

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: Peter Woelkers & Monica Woelkers  
3253 Wild Rose LN, Great Falls, MT 59401
2. Type of action: Change – Point of Diversion
3. Water source name: Sun River
4. Location affected by project: Considering the minute scale of appropriation for Statement of Claim 41K 210274-00 and the nature of the change application, the Department does not foresee a large area of affect. Surface water appropriators stretching one mile upstream and one mile downstream, from the Applicant's proposed point of diversion, along the Sun River were considered.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The DNRC issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.")
  - The Applicant is proposing to change the point of diversion from NENESE Section 31 Twp 21N Rge 2E to NWNWSW Section 32 Twp 21N Rge 2E.
6. Agencies consulted during preparation of the Environmental Assessment: No outside agencies were consulted as part of this Environmental Assessment.

**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:* This change application is in a location that falls outside the stretch of the Sun River that is categorized as chronically dewatered by DFWP.

**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:* The Sun River is considered impaired by DEQ with a classification of 4A. The proposed project will not have any impacts to water quality of the Sun River.

**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:* Statement of Claim 41K 210274-00 is a surface water appropriation. This change proposal would have no affect to groundwater appropriations or the quality of water below ground.

**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:* The diversion network used by the Applicant is rather noninvasive to the Sun River. According to the Applicants map submitted to the DNRC as part of their Pre-Application Meeting Form, there is an intake valve that allows their pump to pull water from the river which is accessible from the Applicant's back yard. The pump is limited to the historically claimed 12.40 GPM flow rate. Water is pumped to various hose or sprinkler sites across the property through 2-inch PVC pipe.

#### **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:* Species identified as species of concern for the project proposal area include Long-billed Curlew, Ferruginous Hawk, Loggerhead Shrike, Burrowing Owl, Brewer's Sparrow, Golden Eagle, Grizzly Bear, Sharp-tailed Grouse, Great Blue Heron, Northern Leopard Frog, Chestnut-collared Longspur, and Franklin's Gull. There will be no barriers or impediments to wildlife or vegetation health as part of this change proposal.

Other potential species include American White Pelican, White-faced Ibis, Merriam's Shrew, Bombus suckleyi, Black-necked Stilt, Dwarf Shrew, Danaus plexippus, Northern Hoary Bat, Little Brown Myotis, Impatiens aurella, Bobolink, Plains Hog-nosed Snake, Black-billed Cuckoo, Thick-billed Longspur, Eastern Red Bat, Swift Fox, Black-crowned Night Heron, Green-tailed Towhee, Fringed Myotis, Long-eared Myotis, Elodea bifoliata, Veery, Sprague's Pipit, Black-tailed Prairie Dog, Long-legged Myotis, Greater Short-horned Lizard, Baird's Sparrow, Black Tern, Horned Grebe, Sage Thrasher, American Bittern, Common Tern, Carex crawei, Caspian Tern, Townsend's Big-eared Bat, Greater Plains Toad, Stellaria crassifolia, Centunculus minimus, Forster's Tern.

**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:* Aside from the Sun River which border's the Applicant's property, there is not an area on the Applicant's property classified as wetland.

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

*Determination:* There are no ponds associated with the Applicants change application.

**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:* Kobar silty clay loam makes up 54.8% of the AOI surrounding the Applicants place of use. There are a number of other soil profiles, but they make up a very small percentage. Aside from water (12.9%) all other profiles are less than 7% of the AOI. Soil salts causing a saline seep are not a concern based on the place of use, soil profile and quantity of appropriation. Soil quality will not be impacted by the Applicant's proposal.

**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:* This is not a concern for the Department. The Applicant will be purposing water for Irrigation that borders the Sun River. There is no expectation that this proposed beneficial use will result in the establishment or spread of noxious weeds as that would defeat the purpose of this beneficial use.

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

*Determination:* No adverse effects.

**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:* No adverse effects. This project proposal is taking place in a subdivision that has been established for over three decades. No state or federal lands are involved.

**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:* The department does not find any additional environmental impacts.

## HUMAN ENVIRONMENT

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

*Determination:* This project will not interfere with any locally adopted environmental plans or goals.

**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 scope of the Applicants project proposal occurs on their property. No impact to recreational or wilderness activities will result from this proposed change request.

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

*Determination:* No impact to human health.

**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 regulatory impacts identified.

**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
- (b) Local and state tax base and tax revenues? No
- (c) Existing land uses? No
- (d) Quantity and distribution of employment? No
- (e) Distribution and density of population and housing? No
- (f) Demands for government services? No
- (g) Industrial and commercial activity? No
- (h) Utilities? No
- (i) Transportation? No

(j) Safety? No

(k) Other appropriate social and economic circumstances? No

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

Secondary Impacts – None identified.

Cumulative Impacts – None identified.

**3. *Describe any mitigation/stipulation measures:*** No mitigation measures are required as part of this change application. There are no stipulation measures in place either.

**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:***

No action alternative: The Applicant using the water right as described on the abstract would be more invasive. They would be diverting water from the opposite side of the river as their property and would then need to transport the water over to their property for lawn and garden. It would require, modifying the diversion network which would be more invasive and would have a larger footprint.

**PART III. Conclusion**

**1. *Preferred Alternative*** – To authorize the beneficial water use permit.

**2. *Comments and Responses*** – No further comments.

**3. *Finding:***

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

The proposed action is not a new use or expansion of use. There will be no change to water consumption on the Sun River as a result of this change. It is to amend an unauthorized change in point of diversion for a statement of claim that was filed during the late filing period.

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

*Name:* Jackson Sansone

*Title:* Water Resource Specialist

*Date:* 2/6/2025