

Montana Water Court
PO Box 1389
Bozeman, MT 59711-1389
(406) 586-4364
1-800-624-3270
watercourt@mt.gov

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
TONGUE RIVER, BELOW HANGING WOMAN CREEK
BASIN 42C
INTERLOCUTORY DECREE

* * * * *

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

The objection period for the Interlocutory Decree in Basin 42C closes on April 8, 2024. On April 3, 2024, the United States of America (“United States”) timely filed a *Motion for Extension of Time to File Objections* on behalf of the Department of Agriculture – Forest Service (“Forest Service”). The motion is docketed as document no. 12.00 in the electronic docket for this basin (Basin-0010-42C-1985).

This Court may extend the objection period in basin 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 United States refers to the large number of claims on the Interlocutory Decree that affect the Forest Service’s interests in the basin. The United States explains the need to review historical documentation to evaluate the claims and potential objections. The United States also notes its substantial efforts over the past six months to meet the objection deadlines in Basin 41F and Basin 76N, which it did without seeking an extension. Due to time necessary to review the claims in these basins, the Forest Service has not yet completed its review of necessary documentation and requires additional time. While the United States requests a 90-day extension, it also says a more limited extension of 30 days would be sufficient. Under these circumstances, and

considering the need to continue to move through the overall adjudication process, the Court concludes a 30-day extension is appropriate.

Therefore, it is ORDERED that the United States' Motion is GRANTED as to a 30-day extension to the objection period. The objection period is EXTENDED until and including **May 8, 2024**, to file, **not mail**, objections to the Interlocutory Decree in Basin 42C. This extension applies to all water right claimants and potential objectors, regardless of whether they asked for an extension. The Clerk of Court is directed to publish notice of the extension in the *Billings Gazette*, *Miles City Star*, and *Powder River Examiner*.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via Electronic Mail:

Judith E. Coleman
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
Judith.Coleman@usdoj.gov
MontanaBasins.ENRD@usdoj.gov

Helena DNRC Adjudication Office
Attn: Laura Hinck
PO Box 201602
Helena, MT 59620-1602
Lhinck2@mt.gov

DNRC Billings Regional Office
Airport Industrial Park
1371 Rimtop Drive
Billings, MT 59105-1978
Phone: (406) 247-4415
MElison@mt.gov