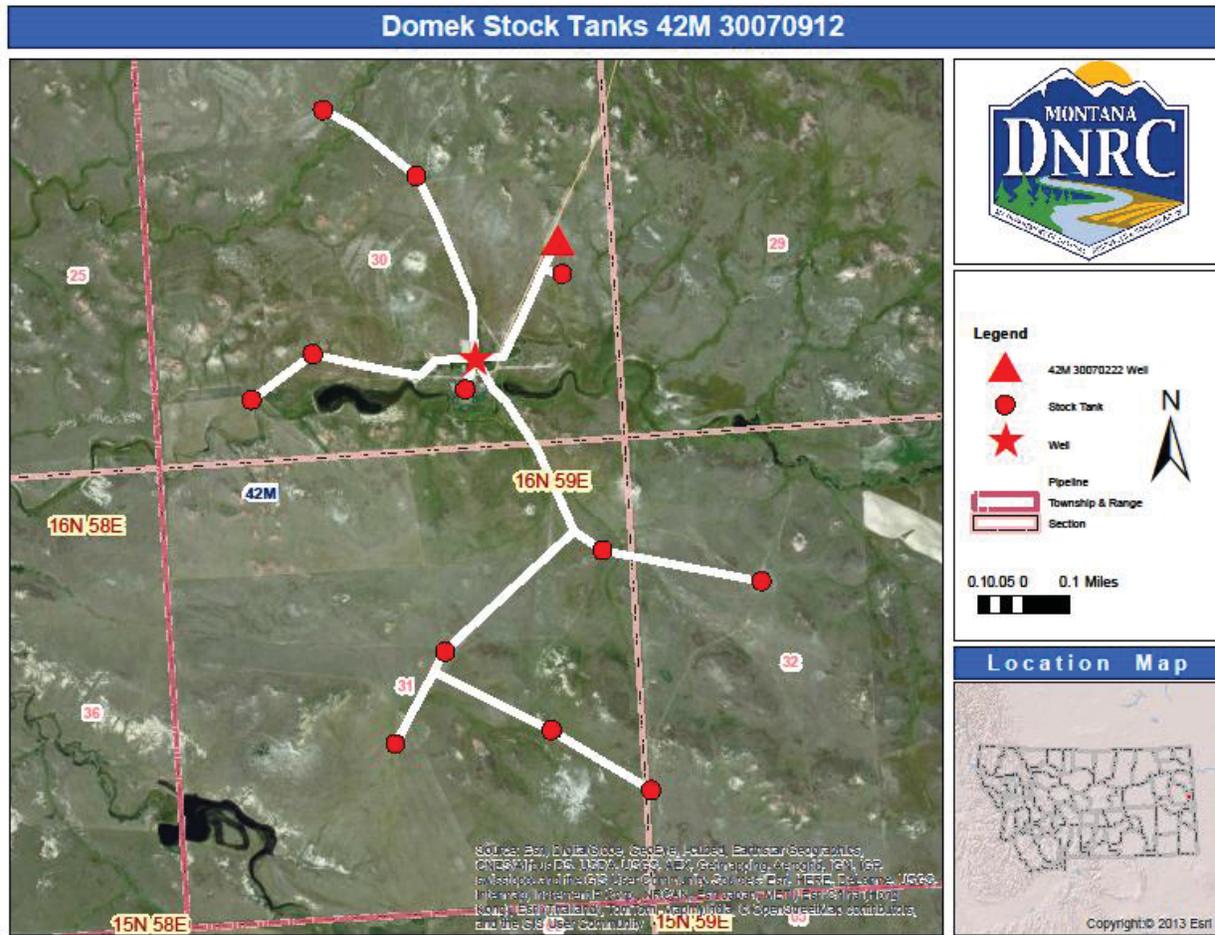


Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact



Part I. Proposed Action Description

1. Applicant/Contact name and address: Duane Domek
PO Box 225
Wibaux, MT 59353
2. Type of action: Application to Change an Existing Water Right No. 42M 30070912
3. Water source name: Groundwater

Location affected by project: The project is generally located 10 miles NW of Wibaux, MT.
The specific location of the project is as follows:

NESE Section 30, T16N, R59E, Wibaux County
SESW Section 30, T16N, R59E, Wibaux County
Govt. Lot 4, SWSW Section 30, T16N, R59E, Wibaux County
SWNE Section 30, T16N, R59E, Wibaux County
NENW Section 30, T16N, R59E, Wibaux County
SWNE Section 31, T16N, R59E, Wibaux County
NESW Section 31, T16N, R59E, Wibaux County
Govt, Lot 7, NESE Section 31, T16N, R59E, Wibaux County
Govt. Lot 4, SWSW Section 32, T16N, R59E, Wibaux County
SENW Section 32, T16N, R59E, Wibaux County

4. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant is adding 10 additional stock tanks via a pipeline to an existing Ground Water Certificate for better pasture management and more efficient grazing. Water is diverted by means of a groundwater well and conveyed to the stock tanks via a 1.25 inch PVC pipeline. The stock tanks will be used by 150 animal units year-round at a flow rate of 12 GPM and 2.55 acre-feet (AF) per year.

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

5. Agencies consulted during preparation of the Environmental Assessment:
Montana Natural Resource Information System (NRIS)
Montana Department of Fish, Wildlife, & Parks (DFWP)
Montana Department of Environmental Quality
Montana Natural Heritage Program
National Wetlands Inventory

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: N/A-The source is groundwater.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: N/A-The source is groundwater.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: No impacts identified. The existing Ground Water Certificate was issued for year-round use of 150 animal units. There will be no change in the number of animal units being watered under this water right.

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: No impacts identified. The means of diversion have already been completed.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

Determination: No impacts identified. The source of water is groundwater and the diversion means and conveyance system have already been completed.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: No wetlands identified by the National Wetlands Inventory will be affected by this change. There are multiple wetlands identified on the Applicant's property, however the proposed project will not have an impact on these wetlands. The National Wetlands Inventory identified that all of the wetlands on the Applicant's property are man-made wetlands formed when man-made barriers or dams were installed to obstruct flow of water.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: No impacts identified. There are ponds on the Applicant's property (see above wetlands determination), however this water project does not involve any ponds and has already been completed.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: No impacts identified. This water project is for stock water tanks in pastureland and will not influence soil quality, stability, or moisture content.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: No impacts identified. This project is located all on land owned by the Applicant. It will be their responsibility to manage noxious weeds and vegetative cover in their pastures. The Montana Natural Resource Information System (NRIS) did not identify any weeds documented in the project area.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: No impacts identified. There should be no impact to air quality from this development.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: NA- Project not located on State or Federal Lands.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: No impacts identified.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No known environmental plans or goals will be impacted by this project.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: No access or recreational activities will be impacted by this project.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: No impacts to human health have been identified.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes ___ No X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: There are no additional government regulatory impacts on private property rights associated with this change application.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No impacts identified
- (b) Local and state tax base and tax revenues? No impacts identified
- (c) Existing land uses? No impacts identified
- (d) Quantity and distribution of employment? No impacts identified
- (e) Distribution and density of population and housing? No impacts identified
- (f) Demands for government services? No impacts identified
- (g) Industrial and commercial activity? No impacts identified
- (h) Utilities? No impacts identified
- (i) Transportation? No impacts identified
- (j) Safety? No impacts identified
- (k) Other appropriate social and economic circumstances? No impacts identified

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts No impacts identified

Cumulative Impacts No impacts identified

3. *Describe any mitigation/stipulation measures:* N/A

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

There are no reasonable alternatives to the proposed action. The means of diversion and conveyance have already been completed.

PART III. Conclusion

1. Preferred Alternative

Issue a change authorization if the Applicant proves the criteria in 85-2-402, MCA, are met.

2 Comments and Responses

3. Finding:

Yes ___ No **X** Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

No significant impacts to the proposed project have been identified.

Name of person(s) responsible for preparation of EA:

Name: Nathaniel T. Ward

Title: Water Resource Specialist

Date: November 6, 2014