

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:  
LR Huckaba Ranch Inc  
26 MT Highway 356  
Cardwell, MT 59271
2. Type of action: APPLICATION TO CHANGE WATER RIGHT NO 41E 30164689 BY LR HUCKABA RANCH INC
3. Water source name: Boulder River & Jefferson Slough
4. Location affected by project: The Applicant proposed to change the point of diversion (POD) of Statements of Claim 41E 4307-00 and 41E 4308-00. The proposed PODs are three pump sites on Jefferson Slough located in NENWSW Section 2, NENWNE Section 3, and NWNWNE Section 11, T1N, R3W, Jefferson County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: Applicant submitted Change Application 41E 30164689 on March 6, 2025, to the Helena DNRC Water Resources Office. The Applicant proposed to change the POD of Statements of Claim 41E 4307-00 and 41E 4308-00. There will be no change to place of use, purpose, or place of storage as part of this change. The DNRC shall issue a Change Authorization if the Applicant proves the criteria in 85-2-402 MCA are met.

**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.

A February 7, 2025, search of DFWP data does not list the stretch of the Boulder River or the Jefferson Slough adjacent to the project as a periodically or chronically dewatered stream. The proposed diverted volume is lower than the historically diverted volume so water quantity in the source will not be decreased as result of the proposed 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 rights proposed for change is the Boulder River. A February 7, 2025, search on DEQ CWAIC website lists the Boulder River from Cottonwood Creek to the mouth (Jefferson Slough) as an impaired source on the Montana Impaired Waters 2020 list. This stretch of the Boulder River was found to not fully support aquatic life and drinking water. The proposed project is to remove a headgate and diversion dam within this stretch of stream to aid restoration to fishery habitat. The proposed POD will be located downstream of the historical POD and water will continue within this reach of stream for a longer period of time.

**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.

The proposed use does not involve a groundwater component.

**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 proposed project involves the installation of three pump diversions to divert Boulder River and Jefferson Slough water into the Applicant's irrigation systems. The historical POD will no longer be operated for irrigation use on the Applicants property. The Application did not report that the addition of the pumps created a barrier or modified flow regime of the Boulder River or Jefferson Slough. The installation of the pumps involves small scale and temporary disturbance to the riparian areas but is not expected to create significant impact on the source.

**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 identified.

A February 10, 2025, search of the Montana Heritage Program's website for Sections 2, 3, and 11, T1N, R3W, Jefferson County returned the following results:

- 20 animal Species of Concern: Northern Leopard Frog, Western Toad, American White Pelican, Bobolink, Brewer's Sparrow, Cassin's Finch, Clark's Nutcracker, Evening Grosbeak, Ferruginous Hawk, Golden Eagle, Gray-crowned Rosy-Finch, Great Blue Heron, Green-tailed Towhee, Loggerhead Shrike, Long-billed Curlew, Pinyon Jay, Trumpeter Swan, Veery, Little Brown Myotis, Northern Hoary Bat
- 5 animal Potential Species of Concern: Common Poorwill, Hooded Merganser, Rufous Hummingbird, North American Porcupine, Silver-haired Bat
- 1 animal Special Status Species: Bald Eagle
- 1 plant Species of Concern: Whitebark Pine
- 1 plant Potential Species of Concern: Nuttall's Linanthus
- 0 plant Special Status Species

The proposed project will not increase the flow rate or volume of diverted water over historical values. The proposed project will move the POD downstream on the Jefferson Slough and has not been reported to impact the flow regime. The proposed diversion has not been reported to create a barrier to the migration or movement of aquatic species. The historical return flow will not change as a result of this change because the place of use is not proposed for change.

**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 February 10, 2025, search on the National Wetlands Inventory Mappers shows Freshwater Emergent Wetland, Herbaceous Riparian, and Forested/Shrub wetlands along the Jefferson Slough, where the proposed project is located. The proposed pump diversion installation may cause temporary and minor disturbance in the wetland areas but not anticipated to have significant impact.

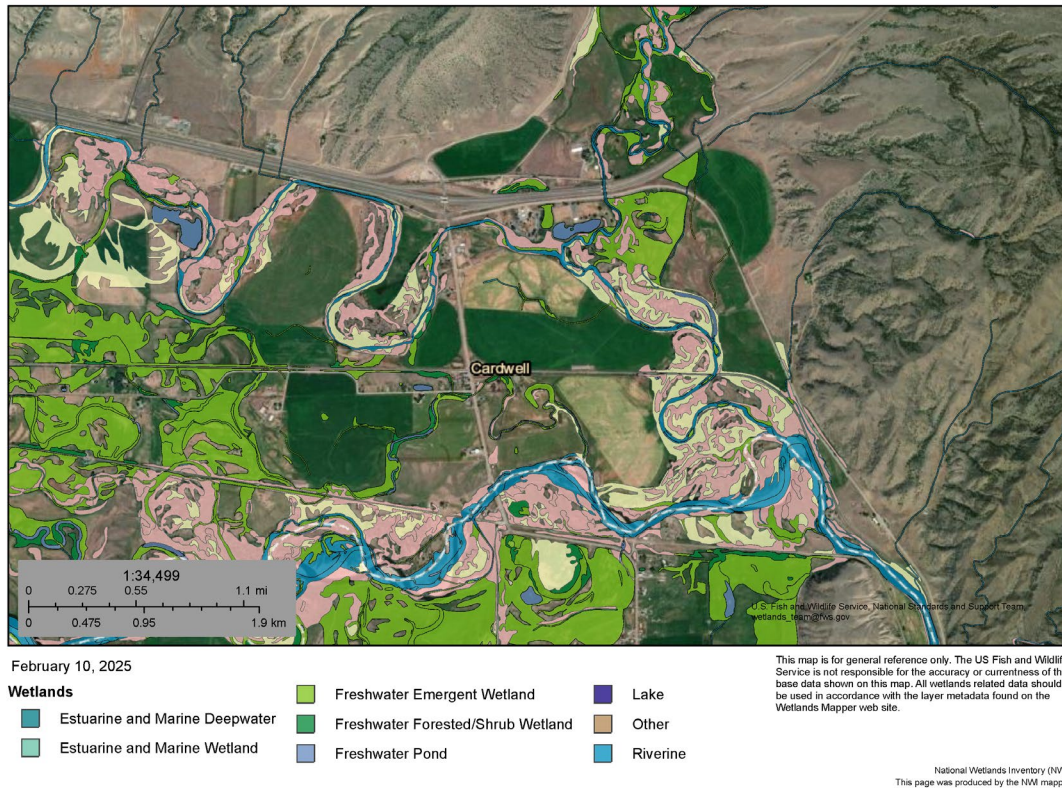


Figure 1. Wetlands surrounding the proposed project area

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

*Determination:* No significant impact identified.

There are no ponds involved in the proposed 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 identified.

A February 10, 2025, search of the USDA Web Soil Survey identified a low surface salinization risk in the proposed project area. The proposed project is not predicted to increase soil salinization risk. The place of use will continue to be irrigated as it historically was. The proposed pump diversion installation may cause temporary and minor disturbance in the soil but not anticipated to have 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.

*Determination:* No significant impact identified.

The disturbance associated with installing the pump diversions will be minimal and should not promote the establishment of noxious weeds. Under Montana law, private landowners 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 significant impact identified.

The proposed project will not impact air quality.

**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 significant impact identified.

The proposed project is not located on State or Federal

**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 significant impact identified.

No impacts on environmental resources of land, water and energy not already addressed above.

<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.

*Determination:* No significant impact identified.

The proposed project is a Change Authorization proposing to change the POD of multiple Statement of Claims for irrigation use, which is a recognized beneficial use of water within the State of Montana (§85-2-102(5), MCA).

**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:* No significant impact identified.

The proposed project is to remove the historical POD due to inoperable infrastructure of the historical diversion dam and headgate and to aid stream restoration on the Boulder River. The proposed project will benefit fish populations and recreational fishing activities that occur in the Boulder River. The proposed PODs are located on the Applicant's property and will not impact or improve access to recreational and wilderness activities.

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

*Determination:* No significant impact identified.

The proposed project will not impact 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 significant impact identified.

The proposed 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 impact identified.

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

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

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

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

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

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

(h) Utilities? No significant impact identified.

(i) Transportation? No significant impact identified.

(j) Safety? No significant impact identified.

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

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

Secondary Impacts: No significant secondary impact identified.

Cumulative Impacts: No significant cumulative impact identified.

**3. Describe any mitigation/stipulation measures:** The proposed project does not have mitigation or stipulation measures.

**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:** If the Change Application is not authorized, Boulder River will continue to provide the same water for irrigation and fish habitat opportunities that is currently does. The no action alternative is for the water right owners to continues to divert water for irrigation use, as historically done.

**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 change the POD of Statements of Claim 41E 3407-00 and 41E 3408-00 from a headgate on the Boulder River to three pump sites on the Jefferson Slough. There are no changes to the purpose or the place of use. No significant impacts were identified as defined in ARM 36.2.524.

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

*Name:* Savannah Telander

*Title:* Water Resources

*Specialist Date:* 7/23/2025