

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
WATER RESOURCES DIVISION  
WATER RIGHTS BUREAU

**ENVIRONMENTAL ASSESSMENT**

**PART I. PROPOSED ACTION DESCRIPTION**

1. **Type of action:** Water use permit application no.  
Water right change application no. 41K-187161-07  
Petition or Other Action:
2. **Applicant/Contact name and address:** Kelly-Moore Paint Co Inc., 987  
Commercial ST, PO Box 3016, San Carlos, CA 94070
3. **Water source name:** Sun River
4. **Location affected by action:** NWNESW Sec. 20, TWP 21N, RGE 06W, Teton  
County
5. **Narrative summary of the proposed project and action to be taken:** DNRC  
shall issue an authorization for change of appropriation if the  
applicant proves the criteria in 85-2-402, MCA, are met. Since  
January 16, 1900, water has historically been diverted from Sun River  
by a headgate located in the NWNESW Sec. 20, TWP 21N, RGE 06W, Teton  
County. Diversion occurs from March 15 to November 15. The claimed  
rate is 157.40 CFS up to 78,031.05 acre-feet per year for irrigation  
of 22,920 acres in Teton County.  
  
Applicant proposes to change a portion of the place of use and install  
a 222.9 acre pivot in Sections 28 and 29, TWP 21N, RGE 04W. 72.2  
acres under the pivot have been historically flood irrigated and will  
be converted to sprinkler irrigation. 152.6 acres of flood irrigation  
elsewhere in Sections 28, 29 and 31 will be discontinued and moved to  
the pivot. In total, flood irrigation will be discontinued on 224.8  
acres. The historic point of diversion and headgate diversion  
structure will not be changed. Once diverted, water will be  
transported down the Floweree Canal to Sec. 29, TWP 21N, RGE 04W, as  
it was historically. From that point, it will be delivered to the  
pivot by a headgate and pipeline.
6. **Agencies consulted during preparation of the environmental assessment:**  
None

**PART II. ENVIRONMENTAL REVIEW**

1. Environmental Impact Checklist:

**PHYSICAL ENVIRONMENT**

**Soils/Geologic Features:**

Degradation of soil quality or alteration of soil stability, moisture  
content, geologic substructure, unique geologic features, archeological  
sites?

NO

**Erosion:**

Alteration of erosion or siltation patterns which modify stream beds or lake shores?

NO

**Vegetation/Noxious weeds:**

Change in or adverse affect on diversity and production of local plant species including any unique or endangered species (including trees, shrubs, grass, and aquatic plants)? Establishment or spread of noxious weeds?

NO

**Air:**

Deterioration of air quality, or adverse effects on vegetation due to increased air pollutants.

NO

**Water:**

Alteration of surface water or groundwater quality including but not limited to temperature, dissolved oxygen or turbidity or quantity or distribution?

NO

**Floodplain:**

Changes in drainage patterns, course or magnitude of flood flows, or exposure of people/property to hazards (flood)?

NO

**Wildlife Habitat/Migration:**

Deterioration of critical fish or wildlife habitat? Creation of a barrier to the migration or movement of fish or wildlife?

NO

**Endangered Species:**

Adverse effects on any unique or endangered species?

NO

<b>HUMAN ENVIRONMENT</b>
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**Existing Land Use:**

Alteration of or interference with the productivity or profitability of the existing land use of an area?

NO

**Historical Significance:**

Destruction or alteration of a natural area of scientific or educational value or prehistoric or paleontological importance?

NO

**Populace:**

Alteration of the location, distribution, density, or growth rate of the human population of an area? Alteration of social structure of community?

NO

**Transportation:**

Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?

NO

**Safety:**

Creation of any health hazard or affect on existing emergency response or evacuation plans?

NO

**Public Services:**

Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? Have an effect upon local or state tax base?

NO

**Utilities:**

Creates need for new or altered facilities for any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?

Electricity will be required to run the pivot. However, there should not be a significant impact. There is an electrical line near the proposed pivot which currently supplies three other pivots.

**Aesthetics:**

Alteration of any scenic vista or recreation opportunity or creation of an aesthetically offensive site to the public?

NO

**Other:**

NO

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2. **Secondary and cumulative impacts:** None
  3. **Reasonable alternatives to the proposed action, including the no action alternative:** No significant impacts have been identified. If an authorization is not issued, the applicant will not be able to enjoy the economic benefits resulting from the conversion of flood to sprinkler irrigation, such as improved crops, reduced labor, etc., due to better water application and efficiency of the sprinkler system.

**PART III. CONCLUSION**

Based on the significance criteria evaluated in this EA, is an EIS required? No

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

There will be no significant impacts, therefore, no EIS is required.

PREPARED BY:

NAME: Dixie Brough  
TITLE: Water Resource Specialist  
DATE: August 24, 1995