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**CLARK FORK DIVISION**  
**FLATHEAD RIVER, BELOW FLATHEAD LAKE**  
**BASIN 76L**

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**SECOND ORDER EXTENDING OBJECTION DEADLINE**

The objection period for the Preliminary Decree in Basin 76L, the Flathead River Basin, Below Flathead Lake, was originally scheduled to close on October 29, 2025. On September 25, 2025, the Court granted a joint request filed by the United States of America (“United States”), on behalf of the U.S. Department of Interior, Bureau of Indian Affairs, and as trustee for the Confederated Salish and Kootenai Tribes, and the Confederated Salish and Kootenai Tribes (“Tribes”), and extended the objection deadline to January 27, 2026. (Basin File, Doc. 47.00). On November 26, 2025, the United States filed a motion for a second extension to the objection deadline. (Doc. 50.00).

In general, the motion for an additional extension is based on a combination of the lapse of funding for the United States Department of Justice, work performed by the Department of Justice on behalf of the United States in its capacity as Trustee for the Tribes in connection with the CSKT Compact litigation (Water Court case WC-0001-C-2021), and the somewhat overlapping objection period for the Preliminary Decree for Basin 76LJ.

As the Court noted in its first extension order, the Water Use Act authorizes the Court to extend the objection period for a preliminary decree, provided good cause is shown and the request for extension is received before the end of the current objection

period. Section 85-2-233(2), MCA. The motion is timely because it comes well before the current objection deadline.

As to good cause, the Court's prior order indicated the Court does not grant objection extensions routinely, being mindful of its obligation to move the statewide adjudication to completion. The Court also noted the issuance of one extension does not guarantee the Court will issue a second extension. However, the motion demonstrates the delay is not attributed to lack of diligence, but instead is a matter largely beyond the control of those working on objections, and the somewhat unique situation in northwest Montana arising from the confluence of the two Flathead preliminary decrees and the CSKT Compact litigation. These factors demonstrate good cause.

Accordingly, it is ORDERED that the request is GRANTED, and the Basin 76L Preliminary Decree objection period is EXTENDED until and including **Monday, April 27, 2026** to **file, not mail**, objections to the Preliminary Decree in Basin 76L. This extension applies to ALL WATER CLAIMANTS AND OBJECTORS for claims in this Basin, regardless of whether they asked for an extension. The Court will publish one notice of the extension in the *Missoulian*, the *Sanders County Ledger*, *Char-Koosta News*, and the *Lake County Leader*. The Court also will provide notice on the Public Notices and Information page on the Court's website (<https://courts.mt.gov/courts/water/Notices-Info/PublicNotices>) and to the Court's listserv.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

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