CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Southern Montana Telephone Company Jackson Exchange
Proposed Implementation Date:	June, 2013
Proponent:	Southern Montana Telephone Co., Wisdom, MT 59701 (406) 689-3333
Location:	Section 16, T7S-R10W; Section 16, T7S-R12W; Section 36, T7S – R12W and Section 9, T5S – R12W
County:	Beaverhead

I. TYPE AND PURPOSE OF ACTION

The Proponent has applied to the DNRC to provide a 20-foot wide by 6,756.156 foot long (3.102 acres) right-of-way easement in Section 16, T7S-R10W and a 20-foot wide by 4,140.378 foot long (1.901 acres) right-of-way easement in Section 16, T7S-R12W, and a 20-foot wide by 616.374 foot long (0.283 acres) right-of-way easement in Section 36, T7S –R12W and a 20 foot wide by 1,609.542 foot long (0.739 acres) in Section 9, T5S – R12W. All sections are on Common Schools State Trust lands. The proposed easement is for the installation and maintenance of an underground telecommunication cable to upgrade current facilities and services, and allow for future growth capabilities. The upgrade would provide state of the art telecommunications toll and distribution facilities, as well as future growth capabilities. (See Attachment A, Vicinity map, Attachment B Survey maps).

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

A field review was conducted in April 2012 by Dillon Unit Manager

Scoping notices were sent to the following seeking comments for the proposed project:

Fish, Wildlife and Parks: Wildlife Biologist, C. Fager and Fisheries Management Biologist, Matt Jaeger

State land lessee's: Holland Ranch Co., Finch Ranches LLC and Harrington Co.

Private Landowners: O. Lovaas and G. Rebich, Jim Mooney, Beaverhead County Commissioners

Others: Beaverhead County Commissioners, Skyline Sportsmen's Assoc. Inc., Tony Schoonen, Action for Access, Steve Jennings, Beaverhead Outdoors Association, Lorry Thomas, Anaconda Sportsman's Group, Marchesseau Ranch Inc., Larry Rebish, Jim Becker, Kathy Weber, Dick McCracken

DNRC: Archaeologist, P. Rennie

Heberly & Associates: Engineer,

Montana Natural Heritage Program

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

The Beaverhead County Weed Board administers the State weed laws in Beaverhead County.
A 310 Permit from Beaverhead Conservation District will be needed and has been secured.

3. ALTERNATIVES CONSIDERED:

Alternative A: A 20-foot wide by 6,756.156 foot long (3.102 acres) right-of-way easement in Section 16, T7S-R10W and a 20-foot wide by 4,140.378 foot long (1.901 acres) right-of-way easement in Section 16, T7S-R12W, and a 20-foot wide by 616.374 foot long (0.283 acres) right-of-way easement in Section 36, T7S –R12W and a

20 foot wide by 1,609.542 foot long (0.739 acres) in Section 9, T5S – R12W would be granted to the proponent. This easement would be granted for the specific purpose of installation and maintenance of an underground telecommunication cable and to upgrade current facilities and services, and allow for future growth capabilities.

Alternative B: No Action Alternative – A 20-foot wide by 6,756.156 foot long (3.102 acres) right-of-way easement in Section 16-T7S-R10W and a 20-foot wide by 4,140.378 foot long (1.901 acres) right-of-way easement in Section 16-T7S-R12W, and a 20-foot wide by 616.374 foot long (0.283 acres) right-of-way easement in Section 36, T7S –R12W and a 20 foot wide by 1,609.542 foot long (0.739 acres) in Section 9, T5S – R12W would not be granted to the proponent for the specific purpose of installation and maintenance of an underground telecommunication cable and to upgrade current facilities and services, and allow for future growth capabilities.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The proposed underground telecommunication cable routes follows gently rolling terrain. The telecommunication cable installation activities would require tracked-equipment and support vehicle making approximately two trips along the proposed routes. Should any sign of erosion occur upon the proposed routes, Southern Montana Telephone Co. would be required to install erosion control features where necessary. Minimal impacts are anticipated.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

The installation route would cross McDowell Springs #1 & #2 in Section 16, T7S – R10W in the NW1/4,NW1/4,SE1/4, (McDowell Spring #1) & the NE1/4,NE1/4,SE1/4 (McDowell Spring #2). Both streams are intermittent within this segment and water quality and fisheries concerns are minimal. The proposed underground telecommunication cable route follows gently rolling terrain. Initial telecommunication cable installation activities would require tracked-equipment making two trips along the proposed route. Should any sign of erosion occur upon the proposed route, Southern Montana Telephone Co. would be required to install erosion control features where necessary. Southern Montana Telephone Co. applied for and received the necessary permits for crossing or boring the two streams. Due to the gentle slope and minimal ground disturbance associated with the proposed project, minimal impacts are anticipated.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

None.

7. VEGETATION COVER, QUANTITY AND QUALITY:
What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

Some vegetative disturbance is expected. The disturbance would occur during initial telecommunication cable installation activities that require tracked-equipment making two trips along the proposed route to bury the line. The actual disturbance area would be approximately six acres along the entire length, as only about 10 feet of the requested 20-foot wide by 2.5 mile easement request would be affected. All disturbed areas would be seeded with a native grass mixture and erosion control features would be installed where necessary. Minimal impacts are anticipated.

The Holland Ranch commented that their main concern for this proposal is the introduction of weeds onto their leased state ground during the burying of the telecommunication cable. They would like for the easement holder, Southern Montana Telephone Co to be responsible for spraying weeds for the first few years after installation of the new cable.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:
Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

A variety of big game, small mammals, raptors, songbirds, grouse and fish may use this area. Installation of the underground telecommunication cables would be in the close proximity of other existing buried cables, overhead transmission lines and public road rights-of-way. Due to the relatively small disturbance area and brief installation period, minimal impacts are anticipated due to the underground telecommunication cable installation.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:
Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

<u>Section 16-T7S-R12W</u>

The Montana Natural Heritage Program identified five vertebrate animals species of concern near the proposed project area: greater sage-grouse, Great Basin pocket mouse, pygmy rabbit westslope cutthroat trout and ferruginous hawk. There was also one vascular plant species of concern identified: slender thelypody. An additional inferred extent report of greater sage grouse and pigmy rabbit was also identified.

Greater sage-grouse are known to inhabit the proposed project area. A greater sage-grouse lek has been identified approximately one-half of a mile to the southwest of the proposed project area in Section 16-T7S-R12W. Installation of the underground telecommunication cables and subsequent routine maintenance would be prohibited from March 25 through May 7 to minimize any potential impacts with lek activities. Due to the relatively small disturbance area and brief installation period no impacts are anticipated.

The **great basin pocket mouse** and **pigmy rabbit** are known to inhabit the proposed project area.
Due to the relatively small disturbance area and brief installation period no impacts are anticipated.

Westslope cutthroat trout are found in Buffalo Creek approximately three-quarters of a mile east of the proposed project. Due to the brief installation period, relatively level topography, minimal soil disturbance and distance from Buffalo Creek, no impacts are anticipated.

Ferruginous hawks are known to inhabit the proposed project area. Badland habitats and areas with small buttes and bluffs that are preferred nesting sites for ferruginous hawks do occur one-half of a mile to the north of the proposed project area. Installation of the underground telecommunication cables and subsequent routine

maintenance would be prohibited from March 25 through May 7 to minimize any potential impacts with nesting hawks. Due to the relatively small disturbance area and brief installation period no impacts are anticipated.

Slender thelypody has been located in the proposed project area. Due to the relatively small disturbance area, minimal impacts are expected.

Section 36-T7S-R12W

The Montana Natural Heritage Program identified five vertebrate animals species of concern near the proposed project area: greater sage-grouse, great basin pocket mouse, black-tailed jack rabbit, westslope cutthroat trout, and ferruginous hawk. Also identified are six vascular plant species of concern: taper-tip desert-parsley, chicken sage, beautiful bladderpod, hoary phacelia, bitterroot milkvetch, and slender thelypody.

Greater sage-grouse are known to inhabit the proposed project area. A greater sage-grouse lek has been identified approximately one-half of a mile to the northeast of the proposed project area in Section 25-T7S-R12W. Due to the relatively small disturbance area and brief installation period no impacts are anticipated.

The **great basin pocket mouse** and **black-tailed jack rabbit** are known to inhabit the proposed project area. Due to the relatively small disturbance area and brief installation period no impacts are anticipated.
Westslope cutthroat trout are found in the mid to upper reaches of Taylor Creek but not in the lower reach of Taylor Creek where the proposed project is located. Due to the brief installation period, relatively level topography, and minimal soil disturbance, no impacts are anticipated.

Ferruginous hawks are known to inhabit the proposed project area. Badland habitats and areas with small buttes and bluffs that are preferred nesting sites for ferruginous hawks do not occur in the proposed project area. Installation of the underground telecommunication cable and subsequent routine maintenance would be prohibited from March 25 through May 7 (a portion of the hawks nesting period) to minimize any potential impacts. Due to the relatively small disturbance area and brief installation period no impacts are anticipated.

Taper-tip desert parsley, chicken sage, beautiful bladderpod, hoary phacelia, and **bitterroot milkvetch** are found approximately one and one-half miles to the southeast of the proposed project area. Due to the small disturbance area and distance from the proposed project, no impacts are anticipated.

Slender thelypody has been located in the proposed project area. Due to the relatively small disturbance area, minimal impacts are expected.

Section 16, T7S - R10W

The Montana Natural Heritage Program identified 2 vertebrate animals' species of concern near the proposed project area: greater sage-grouse, and Pygmy rabbits. Also identified was one vascular plant species of concern: chicken–sage which is not located in the project area and would not be affected by this proposal.

Greater sage-grouse are known to inhabit the proposed project area. Due to the relatively small disturbance area and brief installation period no long term impacts or cumulative effects are anticipated from this proposal.

Pygmy Rabbit (Brachylagus idahoensis) Pygmy Rabbits have been observed within the proposed project area. Pygmy Rabbit is a BLM and US Forest Service sensitive species. Because of the projects small footprint and the short duration of the proposal no direct, indirect, or cumulative effects on this species are anticipated.

Section 9, T5S – R12W

The Montana Natural Heritage Program identified four vertebrate animal species of concern near the proposed project area: Great Grey Owl, Northern Goss Hawk, Wolverine, and westslope cutthroat trout. Also identified was one vascular plant species of concern: Lemhi Beardtoungue. The only two species that fall within the

proposed project area are the Great gray owl and Northern Goss Hawk. The rest of the species are over a mile away for the proposed project and should not have any long term or cumulative impacts on the species.

Great Gray Owl has been sighted within the proposed project area. The bird is a sensitive species and is highly mobile and secretive species. This project is located near houses and is not a likely location for the owl to nest or remain for long periods of time. If seen it would just be passing through. Because of the small foot print of this project and the short duration of the construction no long term or cumulative effect to Great Grey Owl should occur from implementing this proposal.

Northern Goss Hawk was most recently sighted in the vicinity of the proposal in 2005. The site is not a good fit for a bird that lives in heavy timber and is quite secretive. This location of the proposal is populated with houses and cabins. The hawk may frequent the area but it would be an unlikely location for nesting or raising young hawks. Because of the small footprint and short duration of construction this project should have no long-term or cumulative impacts to goshawks in the area.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

Patrick Rennie, DNRC Archaeologist was consulted and there are no cultural concerns associated with this proposed project on the State lands. No impacts are anticipated.

11. AESTHETICS:
Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The proposed project is located in a sparsely populated area. Due to the relative remoteness of the proposed project area and short initial underground telephone line installation period, aesthetics should not be adversely affected.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:
Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

None.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:
List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

The DNRC Administrative Rules for State Land Leasing ARM 36.25.101 through 36.25.141, applicable to management activities on State lands.

An EA was completed in 1985 to allow a garbage collection site for the Beaverhead County Solid Waste Dept. and in July 1996 to allow a gravel drive to a domestic home for the Holland Ranch for Section 16-T7S-R12W. An EA was completed in 1994 to allow for improvements to Bannack Bench Road, in April 1998 to allow the installation of a fence line for Finch Ranches, in April 2000 to allow an overhead power line for Vigilante Electric and in January 2005 to allow an overhead power line for North Western Energy for Section 36-T7S-R12W.

A range evaluation was conducted in October 2005 on Section 16-T7S-R12W and in July 2000 on Section 36-T7S-R12W.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

None.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

None.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

None.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:
Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

None.

18. DEMAND FOR GOVERNMENT SERVICES:
Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services.

None.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:
List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

No known zoning laws or management plans are in place for any of these locations.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:
Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The proposed project would not affect recreational access. No impacts are anticipated.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

None.

22. SOCIAL STRUCTURES AND MORES:
Identify potential disruption of native or traditional lifestyles or communities.

None.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

None.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:
Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The estimated return to the trust would be $6,025.00 (6.025 acres x $1,000/acre) fair market value for the land associated with the easement.

EA Checklist Prepared By:	**Name:**	Tim Egan	**Date:**	May 16, 2013
	Title:	Dillon Unit Manger		

V. FINDING

25. ALTERNATIVE SELECTED:

Action Alternative

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The preparation and completion of this EA Checklist did not identify impacts that could not be reasonable mitigated.

MITIGATION MEASURES:

1. Limit equipment operations to periods when soils are dry, frozen or snow covered to minimize soil compaction, rutting and vegetative disturbance. Control erosion by installing adequate drainage and erosion control features where necessary. Provide effective sediment filtration along drainage features near wet/stream crossing sites.

2. Grass seed all disturbed areas with an appropriate native grass seed mixture. Require easement holder to spray for weeds the first three years after installation of communication cable.
3. Proponent would comply with all the requirements of the Natural Streambed and Conservation Act (310) permit.
4. Installation and subsequent routine maintenance of the underground telecommunication cable would be prohibited from March 25 through May 7 to minimize any potential impacts with grouse lek activities and nesting sites for ferruginous hawks.
5. Contact DNRC wildlife biologist should any threatened or endangered species be encountered within the proposed project area.
6. Contact DNRC Archeologist if archeological or paleontological artifacts are uncovered during the plowing of the telecommunication line.

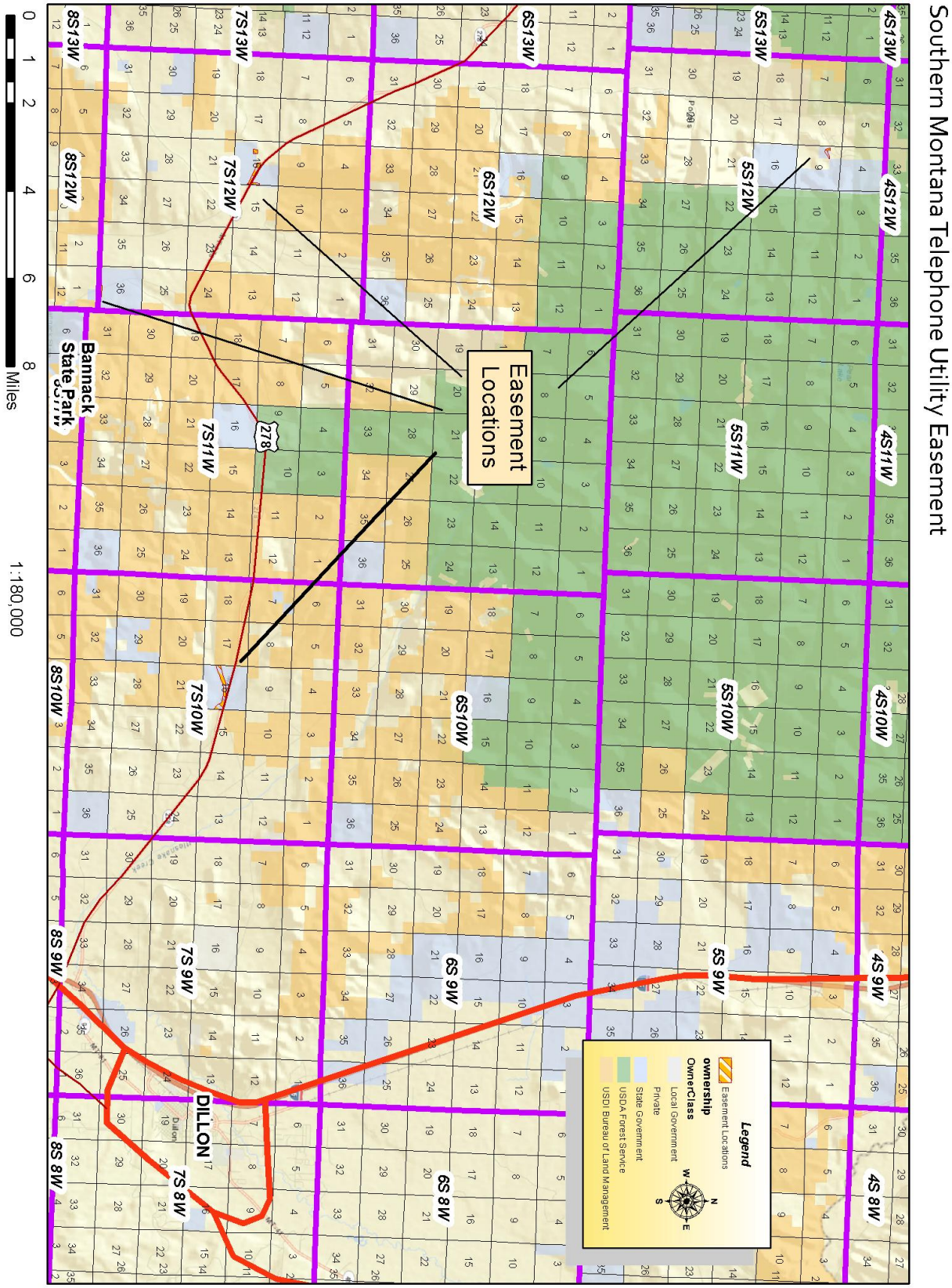
27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

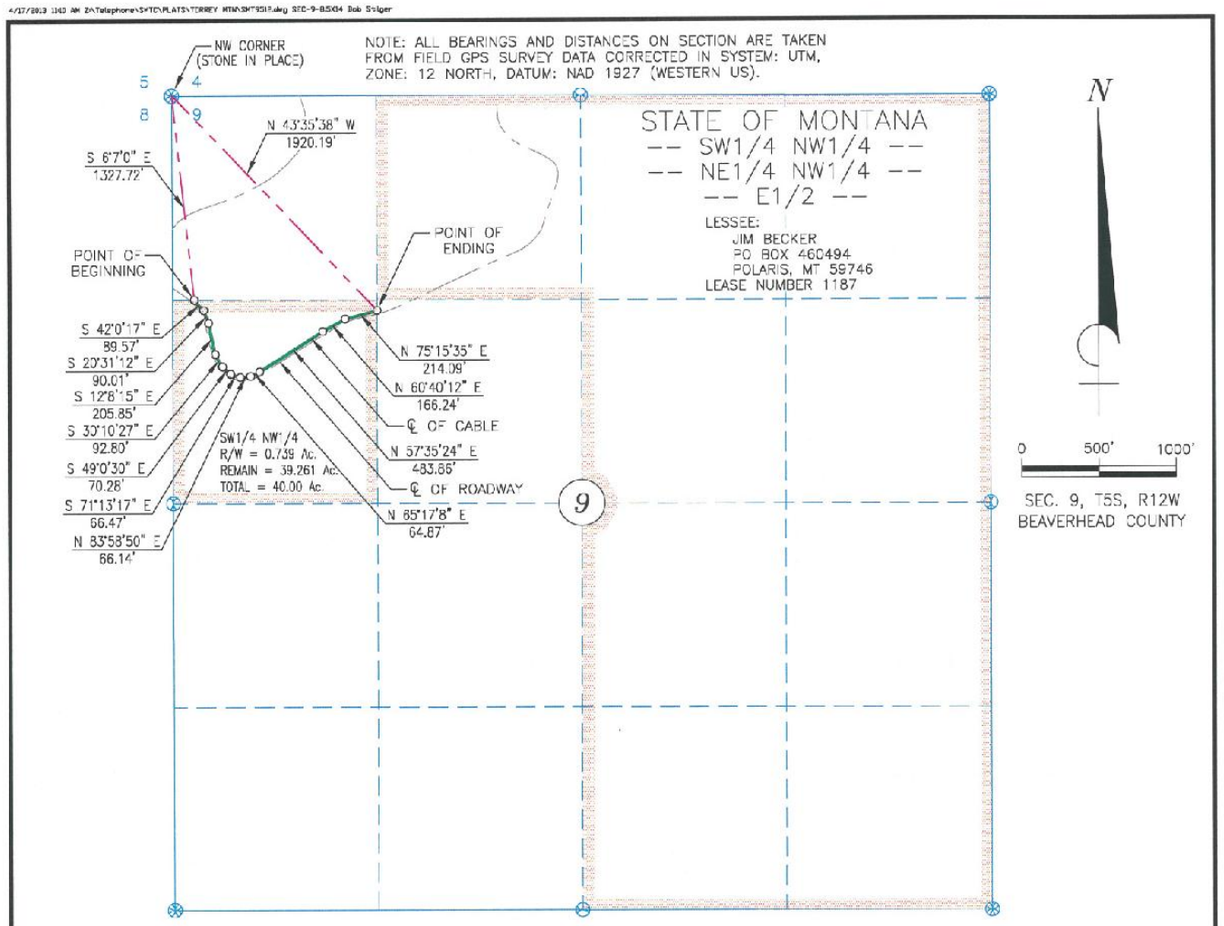
[ ] EIS	[ ] More Detailed EA	[X] No Further Analysis

EA Checklist Approved By:	**Name:** Hoyt Richards	
	Title: CLO Area Manager	
Signature: /s/		**Date**: 5/23/2013

ATTACHMENTS

A – Vicinity Map





DESCRIPTION

A RIGHT-OF-WAY FOR AN UNDERGROUND TELECOMMUNICATIONS CABLE EXTENDING 10.0 FEET ON EACH SIDE OF A CENTERLINE ALL WITHIN THE SW1/4 NW1/4 OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 12 WEST OF THE PRINCIPAL MERIDIAN, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 9; THENCE SOUTH 6°7'0" EAST A DISTANCE OF 1327.72 FEET TO THE POINT OF BEGINNING OF THE RIGHT-OF-WAY CENTERLINE AND NORTH BOUNDARY OF THE SW1/4 NW1/4 OF SAID SECTION 9; THENCE ON AND ALONG THE RIGHT-OF-WAY CENTERLINE ON A BEARING OF SOUTH 42°0'17" EAST A DISTANCE OF 89.57 FEET; THENCE SOUTH 20°31'12" EAST A DISTANCE OF 90.01 FEET; THENCE SOUTH 12°8'15" EAST A DISTANCE OF 205.85 FEET; THENCE SOUTH 30°10'27" EAST A DISTANCE OF 92.80 FEET; THENCE SOUTH 49°0'30" EAST A DISTANCE OF 70.28 FEET; THENCE SOUTH 71°13'17" EAST A DISTANCE OF 66.47 FEET; THENCE NORTH 83°58'50" EAST A DISTANCE OF 66.14 FEET; THENCE NORTH 65°17'8" EAST A DISTANCE OF 64.87 FEET; THENCE NORTH 57°35'24" EAST A DISTANCE OF 483.86 FEET; THENCE NORTH 60°40'12" EAST A DISTANCE OF 166.24 FEET; THENCE NORTH 75°15'35" EAST A DISTANCE OF 214.09 FEET TO THE POINT OF ENDING OF THE RIGHT-OF-WAY CENTERLINE AND EAST BOUNDARY OF THE SW1/4 NW1/4 OF SAID SECTION 9; THENCE NORTH 43°35'38" WEST A DISTANCE OF 1920.19 FEET TO THE NORTHWEST CORNER OF SAID SECTION 9.

CONTAINED WITHIN THE ABOVE DESCRIBED NEW CONSTRUCTION RIGHT-OF-WAY IS 0.739 ACRES MORE OR LESS.

KENNETH W WAGNER NOTARIAL SEAL STATE OF MONTANA

KENNETH W WAGNER
NOTARY PUBLIC for the
State of Montana
Residing at Havre, Montana
My Commission Expires
January 12, 2016

AFFIDAVIT

STATE OF MONTANA)
COUNTY OF HILL)

DOUGLAS B. VANCE, BEING DULY SWORN, SAYS, THAT HE IS THE CONSULTING ENGINEER FOR SOUTHERN MONTANA TELEPHONE COMPANY WHOSE PRINCIPAL OFFICE IS LOCATED AT WISDOM, MONTANA; THAT THE ABOVE PLAT AND DESCRIPTION WAS PREPARED UNDER HIS SUPERVISION FROM AN ACCURATE SURVEY OF THE RIGHT-OF-WAY CENTERLINE BY SURVEY CREWS UNDER HIS SUPERVISION. THE ABOVE PLAT CORRECTLY SHOWS THE QUANTITY OF LAND REQUIRED FOR THE RIGHT-OF-WAY IN EACH FORTY-ACRE TRACT AND ALSO THE AMOUNT OF LAND REMAINING IN EACH PORTION OF SUCH FORTY-ACRE TRACT.

SUBSCRIBED AND SWORN BEFORE ME

THIS 17 DAY OF APRIL, 2013

NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT HAVRE, MONTANA
MY COMMISSION EXPIRES JAN 12, 2016

MONTANA DOUGLAS B. VANCE 12611PE LICENSED PROFESSIONAL ENGINEER

DOUGLAS B. VANCE, LICENSED PROFESSIONAL ENGINEER MONTANA NO. 12611PE

PLAT of RIGHT-OF-WAY on STATE LAND Sec. 9, T 5 S, R 12 W, P.M.M. BEAVERHEAD COUNTY SMT9512.DWG	SOUTHERN MONTANA TELEPHONE COMPANY WISDOM, MONTANA HEBERLY and ASSOCIATES INC. HAVRE, MONTANA

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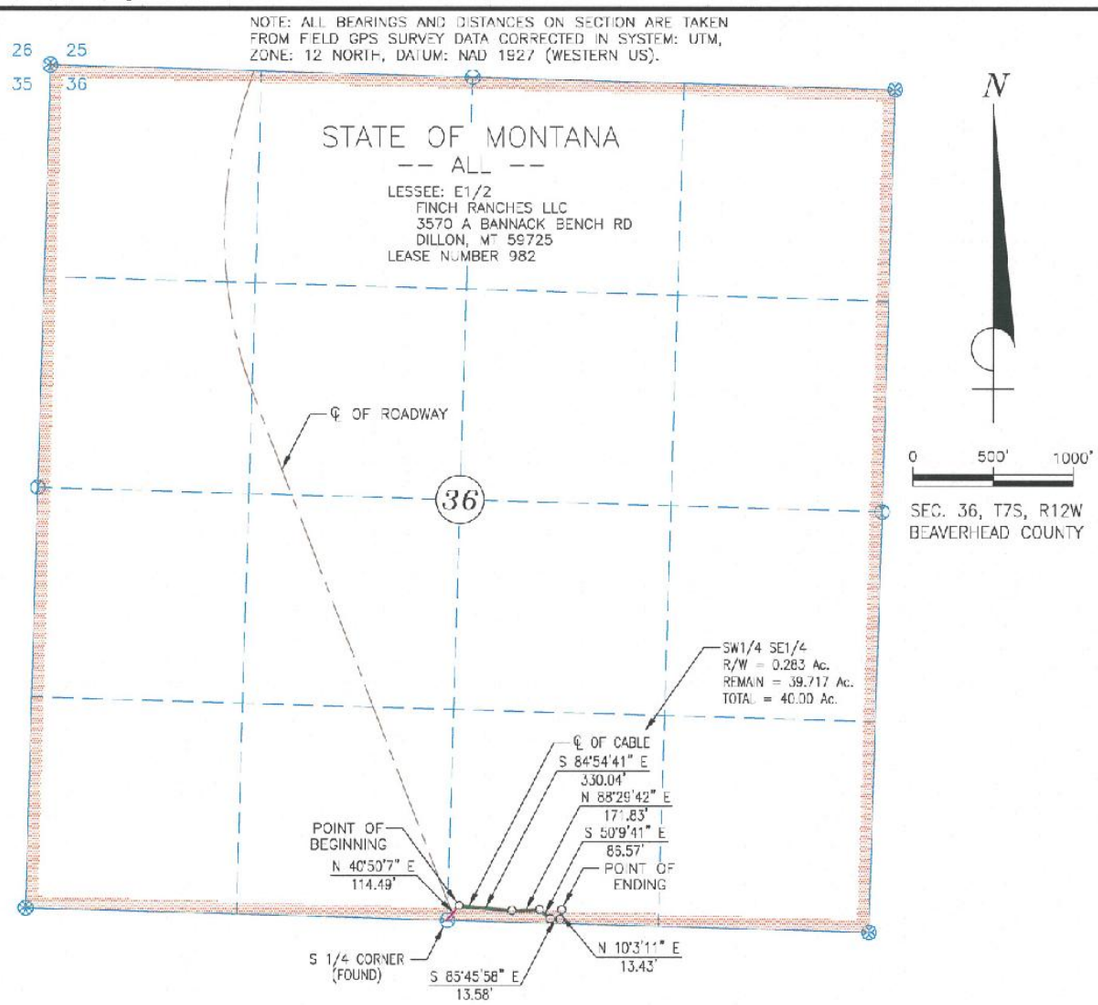

DESCRIPTION

A RIGHT-OF-WAY FOR AN UNDERGROUND TELECOMMUNICATIONS CABLE EXTENDING 10.0 FEET ON EACH SIDE OF A CENTERLINE ALL WITHIN THE SW1/4 SE1/4 OF SECTION 36, TOWNSHIP 7 SOUTH, RANGE 12 WEST OF THE PRINCIPAL MERIDIAN, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 40°50'7" EAST A DISTANCE OF 114.49 FEET TO THE POINT OF BEGINNING OF THE RIGHT-OF-WAY CENTERLINE; THENCE ON AND ALONG THE RIGHT-OF-WAY CENTERLINE ON A BEARING OF SOUTH 84°54'41" EAST A DISTANCE OF 330.04 FEET; THENCE NORTH 88°29'42" EAST A DISTANCE OF 171.83 FEET; THENCE SOUTH 50°9'41" EAST A DISTANCE OF 86.57 FEET; THENCE SOUTH 85°45'58" EAST A DISTANCE OF 13.58 FEET; THENCE NORTH 10°3'11" EAST A DISTANCE OF 13.43 FEET TO THE POINT OF ENDING OF THE RIGHT-OF-WAY CENTERLINE WHICH LIES NORTH 88°22'40" EAST A DISTANCE OF 657.99 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 36.

CONTAINED WITHIN THE ABOVE DESCRIBED NEW CONSTRUCTION RIGHT-OF-WAY IS 0.283 ACRES MORE OR LESS.

KENNETH W WAGNER NOTARIAL SEAL STATE OF MONTANA

KENNETH W WAGNER
NOTARY PUBLIC for the
State of Montana
Residing at Havre, Montana
My Commission Expires
January 12, 2016

STATE OF MONTANA)
COUNTY OF HILL)

AFFIDAVIT

DOUGLAS B. VANCE, BEING DULY SWORN, SAYS, THAT HE IS THE CONSULTING ENGINEER FOR SOUTHERN MONTANA TELEPHONE COMPANY WHOSE PRINCIPAL OFFICE IS LOCATED AT WISDOM, MONTANA; THAT THE ABOVE PLAT AND DESCRIPTION WAS PREPARED UNDER HIS SUPERVISION FROM AN ACCURATE SURVEY OF THE RIGHT-OF-WAY CENTERLINE BY SURVEY CREWS UNDER HIS SUPERVISION. THE ABOVE PLAT CORRECTLY SHOWS THE QUANTITY OF LAND REQUIRED FOR THE RIGHT-OF-WAY IN EACH FORTY-ACRE TRACT AND ALSO THE AMOUNT OF LAND REMAINING IN EACH PORTION OF SUCH FORTY-ACRE TRACT.

SUBSCRIBED AND SWORN BEFORE ME

THIS 15 DAY OF February, 2013

Kenneth W Wagner

NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT HAVRE, MONTANA
MY COMMISSION EXPIRES JAN 12, 2016

MONTANA DOUGLAS B. VANCE 12611 PE LICENSED PROFESSIONAL ENGINEER

DOUGLAS B. VANCE, REGISTERED PROFESSIONAL ENGINEER MONTANA NO. 12611PE

PLAT of RIGHT-OF-WAY on STATE LAND
Sec. 36, T 7 S, R 12 W, P.M.M.
BEAVERHEAD COUNTY

SMT36712B.DWG

SOUTHERN MONTANA TELEPHONE COMPANY
WISDOM, MONTANA

HEBERLY and ASSOCIATES INC. HAVRE, MONTANA

616.374 feet

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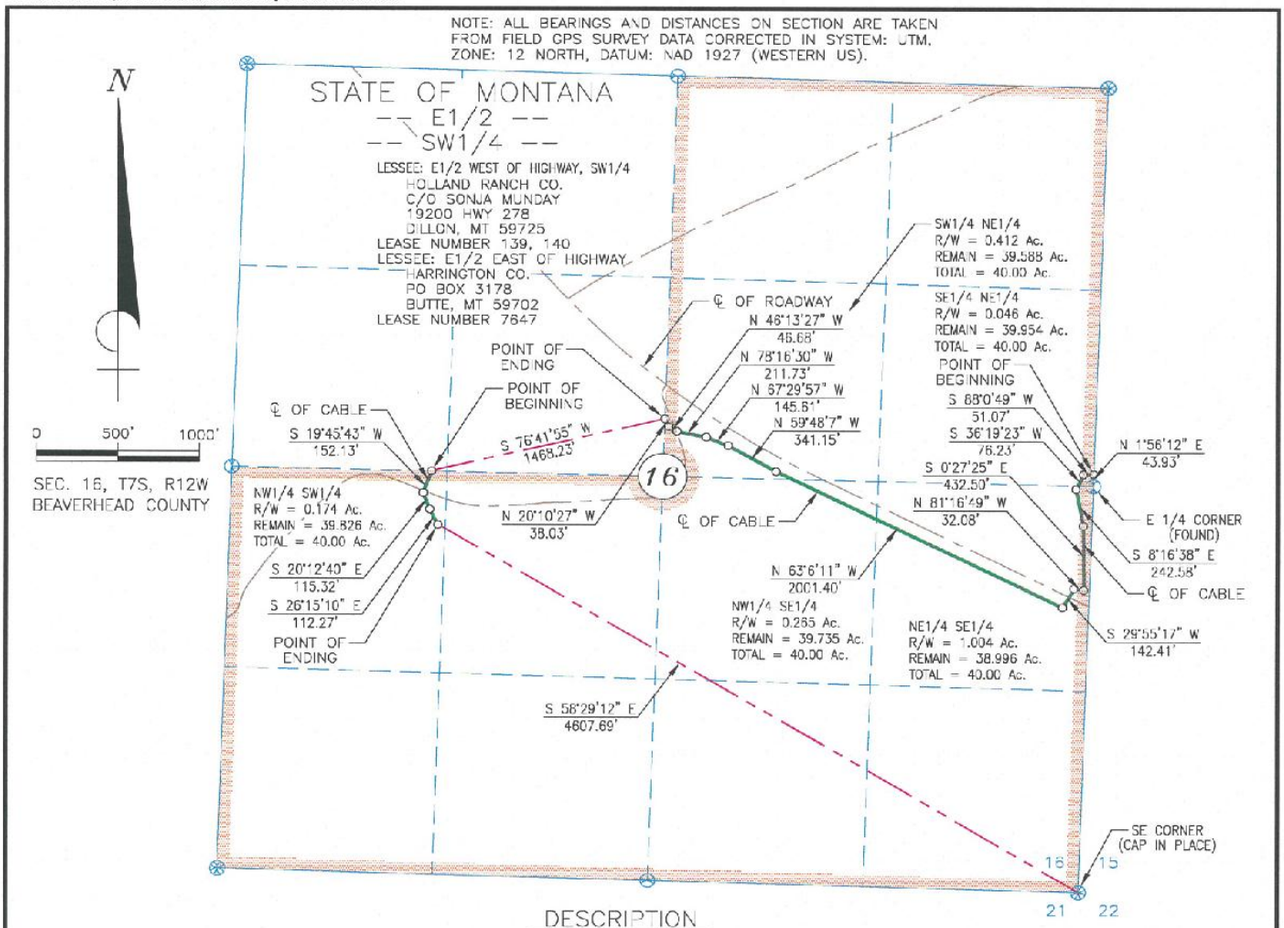


DESCRIPTION

A RIGHT-OF-WAY FOR AN UNDERGROUND TELECOMMUNICATIONS CABLE EXTENDING 10.0 FEET ON EACH SIDE OF A CENTERLINE ALL WITHIN THE S1/2 NE1/4, N1/2 SE1/4 AND THE NW1/4 SW1/4 OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 12 WEST OF THE PRINCIPAL MERIDIAN, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE NORTH 1°56'12" EAST A DISTANCE OF 43.93 FEET TO THE POINT OF BEGINNING OF THE RIGHT-OF-WAY CENTERLINE AND EAST BOUNDARY OF THE SE1/4 NE1/4 OF SAID SECTION 16; THENCE ON AND ALONG THE RIGHT-OF-WAY CENTERLINE ON A BEARING OF SOUTH 88°0'49" WEST A DISTANCE OF 51.07 FEET; THENCE SOUTH 36°19'23" WEST A DISTANCE OF 76.23 FEET; THENCE SOUTH 8°16'38" EAST A DISTANCE OF 242.58 FEET; THENCE SOUTH 0°27'25" EAST A DISTANCE OF 432.50 FEET; THENCE NORTH 81°16'49" WEST A DISTANCE OF 32.08 FEET; THENCE SOUTH 29°55'17" WEST A DISTANCE OF 142.41 FEET; THENCE NORTH 63°6'11" WEST A DISTANCE OF 2001.40 FEET; THENCE NORTH 59°48'7" WEST A DISTANCE OF 341.15 FEET; THENCE NORTH 67°29'57" WEST A DISTANCE OF 145.61 FEET; THENCE NORTH 78°16'30" WEST A DISTANCE OF 211.73 FEET; THENCE NORTH 46°13'27" WEST A DISTANCE OF 46.68 FEET; THENCE NORTH 20°10'27" WEST A DISTANCE OF 38.03 FEET TO THE POINT OF ENDING OF THE RIGHT-OF-WAY CENTERLINE AND WEST BOUNDARY OF THE SW1/4 NE1/4 OF SAID SECTION 16; THENCE SOUTH 76°41'55" WEST A DISTANCE OF 1468.23 FEET TO THE POINT OF BEGINNING OF THE RIGHT-OF-WAY CENTERLINE AND NORTH BOUNDARY OF THE NW1/4 SW1/4 OF SAID SECTION 16; THENCE ON AND ALONG THE RIGHT-OF-WAY CENTERLINE ON A BEARING OF SOUTH 19°45'43" WEST A DISTANCE OF 152.13 FEET; THENCE SOUTH 20°12'40" EAST A DISTANCE OF 115.32 FEET; THENCE SOUTH 26°15'10" EAST A DISTANCE OF 112.27 FEET TO THE POINT OF ENDING OF THE RIGHT-OF-WAY CENTERLINE; THENCE SOUTH 58°29'12" EAST A DISTANCE OF 4607.69 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 16.

CONTAINED WITHIN THE ABOVE DESCRIBED NEW CONSTRUCTION RIGHT-OF-WAY IS 1.901 ACRES MORE OR LESS.

KENNETH W WAGNER NOTARIAL SEAL STATE OF MONTANA
KENNETH W WAGNER
NOTARY PUBLIC for the State of Montana
Residing at Havre, Montana
My Commission Expires January 12, 2016

STATE OF MONTANA } AFFIDAVIT
COUNTY OF HILL } SS

DOUGLAS B. VANCE, BEING DULY SWORN, SAYS, THAT HE IS THE CONSULTING ENGINEER FOR SOUTHERN MONTANA TELEPHONE COMPANY WHOSE PRINCIPAL OFFICE IS LOCATED AT WISDOM, MONTANA; THAT THE ABOVE PLAT AND DESCRIPTION WAS PREPARED UNDER HIS SUPERVISION FROM AN ACCURATE SURVEY OF THE RIGHT-OF-WAY CENTERLINE BY SURVEY CREWS UNDER HIS SUPERVISION. THE ABOVE PLAT CORRECTLY SHOWS THE QUANTITY OF LAND REQUIRED FOR THE RIGHT-OF-WAY IN EACH FORTY-ACRE TRACT AND ALSO THE AMOUNT OF LAND REMAINING IN EACH PORTION OF SUCH FORTY-ACRE TRACT.

SUBSCRIBED AND SWORN BEFORE ME

THIS 15 DAY OF February, 2013

Kenneth W Wagner

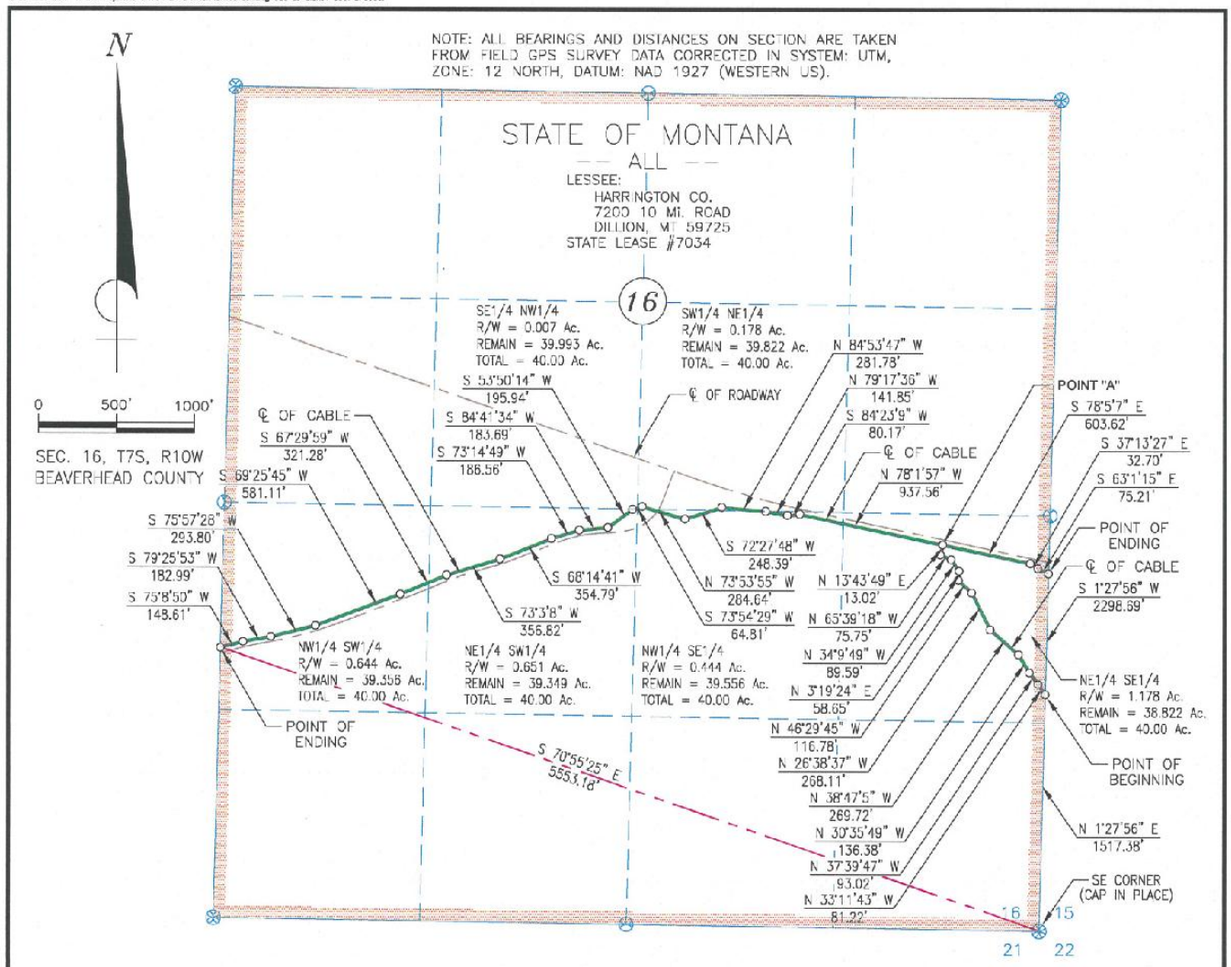
NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT HAVRE, MONTANA
MY COMMISSION EXPIRES JAN 12, 2016

MONTANA DOUGLAS B. VANCE 12611 PE PROFESSIONAL ENGINEER

DOUGLAS B. VANCE, REGISTERED PROFESSIONAL ENGINEER, MONTANA NO. 12611PE

PLAT of RIGHT-OF-WAY on STATE LAND Sec. 16, T 7 S, R 12 W, P.M.M. BEAVERHEAD COUNTY SMT16712B.DWG	SOUTHERN MONTANA TELEPHONE COMPANY WISDOM, MONTANA HEBERLY and ASSOCIATES INC. HAVRE, MONTANA

4,140.378 feet



DESCRIPTION
SEE SHEET 2

KENNETH W WAGNER
NOTARY PUBLIC for the
State of Montana
Residing at Havre, Montana
My Commission Expires
January 12, 2016

KENNETH W WAGNER NOTARIAL SEAL STATE OF MONTANA

AFFIDAVIT

STATE OF MONTANA)
) SS
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SUBSCRIBED AND SWORN BEFORE ME

THIS 15 DAY OF February, 2013

Kenneth W Wagner

NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT HAVRE, MONTANA
MY COMMISSION EXPIRES JAN 12, 2016

MONTANA DOUGLAS B. VANCE 12611 PE LICENSED PROFESSIONAL ENGINEER

DOUGLAS B. VANCE, REGISTERED PROFESSIONAL ENGINEER MONTANA NO. 12611PE

SHEET 1 OF 2

PLAT of RIGHT-OF-WAY on STATE LAND Sec. 16, T 7 S, R 10 W, P.M.M. BEAVERHEAD COUNTY SMT16710A.DWG	SOUTHERN MONTANA TELEPHONE COMPANY WISDOM, MONTANA HEBERLY and ASSOCIATES INC. HAVRE, MONTANA

6,756.156ft