

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: Williston Water Management LLC
1675 Broadway
Suite 1600
Denver, CO 80202-4675

2. Type of action: Application for Beneficial Water Use Permit No. 40S 30175554

3. Water source name: Missouri River

4. Location affected by the project:

Point of Diversion: Lot 1, SWNESE, Section 14, T26N, R59E, Roosevelt County.

Place of Use: Lot 4, NWNW, Section 02, T26N, R59E, Roosevelt County.

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

The Applicant proposes diverting water via a pump in Lot 1, SWNESE, Section 14, T26N, R59E, Roosevelt County, from November 1 to June 30, from the Missouri River at a rate of 6.7 CFS (3,000 GPM). 670 AF of water would be used between November 1 and June 30 for Industrial use in Lot 4, NWNW, Section 02, T26N, R59E, Roosevelt County. This is a temporary appropriation that will cease on December 31, 2028.

Table 1. Summary of the Proposed Use.

Source	Flow Rate (CFS)	Diverted Volume (AF)	Purpose	Period of Use	Place of Use	Point of Diversion	Period of Diversion
Missouri River	6.7	670	Industrial	11/1 to 6/30	Lot 4, NWNW, Section 02, T26N, R59E, Roosevelt County.	Lot 1, SWNESE, Section 14, T26N, R59E, Roosevelt County.	11/1 to 6/30

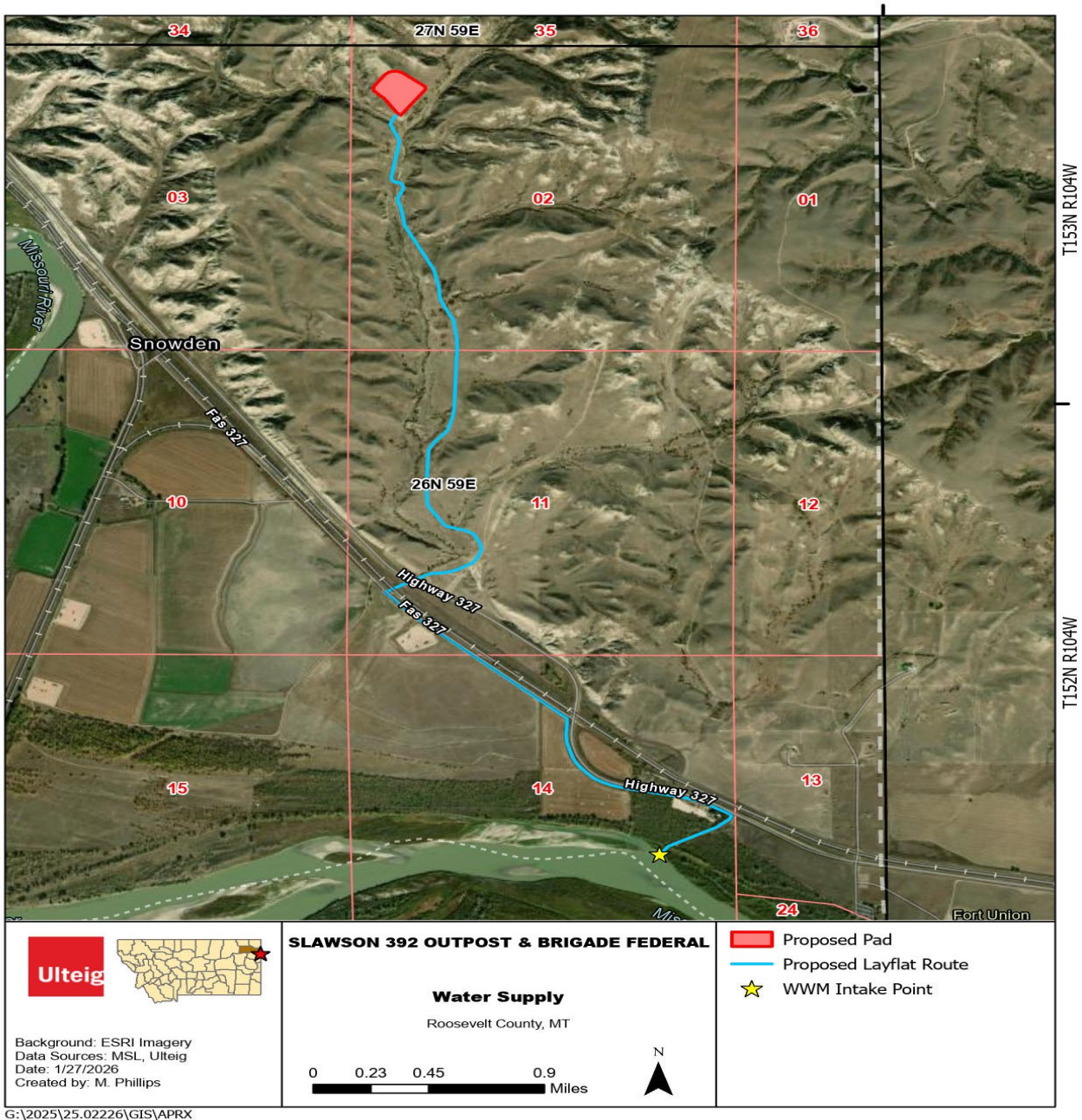


Figure 1. Map of the Applicant's proposed Point of Diversion on the Missouri River and proposed Place of Use, dated January 27, 2026, Applicant Provided.

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:
(include agencies with overlapping jurisdiction)
 - US Fish & Wildlife Service
 - Montana Natural Heritage Program
 - Montana Department of Fish, Wildlife, & Parks

- Montana Department of Environmental Quality
- USDA Web Soil Survey
- 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 the DFWP. Assess whether the proposed use will worsen the already dewatered condition.

This reach of the Missouri River has not been identified by the Department of Fish, Wildlife, & Parks (FWP) as chronically or periodically dewatered. Also, FWP holds an instream flow right on this section of the Missouri River for 5178 CFS, effective year-round. Based on the flow requested and the DFWP instream right, the proposed diversion is unlikely to alter the current condition of the river; no significant impacts to water quantity related to this application have been identified.

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 reach of the Missouri River where the proposed Point of Diversion is located has been identified by the Department of Environmental Quality (DEQ) and is listed on the 2020 Montana 303(d) list, as fully supporting agricultural and drinking water uses and not fully supporting aquatic life. This reach was not assessed for primary contact recreation. Probable sources of the impairment are the upstream Fort Peck Dam/impoundment and hydro-structure flow regulation/modification. The proposed project will not have any significant effect on water quality.

Determination: No significant impact.

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

The proposed surface water appropriation should have no significant impact on groundwater in the area.

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, or well construction.

The Applicant will divert water at a rate of 6.7 CFS up to 670 AF from the Missouri River, from a diversion point in Lot 1, SWNESE, Section 14, T26N, R59E, Roosevelt County, using an 8"x 6" diesel-powered Pioneer standard centrifugal pump. Water will flow from the POD into a screened 10" aluminum pipe. The pump will discharge water into a filter pod trailer, which has a 10" McCrometer Dura Mag in-line flow meter capable of taking continuous measurements. The water is then discharged into the 12" lay-flat pipeline. The pipeline extends 1.3 mi to an existing Slawson Squadron Pad 216, where it enters a Pioneer Prime centrifugal 8"x6" Booster Pump. More inline pumps can be installed, if necessary, to maintain adequate pressure and volume. In freezing conditions, water will be discharged into a hot oiler before being diverted into the 12" lay-flat pipeline.

The proposed diversion does not involve well construction and should have no significant impact on stream channels, flow modifications, barriers, riparian areas, or dams.

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."

Table 2. Natural Heritage Program Species within Project Area of Impact: Point of Diversion

Common Name	Scientific Name	Global Rank	State Rank
Bobolink	<i>Dolichonyx oryzivorus</i>	G5	S3B
Least Tern	<i>Sternula antillarum</i>	G4	S2B
Piping Plover	<i>Charadrius melodus</i>	G3	S2B
Blue Sucker	<i>Cycleptus elongatus</i>	G3G4	S2
Iowa Darter	<i>Etheostoma exile</i>	G5	S3
Northern Redbelly Dace	<i>Chrosomus eos</i>	G5	S2
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	G2	S1
Sauger	<i>Sander canadensis</i>	G5	S2
Shortnose Gar	<i>Lepisosteus platostomus</i>	G5	S3
Sicklefin Chub	<i>Macrhybopsis meeki</i>	G3	S2

Silver-haired Bat	Lasionycteris nactivagans	G4	S3
Sturgeon Chub	Macrhybopsis gelida	G3	S3

Table 3. Natural Heritage Program Species within Project Area of Impact: Place of Use

Common Name	Scientific Name	Global Rank	State Rank
Whooping Crane	Grus americana	G1	S1M

Table 4. Natural Heritage Program Species Rank and Definition Chart

Rank		Definition
G1	S1	Critically Imperiled — At very high risk of collapse or global extinction or state extirpation due to a very restricted range, very few populations or occurrences, very steep declines, severe threats, or other factors.
G2	S2	Imperiled — At high risk of collapse or global extinction or state extirpation due to a restricted range, few populations or occurrences, steep declines, severe threats, or other factors.
G3	S3	Vulnerable — At moderate risk of collapse or global extinction or state extirpation due to a fairly restricted range, few populations or occurrences, recent and widespread declines, threats, or other factors.
G4	S4	Apparently Secure — At a fairly low risk of collapse or global extinction or state extirpation due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors.
G5	S5	Secure — At very low or no risk of collapse or global extinction or state extirpation due to a very extensive range, abundant populations or occurrences, with little to no concern from declines or threats.
Quantifiers		Definition
B		Breeding — Rank refers to the breeding population of the species in Montana.
N		Non-breeding — Rank refers to the non-breeding population of the species in Montana.
M		Migratory — Species occur in Montana only during migration.

Determination: One imperiled species utilizes the characteristic habitat as found at the proposed project point of diversion: the Pallid Sturgeon. One critically imperiled species utilizes the characteristic habitat as found at the proposed project place of use: Whooping Crane. This project will not create a barrier to the migration or movement of fish or wildlife. There are also several species listed above that are listed as threatened or sensitive species.

Pallid Sturgeon: The Pallid Sturgeon utilizes turbid rivers with fine sandy-silty substrates, such as the stretch of the Missouri River where the proposed project is found. The screened intake structure for the project is designed to lower the intake velocity, a design that the applicant has successfully used in other applications that have presumably passed USFWS & Montana FW & P standards. The development of a pump site is not expected to have a significant impact on the species in this reach of the Missouri River.

Whooping Crane: The species is currently a rare migrant through Montana. Historically, it was hunted to near extinction. Currently, populations are low but stable, and recovery efforts are ongoing. It faces ongoing threats due to potential habitat loss from a warming climate and exposure to agricultural chemicals. The Whooping Crane has been observed in the marsh habitat present at Medicine Lake National Wildlife Refuge and Red Rock Lakes National Wildlife Refuge. Observations of individual birds in other areas of the state include grain and stubble fields as well as wet meadows, wet prairie habitat, and freshwater marshes that are usually shallow and broad with safe roosting sites and nearby foraging opportunities (Montana Bird Distribution Committee 2012). The Whooping Crane is not known to breed in the state. No

observations of nesting exist for Montana (Johnsgard 1986). The impact on the Whooping Crane population in this area of Roosevelt County is not expected to be significant.

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

According to the National Wetland Inventory, the wetland identified within the project area is the Missouri River.

Determination: No significant impact.

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

There are no established ponds in the area where the proposed project would be developed. In addition, no additional ponds are proposed. Therefore, no existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: No significant impact.

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 soil is heavy in salt that could cause saline seepage.

The proposed Place of Use, identified as the Area of Impact, approximately 28.8 AC, is composed of four soil types: Badland (68.4%); Cherry Silt Loam, 2 to 8 percent slopes (25.5%); Cabba-Cambert-Rock outcrop complex, 15 to 45 percent slopes (6.0%); and Cabba-Cambert silt loams, 15 to 45 percent slopes (0.1%).

Badland soil is classified as not prime farmland. Maximum salinity and drainage were not assessed in the USDA report. Cherry Silt Loam, 2 to 8 percent slopes; soil is classified as not prime farmland and is well-drained. Maximum salinity was not assessed in the USDA report. Cabba-Cambert-Rock outcrop complex, 15 to 45 percent slopes, is classified as not prime farmland and is well drained. The soil is very slightly saline to moderately saline (2.0 to 8.0 mmhos/cm) with a Sodium adsorption ratio maximum of 13.0.

With equipment such as lay-flat hoses, a pump trailer, and above-ground storage tanks, soil degradation or the development of a saline seep is not anticipated.

Determination: No significant impact.

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.

No vegetation was listed as endangered or threatened by the USFWS or BLM in the project area. The control of noxious weeds is the responsibility of the landowner.

Determination: No significant impact.

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

Determination: No significant impact.

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 – the proposed 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.

Determination: No additional impacts on other environmental resources were 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: There are no known local environmental plans or goals in this area.

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: This project will have no significant impact on recreational or wilderness activities.

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

Determination: This project will have no significant impact on human health.

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

Yes ___ No ☒ 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 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 significant impact.
- (b) Local and state tax base and tax revenues? No significant impact.
- (c) Existing land uses? No significant impact.
- (d) Quantity and distribution of employment? No significant impact.
- (e) Distribution and density of population and housing? No significant impact.
- (f) Demands for government services? No significant impact.
- (g) Industrial and commercial activity? The purpose is to provide water for oilfield development.
- (h) Utilities? No significant impact.
- (i) Transportation? No significant impact.
- (j) Safety? No significant impact.
- (k) Other appropriate social and economic circumstances? No significant impact.

2. SECONDARY AND CUMULATIVE IMPACTS ON THE PHYSICAL ENVIRONMENT AND HUMAN POPULATION:

Secondary Impacts: No secondary impacts have been identified.

Cumulative Impacts: No cumulative impacts have been identified.

3. DESCRIBE ANY MITIGATION/STIPULATION MEASURES: None

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:

Alternative 1:

No alternative would be reasonable for this proposed action.

No action alternative:

The only other viable alternative would be the no-action alternative, in which the Department would not authorize a water right permit for Industrial use. Under the no-action alternative, the Applicant would not be able to divert surface water from the Missouri River for the purpose of Industrial use for Oilfield Development.

PART III. CONCLUSION

- 1. PREFERRED ALTERNATIVE:** Issue a water use permit if the Applicant proves the criteria in 852-311, MCA, are met. If the criteria in 852-311, MCA, are not met, then no action alternative is preferred.
- 2. COMMENTS AND RESPONSES:** No additional comments or responses to date.
- 3. FINDING:**

Yes ___ No ☒ 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 related to the proposed project have been identified.

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

Name: Kailee Ingalls

Title: Water Conservation Specialist

Date: August 6, 2026