Part I. Proposed Action Description

1. Applicant/Contact name and address:

   Riverview Colony INC
   1145 Dugout Road
   Chester, MT 59522

2. Type of action: Application to Change a Water Right No. 41P-30005224

3. Water source name: Marias River

4. Location affected by project: This project removes and adds additional reservoirs in Section 13 & 18, Township 28 North, Range 5 East, Liberty County. Figure 1 is an overview of the places of use that are associated with the project.
Figure 1: Original use Map for Change Application 41P-30005224 Riverview Colony
Figure 2: Proposed use Map for Change Application 41P-30005224 Riverview Colony

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

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met. Historically this water right would pump water into reservoir #4 and release water to reservoirs #2 and #3. Water will now report to either reservoir #1 or reservoir #7. The locations of these reservoirs, the rearrangement of the conveyance pipeline and the modified place of use. From reservoir #1, water will be pumped to reservoir #6 and held in storage. As needed, water from reservoir #6 will be released to reservoir #7 using 1,880 feet of UT Basin Creek as a natural carrier. Water from reservoir #7, either delivered from the conveyance pipeline or via reservoir #6 storage, will be pumped to operate the two pivots.

6. Agencies consulted during preparation of the Environmental Assessment:

Natural Heritage Program, Natural Resources Conservation Service Soils Data Website, Department of Environmental Quality, National Wetlands Inventory Website, and the Natural Resources Information System, the Department of Fish, Wildlife, & Parks.

Part II. Environmental Review
Environmental Impact Checklist:
PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - The Marias River has been identified as chronically or periodically dewatered by the Montana Department of Fish, Wildlife, & Parks.

Determination: Impact to water quantity is expected.

Water quality - The Department of Environmental Quality (DEQ) does list the Marias River as water quality impaired or threatened. DEQ identifies the Marias River as fully supporting for agricultural, drinking water, and recreation in certain areas. The Marias River does not support aquatic life, agriculture, and recreation in different areas. The probable causes of the impaired listing are agriculture, infrastructure, and lack of riparian barriers. The proposed project will not adversely affect water quality. The purpose of the project is to obtain water from the Marias river for irrigation purposes. This will cause adverse effect to the Marias River. If the applicant wants to reduce their impact, they should use best management practices with their irrigation as well as adding riparian barriers to add soil stability and prevent runoff.

Determination: Impact to Marias River expected.

Groundwater - The project does not involve groundwater.

Determination: Assessment is not applicable.

DIVERSION WORKS
The project proposes adding new two diversions and eliminating 3 previous locations. These new diversions will create minimal adversities to the surrounding environment. The new project also reduces the amount of land needed by 23 acres from the historic 262 acres to 239 acres.

Determination: No significant impact.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species

Below is a list of animal species of concern found in 28N 5E, Liberty County. There were no plant species of concern identified. The project is not located in Sage Grouse habitat. All species found in the area of interest are listed as G4 and G5. The following definitions are taken from the Montana Natural Heritage Program (MNHP). The G4 category defines a species as “Apparently secure, though it may be quite rare in parts of its range, and/or suspected to be declining.” The G5 category defines a species as “Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.” The Golden Eagle and the Ferruginous Hawk should not be impacted by the project. Threats associated with these species are “shooting, trapping, and ingestion of poisoned bait have been significant threats in the past.” The
management plan for these species consists of reintroduction, habitat rehabilitation, human interaction maintenance, and research. This project will not affect any of these species.

![Animal Species Table]

Figure 3: Animal Species of Concern Located in 28N 5E, Liberty County

**Determination:** No significant impact.

**Wetlands** – The project does not involve wetlands.

**Determination:** Assessment is not applicable.

**Ponds** - The project does not involve ponds.

**Determination:** Assessment is not applicable.

**Geology/Soil Quality, Stability and Moisture**
The Natural Resources Conservation Service (NRCS) Web Soil Survey was utilized to assess the project area’s soils. The soil map below depicts the general project area, and the table provides soil unit information.
### Figure 4: Web Soil Survey of Soil Types in Section 13, 28N 5E, Liberty County

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>22F</td>
<td>Hillom loam, 15 to 60 percent slopes</td>
<td>17.7</td>
<td>2.7%</td>
</tr>
<tr>
<td>32B</td>
<td>Kobase silty clay loam, 0 to 4 percent slopes</td>
<td>2.6</td>
<td>0.4%</td>
</tr>
<tr>
<td>37B</td>
<td>Evanston loam, 0 to 4 percent slopes</td>
<td>187.5</td>
<td>29.0%</td>
</tr>
<tr>
<td>38B</td>
<td>Ethridge silty clay loam, 0 to 4 percent slopes</td>
<td>10.5</td>
<td>1.6%</td>
</tr>
<tr>
<td>421C</td>
<td>Joplin-Hillon loams, 2 to 8 percent slopes</td>
<td>282.5</td>
<td>43.7%</td>
</tr>
<tr>
<td>503B</td>
<td>Telstad-Joplin loams, 0 to 4 percent slopes</td>
<td>146.3</td>
<td>22.6%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>647.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

### Figure 5: Web Soil Survey of Soil Types in Section 18, 28N 5E, Liberty County

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>32B</td>
<td>Kobase silty clay loam, 0 to 4 percent slopes</td>
<td>663.3</td>
<td>99.9%</td>
</tr>
<tr>
<td>37B</td>
<td>Evanston loam, 0 to 4 percent slopes</td>
<td>0.4</td>
<td>0.1%</td>
</tr>
<tr>
<td>38B</td>
<td>Ethridge silty clay loam, 0 to 4 percent slopes</td>
<td>0.3</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>664.0</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
Figure 6: Map of Web Soil Survey Soil Types in Section 13, 28N 5E, Liberty County

Figure 7: Map of Web Soil Survey Soil Types in Section 18, 28N 5E, Liberty County

*Determination:* No significant impact.
Vegetation Cover, Quantity and Quality/Noxious Weeds - Any impacts to existing vegetation will be within the range of current disturbances due to current land use practices. Noxious weeds are not expected to be established or spread due to the proposed project.

**Determination:** No significant impact.

**Air Quality** - The project does not involve air quality.

**Determination:** Assessment is not applicable.

**Historical and Archeological Sites** - The project does not involve historical and archeological sites.

**Determination:** Assessment is not applicable.

**Demands on Environmental Resources of Land, Water, and Energy** – There are no other environmental issues that need to be addressed.

**Determination:** No additional environmental impacts were identified.

### HUMAN ENVIRONMENT

**Locally Adopted Environmental Plans and Goals** - No local environmental plans and goals were identified.

**Determination:** No impact to local environmental plans and goals is expected.

**Access to and Quality of Recreational and Wilderness Activities** - No recreational or wilderness activities were identified.

**Determination:** No impact to recreational and wilderness activities is expected.

**Human Health** - No human health issues were identified.

**Determination:** No impact to human health is expected.

**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 impact to 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 impact.

(b) Local and state tax base and tax revenues? No impact.

(c) Existing land uses? No impact.

(d) Quantity and distribution of employment? No impact.

(e) Distribution and density of population and housing? No impact.

(f) Demands for government services? No impact.

(g) Industrial and commercial activity? No impact.

(h) Utilities? No impact.

(i) Transportation? No impact.

(j) Safety? No impact.

(k) Other appropriate social and economic circumstances? No impact.

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

Secondary Impacts No secondary impacts were identified.

Cumulative Impacts No cumulative impacts were identified.

3. Describe any mitigation/stipulation measures: No mitigation or stipulation measures exist at this moment

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 would not be able to develop the project as proposed.

4.

PART III. Conclusion

2  Comments and Responses None to date.

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:

   An EA is the appropriate level of assessment for the proposed action because no impacts have been identified in the EA.

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

   Name: Megan Blauwkamp
   Title: Water Resources Specialist
   Date: 9/22/2021