

Montana Water Court  
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WC-0001-C-2021

October 3, 2023

Montana Water Court

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**

**COURT MINUTES AND ORDER SETTING CONFERENCE**

Pursuant to Case Management Order No. 2 dated March 27, 2023 (Doc. 1,084.00), and the Notice of Case Management Conference Agenda dated September 22, 2023 (Doc. 1,349.00), a Hearing Track Case Management Conference took place on October 3, 2023 by Zoom. Representatives of each of the Compacting Parties and numerous objectors attended. The conference addressed the topics outlined in the agenda, and topics raised by various parties, either in filings or during the conference. The conference was recorded.

As part of the conference, the Court and parties discussed a schedule for proceedings. Based on the discussion, the case will proceed in phases, with the first phase limited to motions to dismiss or other motions on the pleadings filed by the Compacting Parties. The Compacting Parties also requested the opportunity to file a motion as to the form and adequacy of the Compact. The objectors requested the opportunity for responses, and cross-motions, including any opposition under Montana Rule of Civil Procedure 56(e). No discovery will occur during the first phase.

The Court will include a briefing schedule and address the other topics discussed related to the Hearing Track in a more formal case management order. Before issuing that order, the Court requested that the Compacting Parties and legal counsel for the various

objectors meet and confer as to a first phase briefing schedule, with briefing to be complete by Spring 2024. The Court sets a subsequent conference to discuss the schedule.

### **ORDER**

Therefore, it is ORDERED that counsel for the United States shall arrange a meet and confer conference call with those attorneys of record for objectors identified on Mediation Report Nos. 5 through 10 to discuss a proposed briefing schedule for the first phase of motions. If the parties agree on a schedule, they may file the proposed schedule with the Court. The Court sets a conference with the Court for **October 10, 2023** at 10:00 a.m. Mountain Time, to take place by Zoom. The conference shall be limited to finalizing the first phase briefing schedule and any related topics. Following the conference, the Court will issue the case management order for the next phase of proceedings.

Instructions to access the October 10, 2023 conference with the Court 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:

[\[https://mt-gov.zoom.us/j/89613200661?pwd=djBMaTZBRmNFQXdXd1VudWVYb0pSZz09\]](https://mt-gov.zoom.us/j/89613200661?pwd=djBMaTZBRmNFQXdXd1VudWVYb0pSZz09)

Meeting ID: 896 1320 0661

Password: 857231

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: 896 1320 0661

Password: 857231

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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Water Judge

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