

Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
(406) 586-4364
1-800-624-3270
watercourt@mt.gov

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

CASE NO. WC-0001-C-2021

COURT MINUTES AND CONFIRMATORY ORDERS

Pursuant to Case Management Order No. 6 (Doc. 2142.00), as supplemented, the Court conducted a conference via Zoom on March 20, 2025. The purpose of the conference was to discuss various pending discovery issues. The Court issued several oral orders at the conference. The Court confirms and clarifies the oral orders as follows:

1. **Damages Report.** Several parties requested in discovery the production of a report titled “Damages of the Confederated Salish and Kootenai Tribes Due to Actions by the United States,” which includes several volumes and a final Supplement and Economic Valuation. These requests are included in discovery requests filed by attorneys Field and Congdon on behalf of various clients in document no. 2146.00 (Request for Production No. 1); attorney Fredrickson *et al.* on behalf of various clients in document no. 2150.00 , (Request for Production No. 3); Linda Sauer in document no. 2180.00 (Request for Production No. 1); and Rick and Nancy Jore, *et al.* (collectively, the “Jore Parties”) in document no. 2253.00 (Request for Production No. 1). The Compact Parties indicate they object to the request for these documents based on M.R.Civ.P. 26(b)(1) and privilege. The requesting parties contend the documents are discoverable. To address this dispute the Court ORDERS:

- a. Not later than **March 26, 2025**, the Tribes shall deliver a hard copy of the requested documents to the Water Court c/o Sara Calkins, Clerk of

Court, 1123 Research Drive, Bozeman, MT 59771. The documents shall be marked with a cover stating: “Confidential, Filed Under Seal.” The Court will hold the documents under seal for in camera review.

- b. Not later than **March 28, 2025**, any of the Compact Parties shall file a brief, not to exceed 10 pages in length, explaining the basis for the Court to deny disclosure for the documents.
- c. Not later than **March 28, 2025**, any of the parties requesting the documents shall file briefs explaining why the Court should require disclosure of the documents.

2. **Jore Parties’ Witness Disclosure.** The request by the parties identified in the Hearing Request filed by the Jore Parties (Doc. 2121.00) to extend their witness disclosure deadline from March 25, 2025 to April 1, 2025 is GRANTED, with the understanding that any witness disclosed will be made available for a deposition. This extension is limited to the Jore Parties.

3. **Jore Parties Meet and Confer.** The Jore Parties and the Compact Parties shall participate in a meet and confer conference to be conducted by video conference to discuss objections to the Jore Parties discovery contained in document no. 2253.00 and shall report to the Court at the discovery conference scheduled for March 27, 2025.

4. **Late Service Motion.** The Motion to Excuse Late Service filed by the Compact Parties on March 18, 2025 is GRANTED.

5. **Witness Disclosure for Self-Testimony.** The Court confirms that a self-represented party intending to testify at a hearing listed on the schedule contained in Case Management Order No. 6 need not file a separate witness disclosure form for their own testimony, but must file a witness disclosure if they intend to call other witnesses, and must otherwise respond to discovery, including a deposition if requested.

Stephen R. Brown
Chief Water Judge

Service via Electronic Mail:

Todd Kim, Assistant Attorney General
David W. Harder, Senior Attorney for Legal
Issues
U.S. Department of Justice
Indian Resources Section
Environment & Natural Resources Div.
999 18th St., South Terrace, Suite 370
Denver, Colorado 80202
david.harder@usdoj.gov
efile_denver.enrd@usdoj.gov

Rebecca M. Ross, Senior Attorney
James Cooney, Trial Attorney
United States Department of Justice
Indian Resources Section
Environment and Natural Resources Div.
150 M Street, NE
Washington DC 20002
rebecca.ross@usdoj.gov
james.cooney@usdoj.gov

Daniel J. Decker
Melissa Schlichting
Christina M. Courville
Zach Zipfel
Danna R. Jackson
Confederated Salish & Kootenai Tribes
Tribal Legal Department
PO Box 278
Pablo, MT 59855
Melissa.Schlichting@cskt.org
Christina.Courville@cskt.org
Daniel.Decker@cskt.org
zachary.zipfel@cskt.org
danna.jackson@cskt.org

Ryan C. Rusche
Sonosky, Chambers, Sachse, Enderson &
Perry, LLP
PO Box 2930
Columbia Falls, MT 59912
(202) 682-0240, Ext. 697
rusche@sonosky.com

Molly M. Kelly
Jennifer C. Wells
Montana Department of
Natural Resources and Conservation
1539 Eleventh Avenue
PO Box 201601
Helena, MT 59601
(406) 444-5785
Molly.kelly2@mt.gov
Jean.saye@mt.gov
J.wells@mt.gov

Bruce A. Fredrickson
Angela M. LeDuc
Taylor R. Miller
Rocky Mountain Law Partners, P.C.
1830 3rd Ave. E., Ste. 301
PO Box 1758
Kalispell, Montana 59901
(406) 314-6011
bruce@rmtlawp.com
nikki@rmtlawp.com
angie@rmtlawp.com
taylor@rmtlawp.com

Interested Party:
Terisa Oomens
Agency Legal Counsel
Agency Legal Services Bureau
P.O. Box 201440
Helena, MT 59620-1440
Tel: (406) 444-7375
Terisa.oomens@mt.gov

Kristin L. Omvig
Benjamin J. Hammer
OMVIG HAMMER LAW, P.C.
P.O. Box 1202
Kalispell, MT 59903
(406) 885-2850
kristin@ohlawmt.com
ben@ohlawmt.com

Kathryn M. Brautigam
Holland & Hart LLP
401 North 31st Street
Suite 1200
P.O. Box 639
Billings, MT 59103-0639
(406) 896-4605
kmbrautigam@hollandhart.com
aforney@hollandhart.com

Thomas L. Sansonetti
Holland & Hart LLP
2515 Warren Avenue, Suite 450
Cheyenne, Wyoming 82001
tlsansonetti@hollandhart.com

William Caile
Holland & Hart LLP
555 17th Street, Suite 3200
Denver, Colorado 80202
whcaile@hollandhart.com

Matthew W. Williams
MW Law Firm PLLC
777 E Main Street, Ste 205
Bozeman, MT 59715
(406) 586-1373
mattheww53@aol.com

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

Naomi Leisz
Sanders County Attorney
1111 Main St. W.
PO Box 519
Thompson Falls, MT 59873
(406) 827-6903
countyattorney@co.sanders.mt.us

Debra Jackson
Mineral County Deputy County Attorney
300 River Street
P.O. Box 339
Superior, MT 59872
(406) 822-3535
djackson@co.mineral.mt.us
wcongdon@co.mineral.mt.us

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

Murray D. Feldman
Holland & Hart LLP
800 W. Main Street, Suite 1750
Boise, ID 83702
(208) 383-3921
mfeldman@hollandhart.com

Christopher Michael Lauvane Jackson
Holland & Hart LLP
555 17th Street, Suite 3200
Denver, CO 80202
(303) 295-8305
cmjackson@hollandhart.com

Brian K. Gallik
Gallik & Bremer, P.C.
777 East Main Ste 202
Bozeman, MT 59771
(406) 404-1728
brian@galliklawfirm.com
corrie@galliklawfirm.com

Carter, Mickale C.
2231 Middle Road
Columbia Falls, MT 59912
mickalecarter@hotmail.com

Wagner, Darlene B.
PO Box 190158
Hungry Horse, MT 59919
montanadarlene@gmail.com

Schoening, Rick
41694 Stasso Rd.
Polson, MT 59860
rickschoening112@gmail.com

Webb, Brent A.
39 Silcox Park Ln
Thompson Falls, MT 59873
litso2084@yahoo.com

Dennison, Vicki P.
32345 Red Horn Rd.
St. Ignatius, MT 59865
vpdennison@yahoo.com

Wickum, Deborah C.
1451 Whitlash Rd
Chester, MT 59522
dobarah@gmail.com

LaMarche, Paul R.
33334 Emory Rd.
Ronan, MT 59864
plamarche@ronan.net

Webb, Stephanie M.
39 Silcox Park Ln
Thompson Falls, MT 59873
77stephm@gmail.com

Yelin, Lee P.
5890 Kerr Drive
Missoula, MT 59803
waterrightsinc@gmail.com

Dennison, Stephen D.
32345 Red Horn Rd.
St. Ignatius, MT 59865
stevedennison63@gmail.com

Root, Valerie
73503 Grey Wolf Dr.
Arlee, MT 59821
rootfarmarlee@gmail.com

Service via USPS Mail:

Allen, Vivian
PO Box 190278
Hungry Horse, MT 59919

Palmer, Delbert Dee
54632 Hwy 212
Charlo, MT 59824

Junge, Beth
Junge, Gunner
PO Box 591
Thompson Falls, MT
59873

Krantz, Karen J.
37117 Carbine Rd.
Ronan, MT 59864

Brockway, Robert Dean
25900 Gray Wolf Rd
Arlee, MT 59821

Matthiesen, Kenneth C.
PO Box 325
Plains, MT 59859

Sauer, Linda J.
PO Box 264
Dayton, MT 59914

Erb, Gene Jr.
78185 US Hwy. 93
St. Ignatius, MT 59865

Havens, Teresa A.
30734 Mission Creek Rd.
St. Ignatius, MT 59865

Ingraham, Elena A
13 John Long Rd
Philipsburg, MT 59858

Doty, Randolph M.
39995 Dotys Ln.
Charlo, MT 59824

Regier, Keith S.
Regier, Jolene A.
1078 Stillwater Road
Kalispell, MT 59901

Mutch, Frank K
Mutch, Mary E
33678 N. Finley Pt. Rd.
Polson, MT 59860

Samuelson, Trudy A.
31118 Mission Creek Road
St. Ignatius, MT 59865

French, Mark T
French, Kathleen
8682 Hwy 200
Plains, MT 59859

Havens, Charles F.
30734 Mission Creek Rd.
St. Ignatius, MT 59865

Tschida, Bradley E
10825 Mullan Rd
Missoula, MT 59808

Jore, Rick D
Jore, Nancy L
30488 Mount Harding
Lane
Ronan, MT 59864

Shea, Bernard J.
Shea, Tina M.
34881 MT Hwy 35
Polson, MT 59860

Ammen, Alice A.
Ammen, James F.
1409 Gerald Ave
Missoula, MT 59801

Evans, Lyle D.
40782 Jesse Rhodes Way
Charlo, MT 59824

Christiansen, Shirley A.
60548 Mt. Hwy. 212
Charlo, MT 59824

Smith, Mark S
57372 Biggerstaff Lane
Charlo, MT 59824

Doty, Romona J.
PO Box 7546
Kalispell, MT 59904

Doty, Rosanna
Doty, Michael
155 Eid Lane
Kalispell, MT 59901

Churmage, Valorie S.
PO Box 10246
Kalispell, MT 59904

Pratt, Rita M.
4231 Mount Ave.
Missoula, MT 59804

Hertz, Douglas A.
57790 Crow Dam Rd.
Charlo, MT 59824

Weber, James F.
227 Rhodes Draw
Kalispell, MT 59901

Dally, Gene L.
55679 Fish Hatchery Rd
St. Ignatius, MT 59865

Johnsen, Eva
47636 Glacier Lily Lane
Ronan, MT 59864

Nitschke, Diane
Nitschke, Brian
39083 Dublin Gulch Road
Charlo, MT 59824

Johnsen, Forrest L.
47636 Glacier Lily Lane
Ronan, MT 59864