

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:

Circle H Ranch Investments  
c/o Mark Bretz  
4800 Grant Creek Rd  
Missoula, MT 59808

2. Type of action: Application for Beneficial Water Use Permit No. 76M 30170833

3. Water source name: Groundwater

4. Location affected by project:

The proposed new well is in the NWSESW Section 26, T14N, R20W, Missoula County. The proposed place of use is the E2 Section 26 and all of Section 25, T14N, R20W, Missoula County.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to divert groundwater from a single well at a maximum of 110 gallons per minute (GPM) up to a total volume of 49.53 acre-feet (AF) for multiple domestic purposes (127 units). The well (GWIC ID 336214) has an 8-inch casing with a static water level of 68 feet and a total depth of 117 feet. There will be 96 single family dwellings which will be part of future phases of the existing Circle H and West Pointe subdivisions (currently provided with water under permit 76M 30013295). The proposed well will provide an increase in flow rate and volume to accommodate the domestic purposes of these future phases. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:

- Montana Natural Heritage Program - Species of Concern
- Montana Department of Fish, Wildlife and Parks - 2005 Dewatered Stream List, 2022 Dewatered Streams Map
- Montana Department of Environmental Quality - 303(d) list of impaired streams, Montana Impaired Waters 2020 Maps.
- USDA Natural Resources Conservation Science – Web Soil Survey
- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory Mapper

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

<h2><b>PHYSICAL ENVIRONMENT</b></h2>
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### **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.*

The 2005 Montana Department of Fish, Wildlife & Parks Dewatered Concern Areas list does not identify Lower Clark Fork River as chronically or periodically dewatered. The proposed groundwater appropriation will result in 6.07 AF of total depletions to the Clark Fork River, which will occur throughout the year at a constant rate of 3.77 GPM. Since the Applicant's depletions to the Clark Fork are less than 35 GPM and/or 10 AF, they are not required to mitigate (offset their impacts). The use of the proposed well by the Applicant will not affect the quantity of water in the Clark Fork River.

*Determination:* No significant impact.

**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.*

The proposed appropriation is for groundwater. Water will be diverted from a single 117-foot-deep PWS well for multiple domestic purposes (GWIC ID 336214). DEQ does not currently evaluate groundwater quality in Montana. DEQ's Montana Impaired Waters 2020 Maps and 303(d) list of streams only include surface water, streams and lakes. There is no known contamination to the aquifer being diverted from.

*Determination:* No significant impact.

**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.*

The proposed means of diversion is a single 117-foot-deep groundwater well (GWIC ID 336214). This well is approximately 3.5 miles from the Clark Fork River which is interpreted to be the only potentially affected surface water for the subject application. The well is located near La Valle and Butler Creeks, but the Department determined the potentially affected reaches to be intermittent and disconnected from the source aquifer. The well should be fitted with a backflow preventer that will not allow surface water contaminants to enter the ground water aquifer through the well casing. The groundwater aquifer was modeled by the Department and the groundwater flux through the zone of influence is equal to 11,166 AF/year. Impacts to neighboring wells was also identified and after five years of pumping, zero groundwater rights were modeled to experience one foot or more of drawdown.

A drawdown aquifer pumping test was conducted for the PWS well proposed by this application. Two other observation wells were monitored during the test, with one being 72.5 ft away and one being 50.5 feet away from the production well. Although the Applicant's aquifer test was interrupted, this test showed that the production well experienced a maximum of 11.78 ft of drawdown while the observation wells experienced 1.30 ft and 0.91 feet of drawdown. The proposed groundwater pumping is not anticipated to cause impact the groundwater quality or supply.

*Determination:* No significant impact.

**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.*

The Applicant proposes to divert water from a single well. This well has an 8-inch casing, with a total depth of 117 feet. The POD is located near La Valle and Butler Creeks, but these surface water sources were determined to be hydraulically disconnected from the source aquifer. The requested diversion is not expected to impact any nearby channels, riparian areas, dams or wells, nor cause flow modifications.

*Determination:* No significant impact.

#### **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."*

The Montana Natural Heritage Program (MNHP) was utilized to determine if there are any threatened or endangered fish, wildlife, plants of aquatic species or any "species of special concern", that could be impacted by the proposed project. The MNHP identified the following mammal, bird, amphibian, fish, invertebrate and plant species of concern: Canada Lynx, fisher, grizzly bear, little brown myotis, long-eared myotis, northern hoary bat, silver-haired bat, townsend's big-eared bat, wolverine, American bittern, black-backed woodpecker, bobolink, brewer's sparrow, brown creeper, cassin's finch, clark's nutcracker, evening grosbeak, flammulated owl, great blue heron, harlequin duck, lewis's woodpecker, long-billed curlew, pacific wren, pileated woodpecker, varied thrush, veery, western toad, bull trout, Westslope cutthroat trout, western bumble bee, suckley's cuckoo bumble bee, rocky mountain forestfly, cordilleran forestfly, pointed broom sedge, alpine collomia, pale-yellow jewel-weed, spiny-spore quillwort, stalk-leaved monkeyflower, Missoula phlox.

*Determination:* No significant impacts.

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

Using the U.S. Fish and Wildlife Service Wetlands Mapper, no wetlands were identified at the proposed site. The project does not involve ponds.

*Determination:* No impacts.

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

The project does not involve ponds.

*Determination:* No impacts.

**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.*

According to the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey, the major soils at the proposed place of use are Minesinger-Bigarm complex, 0 to 4 percent slopes, Minesinger-Bigarm complex, 4 to 15 percent slopes, Bigarm-Minesinger complex, 15 to 30 percent slopes, Bigarm gravelly loam, 0 to 4 percent slopes, Bigarm Gravelly loam, 15 to 30 percent slopes, Bigam gravelly loam, 30 to 60 percent slopes, Riverside gravelly sandy loam 15 to 30 percent slopes and Minsinger-Bigarm complex, 2 to 45 percent slopes, landslides. The use of groundwater for multiple domestic purposes is not anticipated to cause degradation of soil quality or stability. Water will be diverted from the singular well and conveyed in underground facilities. All of the aforementioned soils are non-saline or very slightly saline and the project is also not anticipated to cause saline seep.

*Determination:* No significant impacts.

**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.*

The diversion of water for additional homes use will not cause degradation to existing vegetation. The place of use consists of many individual homesites and future construction will cause some disturbances to the natural vegetation and open space. Any spread of noxious weeds would be the landowner's responsibility to manage and mitigate.

*Determination:* No significant impacts.

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

Adverse air quality impacts from increased air pollutants are not expected to occur as a result of this proposed project. The water will be diverted using a submersed electric pump in the well. No major impacts are anticipated related to the water diversion/use.

*Determination:* No impacts.

**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: N/A – the project is 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.

All impacts have been identified and discussed.

Determination: No impacts

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

To the Department’s knowledge, the project is consistent with locally adopted environmental plans and goals. This project is not anticipated to create any significant pollution, noise or traffic congestion in the area.

Determination: No impact.

**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.

The project is on private property with limited recreational opportunities for the public. No wilderness areas will be impacted by the proposed use of water.

Determination: No impacts

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

The proposed use will not adversely impact human health.

Determination: No impacts

**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 impacts

**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
- (b) Local and state tax base and tax revenues? Additional domestic structures would cause an increase in local/state tax revenues.
- (c) Existing land uses? The land use would change from the addition of the proposed domestic structures. The open space would be decreased.
- (d) Quantity and distribution of employment? No impacts
- (e) Distribution and density of population and housing? The proposal would result in additional housing units and thus more density of the population.
- (f) Demands for government services? With the creation of more housing units, there may be additional demands on government services.
- (g) Industrial and commercial activity? No impacts
- (h) Utilities? Additional housing units will require more utilities.
- (i) Transportation? Additional housing will result in more vehicles on the road.
- (j) Safety? There could be some impacts on existing emergency responses and evacuation with the addition of the numerous homesites proposed.
- (k) Other appropriate social and economic circumstances? None identified.

**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:*** None identified

**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 is the only action alternative to the proposed action. Under the no action alternative, the application would be unable to obtain a water right for the proposed multiple domestic use.

*PART III. Conclusion*

1. ***Preferred Alternative*** N/A

2. ***Comments and Responses*** N/A

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 for the proposed action because the proposed permit is not anticipated to cause any significant impacts.

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

*Name:* Alex Dalglish

*Title:* Water Resources Specialist

*Date:* June 9, 2026