

Montana Water Court
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**IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
BEAVER CREEK, TRIBUTARY OF MILK RIVER
BASIN 40M**

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ORDER EXTENDING OBJECTION DEADLINE

The objection period for the Preliminary Decree in Basin 40M, Beaver Creek, tributary of Milk River, is scheduled to close on May 11, 2026. On April 22, 2026, the United State of America (“United States”), on behalf of the U.S. Department of Interior, Bureau of Land Management (“BLM”), filed a Request for Extension (“Request”). The Request asks the Court to extend the Basin 40M Preliminary Decree objection period for this Basin by an additional 90 days to August 10, 2026.

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 extension request satisfies both statutory criteria. The Request is timely because it was filed well before the current objection deadline. As to good cause, the Request explains that this basin contains a significant amount of land administered by the BLM. The basin also includes many private stockwater rights that must be reviewed. The Request also notes the work to review water right claims has been hampered by the recent departure of a key employee. The Request indicates work on the Preliminary Decree objection analysis is underway but will be facilitated by additional time.

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 an extension may ultimately streamline and result in greater accuracy in the objection resolution process. The Court also is cognizant of the many basins in active objection periods where the United States has potential interests. Despite the extensive interests statewide, the United States has not routinely sought extensions to objection periods. On balance, the Request demonstrates a 90-day extension is reasonable and meets the statutory criteria.

Accordingly, it is ORDERED that the request is GRANTED, and the Basin 40M objection period is EXTENDED until and including **Monday, August 10, 2026 to file, not mail**, objections to the Preliminary Decree in Basin 40M. This extension applies to ALL WATER CLAIMANTS AND OBJECTORS for claims in Basin 40M, regardless of whether they asked for an extension. The Court will publish at least one notice of the extension in the *Phillips County News*, *Great Falls Tribune*, and *Glasgow Courier*. 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.

Service via Electronic Mail:

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