions in the attached email and any other questions about the Order. The Court will not address any substantive issues. Any party may attend, but attendance is optional. This Order shall be provided to all parties who opted for electronic service and shall be posted on the Court’s dedicated website for this case.

Instructions to access the conference are as follows:

To join from a PC, Mac, iPad, iPhone or Android device:

Click on this URL, or type the URL into your browser to join:

[\[https://mt-gov.zoom.us/j/81235775897?pwd=1e27TKzzOMDqtWcXMQPEYkWFdxDMce.1\]](https://mt-gov.zoom.us/j/81235775897?pwd=1e27TKzzOMDqtWcXMQPEYkWFdxDMce.1)

Meeting ID: 812 3577 5897

Password: 691661

To join by phone:

Dial(for higher quality, dial a number based on your current location):

+1 646 558 8656 or +1 406 444 9999

Meeting ID: 812 3577 5897

Password: 691661

If you have any questions or if you experience technical difficulties, please contact the Montana Water Court at (406) 586-4364.

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From: stevedennison63@gmail.com
Sent: Friday, June 14, 2024 11:46 AM
To: Watercourt (Bozeman)
Cc: Rick Jore
Subject: [EXTERNAL] FW: Questions for Water Court

Categories: In Process

Conner:

Here are the questions we discussed yesterday over the phone. Please get back to us as soon as possible due to the July 10th deadline. If we have to file a formal Motion for Clarification to the Court, let us know.

1. Can Objectors file Motions stating that the Compact is not Fair or Adequate or do we have to wait to do that in response to the Parties' Motion of Fairness and Adequacy? Does not any Motion dealing with Adequacy and Fairness have to include factual matters. Yet, we are told in CMO # 3 on page 3, Paragraph 3, a. that such Motions are to be filed that does not require the Court to make "findings of fact". Yet much of the origins of the Compact deals with facts. How can one deal with fairness without looking at discovery to find out factually through admissions and interrogatories what they believe the Compact authorizes them to do?
2. What does the Court mean by no party may file more than one motion and one supporting brief? Does this negate filing any other motions dealing with issues of law? So, is the Court saying no other motion dealing with issues of law will be allowed to be filed in the future. What about Motions for Discovery? Is that not needed to make an adequate Motion for the Fairness of the Compact, particularly discovery items filed such as Admissions and Interrogatories?
3. What does the Court mean by duplicate filings? It says they will be rejected. Yet later in the order on page 4, under h. it says duplicate motions and briefs are discouraged. Which is it? Is the duplicate Motions on page 4 dealing duplicate Motions of Joinder?
4. Can 3 pro se Objectors according to page 3, b, file a joint brief of 90 pages.
5. Parties seeking to join another parties' Motion can file a statement of Joinder. Does that mean, for example, 3 pro se Objectors can file a joint brief and then some 30 other pro se Objectors can file a statement of Joinder supporting that brief? Or does 30 other Objectors have to file individual statements of Joinder? Are these statements to be briefs or just simple Motions of Joinder?

Thank you for your assistance we appreciate your help.