

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:

Western Shamballa Inc
63 Summit Way
Gardiner, MT 59030

2. Type of action: Application for Beneficial Water Use Permit No. 43B 30163845 by Western Shamballa, Inc.
3. Water source name: Groundwater
4. Location affected by project: The Applicant has drilled a well within the Yellowstone Controlled Groundwater Area (YCGA). The wells are located in government lot 1, SWNENENW (EG 1) and government lot 1, NESENENW (EG 2), all in Section 30, T8S, R8E, Park County. The proposed place of use is generally located in Sections 19 and 30, T8S, R8E, Park County. (See Figure 1 for a map on page 3.)
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: Applicant submitted Beneficial Water Use Permit Application No. 43B 30163845 on April 7, 2025, to the Bozeman DNRC Water Resources Office. The Applicant proposes to divert groundwater at 202 GPM up to 120.78 AF per year for commercial use from 1/1-12/31. The proposed use will be associated with Groundwater Certificates (GWCTs) 43B 84099-00 and 43B 84100-00. The wells are located on private property in Gardiner, MT, and are located within the YCGA. The water from the wells measured 49 degrees Fahrenheit at the wellhead. The water had a specific conductance of 295 (EG 1) and 315 (EG 2) micromhos when measured. 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 Department of Fish, Wildlife & Parks (DFWP) – Dewatered Streams
<https://arcg.is/0qa8Ci1>
 - Montana Department of Environmental Quality (DEQ) – Clean Water Act Information Center (CWAIC)
<https://clean-water-act-information-center-mtdeq.hub.arcgis.com/>
 - Montana National Heritage Program (MTNHP) – Species of Concern:
<https://mtnhp.org/mapviewer/?t=7>

- U.S. Fish & Wildlife Service (USFWS) – National Wetlands Inventory Wetlands Mapper
<https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>
- Natural Resource Conservation Service (NRCS) – Web Soil Survey (WSS)
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

Permit Application 43B 30163845

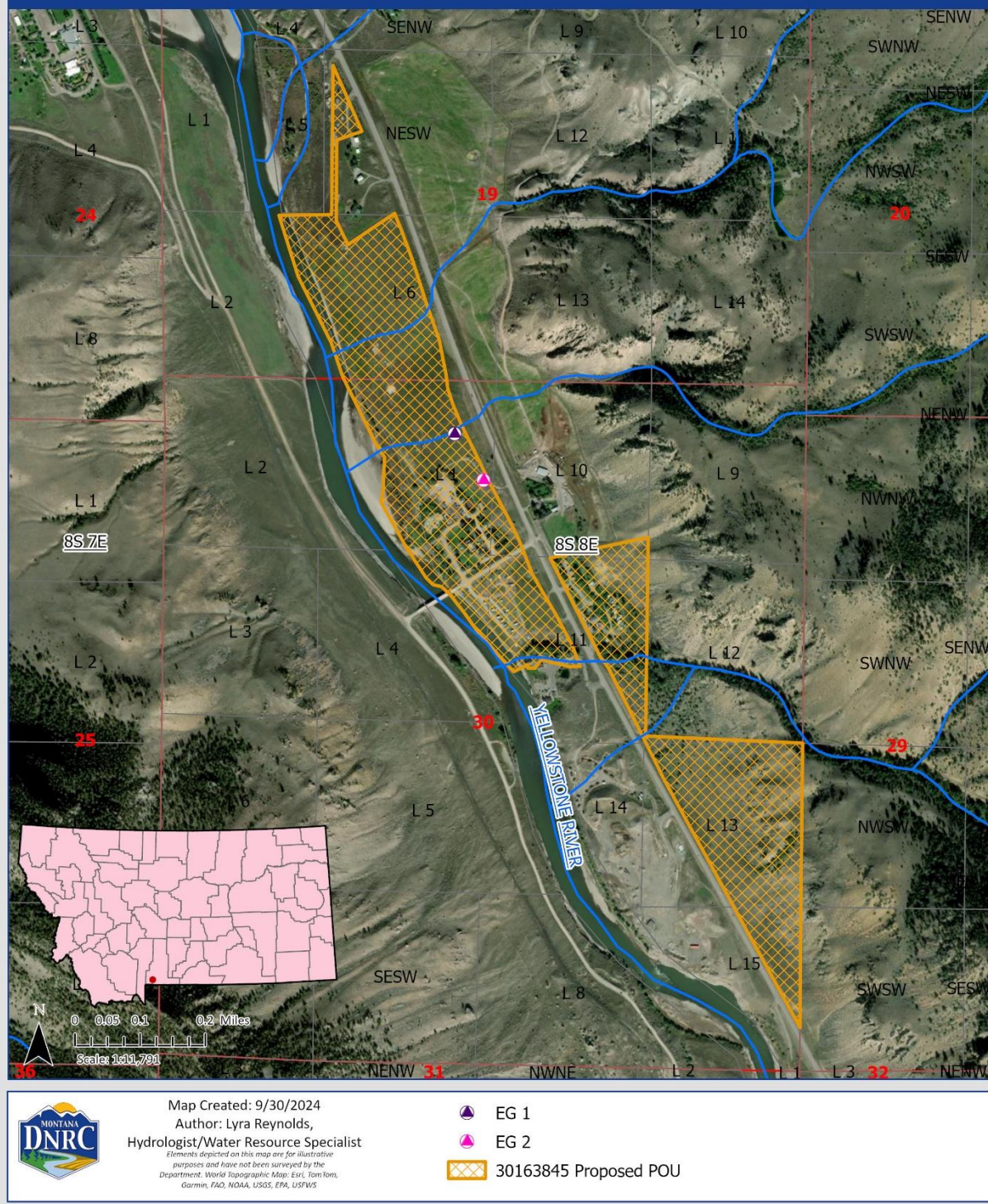


Figure 1. Map of Permit Application 43B 30163845

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.

The source of water is groundwater, which is not listed by DFWP. However, the wells are located approximately 820 (EG 1) and 920 (EG 2) feet away from the Yellowstone River. As determined by a search of DFWP data, conducted on June 27, 2025, the Yellowstone River is not listed as chronically or periodically dewatered by DFWP. The well's proposed flow rate of 202 GPM and annual volumetric usage of 120.78 AF is unlikely to impact surface water flows. The net depletion identified for the proposed appropriation is 6 AF per year. The Department will analyze if water is legally available in the hydraulically connected surface water as part of the application.

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 water is groundwater, which is not listed by the Montana Department of Environmental Quality (DEQ) on the CWAIC website. Adjacent surface water quality is not likely to be affected by the proposed well, as Rock Creek Drilling Inc, a licensed driller (license number WWC-300), has constructed the wells in accordance with the rules of the Board of Water Well Contractors.

A June 27, 2025, search of the CWAIC website lists the nearby stretch of the Yellowstone River, from Reese Creek to Bridger Creek, as not assessed for agricultural, drinking water, and primary contact recreation uses and not fully supporting aquatic life. Impairments to aquatic life are suspected to result from alteration in stream-side or littoral vegetation covers and physical alterations to substrate habitat. The Yellowstone River was identified to be hydraulically connected to the proposed well diversions. A net depletion of 6 AF per year is expected but is not anticipated to impact surface water quality.

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 source of water is groundwater. Groundwater quality is not likely to be affected by the proposed wells, as Rock Creek Drilling, a licensed driller (license number WWC-300), has constructed the wells in accordance with the rules of the Board of Water Well Contractors.

The wells are located approximately 880 ft from nearby surface water in the Yellowstone River. The proposed 202 GPM up to 120.78 AF per year for non-consumptive commercial use is anticipated to deplete a total 6 AF per year from hydraulically connected surface water. Zero water rights exist within the one-foot drawdown contour. Water use will be measured with a meter as required by the State of Montana/U.S.NPS Compact. No significant impacts to groundwater or adjacent surface water flows are expected to occur as a result of the proposed use. The Applicant will be required to meet the physical and legal availability criteria for the proposed permit to be granted.

The U.S. NPS will be notified of this application pursuant to the State of Montana/U.S. NPS Compact, Article II, Section B.2.b.ii.3.(a) and 85-2-207 MCA.

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.

Water will be diverted using a well with a pump, and use will be measured using a meter. Rock Creek Drilling Inc, a licensed driller (license number WWC-300), has constructed the wells in accordance with the rules of the Board of Water Well Contractors. The diversion works should not create significant channel impacts, flow modifications, or barriers. No significant impacts to existing resources have been identified. The proposed project also shares points of diversion with existing Groundwater Certificates 43B 84099-00 and 43B 84100-00.

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.

A search of the MTNHP website on July 1, 2025, for Sections 19 and 30, T8S, R8E, Park County, returned the following results:

- 14 animal Species of Concern: American Bison, Grizzly Bear, American White Pelican, Brewer's Sparrow, Cassin's Finch, Clark's Nutcracker, Evening Grosbeak, Franklin's Gull, Golden Eagle, Gray-crowned Rosy-Finch, Great Blue Heron, Green-tailed Towhee, Trumpeter Swan, Rocky Mountain Cutthroat Trout
- 1 animal Potential Species of Concern: Barrow's Goldeneye
- 1 animal Special Status Species: Bald Eagle
- 0 plant Species of Concern
- 0 plant Potential Species of Concern
- 0 plant Special Status Species

As this proposed project is to divert water from wells located on private property, groundwater use should not influence surface water flows to significantly impact threatened, endangered, or special concern species. The pumping of groundwater is not anticipated to decrease surface water flows to significantly impact any of these species, as a net depletion of only 6 AF will occur from the proposed commercial use.

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.

According to a July 1, 2025, search of the USFWS Wetlands Mapper, freshwater emergent and forested wetlands exist near the proposed place of use. No wetlands are involved in the project. Diverting water from groundwater wells will not impact wetlands in the surrounding area.

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

Determination: Not applicable.

No ponds are involved in the 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.

These wells have been constructed by Rock Creek Drilling Inc, a licensed driller (license number WWC-300), in accordance with the rules of the Board of Water Well Contractors, so there should not be significant impacts on nearby streambanks and vegetative cover. Use of water will continue in a manner consistent with locally accepted, historic practices and will not significantly impact soil quality. The NRCS Soil Survey website, queried on July 1, 2025, did not identify any saline seeps in the area. Year-round commercial use is not expected to impact soil surface quality or cause saline seeps.

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.

These wells have been constructed by Rock Creek Drilling Inc, a licensed driller (license number WWC-300), in accordance with the rules of the Board of Water Well Contractors, so there should not be significant impacts on nearby streambanks and vegetative cover. A small area was disturbed by drilling the wells, but this should have no significant impact on the surrounding area's vegetative cover, and neither should it allow the establishment of noxious weeds. Under Montana law, owners 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.

No deterioration of air quality will result from the drilling of the wells or diversion of water from them.

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: Not applicable.

The project is not located on State or Federal Lands. Furthermore, the Applicant made no mention of significant historical or archeological sites on the property.

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.

No other demands on environmental resources of land, water, and energy have been 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: No significant impact.

Drilling wells for commercial use is a locally accepted practice within the state of Montana and Paradise Valley 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: No significant impact.

Significant recreational and wilderness activities exist in the area, but the proposed project is located on small parcel of private property in a rural neighborhood and will not impact access to or the quality of recreational and wilderness activities.

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

Determination: No significant impact.

The 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 impacts.

The 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 impacts identified.
- (b) Local and state tax base and tax revenues? No significant impacts identified.
- (c) Existing land uses? No significant impacts identified.
- (d) Quantity and distribution of employment? No significant impacts identified.
- (e) Distribution and density of population and housing? No significant impacts identified.
- (f) Demands for government services? No significant impacts identified.
- (g) Industrial and commercial activity? No significant impacts identified.
- (h) Utilities? No significant impacts identified.
- (i) Transportation? No significant impacts identified.
- (j) Safety? No significant impacts identified.
- (k) Other appropriate social and economic circumstances? No impacts identified.

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:*

Pursuant to the State of Montana/ NPS Compact, the Applicant will install a totalizing water use meter provided to measure the total volume of water used. The Applicant will report this volume to the Montana Bureau of Mines and Geology annually. For the permit

to be authorized by the DNRC, the Applicant must prove the criteria in 85-2-311 MCA are met.

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 would be for the Applicant to not have additional water for future development.

Part III. Conclusion

1. ***Preferred Alternative:*** The preferred alternative is to obtain a water right permit to use the drilled wells.
2. ***Comments and Responses:*** None at this time.
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 divert groundwater for year-round, commercial use. The Applicant proposes to divert a maximum 202 GPM up to 120.78 AF under the proposed permit. No significant impacts are anticipated.

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

Name: Lyra Reynolds
Title: Hydrologist/Water Resource Specialist
Date: July 11, 2025