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:
JUMPING HORSE STOCK RANCH, LLC
PO BOX 1377
ENNIS, MT 59729

2. Type of action: Application for Change of Appropriation Water Right – Additional Stock Tanks No. 41F 30161465 by Jumping Horse Stock Ranch, LLC

3. Water source name: Groundwater

4. Location affected by project: The Applicant proposes to add stock tanks and hydrants to the place of use (POU) of Statement of Claim 41F 132847-00. The proposed POU would include 14 new stock tanks and 6 new hydrants, located within the Applicant's property generally in Section 19, 30, and 31, T1N, R2E, Gallatin County.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: Applicant submitted Change Application No. 41F 30161465 on December 11, 2023, to the Bozeman DNRC Water Resources Office. The Applicant proposes to add stock tanks and hydrants to the POU of Statement of Claim 41F 132847-00. The proposed POU would include 14 new stock tanks and 6 new hydrants, located within the Applicant's property generally in Section 19, 30, and 31, T1N, R2E, Gallatin County. The proposed change will add 19 new POUs between the hydrants and stock tanks and will continue to use the historical stock tank and automatic waterers in the SESESW and SWSWSE Section 31, T1N, R2E, Gallatin County. The well diversion will be part of a manifold system with Groundwater Certificate 41F 3223-00 and Statement of Claim 41F 132844-00, which are part of concurrent Change Application Nos. 41F 30161463 and 41F 30161464. Water will continue to be diverted at a maximum flow rate of 35 GPM up to 19.32 AF. No change to point of diversion or purpose is proposed. This water right does not have a place of storage element. The DNRC shall issue a Change Authorization if an applicant proves the criteria in 85-2-402 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
   - Montana Department of Fish, Wildlife & Parks (FWP) – Dewatered Streams Page 3 of 4 https://gis-mtfwp.opendata.arcgis.com/datasets/e0849312c41b415992a075f8696164c8_0/explore?location=46.751212%2C-110.425168%2C7.85

- Montana Department of Environmental Quality (DEQ) – Clean Water Act Information Center (CWAIC) https://clean-water-act-information-center-mtdeq.hub.arcgis.com/
- Montana National Heritage Program (MTNHP) – Natural Heritage Map Viewer https://mtnhp.org/mapviewer/?t=7
- U.S. Fish & Wildlife Service (USFWS) – National Wetlands Inventory Wetlands Mapper https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper
- Natural Resource Conservation Service (NRCS) – Web Soil Survey (WSS) https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

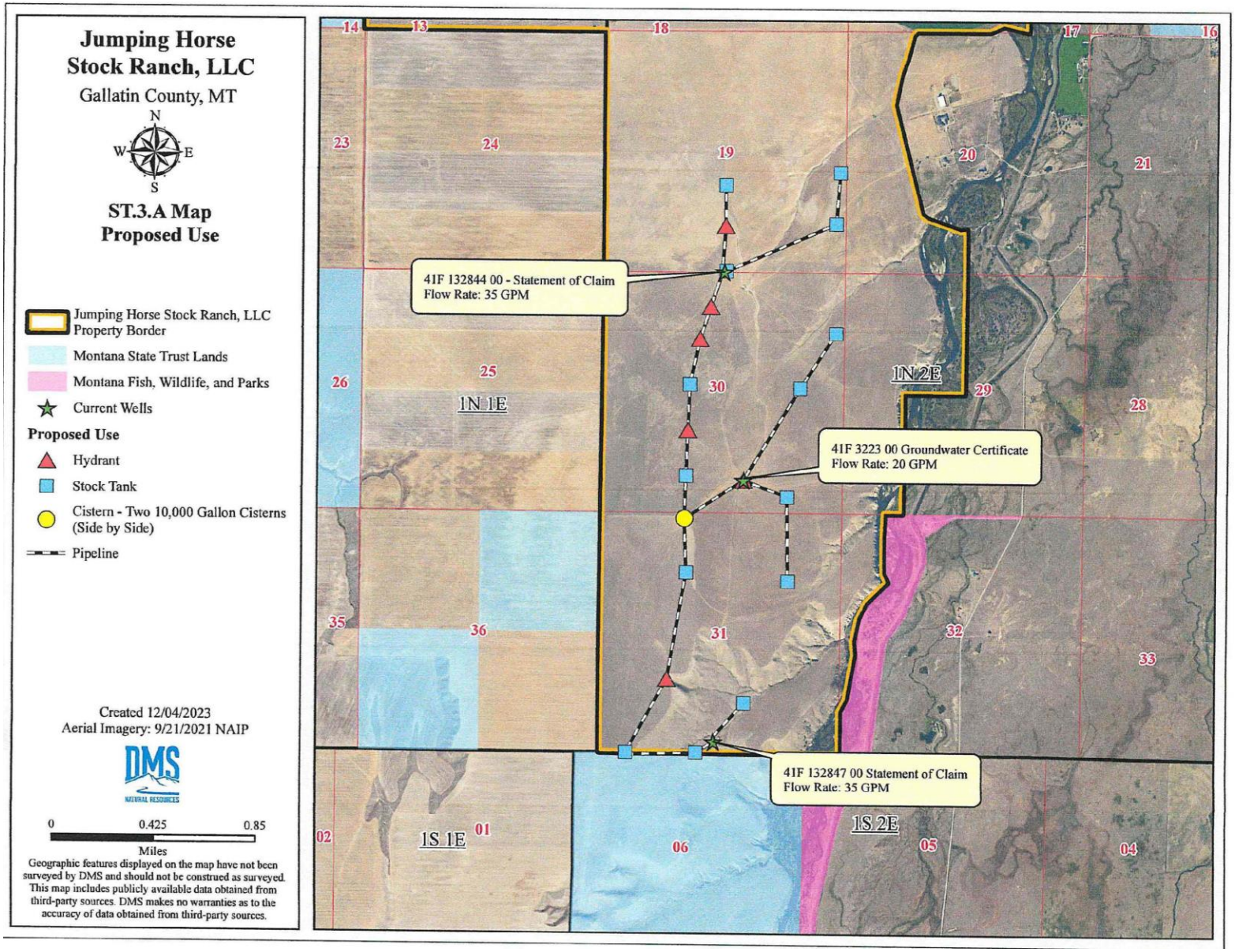

Figure 1. Proposed Change Application 41F 30161465, map produced by DMS Natural Resources, LLC

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: No significant impact. The source of water is groundwater, which is not listed by DFWP. However, the well is located approximately 2,200 ft from Madison River. A December 4, 2024, search of DFWP shows that the Madison River is not chronically dewatered. The proposed diverted volume and flow rate are equal to the historically diverted volume and flow rate, so water in the nearby surface water source will not decrease as a result of the proposed change. Each stock tank in the system will be equipped with float valves to control the flow into the tanks. Groundwater will continue to be used for stock use and no changes in consumption will occur. No impact to water quantity is expected as a result of this change.

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: No significant impact. The source of the water right proposed for change is groundwater. Groundwater is not listed by the Montana Department of Environmental Quality (DEQ) on the CWAIC website. Adjacent surface water quality is not likely to be affected by the proposed change, as the well has been in use since 1958.

According to a December 4, 2024, search of the CWAIC website, the nearby stretch of the Madison River (Madison Dam to mouth of the Missouri River) is not fully supporting aquatic life and drinking water uses. The CWAIC assessment states the impairment to aquatic life and drinking water may have resulted from alteration in stream-side or littoral vegetative covers, arsenic, sedimentation/siltation, or temperature. The well has been in use since 1958 for stock use. The additional stock tanks in the stock watering system will not increase the volume of water diverted or consumed from the well and continued use of the well is not anticipated to impact the water quality of nearby surface water.

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 significant impact. Water will be diverted to a stock watering system using a well equipped with a Goulds Series 23 Stage 4" 5 HP Pump. The stock watering system will be supplied by three separate groundwater wells. Each well is appropriated by a different water right and the system is manifold together. The maximum pumping capacity of the pump in the well for Statement of Claim 41F 132847-00 is 50 GPM, but water will be diverted at a maximum flow rate of 35 GPM. Water will be pumped from the well to continue to provide water for stock use through the stock watering system. The well has been in use since 1958 for stock use and

continued use of the well is not anticipated to impact groundwater supply or quality, as no changes in volume or flow rate are proposed. The well is approximately 2,200 ft from nearby surface water, the Madison River and the Applicant will continue to divert water at a flow rate of 35 GPM up to 19.32 AF. The use of the groundwater well is not anticipated to impact adjacent surface water flows.

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 significant impact. The well diversion has been in use since 1958, and the addition of the stock tanks will not increase the flow rate or volume of the well for stock use. Continued diversion of groundwater from the well should not create significant channel impacts, flow modifications, or barriers. No significant impacts to existing resources have been identified.

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 significant impact. A search of the Montana Heritage Program's website on December 9, 2024, for T1N, R2E, Gallatin County returned the following results:

- 45 animal Species of Concern: Canada Lynz, Wolverine, American Bittern, American Goshawk, American White Pelican, Black-billed Cuckoo, Black-crowned Night-heron, Black-necked Stilt, Bobolink, Brewer's Sparrow, Brown Creeper, Burrowing Owl, Caspian Tern, Cassin's Finch, Clark's Nutcracker, Common Loon, Evening Grosbeak, Ferruginous Hawk, Forester's Tern, Franklin's Gull, Golden Eagle, Gray-crowned Rosy-Finch, Great Blue Heron, Great Gray Owl, Green-tailed Towhee, Horned Grebe, Lewis's Woodpecker, Loggerhead Shrike, Long-billed Curlew, Pinyon Jay, Sage Thrasher, Sharp-tailed Grouse, Sprague's Pipit, Thick-billed Longspur, Trumpeter Swan, Varied Thrush, Veery, White-faced Ibis, Yellow Rail, Greater Short-horned Lizard., Northern Leopard Frog, Western Toad, Artic Grayling, Northern Redbelly Dace, Westslope Cutthroat Trout
- 8 animal Potential Species of Concern: North American Porcupine, Silver-haired Bat, Barrow's Goldeneye, Broad-tailed Hummingbird, Hooded Merganser, Rufous Hummingbird, Short-eared Owl, Tennessee Warbler
- 1 animal Special Status Species: Bald Eagle
- 3 plant Species of Concern: Annual Indian Paintbrush, Beaked Spikerush, Annual Muhly, Ute Ladies'-Tresses
- 1 plant Potential Species of Concern: Limestone Larkspur
- 0 plant Special Status Species

As this proposed application is to continue to divert water from a well located on private property for continued stock use, the groundwater use should not influence surface water flows

to significantly impact threatened, endangered, or special concern species. The pumping of groundwater will not decrease surface water flows to significantly impact any of these species.

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 significant impact. A December 9, 2024, search on the National Wetlands Inventory Mapper shows no wetlands exist in the project area, and no wetlands are involved in the project. Wetlands located along nearby surface water are unlikely to be impacted by the proposed addition of the stock tanks, as no increase in flow or volume is proposed.

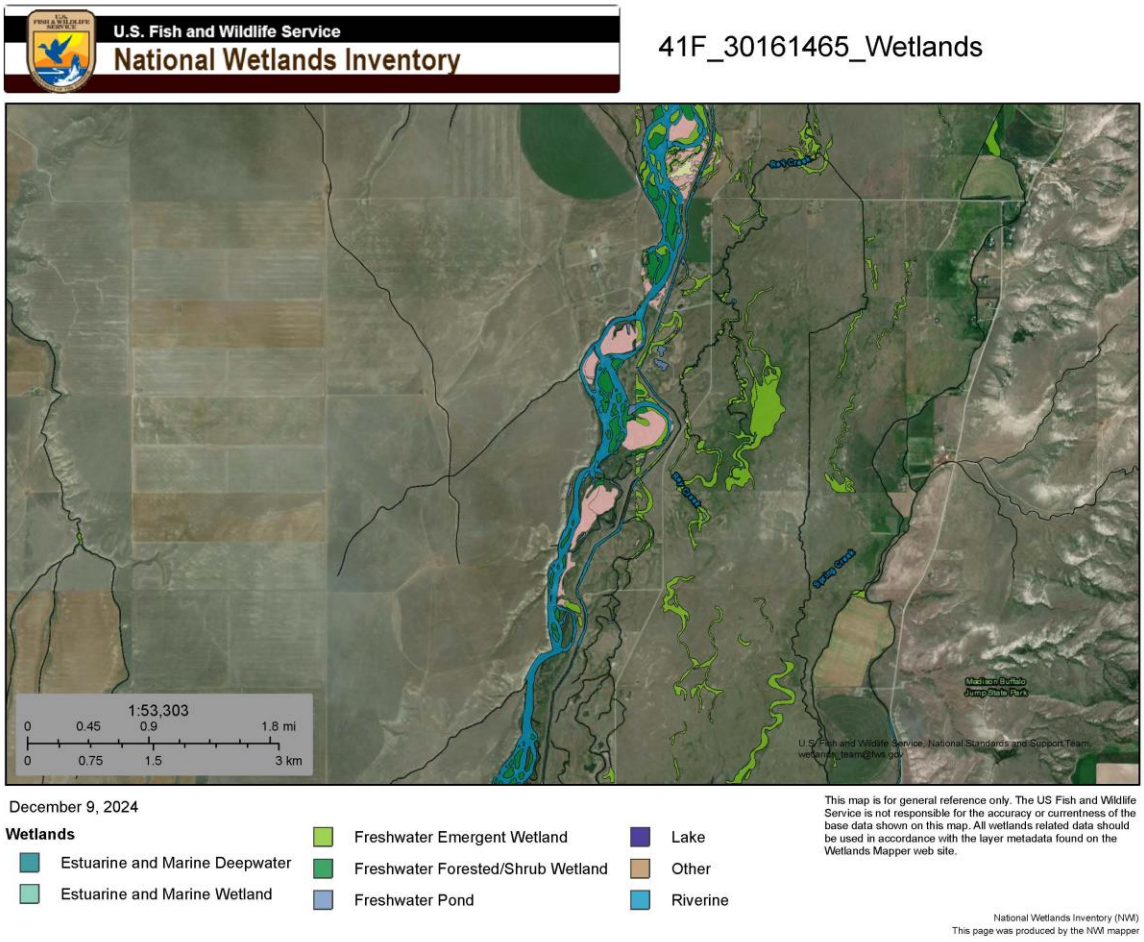

Figure 2. Wetlands around the project area for Change Application 41F 30161465

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

Determination: Not applicable. No ponds are involved in the project.

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 significant impact. The well has been in use for stock use since 1958 and the proposed addition of stock tanks will not increase the flow rate or volume diverted from the groundwater well. No impacts on nearby streambanks or vegetative cover are expected to occur from continued use of the well. Use of water will continue in a manner consistent with locally accepted, historic practices and will not significantly impact soil quality. The NRCS Soil Survey website, queried on December 9, 2024, did not identify any saline seeps in the area.

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: The well has been in use for stock use since 1958 and the proposed addition of stock tanks will not increase the flow rate or volume diverted from the groundwater well. No impacts on nearby streambanks or vegetative cover are expected to occur from continued use of the well. Continued use of the well for stock use is unlikely to impact the surrounding area's vegetative cover, and neither should it allow the establishment of noxious weeds. Under Montana law, owners are responsible for noxious weed control on their property.

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

Determination: No impact. No deterioration of air quality will result from diversion and use of water from this well.

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: Not applicable. The project is not located on State or Federal Lands. Further, the Applicant made no mention of significant historical or archeological sites on the property.

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 impact. No other demands on environmental resources of land, water, and energy are anticipated.

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 significant impact. The proposed project adds stock tanks to an existing stock watering system. The well will continue to be used for stock use, which is a recognized

beneficial use of water within the State of Montana (§85-2-102(5), MCA). Livestock rearing is a locally accepted practice within Madison County.

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: The proposed project is located on private property and will not affect access to recreational activities or the quality of recreational and wilderness activities.

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

Determination: No significant impact.

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: No significant impact.

This project does not impact government regulations on private property rights.

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 significant impacts identified.

(*b) Local and state tax base and tax revenues?* No significant impacts identified.

(c) Existing land uses? No significant impacts identified.

(*d) Quantity and distribution of employment?* No significant impacts identified.

(e) Distribution and density of population and housing? No significant impacts identified.

(f) Demands for government services? No significant impacts identified.

(g) Industrial and commercial activity? No significant impacts identified.

(h) Utilities? No significant impacts identified.

(i) Transportation? No significant impacts identified.

(j) Safety? No significant impacts identified.

(k) Other appropriate social and economic circumstances? No significant impacts identified.

2. ***Secondary and cumulative impacts on the physical environment and human population:***
Secondary Impacts No significant secondary impacts identified.

Cumulative Impacts No significant cumulative impacts identified

3. ***Describe any mitigation/stipulation measures:*** Additional stock tanks will be added to an existing stock watering system. The system will be composed of three separate wells that are manifold together. The three wells are appropriated by different water rights, proposed for change in Change Application Nos. 41F 30161463, 41F 30161464, and 41F 30161465. The Applicant will not exceed the historical diverted volume for the stock use of 1150 AU. Stock will be able to drink from any stock tank in the system. For the change authorization to be granted by the DNRC, the Applicant must prove the criteria in §85-2-402 MCA are met.

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:*** The "no action" alternative would be for the Applicant to continue to use the existing, historical stock system without the additional tanks for livestock watering.

Part III. Conclusion

1. ***Preferred Alternative:*** The preferred alternative is to grant the Change Application if the Applicant has proven the criteria of §85-2-402, MCA.

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: The EA is the appropriate level of analysis because the proposed project is to add stock tanks to an additional stock watering system for continued stock use from a well. Livestock rearing is consistent with state and local plans

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

Name: Lyra Reynolds
Title: Hydrologist/Water Resources Specialist
Date: December 17, 2024