

## CD/AGENCY USE ONLY

Revised: 3/15/2024  
310 Form 270 and Instructions may be  
downloaded from:  
<https://dnrc.mt.gov/Licenses-and-Permits/Stream-Permitting/>

Application # Li-05-02-24

Date Received 04 - 22 - 24

Stream or Waterbody Dodge Creek

Date Accepted

Initials

Date FW: to FWP 04 - 23 - 24

This space is for all Department of Transportation and SPA 124 permits (government projects).

Project Name

Control Number

Contract Letting Date

MEPA/NEPA Compliance

☐

Yes

☐

No

If yes, #C5 of this application does not apply.

### JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS & OTHER WATER BODIES

This is a standardized application to apply for one or all local, state, or federal permits listed below.

- Refer to instructions to determine which permits apply and submit a signed application to each applicable agency.
- Incomplete applications will result in the delay of the application process.
- The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.
- **Other laws may apply.**

	PERMIT	AGENCY	FILL OUT SECTIONS	FEE
<input checked="" type="checkbox"/>	310 Permit	Local Conservation District	A - E and G	No Fee
<input type="checkbox"/>	SPA 124 Permit	Department of Fish, Wildlife and Parks	A - E and G	No fee
<input type="checkbox"/>	318 Authorization 401 Certification	Department of Environmental Quality	A - E and G	\$250 (318); \$400 - \$20,000 (401)
<input type="checkbox"/>	Navigable Rivers Land Use License, Lease, or Easement	Department of Natural Resources and Conservation, Trust Lands Management Division	A - E and G	\$50, plus additional fee
<input type="checkbox"/>	Section 404 Permit, Section 10 Permit	U. S. Army Corps of Engineers (USACE)	A - G F1-8	Varies (\$0 - \$100)
<input type="checkbox"/>	Floodplain Permit	Local Floodplain Administrator	A - G	Varies by city/county (\$25 - \$500+)

## A. APPLICANT INFORMATION

APPLICANT NAME (person responsible for project)

First - Lorenzo Middle - C Last - Thompson

Has the landowner consented to this project? ☒ Yes ☐ No

Mailing Address - 1418 119th PI SE Everett, WA 98208

Physical Address - 281 E Dodge Creek Rd Rexford, MT

Cellphone - 425-344-9425

Home Phone -

E-Mail -

lorenzathompson26@gmail.com

LANDOWNER NAME (if different from applicant)

First - Same Middle - Last -

Mailing Address -

Physical Address -

Cellphone -

Home Phone -

E-Mail -

CONTRACTOR/COMPANY NAME (if applicable) Montana Mobile Milling &amp; Escavation

PRIMARY CONTACT NAME First - Travis

Middle -

Last -

Mailing Address -

Physical Address - Eureka, MT

Cellphone - 406-889-3840

Home Phone -

E-Mail - montanamobilemilling@outlook.com



**B. PROJECT SITE INFORMATION**

1. NAME OF STREAM or WATER BODY at project location Dodge Creek

Project Address/Location - 281 E Dodge Creek Road Rexford, MT Nearest Town - Rexford

County - Lincoln

Geocode - 56-4927-25-1-01-05-0000

1/4 of the Township - Range -

Latitude - Longitude - Refer to section B1 in the instructions.

2. Is the proposed activity within SAGE GROUSE areas designated as general, connected, or core habitat?

☐ Yes ☒ No Attach consultation letter if required. Refer to section B2 in the instructions.

3. Is this a STATE NAVIGABLE WATERWAY? The state owns beds of certain navigable waterways.

☐ Yes ☒ No If yes, send a copy of this application to the appropriate DNRC land office. Refer to section B3 in the instructions.

4. WHAT IS THE CURRENT CONDITION of the proposed project site? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands. What vegetation is present? Refer to section B4 in the instructions.

Currently the headgates consists of several stones/rocks that are diverting water into the irrigation ditch. Fairly overgrown with vegetation.

Water Right # = 76D 141334-00

**C. PROPOSED PROJECT OR ACTIVITY INFORMATION**

1. TYPE OF PROJECT (check all that apply) Refer to section C1 in the instructions.

- ☒ **Agricultural and Irrigation Projects:** Diversions, Headgates, Flumes, Riparian fencing, Ditches, etc.
- ☐ **Buildings/Structures:** Accessory Structures, Manufactured Homes, Residential or Commercial Buildings, etc.
- ☐ **Channel/Bank Projects:** Stabilization, Restoration, Alteration, Dredging, Fish Habitat, Vegetation or Tree Removal, or any other work that modifies existing channels or banks.
- ☐ **Crossings/Roads:** Bridge, Culvert, Fords, Road Work, Temporary Access, or any project that crosses over or under a stream or channel.
- ☐ **Mining Projects:** All mining related activity, including; Placer Mining, Aggregate Mining, etc.
- ☐ **Recreation related Projects:** Boat Ramps, Docks, Marinas, etc.
- ☐ **Other Projects:** Cistern, Debris Removal, Excavation/Pit/Pond, Placement of Fill, drilling or directional boring, Utilities, Wetland Alteration. Other project type not listed here

Looking to add a mechanical headgate to my irrigation ditch that siphons off water from Dodge Creek. Currently using stones to divert the water.

2. IS THIS APPLICATION FOR an annual maintenance permit? ☐ Yes ☒ No

(If yes attach annual plan of operation to this application) – Refer to section C2 in the instructions.

3. WHY IS THIS PROJECT NECESSARY? STATE THE PURPOSE OR GOAL of the proposed project. Refer to section C3 in the instructions.

Yes, I plan to have livestock and irrigate my land for hay. But in order to do so, I need a reliable means of diverting water into my irrigation pond. Also we want the headgate to have a screen on it to protect endangered fish from entering



**4. PROVIDE A BRIEF DESCRIPTION** of the proposed project plan and how it will be accomplished. Refer to section C4 in the instructions.

We plan to install a ditchgate for the headgate that uses a slide to let in the water.

**5. WHAT OTHER ALTERNATIVES** were considered to accomplish the stated purpose of the project? Why was the proposed alternative selected? Refer to section C5 in the instructions.

Currently there are stones/rocks that are diverting water into the irrigation ditch. It's not reliable to measure the flow of the water. And nothing is protecting fish from getting into it.

**6. NATURAL RESOURCE BENEFITS OR POTENTIAL IMPACTS.** Please complete the information below to the best of your ability.

- Explain any temporary or permanent changes in erosion, sedimentation, turbidity, or increases of potential contaminants. What will be done to minimize those impacts?

Should be minimal impact. With the ditchgate, we plan to add a screen to that fish can't come in. Especially endangered Bull Trout.

- Will the project cause temporary or permanent impacts to fish and/or aquatic habitat? What will be done to protect the fisheries?

We believe by adding a screen to the ditchgate, we will prevent Bull Trout from entering the irrigation ditch.

- What will be done to minimize temporary or permanent impacts to the floodplain, wetlands, or riparian habitat?

No heavy equipment will be used for the installation. It'll be done by hand.

- What efforts will be made to decrease flooding potential upstream and downstream of project?

Instead of relying on stones, the new headgate will give predictability on water flow.

- Explain potential temporary or permanent changes to the water flow or to the bed and banks of the waterbody. What will be done to minimize those changes?

Will be no effect on Dodge Creek.

- How will existing vegetation be protected and its removal minimized? Explain how the site will be revegetated. Include weed control plans.

Some overhanging branches will need to be trimmed but nothing really else.



**D. CONSTRUCTION DETAILS****1. PROPOSED CONSTRUCTION DATES.** Include a project timeline.

Start date - 6/1/20      Finish date - 8/1/20      How long will it take to complete the project? - 2 Days

Is any portion of the work already completed? ☐ Yes ☒ No (If yes, describe previously completed work.)

Refer to section D1 in the instructions.

**2. PROJECT DIMENSIONS.** Describe length and width of the project. Refer to section D2 in the instructions.

24" x 24" x 3"

**3. EQUIPMENT.** List all equipment that will be used for this project. How will the equipment be used on the bank and/or in the water? Note: All equipment used in the water must be clean, drained and dry. Refer to section D3 in the instructions.

We will install a Ditch Gate from DitchGates (ditchgates.com)

Will equipment from out of state be used? ☐ Yes ☒ No ☐ Unknown

Will the equipment cross west over the continental divide to the project site? ☐ Yes ☒ No ☐ Unknown

Will equipment enter the Flathead Basin? ☐ Yes ☒ No ☐ Unknown

**4. MATERIALS.** Provide the total quantity and source of materials proposed to be used or removed. Note: This may be modified during the permitting process therefore it is recommended you do not purchase materials until all permits are issued. List soil/fill type, cubic yards and source, culvert size, rip-rap size, any other materials to be used or removed on the project. Refer to section D4 in the instructions.

Cubic yards/Linear feet

Size and Type

Source

No materials will be removed

24" x 24" x 3"

Ditchgates.com

**E. REQUIRED ATTACHMENTS****1. PLANS AND/OR DRAWINGS of the proposed project. Include:**

- Plan/Aerial view
- an elevation or cross section view
- dimensions of the project (height, width, depth in feet)
- location of storage or stockpile materials dimensions and location of fill or excavation sites

- drainage facilities
- location of existing/proposed structures, such as buildings, utilities, roads, or bridges
- an arrow indicating north
- Site photos

**2. ATTACH A VICINITY MAP OR A SKETCH** which includes: The water body where the project is located, roads, tributaries, other landmarks. Place an "X" on the project location. Provide written directions to the site. This is a plan view (looking at the project from above).

**3. ATTACH ANNUAL PLAN OF OPERATION** if requesting a Maintenance 310 Permit.

**4. ATTACH AQUATIC RESOURCE MAP.** Document the location and boundary of all waters of the U.S. in the project vicinity, including wetlands and other special aquatic sites. Show the location of the ordinary high-water mark of streams or water bodies if requesting a Section 404 or Section 10 Permit. Ordinary high-water mark delineation included on plan or drawings and/or a separate wetland delineation.



**F. ADDITIONAL INFORMATION FOR U.S. ARMY CORPS OF ENGINEERS (USACE) SECTION 404,  
SECTION 10 AND FLOODPLAIN PERMITS.**

*Section F should only be filled out by those needing Section 404, Section 10, and/or Floodplain permits.*

*Applicants applying for Section 404 and/or Section 10 permits complete F 1- 8. Applicants applying for Floodplain permits, complete all of Section F. Refer to section F in the instructions.*

FOR QUESTIONS RELATING TO SECTION F, QUESTIONS 1-8 PLEASE CONTACT THE USACE BY TELEPHONE AT 406-441-1375 OR BY E-MAIL [MONTANA.REG@USACE.ARMY.MIL](mailto:MONTANA.REG@USACE.ARMY.MIL).

1. Does the proposed activity and/or property have permitting history with USACE? If yes, and available, provide the USACE project number(s) associated with previous permits, including no permit required letters and approved jurisdictional determinations.

N/A

2. Identify the specific **Nationwide Permit(s)** that you want to use to authorize the proposed activity. Refer to section F1 in the instructions.

3. Provide the footprint of impacts and the quantity of materials proposed to be placed in wetlands and/or below the ordinary high-water mark in waters of the United States. Delineations are required of wetlands and other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Refer to section F2 in the instructions.

(a) What is the length and width (or square footage/acreage) for each impact occurring within the waters of the United States, including wetlands?

(b) How many cubic yards of fill material will be placed below the ordinary high-water mark, in a wetland, stream or other waters of the United States?

4. How will the proposed project avoid or minimize **impacts to waters of the United States**? Attach additional sheets if necessary. Refer to section F3 in the instructions.



5. Will the project impact(s) be equal to or greater than 0.10-acre of wetland and/or 0.03 acre of stream or other waters? If yes, describe how the applicant is going to **compensate (mitigation bank, in-lieu fee program, or permittee responsible)** for these unavoidable impacts to waters of the United States. Refer to section F4 in the instructions.

6. Is the activity proposed within any component of the **National Wild and Scenic River System**, or a river that has been officially designated by Congress as a "**study river**"? Refer to section F5 in the instructions.

☐ Yes ☐ No

7. Does this activity require permission from the **USACE because it will alter or temporarily or permanently occupy or use a USACE authorized civil works project?** (Examples include **USACE owned levees, Fort Peck Dam, and others**)? Refer to section F6 in the instructions.

☐ Yes ☐ No

8. List the **ENDANGERED AND THREATENED SPECIES** and **CRITICAL HABITAT(s)** that might be present in the project location. Refer to section F7 in the instructions.

9. List any **HISTORIC PROPERTY(S)** that are listed, determined to be eligible or are potentially eligible (over 50 years old) for listing on the National Register of Historic Places." Refer to section F8 in the instructions.

10. List **all applicable local, state, and federal** permits and indicate whether they were issued, waived, denied, or pending. Note: All required local, state, and federal permits, or proof of waiver must be issued prior to the issuance of a floodplain permit. Refer to section F9 in the instructions.

11. List the **NAMES AND ADDRESSES OF LANDOWNERS** adjacent to the project site. This includes properties adjacent to and across from the project site. (Some floodplain communities require certified adjoining landowner lists).

NAME/ADDRESS OF Adjacent Landowner -

NAME/ADDRESS OF Adjacent Landowner -

NAME/ADDRESS OF Adjacent Landowner -

NAME/ADDRESS OF Adjacent Landowner -

12. Floodplain Map Number -

Refer to section F11 in the instructions.

13. Does this project comply with local planning or zoning regulations? Refer to section F12 in the instructions.

☐ Yes ☐ No



**G. SIGNATURES/AUTHORIZATIONS**

Some agencies require original signatures for an application to be considered complete. **After completing the form**, make the required number of copies and **then sign each copy**. Send the copies with original signatures and additional information required directly to each applicable agency.

The statements contained in this application are true and correct. The applicant possesses the authority to undertake the work described herein or is acting as the duly authorized agent of the landowner. The applicant understands that the granting of a permit does not include landowner permission to access land or construct a project. Inspections of the project site after notice by inspection authorities are hereby authorized. **Refer to section G in the instructions.**

APPLICANT (Person responsible for project)

Lorenzo Thompson

Print Name



Signature of Applicant

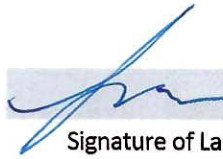
4/22/24

Date

LANDOWNER

Lorenzo Thompson

Print Name



Signature of Landowner

4/22/24

Date

\*CONTRACTOR'S PRIMARY CONTACT (if applicable)

Print Name

Signature of Applicant

Date

\*Contact agency to determine if contractor signature is required.