

**IN THE WATER COURT OF THE STATE OF MONTANA  
CLARK FORK BETWEEN THE BLACKFOOT AND FLATHEAD RIVERS  
CLARK FORK DIVISION - BASIN 76M**

\*\*\*\*\*

**CASE BASIN-0005-76M-1984**

**ORDER GRANTING REQUEST FOR EXTENSION OF TIME TO FILE  
OBJECTIONS**

The objection period for the Preliminary Decree in Basin 76M, the Clark Fork River Basin between the Blackfoot River and the Flathead River, closes on April 7, 2025. On March 6, 2025, the United State of America (“United States”), on behalf of the Department of Agriculture – Forest Service (“Forest Service”) filed a Request for Extension. The Request asks the Court to extend the preliminary decree objection period for this basin by an additional 90 days.

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 United States’ extension request satisfies both statutory criteria. As to good cause, the Request explains that the Forest Service is a large landowner in Basin 76M, which includes large swaths of the Lolo National Forest and the Beaverhead-Deerlodge National Forest. The Forest Service owns 171 claims in the decree, and there are several thousand more claims in the decree. The Request indicates the Forest Service’s review

process is well underway but has been hampered by recent staff changes and reductions. The Request also indicates diligence in completing the objection review and that the United States is unlikely to seek similar extension requests in other upcoming basin decrees. Finally, the Forest Service notes its pending caseload in other basin proceedings.

The Court does not grant objection extensions routinely, being mindful of its obligation to move the statewide adjudication to completion. At the same time, the Court recognizes that specific situations justify extensions, and a relatively short delay may ultimately streamline the objection resolution process. On balance, the United States' Request demonstrates a 90-day extension is reasonable. This approval should not be viewed as precedent for further extensions for this basin.

Accordingly, it is ORDERED that the request is GRANTED, and the Basin 76M objection period is EXTENDED until and including **Monday, July 7, 2025** to file, **not mail**, objections to the Preliminary Decree in Basin 76M. 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 at least one notice of the extension in the *Missoulian*, the *Mineral Independent*, and the *Sanders County Ledger*.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service Via Electronic Mail:**

Judith Coleman, Trial Attorney  
Natural Resources Section, ENRD  
US Department of Justice  
PO Box 7611  
Washington, D.C. 20044-7611  
Phone (202) 514-3553  
Fax (202) 305-0506  
judith.coleman@usdoj.gov  
montanabasins.enrd@usdoj.gov

Department of Natural Resources and Conservation  
Water Resources  
Todd Netto, Adjudication, Enforcement and  
Distribution Bureau Chief  
PO Box 201602  
Helena, MT 59620  
[TNetto@mt.gov](mailto:TNetto@mt.gov)

DNRC Water Resources  
Missoula Regional Office  
P.O Box 5004  
Missoula, MT 59806-5004  
Phone (406) 721-4284  
[jnave@mt.gov](mailto:jnave@mt.gov)  
kbrown3@mt.gov  
garrett.musso2@mt.gov