

CHECKLIST ENVIRONMENTAL ASSESSMENT	
Project Name: April Bye, Domestic Water Line LVL# 8515	Proposed Implementation Date: Spring 2006
Proponent: April Bye, P.O. Box 274 Kevin, Montana 59454 (406) 337-5555	
Type and Purpose of Action: The purpose of this proposal is to provide an access route for a domestic water line in order to supply water to the proponent's residence.	
Location: T34N, R2W, Sec 7 S1/2SW1/4	County: Toole

I. PROJECT DEVELOPMENT	
1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: Provide a brief chronology of the scoping and ongoing involvement for this project.	DNRC, Surface owner Kim Peltiar, Surface Lessee April Bye, Proponent
2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:	None <div style="font-size: 2em; font-weight: bold; opacity: 0.5;">RECEIVED</div>
3. ALTERNATIVES CONSIDERED:	Deny the request <div style="font-size: 1.2em; font-weight: bold; opacity: 0.5;">MAY 04 2006</div>

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

II. IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS
N = Not Present or No Impact will occur. Y = Impacts may occur (explain below)	
4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactable or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations? Are cumulative impacts likely to occur as a result of this proposed action?	[N] This project will take place within the margins of a small lake playa within the Kevin Sunburst Oil Field. The soils are predominately clay textures. The water line will be ripped in. This process allows the original vegetation to roll back in place after completion. This type of installation process has proven to be a very low impact method. Cumulative impacts are not anticipated as a result of this project.
5. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality? Are cumulative impacts likely to occur as a result of this proposed action?	[N] Ground water or surface water will not be impacted as a result of this project. The water source supplying the proposed pipeline originates from springs located to the North East within the Sweet grass Hills. Cumulative impacts are not expected as a result of this proposal.

II. IMPACTS ON THE PHYSICAL ENVIRONMENT	
6. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class 1 air shed)? Are cumulative impacts likely to occur as a result of this proposed action?	[N] There will be no impact to the air shed as a result of this proposal.
7. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present? Are cumulative impacts likely to occur as a result of this proposed action?	[N] The vegetative community will have some impact due to this proposal. The landscape will reveal a scarp resulting from the rip. There will also be some compaction due to the vehicle traffic during the installation. The surface impacts are anticipated to be minimal and non cumulative.
8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish? Are cumulative impacts likely to occur as a result of this proposed action?	[N] There will not be any adverse impact to fish, wildlife, or birds resulting from this proposal.
9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Sensitive Species or Species of special concern? Are cumulative impacts likely to occur as a result of this proposed action?	[N] There are no endangered or threatened species or habitat present on this site.
10. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] During the field inspection there were no historic sites found. The lease records also indicated no cultural sites present within the proposed area.
11. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light? Are cumulative impacts likely to occur as a result of this proposed action?	[N] There are no prominent topographic features within the proposed area.
12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, and AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Are cumulative impacts likely to occur as a result of this proposed action?	[N] Agriculture and the oil and gas industry are the two primary industries in the area. There are no anticipated cumulative impacts to other activities in the area resulting from this proposal.
13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: Are there other studies, plans or projects on this tract? Are cumulative impacts likely to occur as a result of other private, state or federal current actions w/n the analysis area, or from future proposed state actions that are under MEPA review (scoping) or permitting review by any state agency w/n the analysis area?	[N] None

III. IMPACTS ON THE HUMAN POPULATION	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
14. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] This project will not add to the health and safety of the area.
15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] This project will not add to or alter other industries within the area.
16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number. Are cumulative impacts likely to occur as a result of this proposed action?	[Y] This project will create a few contracting jobs during the installation process.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] This project will create some tax revenue.
18. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed? Are cumulative impacts likely to occur as a result of this proposed action?	[N] There will not be substantial traffic added to the area as a result of this project.
19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] None
20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] There are no wilderness areas accessed through this tract.
21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing? Are cumulative impacts likely to occur as a result of this proposed action?	[N] None
22. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] None
23. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] None \$5000
24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES: Is there a potential for other future uses for easement area other than for current management? Is future use hypothetical? What is the estimated return to the trust. Are cumulative impacts likely to occur as a result of this proposed action?	[Y] Estimated return from the LUL will be _____ per year. No cumulative impacts are likely to occur as a result of this proposed action.

EA Checklist Prepared By: Sam R. Dhu
Name

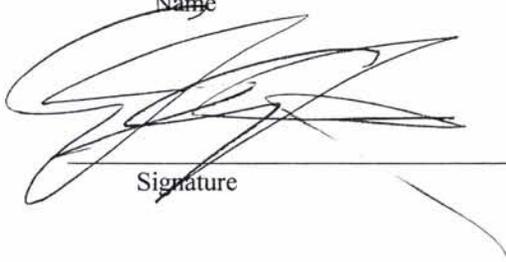
LS
Title

Date: 4-14-06

IV. FINDING

25. ALTERNATIVE SELECTED:	Approve LUL #8515.
26. SIGN4IFICANCE OF POTENTIAL IMPACTS:	Short-term and small-scale impacts to the native rangeland is expected. All disturbed areas along the pipeline route will be recontoured and reseeded to native grass. No known archaeological sites are located within the project area. The surface lessee has been contacted and has agreed to the proposed route and has signed the surface damage settlement form. The School Trust will receive a one time fee of \$500.00 for this LUL. Overall, no negative environmental impacts are expected.
27. Need for Further Environmental Analysis: <input type="checkbox"/> EIS <input type="checkbox"/> More Detailed EA <input checked="" type="checkbox"/> No Further Analysis	

EA Checklist Approved By: Erik Eneboe Conrad Unit Manager - CLO
Name Title


Signature

April 20, 2006
Date

T34N R2W S6C 7
TOOLE COUNTY
BYE WATER LINE

KEVIN SOUTH QUADRANGLE
MONTANA-TOOLE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

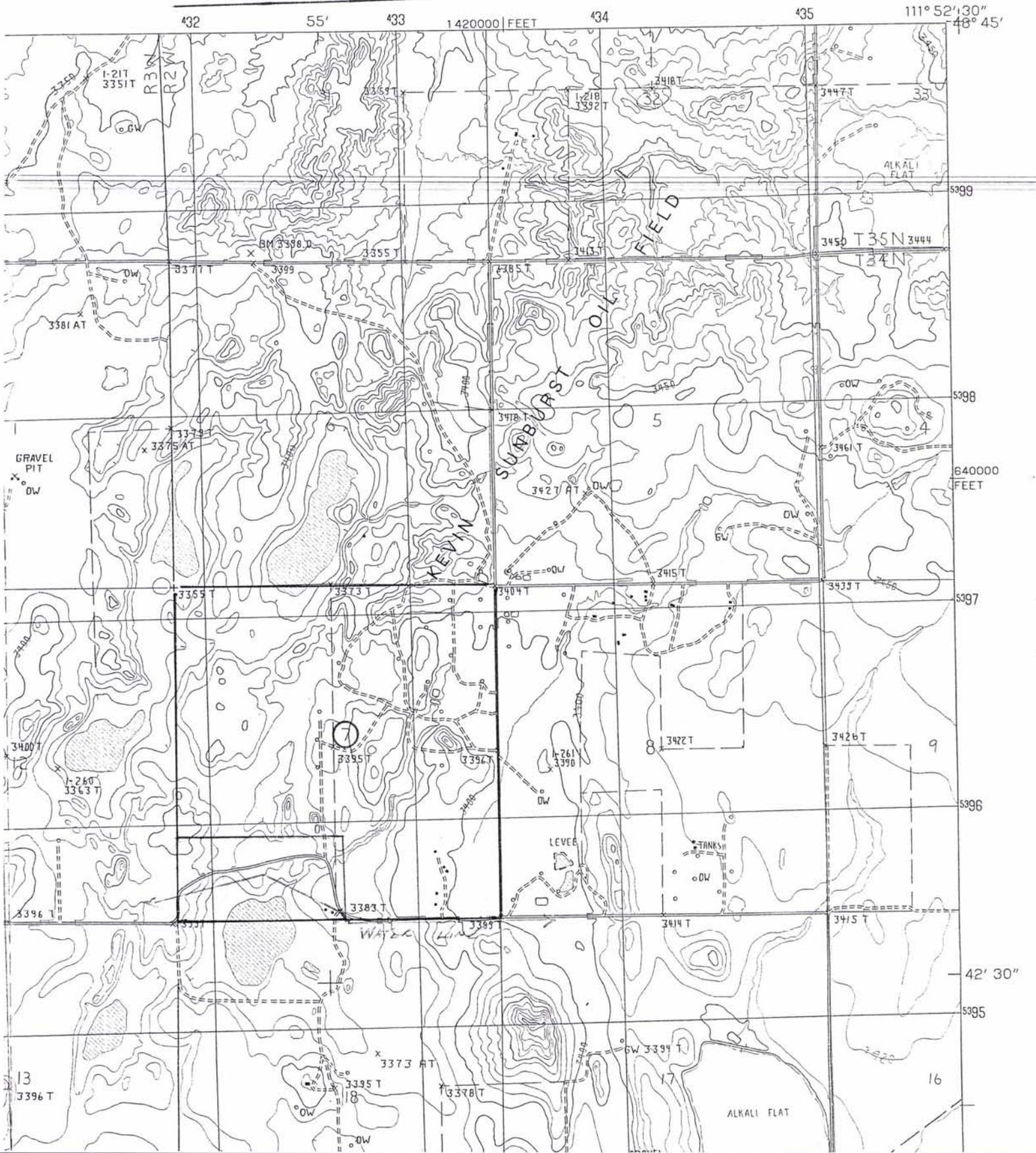


T34N R2W S6C 7

TOOLE COUNTY

BYE WATER LINE

KEVIN SOUTH QUADRANGLE
MONTANA-TOOLE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



DEPARTMENT OF NATURAL RESOURCES & CONSERVATION

Form DS-401

Application Fee: \$25.00 (Non-refundable)

LAND USE LICENSE APPLICATION

NAME OF APPLICANT April Bye

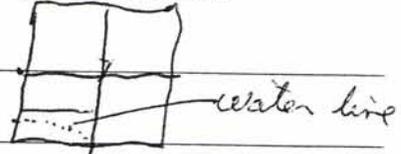
ADDRESS PO Box 274

CITY Keen STATE MT ZIP 59454

HOME PHONE 337-5555 BUSINESS PHONE _____

Application is hereby made for access for the following purpose(s): Be specific and include map, if appropriate.

domestic waterline



SECTION 7 TOWNSHIP 34 N RANGE 2 W

PART OF SECTION S 1/2 SW 1/4 COUNTY Toole

SECTION _____ TOWNSHIP _____ RANGE _____

PART OF SECTION _____ COUNTY _____

DURATION (MONTH) April (DAY) 4 (YEAR) 2006

THROUGH (MONTH) _____ (DAY) _____ (YEAR) _____



APPLICANT'S SIGNATURE April Bye DATE: 4/4/06

Mail completed form and \$25.00 application fee (payable to DNRC) to:

DNRC - Conrad Unit Office
PO Box 961
Conrad, MT 59425
(406)-278-7869

After an on-site inspection, the Unit Manager will consider whether the access is in the best interest of the trust.

C:\LUL Forms\Lulappform.doc 2/03

NOTICE OF SETTLEMENT OF DAMAGES

Dept. of Natural Resources
& Conservation

TO: DEPARTMENT OF NATURAL RESOURCES
ADDRESS: Unit or Area Office

Box 961
Conrad, MT 59425

RE: State Lease # 10557 - Kim Peltier
249 Fergis Road
Oilmont, MT 59466

Dear Director:

I have been informed that April Bye
of Kevin Montana is applying
for a ~~right of way over~~ LOL under, along or across the following State Lands:
1/2 SW 1/4, Sec 7, T34N, R2W, Toste County
for the purpose of Domestic water pipeline

As the Lessee of the State Land described above, I/(we) understand that if the easement is approved by the Land Board, that I/(we) as leaseholder am/(are) entitled to compensation for damages, that may occur to my/(our) improvements, crops, or leasehold interest.

I/(we) also acknowledge that the said compensation, if any, is for actual damages only and that compensation should not exceed the actual value of the damages to my/(our) improvements, crops or leasehold interest.

I/(we), the undersigned hereby state that

- No damages are anticipated.
- Damages are anticipated and compensation has been received based on anticipated damages.
- Damages are anticipated and arrangements have been made for compensation.
- Damages are anticipated and the applicant & I (we) are not able to agree on the value of the damages. Attached is a listing of my/(our) improvements, crops and/or statement of what portion of my/(our) leasehold interest will be damaged and my estimate of value for compensable damages.

Signed this 18 day of MAY 2006, 19 .

Kim Peltier
(Lessee)

(Lessee)

(Lessee)

(Lessee)

(NOTE: All persons named on the state surface lease must sign this settlement statement. If a person is signing on behalf of another, copies of a Power of Attorney must be provided. Additionally, if a person has signed on behalf of an estate, Personal Representative papers must also accompany this form.)