



66121 MT highway 37

Eureka, MT 59917

406-297-2233

BOARD OF SUPERVISORS MEETING

June 18, 2025, 4:00 pm

Lincoln County Annex, Eureka

Board of Supervisors

Kathleen Johnson-Chair

Gary Pershall-Vice Chair

John DeLeo-Treasurer- Absent

Don Crawford- Zoom

Randy Evins

Ed Braaten

Associate Supervisor

Wayne Maahs

Kurt West-Planning Board-
~~absent~~ **present**

District Administrator

Rhonda Rockwell

Advisors

Brian Stephens- MT FWP-
Absent

Brian Ressel-NRCS-absent

Guests

Rae Lynn Hays-Grant Admin

Call Meeting to Order: 4:00 pm

Public Comment

Noel Durham updated the board about the Commissioners decision to designate Schrieber Creek as intermittent at the subdivision review meeting. Gauge shows that it has been dry. Noel stated that under MCA if it is dry once, even during a drought, it is intermittent. During the preliminary plat review, from the commissioner's point of view ~~Schrieber~~ **Schrieber** is intermittent. LCD has the right to make their own determination. The Supreme Court has the authority to overrule and did that in 2008 on a case. LCD was brought up during the discussion asking for our input. There will be a road and culvert and will need a 310 permit. Noel explained he is giving LCD a heads up since it is a contentious subdivision. Gained 70' of property by decision.

April Minutes

- Motion to amend by attachment April 19th Meeting Minutes by Ed B.
- Second by Gary P.
- Motion passed unanimously.

May Minutes

- Motion to approve May Minutes by Gary P.
- Second by Don C.
- Motion passes unanimously.



BOARD OF SUPERVISORS MEETING

June 18, 2025, 4:00 pm

Lincoln County Annex, Eureka

Financial Report

Treasurers Report by Gary P.

- Motion to approve April Financial Report by Randy E.
- Second by Ed B.
- Motion passes unanimously.

MT FW&P- Brian S.

District Administrators Report

Volunteer hours were recorded. Rhonda updated the board on a few calls regarding open range law, algae in the Yaak River and a call about Schriber Schrieber Creek and it being designated as intermittent by commissioners. Much time has been spent on the budget due to QuickBooks issues. LCD has received thank you letters from Forest Stewardship Foundation, Hooked on Fishing, and Montana Forest Story. Also a few 310 applicants have expressed thanks for help with their applications. Rhonda also brought out the need for South end Supervisors to conduct site visits when Don C. is gone. Rhonda also passed out information from Hailey G on accepting applications.

Grant Administrator Report-

Rae Lynn received the draft copy of the Grave Creek Preliminary engineering report. She ~~looked over~~ reviewed it and she gave her comments to the engineer. The engineer will continue working on that.

Rae has submitted paperwork for the DNRC Administrative Grant. This is the grant that reimburses membership dues as well as 310s.

The Glen Lake Dam Survey will be discussed later.

The Watercraft Inspection Station has submitted expenditures to FWP of 11,486.72

There is an ongoing 715k project grant for replacing culverts and stabilizing the bank above Therriault Creek. There has been misinformation about producers not getting water related to the project. Everyone is still getting water. GLID is not diverting water from Grave Creek so that they can dry out the canal and fix it. What is being done is, GLID is lowering their reservoirs. GLID will need an extension on their 310 permit for this project.

Kurt West-Planning Board

Kurt reported that he attended the Planning meeting and there was nothing discussed that would relate to LCD.

310 Permits

C-10-02-22, Neumann, Phillips, Fisher River

Kim More still has not gotten back to Rhonda after multiple attempts. There may be a need to find another way to reach her. Hailey recommended talking to the County Attorney. Kathleen asked for comments from the Board about what the next steps would be. Kim More had promised updates and Rhonda stated that she is frustrated at the continued lack of information from Kim especially with emails coming in about this from neighbors. ~~It was~~ Board discussed that Hailey should know that the county attorney would be a conflict of interest.

Li-06-01-25, Phillipi, Houghton Creek

Don C. explained the site visit, he and Brian S. conducted. Good proposal. There will be a new and better, shorter road. The contractor ~~has used~~ owns 4' pipe he wanted to use for this project. Don C. recommended 5'. The location seems fine. Don said the upstream culvert is larger than 4'. Had evidence of scouring. But it seems to be handling everything fine. The contractor was supposed to call Don C. regarding culvert size, and he has not heard from him yet. Work on this project cannot begin until later to accommodate low flow, so Don thought a good idea would be to postpone this so that we can hear from the landowner his thoughts on a 5' culvert. Gary wondered if we could approve with modifications requiring a 5' culvert. Rhonda will contact the contractor.

- Motion by Don C. to postpone until pipe diameter is discussed with contractor.
- Second by Gary P.
- Motion passes unanimously

Li-06-02-25, Wright, Glen Lake

- Motion by Gary P. to declare not a project.
- Second by Ed B.
- Motion passes unanimously

Li-06-03-25, Dunlap Hay Ranch, Murphy Creek

Gary P. explained his site visit. They need to clean out the pump intake with an excavator. Minimal disturbance and impact.

- Motion to waive 15 day and approve by Gary P.
- Second by Don C.
- Motion passes unanimously



Li-06-04-25, NWMT Gold Prospectors., Libby Creek

This is a renewal of a previous application.

- Motion to approve for two years and by Ed B.
- Second by Randy E.
- Motion passes unanimously

Li-06-05-25, NWMT Gold Prospectors, Cherry Creek

This is a renewal of a previous application.

- Motion by Gary P. to approve for two years.
- Second by Ed B.
- Motion passes unanimously.

Li-06-06-25, Walborn, Libby Creek

This is a renewal of a previous application.

- Motion to approve for two years by Ed B.
- Second by Gary P.
- Motion passes unanimously

Li-06-07-25, Walborn, Libby Creek

This is a renewal of a previous application.

- Motion to approve for two years by Gary P.
- Second by Ed B.
- Motion passes unanimously.

Li-06-08-25, Ruffinen, Grave Creek

This project needs a site visit.

- Motion by Don C to postpone.
- Second Gary P.
- Motion passes unanimously.



Postponed 310s

Li-12-04-24, Driggs, Indian Creek

Nothing new has been provided. Applicant has requested more time. Postponed.

Li-05-03-25, Eckman, Tobacco River

Kurt West explained the bank stabilization he has drafted. This project was approved before, but this has a bit of additional bank added to it that seemed to be necessary during the site visit.

- Motion to approve by Don C.
- Second by Ed B.
- Motion passes unanimously.

Li-05-07-25, Haxholdt, Therriault Creek

There was discussion about the fish study conducted by FWP. There were no fish observed or collected in the stream. Small brook trout were observed and captured in the margins of the impoundment. There appear to be no native fish species of concern isolated from the downstream barrier. There was comment that although the report from Brian recommended an extension for time, that was for fish study and that has been completed. Kathleen was at the site visit with Brian S. She mentioned that there is a dam/~~fish passage~~ that needs repair, or it could flood downstream land. Kathleen had asked John M. the consequences of not changing the stream for fish passage. John M. said that they would still need to correct the outlet as it stands. ~~At some point~~, RDG and the landowner decided that they would like to have fluvial connectivity **for fish passage**. That means diverting the stream to a different outlet on the pond and then come back into Therriault Creek. Don C. wanted to see the engineers report. There is a wet meadow near the proposed home site. The design also deepens an area of the pond.

Don C. commented on the risk factor for downstream landowners. Don C. said that if Brian has no objections and Muhlfeld designed it and the landowner is paying for it, he does not see any reason to delay. He isn't sure why we would object to it. Glen Lake Irrigation District asked to give public comment. Concern was voiced over superior water rights of downstream landowners. Rae Lynn said deepening the pond and changing the flow could have a significant impact. Gary asked if RDG/Haxholdt need to consult with downstream water right holders.

Rae Lynn commented that ideally it would not be an in-stream pond. It should be off the stream so that you can regulate that water going in and out. Kurt West agreed that normally there would be a diversion point that feeds the pond. Don C. brought out that the pond has existed for quite some time. He also wanted to know if the neighboring landowners had been contacted. Kathleen mentioned that there is a conservation easement on all but 15 acres. Rae Lynn understands that this is a historic on-stream pond, but we need to minimize impact to other landowners. It seems to her that the dam scouring could be fixed without deepening and rerouting the stream. Rhonda commented that historically the board has denied moving a channel (Gorman/Brimstone). It was asked the reason he wanted to move the channel and it was brought out that the reason Gorman stated at the time was to move to the stream to its historic route, however, of note is that it runs through his hayfield.

Don C. said since RDG does not plan to start work until July 15th on the Haxholdt project, we could postpone and be able to clarify some things without holding them up. Don C. again stated his problem is not with design, but water rights. We do not have jurisdiction over water rights, but the landowners are entitled to an opportunity to comment. It was brought out that Muhlfeld should be aware of water rights. Muhlfeld had said at the site visit that there were no water rights for Haxholdt.



Li-05-07-25, Haxholdt, Therriault Creek CONT.

- Motion by Gary P. to postpone.
- Second by Don C.
- Motion passes unanimously.

C-05-07-25, DEQ, Franklin, Meadow Creek

This was postponed to allow comment from Ed B.'s on his team report in person. In the meantime, there was another verbal anonymous complaint to the office. Ed B. informed all present that on his site visit it seemed the landowner had cleared dead brush and debris to be able to see to get out of his driveway. That was a long way from the creek. Next the landowner also cleared debris up to the creek, but not anything on the bank. Rhonda had called Jesse Haag about this being in the floodplain or not, and Jesse said it is not in a mapped floodplain. There was discussion of septic, and the consensus was that is not our jurisdiction.

- Motion to declare no violation observed by Ed B.
- Second by Randy E.
- Motion passes unanimously.

Unfinished Business

None

New Business

AIS Station Hiring/Operations

With Sabrin's resignation, the board needs to decide who site lead will be. The options are to make a current employee site lead or Rhonda. Kathleen recommended Rhonda if it in no way interferes with district duties. She could work longer on Monday through Thursday or work Fridays. She would get paid the 21.70 site lead pay. Don Crawford made mention that the folks at the station could help with some items in their down time to help Rhonda. There was concern what would happen if someone didn't show up, does Rhonda have to fill in? No, that would not have to be the case.

- Motion by Gary P. for Rhonda being site lead.
- Second by Ed B.
- Motion passes unanimously



AIS Station Hiring/Operations-CONT.

It was discussed whether there were enough people currently to cover the station's needs. The answer is no since John wants to be part time. We need someone willing to put in about 18 hours a week.

- Motion by Gary P. to approve hiring another person for 18 hours a week and advertising as such
- Second by Randy E.
- Motion passes unanimously.

Fiscal year 2025/2026 Budget

Budget was discussed. AIS will have higher expenses this year especially due to paying in 'back' retirement for Sabrina, and the new location.

- Motion by Gary P. to approve.
- Second by Ed B.
- Motion passes unanimously.

Grave Creek PER

Rae Lynn wanted to know the thoughts of the board on the preliminary engineering report. Is there any recommendations the board would make? Darris and Pat Flannagan have been emailed the report as well. Hearnese would be a priority and the least expensive to fix. Then work will be in stages. Rae Lynn reiterated that this preliminary engineering is a concept, not final, so any feedback over the next two weeks would be appreciated.

Glen Lake Dam Amendment

Rae Lynn explained that Rae Lynn had applied for an amendment and DNRC said it looked fine. Then they asked her to reapply, she reapplied and got denied. Then she was told that they would reconsider if funding by FEMA was approved. FEMA is not a quick process. It has since gotten even more confusing with DNRC. We still do not know if they will give an amendment to extend this contract.

Unfinished Business

Filling Supervisor Vacancy

Everyone will keep in mind to think of possible choices for supervisors.



Final inspection Reports

Li-2-01-24 Mountain Ridge Dirt Worx, Fortine Creek

Final inspection by Ed and Kathleen. Applicant ran out of time on his 310 and will be submitting a new one.

Open mic and other business

Executive Session- Personnel -Close Meeting-

Adjourned at 6:32 pm

X _____ Date _____
Kathleen Johnson-Chair

X _____ Date _____
Rhonda Rockwell-Administrator