

**Title 20 – Water Resources Use and  
Administration  
Chapter 5. Hearings**

**Sec. 507. Public hearing on permit applications.**

(a) A public hearing shall be held on each application unless there has been no objection to or comment upon the application by the Tribes or any other person and the Commission determines to grant it with conditions accepted by the applicant. At least two (2) members of the Commission shall be present and shall preside over the hearing. The applicant and all objectors shall have the right to participate as parties, to present oral and written testimony of witnesses under oath, and to be represented by counsel at their own expense. The Commission shall have power to administer oaths to witnesses, to take evidence under oath, and to issue subpoenas to compel the attendance of witnesses or for the production of books, records, documents and other evidence. The Fort Peck Tribal Court shall enforce any subpoena issued by the Commission in the same manner as the Court enforces its own subpoenas. The ordinary rules of evidence shall not apply in any hearing, but evidence which is irrelevant, cumulative, unduly prejudicial, or would otherwise be unfair if admitted, shall be excluded or may be admitted by the Commission only under special conditions or stipulations.

(b) The Tribes may participate in any hearing as a party and may present oral or written testimony of witnesses under oath.

(c) The Commission may, in addition to the evidence of record at the hearing, rely in its decision upon such public information and such of its own expertise as it deems necessary to assist it in making the determination to grant or deny any application for a permit.

(d) The Commission member or members present at the hearing may, in their discretion, request or permit the parties to submit additional materials or briefs after the hearing.