

**MONTANA WATER COURT
UPPER MISSOURI RIVER DIVISION
RED ROCK RIVER BASIN 41A
INTERLOCUTORY DECREE**

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ORDER DISMISSING COUNTEROBJECTIONS

The Water Court issued the Interlocutory Decree for the Red Rock River Basin (Basin 41A) on January 31, 2025. Following expiration of the objection period, the Court opened the decree for counterobjections. The notice opening the counterobjection period stated that “[c]ounterobjections are limited to claims included within this decree.”

On September 23, 2025, the Court received three Notices of Counterobjection from Hildreth Livestock Co. Each of these counterobjections raised issues with claims owned by the United States. The three claims include:

41A 53013-00 41A 53033-00 41A 53053-00

None of these claims referenced in these counterobjections were included in the Basin 41A Interlocutory Decree.

The right to counterobject is contained in § 85-2-233, MCA, which is part of the adjudication hearing provisions of the Water Use Act. The counterobjection provision contains the following limitation:

Counterobjections must be limited to those claims that are included within the particular decree issued by the court.

This limitation also is contained in Rule 6(b) of the Water Right Adjudication Rules.

None of the three counterobjections filed by Hildreth Livestock Co. address claims in the Basin 41A Interlocutory Decree. As such they fail to meet the requisite conditions for a valid counterobjection and must be dismissed.

ORDER

Therefore, it is ORDERED, that each of the counterobjections referenced in this Order is DISMISSED and shall not appear on the objection list for Basin 41A

ELECTRONICALLY SIGNED AND DATED BELOW.

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