

**AGENDA**  
**REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS**  
October 25, 2017, at 9:00 am  
Supreme Court Chambers, Joseph P. Mazurek Building  
215 North Sanders, 4<sup>th</sup> floor  
Helena, MT

**ACTION ITEMS**

- 1017-1 **FWP: Fargo Coulee Conservation Easement Acquisition**  
*Benefits: N/A (non-trust land)*  
*Location: Fergus County*  
**APPROVED 4-1, Secretary Stapleton dissenting**
- 1017-2 **Authorization to Petition to Include Lands in the Fort Shaw Irrigation District**  
*Benefits: Common Schools*  
*Location: Cascade County*  
**APPROVED 5-0**
- 1017-3 **Disclaimer of Interest: RF Building Company, LLP**  
*Benefits: N/A*  
*Location: Sweet Grass County*  
**APPROVED 5-0**
- 1017-4 **Land Banking: Set Minimum Bid for Sale**  
*Benefits: Common Schools*  
*Location: Judith Basin County*  
**APPROVED 5-0**
- 1017-5 **Cabin and Home Sites: Set Minimum Bid for Sale**  
*Benefits: Common Schools, Montana Tech, Public Buildings*  
*Location: Flathead, Sanders, Stillwater, Lincoln Counties*  
**APPROVED 5-0**
- 1017-6 **Cabin and Home Sites: Final Approval for Sale**  
*Benefits: Montana Tech, Common Schools*  
*Location: Flathead, Lewis & Clark, Dawson, Richland Counties*  
**APPROVED 5-0**
- 1017-7 **Easements**  
*Benefits: Common Schools, Montana Tech, Public Buildings, Public Land Trust*  
*Location: Cascade, Chouteau, Judith Basin, Lewis & Clark, Lincoln, Meagher, Phillips, Pondera, Sanders, Teton, Tool Counties*  
**APPROVED 5-0**
- 1017-8 **Informational Item: Montana Public Land Access Network (MT-PLAN)**  
*Benefits: N/A*  
*Location: Montana*

**PUBLIC COMMENT**



# 1017-1

FWP: FARGO COULEE  
CONSERVATION EASEMENT ACQUISITION

**Land Board Agenda Item  
October 25, 2017**

**1017-1 FWP: Fargo Coulee Conservation Easement Acquisition**

**Location: Fergus County**

**Trust Benefits: N/A**

**Trust Revenue: N/A**

**Item Summary**

Montana Fish, Wildlife and Parks (FWP) seeks Land Board approval to purchase a Conservation Easement (CE) to protect wildlife habitat, insure continued agricultural use, and provide public access to the Machler Property (hereafter Fargo Coulee CE). The CE would encompass approximately 2,700 acres of unbroken sagebrush-grassland habitat north of Roy, MT in Fergus County (HD 417). The area is completely overlapped by Greater Sage-Grouse Core Area and has 9 active sage grouse leks within 4 miles. The Fargo Coulee CE is part of a larger landscape key to maintaining viable populations of sage grouse, as well as providing important sharp-tailed grouse, mule deer, pronghorn, and native non-game species habitat. The Machler property also adjoins 1,920 acres of DNRC lands currently inaccessible to the public. Little access exists in this area, and the Fargo Coulee CE would provide 4,620 acres for public recreation and hunting. The USDA NRCS has awarded FWP a grant of \$455,625 to contribute to the appraised value of \$897,000. The remainder of the cost, \$441,375, will be paid with Habitat Montana funding.

An EA and Decision Notice have been completed and published, following requisite public involvement. Strong public support has been voiced for this effort via formal comments received. Fish and Wildlife Commission approval is pending; the proposal will be presented to the Commission at its October 12, 2017 meeting.

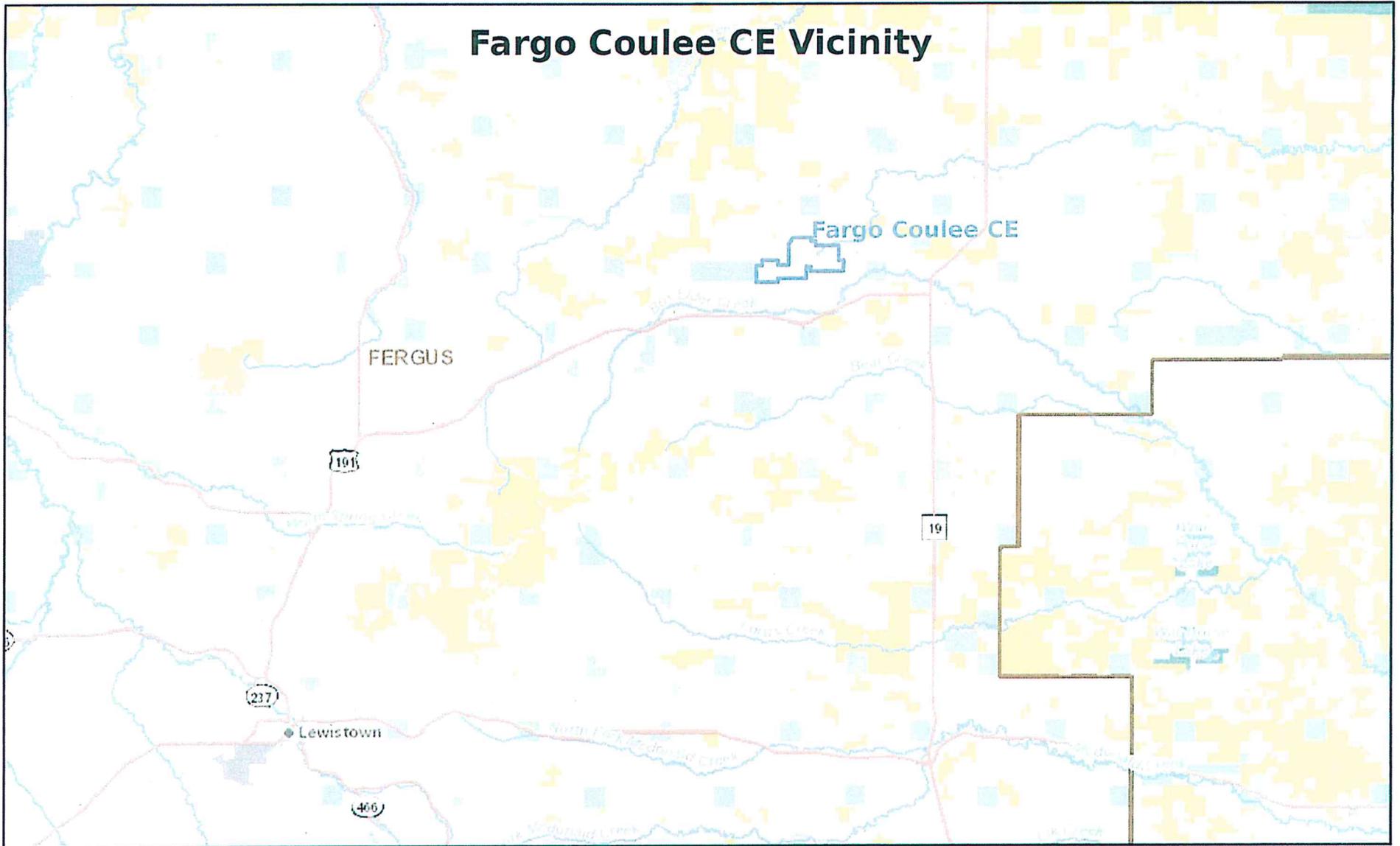
**Rationale for Land Board Action**

The Fargo Coulee CE will conserve wildlife habitat, provide public access to the property's lands and adjacent public lands, and insure continued agriculture uses. Wildlife habitat will be protected from subdivision and development of the property, as well as sod-busting and removal of native vegetation. Public recreational access will be available for hunting, hiking, and other purposes year-round. A grazing management plan will be implemented to improve the quality and quantity of vegetation for both cattle and wildlife.

**Department Recommendation**

FWP recommends the Land Board approve the purchase of the 2,700-acre Fargo Coulee CE.

# Fargo Coulee CE Vicinity



Printed from fwp.mt.gov  
September 29, 2017

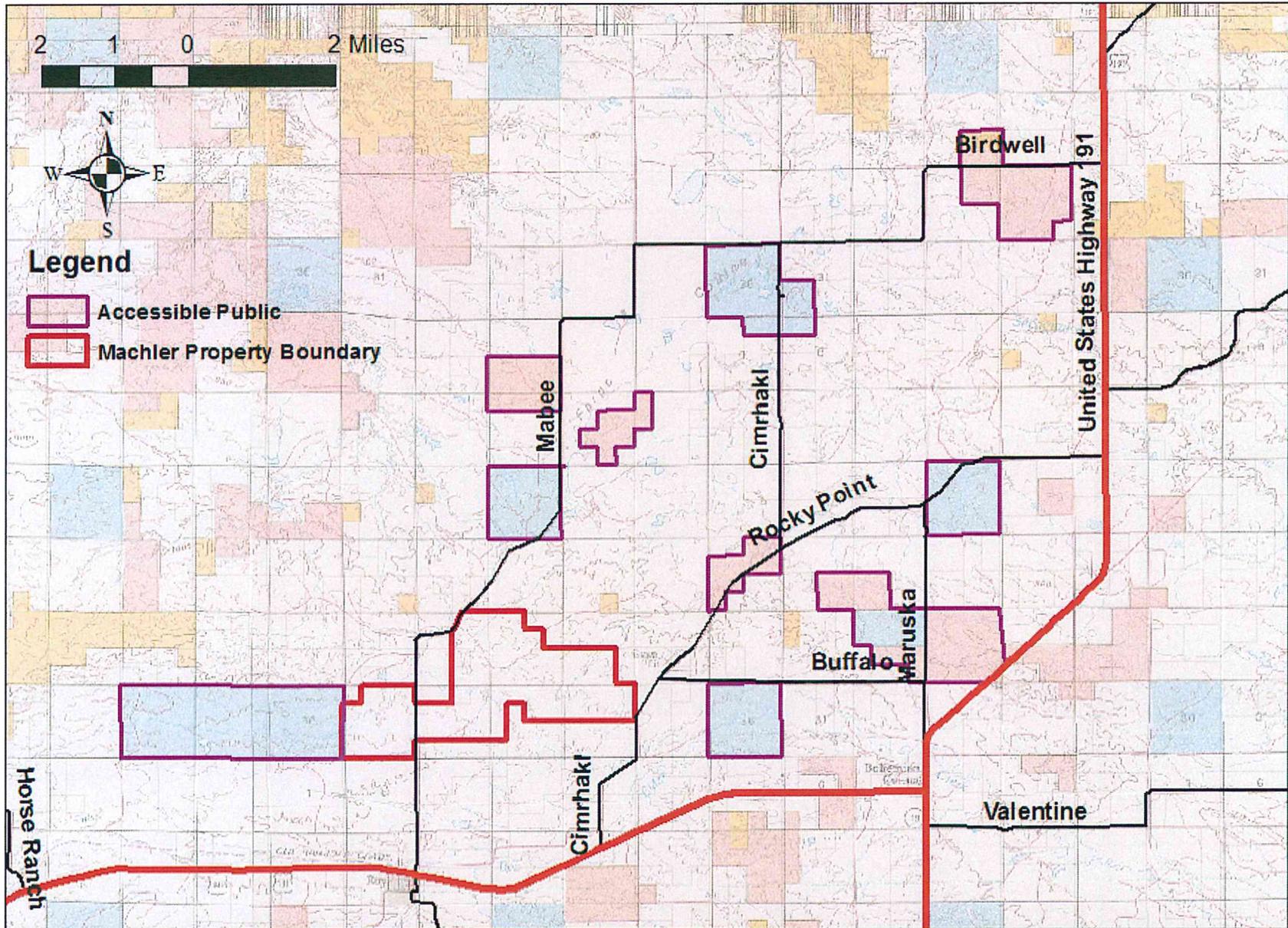
1:577,791

0 5 10 20 mi  
0 5 10 20 km



This map was generated from the Montana Fish, Wildlife & Parks (FWP) internal FWP Mapper online mapping system. Data layers on this map may depict sensitive species level information. This map is not intended for distribution or use beyond work associated with FWP.

Some layers may not appear in the legend due to page size limitations.







# 1017-2

AUTHORIZATION TO PETITION  
TO INCLUDE LANDS IN THE  
FORT SHAW IRRIGATION DISTRICT

**Land Board Agenda Item  
October 25, 2017**

**1017-2 Authorization to Petition to Include Lands in the Fort Shaw Irrigation District**

**Location:** Cascade County  
**Trust Benefits:** Common Schools  
**Trust Revenue:** N/A

**Item Summary**

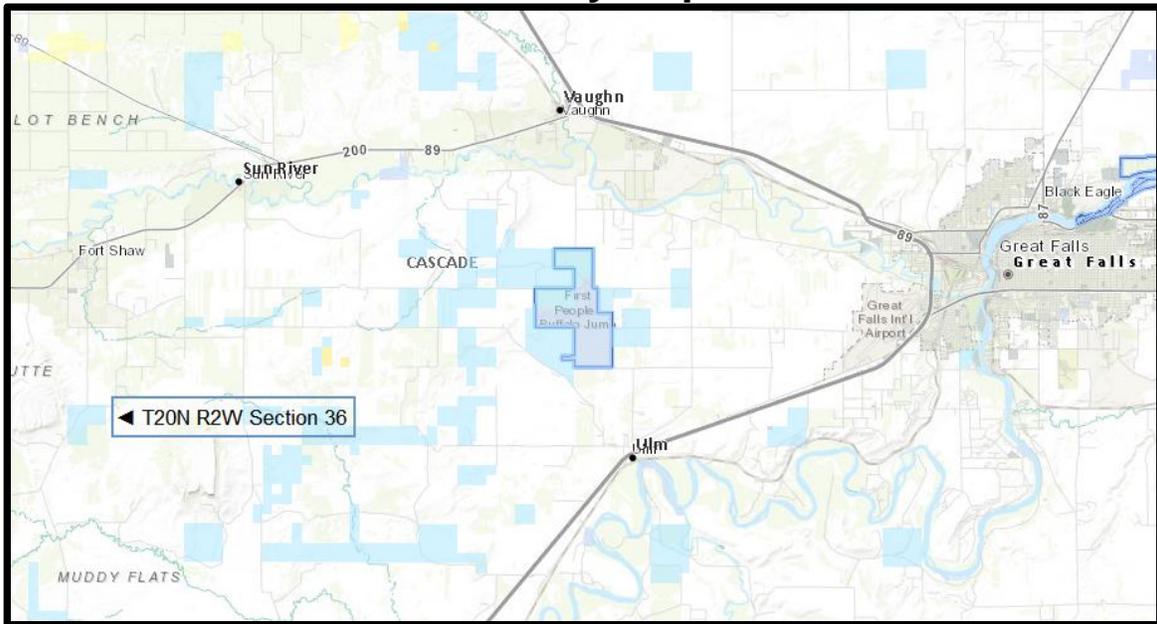
There are approximately 85.9 acres located in T20N R2W Section 36 that are currently irrigated with water from the Fort Shaw Irrigation District. It is applied by a pivot system that irrigates both state land as well as adjacent private property owned by Cascade Colony. While the lands owned by the Colony are within the District, the state lands are outside the District boundaries. Recently, the Bureau of Reclamation informed the District that the contract between the Bureau and the District does not allow for delivery of water outside District boundaries. The District has notified the Department of Natural Resources and Conservation (DNRC) that in order to continue irrigation on the state land, a request must be submitted to the District Board to initiate the process for including these lands within the Irrigation District.

The loss of irrigation water to the property would result in a reduction in revenues to the Common Schools trust, as well as impacting the operation of the pivot system by the Colony.

**DNRC Recommendation**

The director recommends the Land Board authorize the DNRC to petition the Fort Shaw Irrigation District to include state lands located in T20N R2W Section 36 within the District boundaries.

### Vicinity Map



### Detail Map



T20N R2W



# 1017-3

DISCLAIMER OF INTEREST:  
RF BUILDING COMPANY, LLP

**Land Board Agenda Item  
October 25, 2017**

**1017-3 Disclaimer of Interest: RF Building Company, LLP**

**Location: Sweet Grass County**

**Part of Section 4, Township 1 South, Range 13 East, PMM**

**Trust Benefits: N/A**

**Trust Revenue: N/A**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) received a request from Steve Woodruff on behalf of RF Building Company, LLP (Jan Engwis) to review two parcels of land located along the navigable Yellowstone River 10 miles west of Big Timber for any state ownership claim (see attached air photo, disclaimer of interest, and surveys).

DNRC's review determined the area proposed for disclaimer of interest consists of pre-statehood upland and land formed by a composite of post-statehood laterally-accreted sediment and attached bars. The area shown and discussed in the 1989 Certificate of Survey Number 116646 as an island is actually a lateral accretion. The State of Montana owns the beds of navigable rivers, including island landforms forming vertically up out of the river after statehood. However, lateral accretions belong to the riparian landowner. The state would not have an ownership claim to the 2 surveyed parcels, which together total 166.406 acres, more or less.

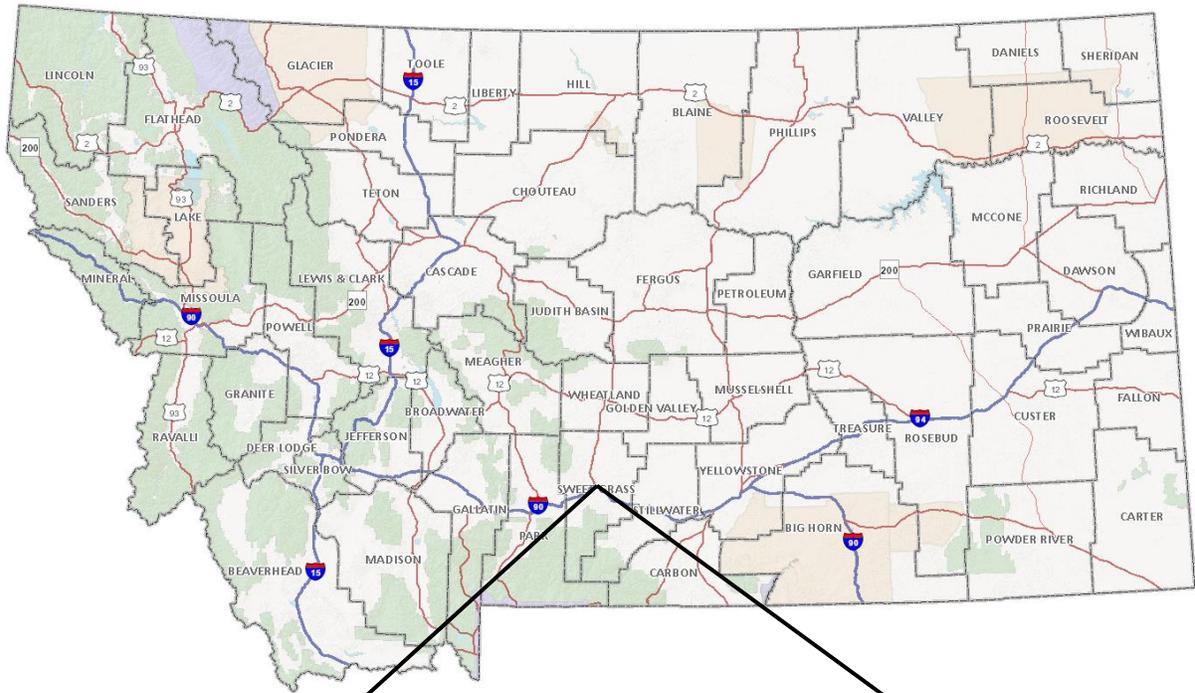
DNRC prepared the attached disclaimer of interest to clarify the state's ownership position regarding the subject parcels of land. Rivers are dynamic and could erode and return to the surveyed area in the future. The disclaimer therefore is expressly subject to future changes in the reserved interest due to movement of the river.

**Impact to the State**

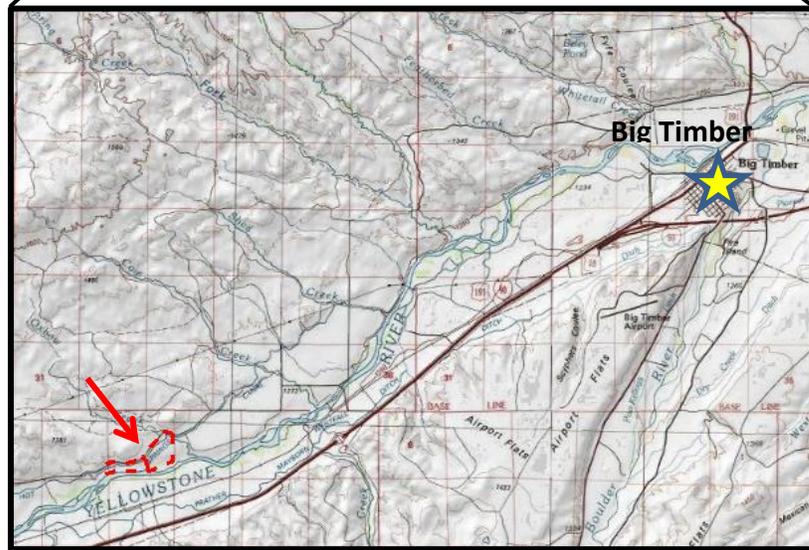
Issuance of the disclaimer affirms and documents no state ownership interest in two parcels of land adjacent to the Yellowstone River.

**DNRC Recommendation**

The director recommends the Land Board approve the attached disclaimer of interest covering the subject parcels of land.



Montana State Library



Location Map

1N 13E 32

33

34

**RF Building Co., LLP - Engwis  
Disclaimer of Interest Areas  
in Sec. 4, T1S, R13E, P.M.M.  
on Aerial Photography Taken  
in 2015**

Approximate Location of  
COS 114579

Approximate Location of COS 116646

05

04

03

02

1S 13E

08

09

10

1

After Recording Return to:

Monte Mason  
 Minerals Management Bureau Chief  
 Department of Natural Resources and Conservation  
 P.O. Box 201601  
 Helena, MT 59620-1601

### **DISCLAIMER OF INTEREST FROM THE STATE OF MONTANA**

THE STATE OF MONTANA, acting by and through the State Board of Land Commissioners, whose address is P.O. Box 201601, Helena, MT, 59620-1601, hereby disclaims any and all interest in and to the following-described real property located in Sweet Grass County, Montana, to wit:

Two tracts of land located in Section 4, of Township 1 South, Range 13 East, P.M.M., County of Sweet Grass, State of Montana, more particularly identified as follows:

A tract of land in Government Lots 6, 7, 8, and 9 in Section 4, as depicted in Certificate of Survey No. 114579, filed in the office of the Clerk and Recorder of said County on the 12<sup>th</sup> day of February 1988 at 8:15 o'clock a.m.; Said tract contains 60.716 acres, more or less.

A tract of land in the E1/2 of Section 4, as depicted in Certificate of Survey No. 116646, filed in the office of the Clerk and Recorder of said County on the 21<sup>st</sup> day of June, A. D. 1989 at 11:25 o'clock a.m.; Said tract contains 105.69 acres more or less.

Copies of which are attached hereto.

This Disclaimer of Interest is subject to all existing easements of record and to the reservation of the State of Montana of: the fee simple ownership of the active bed of the Yellowstone River pursuant to Sections 70-1-202 and 70-16-201, MCA; the State's reservation of an easement for public use between the high-water marks of the Yellowstone River pursuant to Section 87-2-305, MCA; and any and all future changes from accretion, erosion, or avulsion, including but not limited to the formation of vertically accreted islands pursuant to Section 70-18-203, MCA, resulting in State ownership.

IN TESTIMONY WHEREOF the State of Montana has caused these presents to be executed by the Governor and to be attested by the Secretary of State and countersigned by the Director of the Montana Department of Natural Resources and Conservation, and the Great Seal of the State and the Seal of the State Board of Land Commissioners to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

(GREAT SEAL OF THE STATE OF MONTANA)

\_\_\_\_\_  
STEVE BULLOCK  
Governor of the State of Montana

ATTEST:

\_\_\_\_\_  
CORY STAPLETON  
Secretary of State

Countersigned by:

\_\_\_\_\_  
JOHN E. TUBBS  
Director, Department of Natural Resources and Conservation

(GREAT SEAL OF THE STATE BOARD OF LAND COMMISSIONERS)

STATE OF MONTANA     )  
                                      :SS  
County of Sweet Grass     )

Document No.

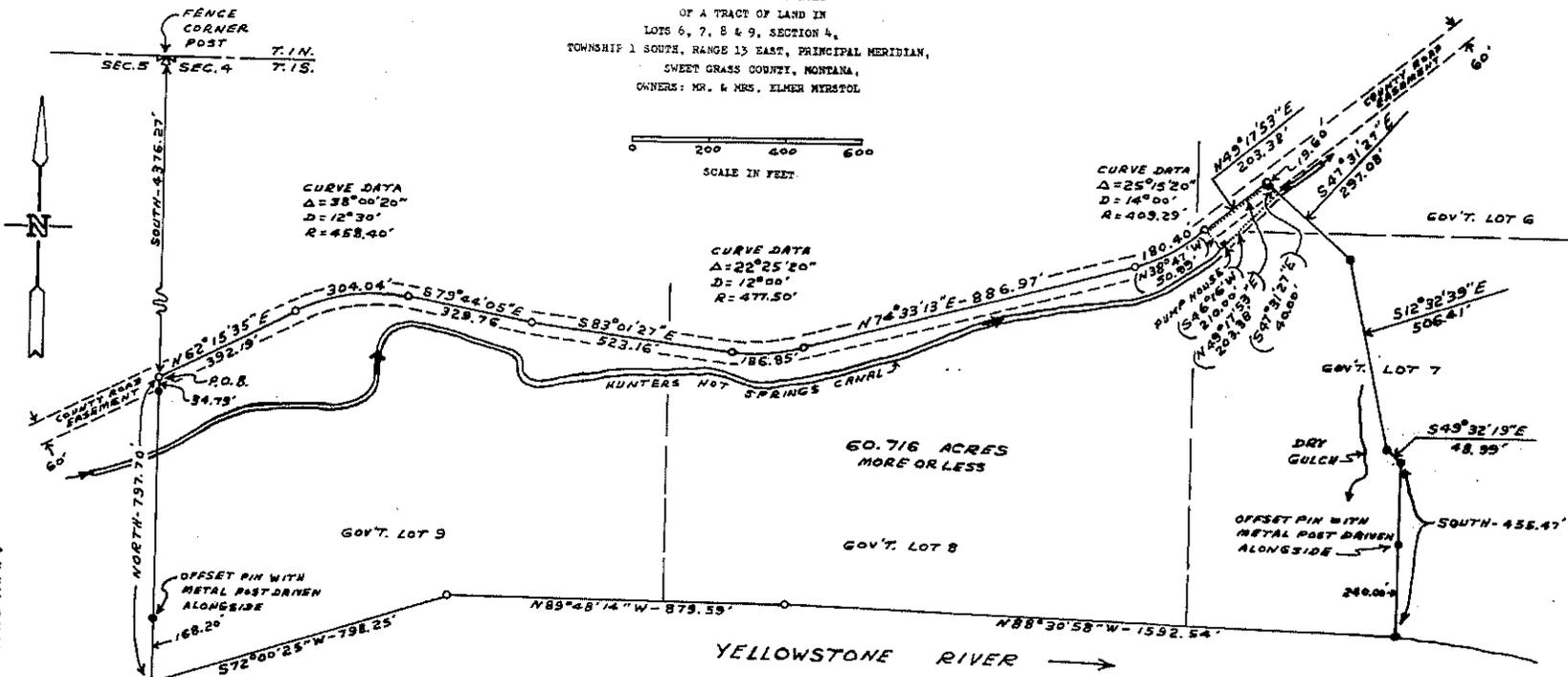
Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_\_ o'clock \_\_\_\_ M., recorded as Document No. \_\_\_\_\_ in Book \_\_\_\_\_ of deeds on Pages \_\_\_\_\_ of the records of Sweet Grass County Clerk and Recorder.

Clerk & Recorder

By: \_\_\_\_\_,  
Deputy

THIS MAP/PLAT MAY OR MAY NOT BE A SURVEY OF THE LAND DEPICTED HEREON, YOU SHOULD NOT RELY UPON IT FOR ANY PURPOSE OTHER THAN ORIENTATION TO THE GENERAL LOCATION OF THE PARCEL OR PARCELS DEPICTED. THE COMPANY EXPRESSLY DISCLAIMS ANY LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE UPON THIS MAP.

CERTIFICATE OF SURVEY OF A TRACT OF LAND IN LOTS 6, 7, 8 & 9, SECTION 4, TOWNSHIP 1 SOUTH, RANGE 13 EAST, PRINCIPAL MERIDIAN, SWEET GRASS COUNTY, MONTANA, OWNERS: MR. & MRS. ELMER MYRSTOL



SCALE IN FEET 0 200 400 600

CURVE DATA Δ=38°00'20" D=12°30' R=458.40'

CURVE DATA Δ=22°25'20" D=12°00' R=477.50'

CURVE DATA Δ=25°52'0" D=14°00' R=403.29'

• - Denotes a 5/8" x 24" rebar with attached plastic cap that was put in place on this survey. --- - Denotes the perimeter of the easement to the pump house.

Basis of bearings is North along the West side of Section 4.

Note: Access to the Hunters Hot Springs Canal to maintain and take care of the canal is hereby to be perpetuated as previously granted and on record in Deed Book 52 Page 152.

114579 Filed this 12th day of February, 1988, at 8:15 o'clock A.M. Otto P. DeLoe County Clerk and Recorder Deputy

DESCRIPTION OF TRACT A tract of land located in lots 6, 7, 8 and 9, Section 4, Township 1 South, Range 13 East, Principal Meridian, Sweet Grass County, Montana, more particularly described as follows: Commencing at the Northwest corner of said Section 4; thence South a distance of 4570.27 feet to the true point of beginning; thence N 62°15'35" E a distance of 392.19 feet; thence around a corner to the right that has a radius of 458.40 feet a distance of 304.04 feet; thence S 79°44'05" E a distance of 329.76 feet; thence S 85°01'27" E a distance of 523.16 feet; thence around a curve to the left that has a radius of 477.50 feet a distance of 186.85 feet; thence N 74°33'13" E a distance of 886.97 feet; thence around a curve to the left that has a radius of 409.29 feet a distance of 180.40 feet; thence N 49°17'53" E a distance of 203.38 feet; thence S 47°31'27" E a distance of 297.08 feet; thence S 12°32'39" E a distance of 506.41 feet; thence S 49°32'19" E a distance of 48.99 feet; thence South a distance of 455.47 feet, more or less, to the mean low water mark of the Yellowstone River; thence upstream along said mean low water mark to a point on the West side of said Section 4; thence North a distance of 797.70 feet, more or less, to the true point of beginning. Said tract contains 60.716 acres, more or less.

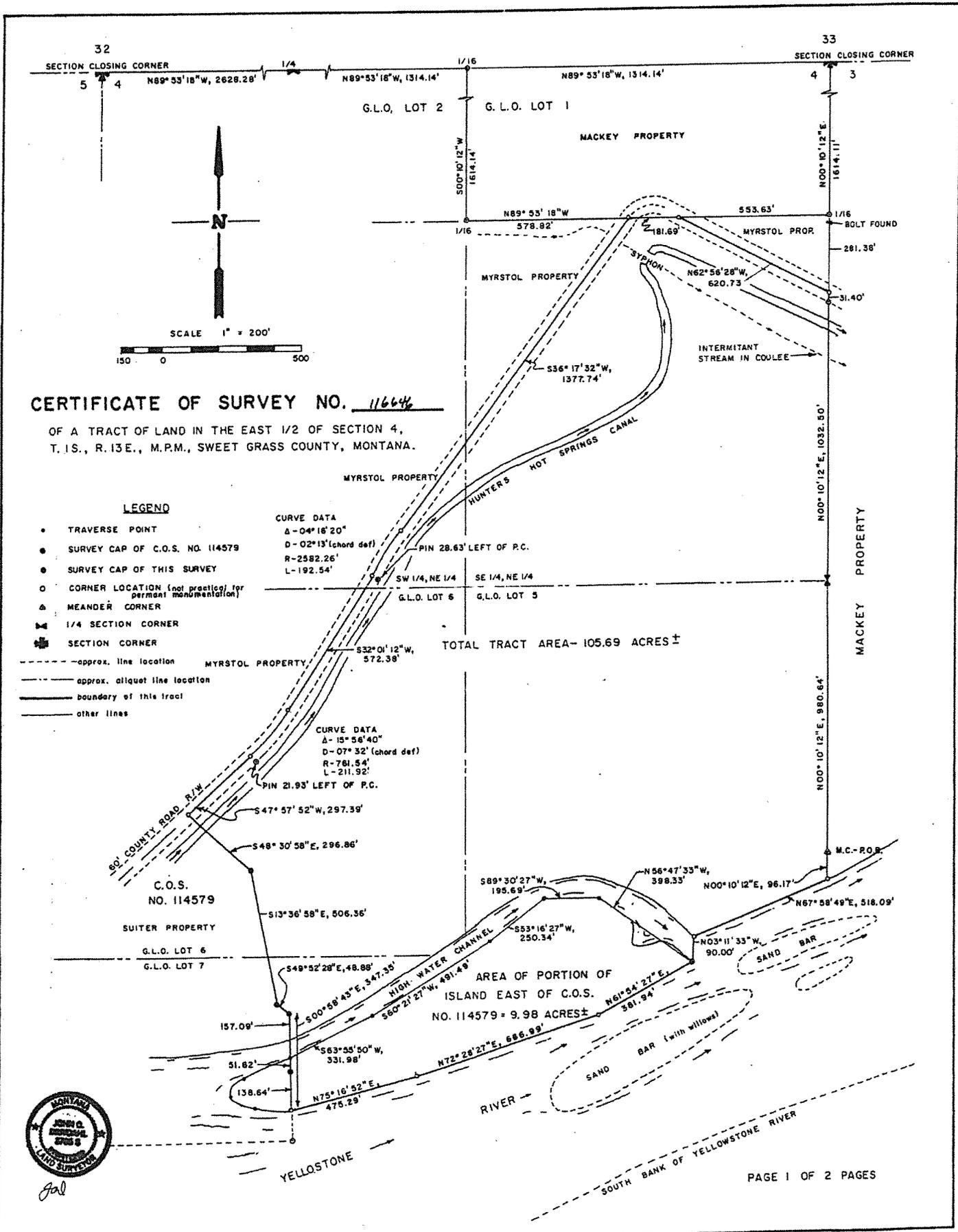
ACCESS EASEMENT

To have an access to the pump house on the North bank of the Hunters Hot Springs Canal, the following described easement is retained: Commencing at the Northeast corner of the above-described tract of land, the true point of beginning; thence S 47°31'27" E a distance of 400.00 feet; thence S 46°16' W a distance of 210.00 feet; thence N 38°47' W a distance of 30.99 feet; thence N 49°17'53" E a distance of 203.38 feet to the true point of beginning.

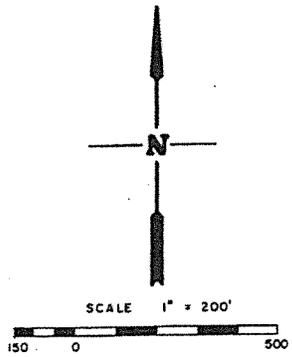
I hereby certify that this COS has been duly examined and that no real property taxes assessed and levied on the land are delinquent. Date: this 11 day of February, 1988. Duane H. Hilly, Treasurer, Sweet Grass County



The field work on this COS was completed February 8, 1988. This COS was completed February 9, 1988. By Raymond W. Eap, Deputy



**CERTIFICATE OF SURVEY NO. 116646**  
 OF A TRACT OF LAND IN THE EAST 1/2 OF SECTION 4,  
 T.1S., R.13E., M.P.M., SWEET GRASS COUNTY, MONTANA.



- LEGEND**
- TRAVERSE POINT
  - SURVEY CAP OF C.O.S. NO. 114579
  - SURVEY CAP OF THIS SURVEY
  - CORNER LOCATION (not practical for permanent monumentation)
  - △ MEANDER CORNER
  - ⊠ 1/4 SECTION CORNER
  - ⊞ SECTION CORNER
  - - - - - approx. line location
  - - - - - approx. allquet line location
  - boundary of this tract
  - other lines

**CURVE DATA**  
 Δ - 04° 16' 20"  
 D - 02° 13' (chord def)  
 R - 2582.26'  
 L - 192.54'

PIN 28.63' LEFT OF P.C.  
 SW 1/4, NE 1/4 SE 1/4, NE 1/4  
 G.L.O. LOT 6 G.L.O. LOT 5

**CURVE DATA**  
 Δ - 15° 56' 40"  
 D - 07° 32' (chord def)  
 R - 781.54'  
 L - 211.92'

PIN 21.93' LEFT OF P.C.

TOTAL TRACT AREA - 105.69 ACRES ±

AREA OF PORTION OF  
 ISLAND EAST OF C.O.S.  
 NO. 114579 = 9.98 ACRES ±



CERTIFICATE OF SURVEY NO. 116646

OF A TRACT OF LAND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 13 EAST, MONTANA PRINCIPAL MERIDIAN, SWEET GRASS COUNTY, MONTANA.

Survey requested by Mr. Ray Sultzer

BASIS OF BEARINGS

Bearings of this survey are based on a bearing established by observation of Polaris using the hour angle method on Universal Coordinated Time and checked by one set of solar observations by Hour Angle and one set by the sun's elevation. These three sets of bearing calculations give results within 2 arc minutes of each other. The observation of Polaris was considered correct and not adjusted for differences shown by the solar checks.

SURVEYOR'S NOTATIONS AND COMMENTS

(Basis of Survey) The position of Section 4 of this township lying north of the Yellowstone River was surveyed during April, 1877. We found at this date only two stones in place, oriented and marked correctly and assumed them to be in their original locations. A sunken mound of small stones was accepted as the meander corner hereon shown. The northeast corner was indicated by a 1" galvanized iron pipe driven in the ground 2 feet from the fence corner. Distances and bearings found on this portion of section 4 are consistent with the accuracies normally found in McFarland and Marsh work (the government land office surveys of this township). Since we could locate no reliable evidence of exact location of the West 1/4 section corner we surveyed the needed 1/16 section line parallel to the nearest adjacent section lines as the most reliable locations. Distances were proportioned by original compared with our current length measurements.

(South boundary of Mackey Property) One of the interesting aspects of this survey is the claim by Mrs. Mackey's tenant, Mr. Paul Saaland, that the Mackey property extends a considerable distance south of the present county road, in fact to south of the coulee adjacent to the Hunters Hot Springs Canal. This claim is supported by a fence actually located south of the canal and coulee and the area thus enclosed is in current usage by Mr. Saaland. A check of recorded deeds to the Mackey property indicates that the property includes only G.L.O. Lot 1 in section 4. The 1944 deed from Dewitt Preston to Carl Myrsetol and subsequent deed to Elmer Myrsetol includes the West of section 4 north of the river. Further, the records of the County Assessor show this same breakdown. However, the claim made by Mr. Saaland is undoubtedly founded on his understanding of the history of the area. He is personally familiar with the area over a span of 40 years or more. However, this dispute seems to have originated possibly as early as 1935 or more than 50 years ago. We found a large steel bolt driven in the ground 18 feet south and 8 feet west of the 1/16 corner (SE corner of lot 1) which would seem to indicate that someone may have surveyed lot 1 at some prior time, possibly as a result of an ongoing dispute. This dispute may have any one of numerous possible explanations including a massive survey error, or a quit claim deed not filed at the Clerk and Recorder's Office. A more likely scenario for the origin of the dispute is that the owner of the SE 1/4, NE 1/4 of section 4 extended a permissive usage to the owner of G.L.O. Lot 1 to provide stockwater from the canal or coulee to an otherwise dry pasture. In any case the fence line has been of questionable accuracy over a period of 50 years or more so it cannot be shown that the fence were actually acceptable or that they were the result of a survey accepted by both parties. Further, no document shows that the true 1/16 line is not the boundary. Therefore, I must use it as boundary.

(The Island) Mr. Elmer Myrsetol indicated that "the island" is federal land and should be surveyed with the said tract. However, Mr. Myrsetol has never paid a lease but has used the island as his own property for pasture and for livestock even to the extent of placing and maintaining a feed bunk thereon. In neither the 1877 survey of the portion of section 4 north of the river nor in the 1888 survey south of the river is there any indication of an island at this location. However, if it did exist at that time even though it was not given a lot number it may be shown to be federal land. Since the streambeds passed to the estate upon entering the union no claim by the federal government could be made if the island came into existence after 1889. Therefore, we core drilled 4 of the largest trees on the island and determined their ages to range from 25 to 90 years. No dead or fallen boles are apparent that could indicate a greater age. The river bed in the area shown on both the 1877 and the 1888 surveys would cause an hydraulic energy loss in the vicinity of the present island and promote the dumping of silt and sand. The age of trees, the evidence on record, and normal riparian action all indicate the island's age is no more than 90 years thus eliminating the possibility of federal ownership. Since federal ownership cannot be claimed for the island then the riparian rights (pertaining to the bed of the stream and islands formed within the bed subsequent to disposal of title) of G.L.O. Lots 2, 3, and 4 would take proportionate shares in the new river frontage.

REASON FOR SURVEY

The purpose of this survey is to describe a tract larger than 20 Ac. that cannot be described in aliquot parts and must be surveyed pursuant to section 76-3-401, M.C.A.



COMMENTS (continued)

(The Boundary with C.O.S. #114579) It should be clearly pointed out that monuments in place then surveyed in good faith and accepted by both owners constitute the true corners whether relative positions of description are exactly correct or not. In this case all C.O.S. #114579 monuments were found in place. The wide difference noted in bearings is most likely explained by differences in basis of bearing between the two surveys. Distance differences may be partially due to failure in reducing slope distance to horizontal and the difference at low water mark may be the result of a recordation error of 100 feet in the survey notes. In any case the line shown hereon is the same line as shown on C.O.S. #114579

DESCRIPTION OF SURVEY

A TRACT OF LAND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 13 EAST, MONTANA PRINCIPAL MERIDIAN, SWEET GRASS COUNTY, MONTANA MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at the Meander Corner common to sections 3 and 4 of said range and township; thence N00° 10' 12"W along the section line a distance of 980.54 feet to the 1/4 section corner common to said sections 3 and 4; thence N90° 10' 12"W a distance of 1082.50 feet to the centerline of the county road; thence N62° 58' 28"W along said centerline a distance of 620.73 feet to a 1/16 section line; thence N90° 55' 18"W along the 1/16 section line a distance of 181.89 feet to its intersection with the centerline of the county road; thence S58° 17' 32"W along said centerline a distance of 1377.74 feet; thence continuing along said centerline on a 0° 15' curve left a distance of 192.54 feet; thence continuing along said centerline S58° 01' 12"W a distance of 872.38 feet; thence continuing along said centerline on a 0° 38' curve right a distance of 211.92 feet; thence continuing along said centerline S47° 57' 52"W a distance of 297.39 feet; thence S48° 50' 58"E a distance of 295.66 feet; thence S15° 55' 56"W a distance of 306.36 feet; thence S49° 52' 28"E a distance of 48.88 feet; thence S00° 58' 45"E a distance of 347.35 feet to the low water line of the Yellowstone River; thence along said low water line N75° 15' 52"E a distance of 475.89 feet; thence continuing along said low water line N79° 02' 07"W a distance of 688.99 feet; thence continuing along said low water line N61° 54' 27"E a distance of 581.94 feet; thence continuing along said low water line S03° 11' 33"W a distance of 90.00 feet; thence continuing along said low water line N67° 58' 49"E a distance of 318.09 feet to its intersection with the line common to said sections 3 and 4; thence N00° 10' 12"E along the section line a distance of 96.17 feet to the meander corner which is the point of beginning.

The tract thus bounded and described contains 105.69 acres more or less.

STATE OF MONTANA } ss. County of Sweet Grass } ss. Filed this 21st day of June, 1989 at 10:05 o'clock A.M.

John O. Drivdahl County Clerk & Recorder

STATE OF MONTANA } ss. County of Sweet Grass } ss. I hereby certify that this C.O.S. has been duly examined and that no real property taxes assessed and levied on the land are delinquent.

Dated this 21st day of June, 1989. Linda Langness County Treasurer

STATE OF MONTANA } ss. County of Sweet Grass } ss. I, John O. Drivdahl, Registered Land Surveyor, Certificate of Registration No. 3705-3 do hereby certify that I surveyed the tract of land shown hereon during May 1989 and that the accompanying plat correctly shows the position of said tract on the ground.

Dated this 6th day of June, 1989. John O. Drivdahl Land Surveyor.



# 1017-4

LAND BANKING: SET MINIMUM BID FOR SALE

**Land Board Agenda Item  
October 25, 2017**

**1017-5 Land Banking Parcel: Set Minimum Bid for Sale**

**Location: Judith Basin County**  
**Trust Benefits: Common Schools**  
**Trust Revenue: \$160,000**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) is requesting to set the minimum bid to sell one parcel totaling approximately 160 acres nominated for sale in Judith Basin County. The sale was nominated by the lessee and the parcel is located approximately 6 miles south of Stanford, Montana.

<b>Sale #</b>	<b># of Acres</b>	<b>Legal</b>	<b>Nominator</b>	<b>Trust</b>
895	160±	SW <sup>1</sup> / <sub>4</sub> , T16N-R12E Sec. 28 Judith Basin County	Richard Caquelin	Common Schools

The sale parcel includes approximately 30 acres of agricultural land, 121 acres of grazing land, and a 9-acre home site. The parcel produces average productivity for agricultural, grazing and home site lands statewide.

The parcel is legally accessible by the public; however, overall recreational value is low because of the proximity of the home site.

No potentially negative issues were identified through the MEPA process regarding the sale of these parcels.

**Economic Analysis**

Short-term – The rate of return on the sale parcel is 0.25%. The parcel would continue to receive this return if it remains in state ownership.

Long-term – The funds from the sale of this parcel would be combined with other sale funds to purchase replacement lands through DNRC's Land Banking program. Lands purchased are required to have an equal or greater rate of return than the combined lands that generated the sale funds used for the purchase. To date, the average annual rate of return on acquisitions has been 2.78% on acquisitions with income generated from annual lease payments.

**Cultural/Paleontological Resources**

The state parcel nominated for sale was inventoried to Class III standards for cultural and paleontological resources. No antiquities, as defined under the Montana State Historic Preservation Act, were identified. A formal report of findings has been prepared and filed with the Montana State Historic Preservation Office per the requirements of the Montana State Antiquities Act.

**Background**

In February 2017, the Land Board granted preliminary approval for this parcel to continue through the Land Banking sale evaluation process.

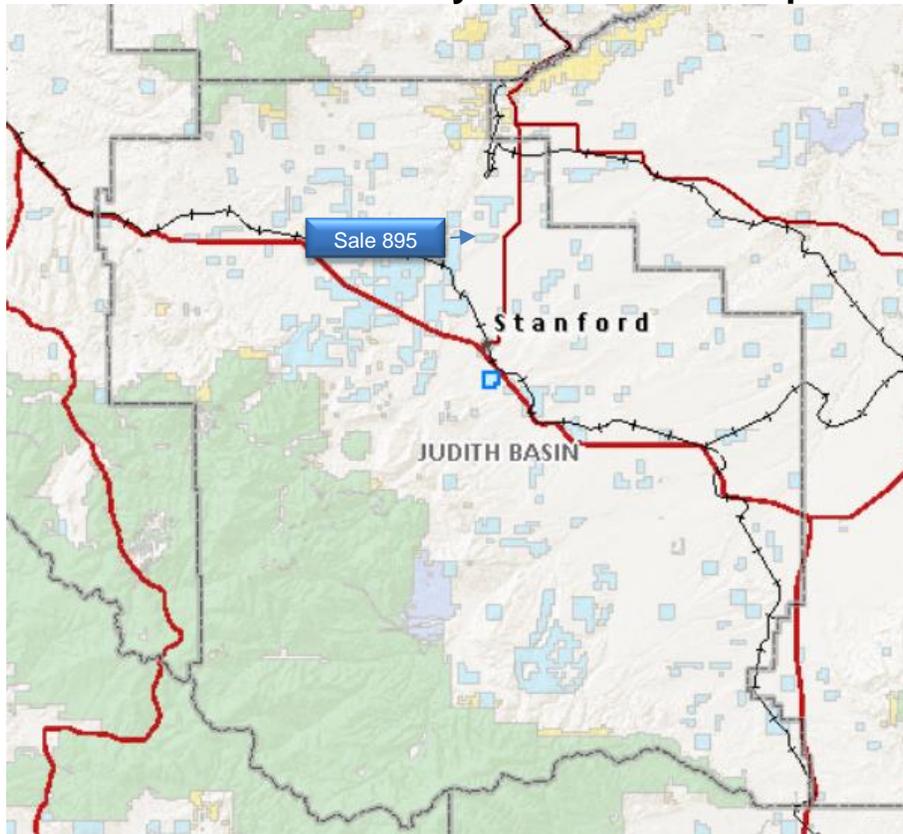
**Appraised Value of the Sale Parcel**

<b>Sale #</b>	<b>Appraised Value With Access</b>	<b>Appraised Value per acre</b>	<b>Recommended Minimum Bid</b>	<b>Appraised Value of Improvements</b>
895	\$160,000	\$1,000	\$160,000	\$180,000

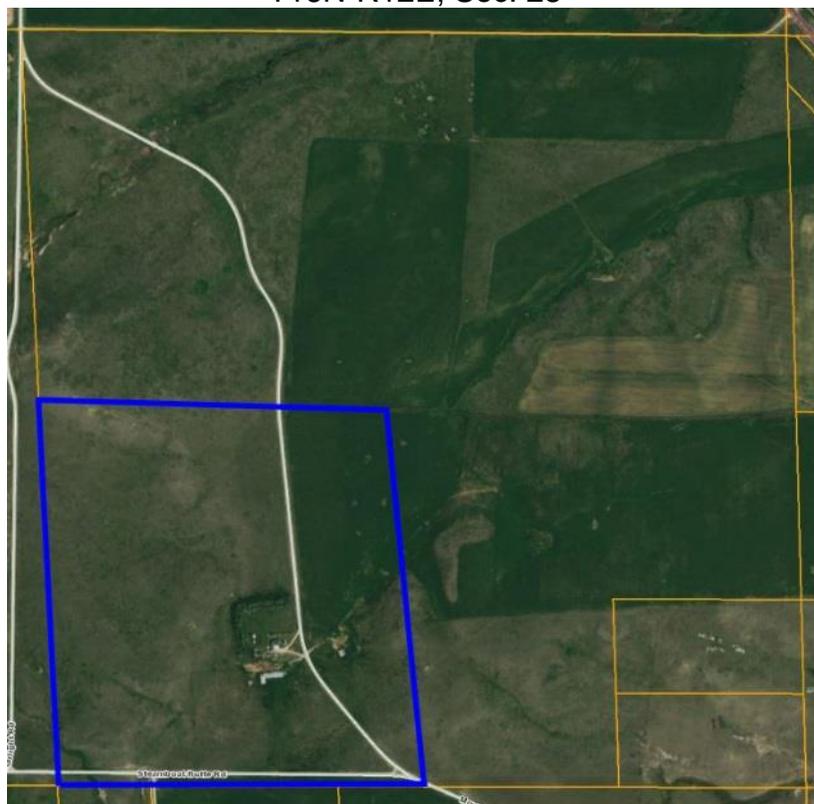
**DNRC Recommendation**

The director recommends that the Land Board set the minimum bid at the value shown above.

### Judith Basin County Sale Location Map



**Sale #895**  
T16N-R12E, Sec. 28



# 1017-5

CABIN AND HOME SITES:  
SET MINIMUM BID FOR SALE

**Land Board Agenda Item  
October 25, 2017**

**1017-5 Cabin and Home Sites: Set Minimum Bid for Sale**

**Location:** Flathead, Sanders, Stillwater, and Lincoln Counties

**Trust Benefits:** Common Schools, Montana Tech, and Public Buildings

**Trust Revenue:** \$891,600

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) is requesting to set the minimum bid for the sale of 9 cabin and home sites in Flathead, Sanders, Stillwater, and Lincoln Counties. These sales were nominated by the lessees and DNRC in conjunction with the Cabin and Home Site Sale Program.

<b>Sale Number</b>	<b># of Acres</b>	<b>Legal</b>	<b>Nominator</b>	<b>Trust</b>
847	1.699	Lot 19, Echo Lake, T27N-R19W, Sec. 5 Flathead County	Ray & Shawn Christiaens	Montana Tech
849	1.08	Lot 18, Echo Lake, T27N-R19W, Sec. 5 Flathead County	DNRC	Montana Tech
873	1.54	Lot in SW $\frac{1}{4}$ SW $\frac{1}{4}$ , T23N-26W, Sec. 6 Sanders County	Shannon Holmes	Common Schools
878	1.09	Lot in SW $\frac{1}{4}$ SW $\frac{1}{4}$ , T24N-R27W, Sec. 36 Sanders County	Jerry & Joye Pope	Common Schools
879	8.00	Lot in W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , T34N-R25W, Sec 36 Lincoln County	Peter Dunning & Dianne Lovell	Common Schools
887	10.3	Lot in S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , T2N-R22E, Sec. 4 Stillwater County	Terry Pierce	Common Schools
889	1.41	Lot 8, Mudd Creek, T22N-R27W, Sec. 12 Sanders County	Lynn Hansen & Connie Weber	Public Buildings

These sale parcels are currently leased as cabin or home sites and produce an average income for residential leases statewide.

Each parcel will be sold with the access that is currently provided to the current lessee under their lease agreement.

### Economic Analysis

Short term – The average rates of return are as follows:

Sale #	Rate of Return	Sale #	Rate of Return
847	2.7%	879	2.445%
849	0%	887	2.03%
873	1.33%	889	1.910%
878	1.38%		

Long term – The funds from the sale of this parcel would be combined with other sale funds to purchase replacement lands through the DNRC's Land Banking program. Lands purchased are required to have an equal or greater rate of return than the combined lands that generated the sale funds used for the purchase. To date, the average annual rate of return on acquisitions has been 2.78% on acquisitions with income generated from annual lease payments.

### Cultural/Paleontological Resources

A Class I level of cultural resource inventory was conducted for the proposed sale. Home sites typically contain numerous structures and the ground surfaces within most home sites have been variously disturbed over the course of many years of occupation and development. This sale will have no effect to state owned heritage properties.

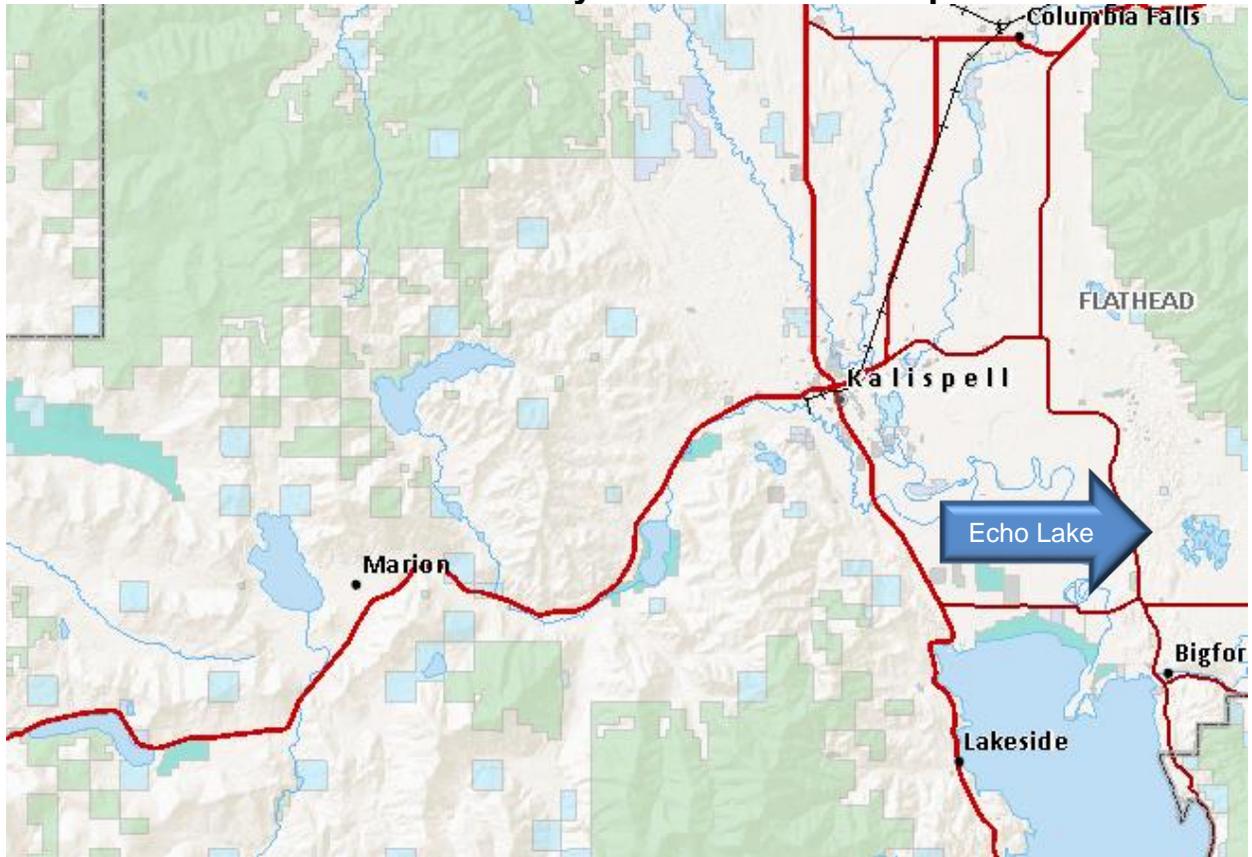
### Appraised Values

Sale #	Appraised Value of the Land	Appraised Value of Improvements
847	\$366,000	\$113,000
849	\$229,000	N/A
873	\$30,000	\$79,000
878	\$100,000	\$93,000
879	\$107,000	\$10,000
887	\$21,600	\$173,400
889	\$38,000	\$93,000

### DNRC Recommendation

The director recommends that the Land Board set the minimum bid for the cabin site lots at the appraised value of the land and the maximum value of compensation for the improvements as shown above.

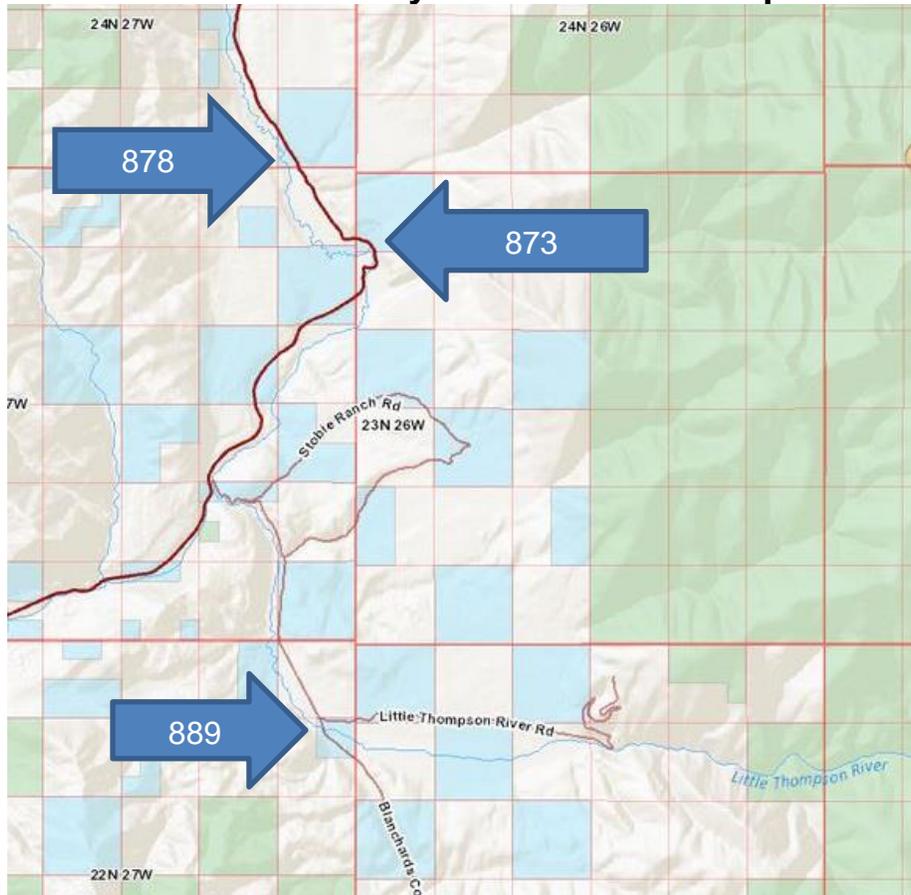
### Flathead County Sales Location Map



### Echo Lake Sales



### Sanders County Sales Location Map



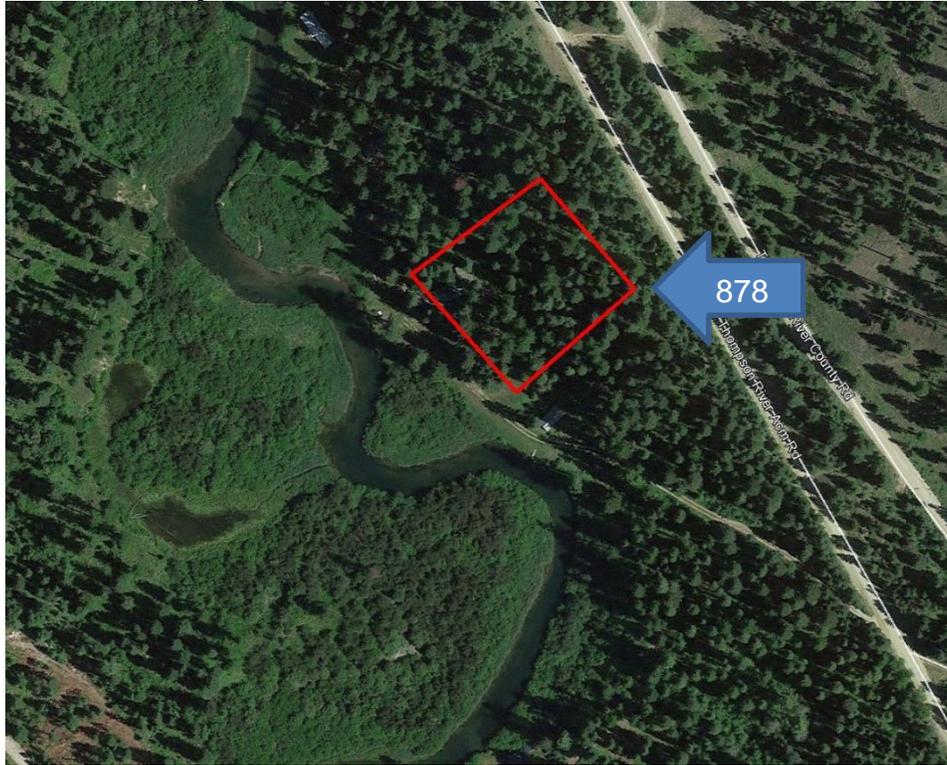
### Sale Number 873

Unsurveyed Lot in SW $\frac{1}{4}$ SW $\frac{1}{4}$  T23N-R26W Sec. 6



**Sale Number 878**

Unsurveyed Lot in SW¼SW¼ T24N-R27W Sec. 36

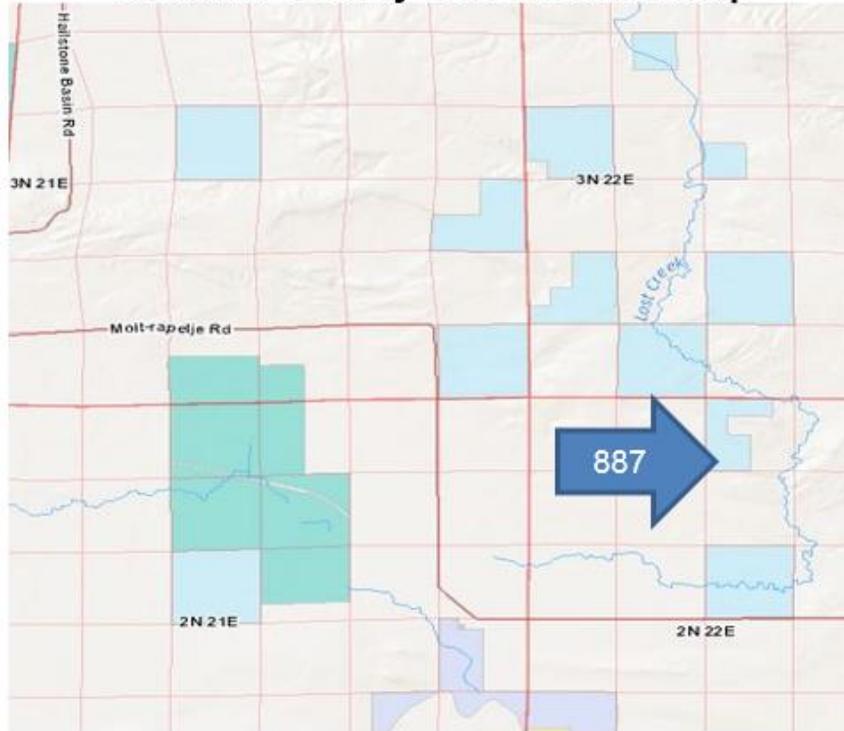


**Sale Number 889**

Unsurveyed Lot 8, Mudd Creek, T22N-R27W, Sec. 12



### Stillwater County Sale Location Map



### Sale Number 887 S 1/2 SW 1/4 SW 1/4 T2N-R22W Sec. 4



### Lincoln County Sale Location Map



### Sale Number 879

Unsurveyed Lot in W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , T34N-R25W Sec. 36



# 1017-6

CABIN AND HOME SITES:  
FINAL APPROVAL FOR SALE

**Land Board Agenda Item  
October 25, 2017**

**1017-7 Cabin and Home Sites: Final Approval for Sale**

**Location: Flathead, Lewis & Clark, Dawson, Richland Counties**  
**Trust Benefits: Montana Tech, Common Schools**  
**Trust Revenue: \$860,450**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) is requesting final approval for sale of 15 cabin sites nominated for sale on Echo Lake in Flathead County, Lincoln Flats in Lewis & Clark County, and parcels Dawson and Richland Counties. These sales were nominated by the lessees in conjunction with the Cabin and Home Site Sale Program.

<b>Sale #</b>	<b># of Acres</b>	<b>Legal</b>	<b>Nominator</b>	<b>Trust</b>
848	2.111	Lots 1 & 2, Echo Lake, T27N-R19W, Sec. 5 Flathead County	Bradley & Debbie Nay	Montana Tech
852	1.352	Lot 9, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Harold Rapley	Common Schools
853	1.46	Lot 11, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Clifford Schmutzler	Common Schools
855	1.00	Lot 28, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Bret & Sandra Bandt	Common Schools
856	1.00	Lot 26, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Roger & Julee Kranz	Common Schools
857	1.385	Lot 2, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Barbara Davies	Common Schools
858	1.00	Lot 12, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Larry Sheppard	Common Schools
859	1.587	Lot 8, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Wayne & Rachael Sherrill	Common Schools
861	1.731	Lot 6, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Linda Hamilton	Common Schools
862	1.112	Lot 27, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Ray & Kylie Pancich	Common Schools

863	1.01	Lot 21, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Lisa & Jim Reynolds	Common Schools
869	3.93	An un-surveyed tract in NW4NW4SE4, T21N-R55E, Sec. 34 Dawson County	Marcelle M. Warden	Common Schools
870	25.2	An un-surveyed tract in S2S2SE4NW4_ SW4SW4NE4_ W2NW4SE4_NE4SW4, T24N-R54E, Sec. 36 Richland County	Vera Roberts	Common Schools
898	1.719	Lot 5, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Gene & Shirley Smith	Common Schools
899	1.003	Lot 51, Lincoln Flats, T14N-R8W, Sec. 16 Lewis & Clark County	Nanette & Morris Wheatley	Common Schools

All parcels are currently leased as cabin/home sites and produce an average income for residential leases statewide.

Each parcel will be sold with the access that is provided to the current lessee under their lease agreement.

### Economic Analysis

Short term – The average rates of return are as follows:

Sale #	Rate of Return	Sale #	Rate of Return
848	2.72%	861	8.54%
852	8.45%	862	8.45%
853	8.45%	863	7.86%
855	8.29%	898	8.89%
856	8.45%	899	7.82%
857	8.89%	869	0.82%
858	8.45%	870	1.38%
859	8.23%		

Long term – The funds from the sale of this parcel would be combined with other sale funds to purchase replacement lands through the department’s Land Banking program. Lands purchased are required to have an equal or greater rate of return than the combined lands that generated the sale funds used for the purchase. To date, the average annual rate of return on acquisitions has been 2.78% on acquisitions with income generated from annual lease payments.

### **Cultural/Paleontological Resources**

A Class I level of cultural resource inventory was conducted for the proposed sales. Home sites typically contain numerous structures and the ground surfaces within most home sites have been variously disturbed over the course of many years of occupation and development. This sale will have no effect to state-owned heritage properties.

### **Background**

In January 2017, the Land Board granted preliminary approval for these parcels to continue through the cabin site sale evaluation process. In July 2017, the Land Board set the minimum bid for the land and the maximum value of compensation for the improvements at the appraised values below:

<b>Sale #</b>	<b>Appraised Value of the Land</b>	<b>Appraised Value of Improvements</b>
848	\$520,000	\$155,000
852	\$20,000	\$78,000
853	\$20,000	\$87,000
855	\$20,000	\$98,000
856	\$20,000	\$85,000
857	\$19,000	\$84,000
858	\$20,000	\$66,000
859	\$20,000	\$121,000
861	\$20,000	\$154,000
862	\$20,000	\$103,000
863	\$20,000	\$68,000
898	\$19,000	\$120,000
899	\$20,000	\$113,000
869	\$22,225	\$68,546
870	\$80,225	\$252,896

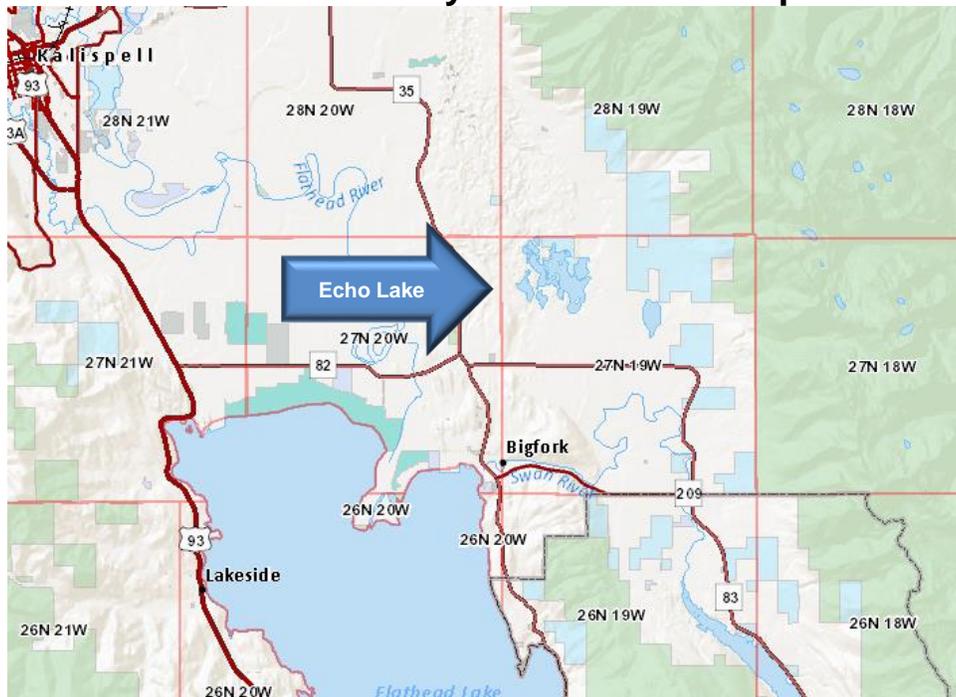
### **Sale Price**

The cabin sites were sold at public auctions on September 21<sup>st</sup>, 25<sup>th</sup>, and 27<sup>th</sup>, 2017. There was one bidder per sale who were the lessees. These parcels were sold for the minimum bid amount listed above.

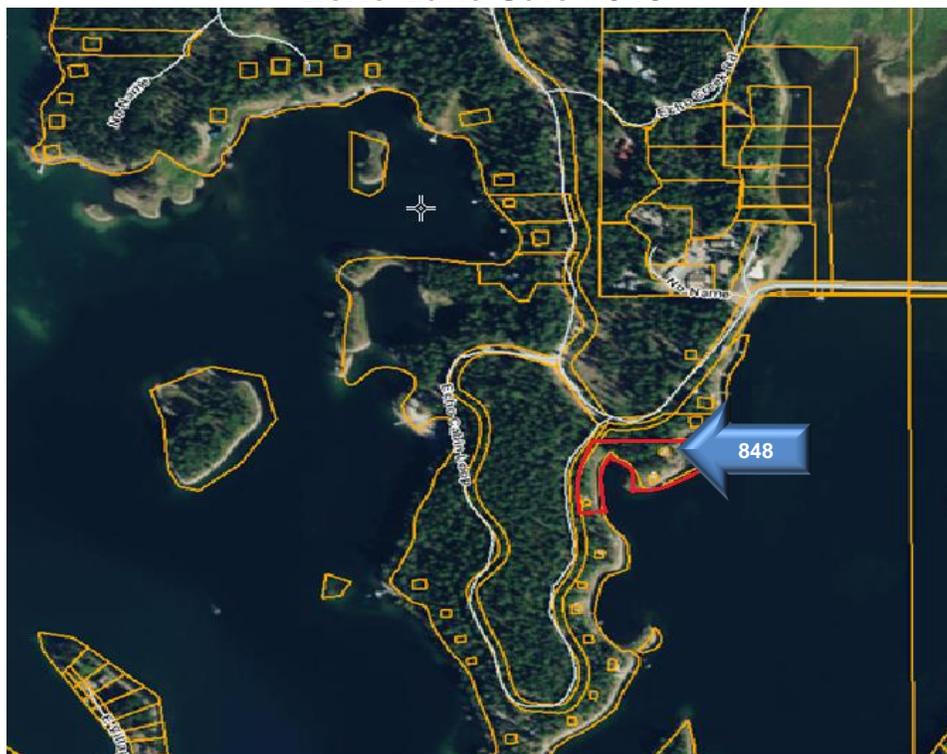
### **DNRC Recommendation**

The director recommends final approval for the cabin site lots at the values shown above. The sale will be closed within 30 days of final approval by the Land Board.

### Flathead County Sale Location Map



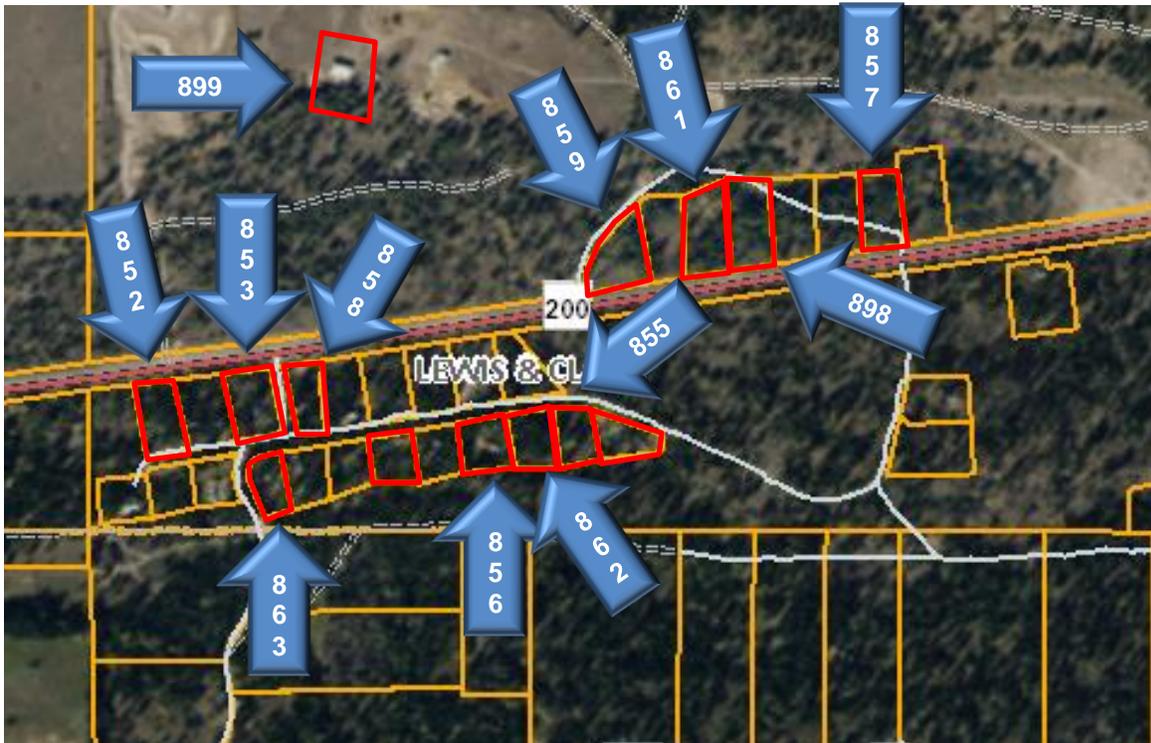
### Echo Lake Sale #848



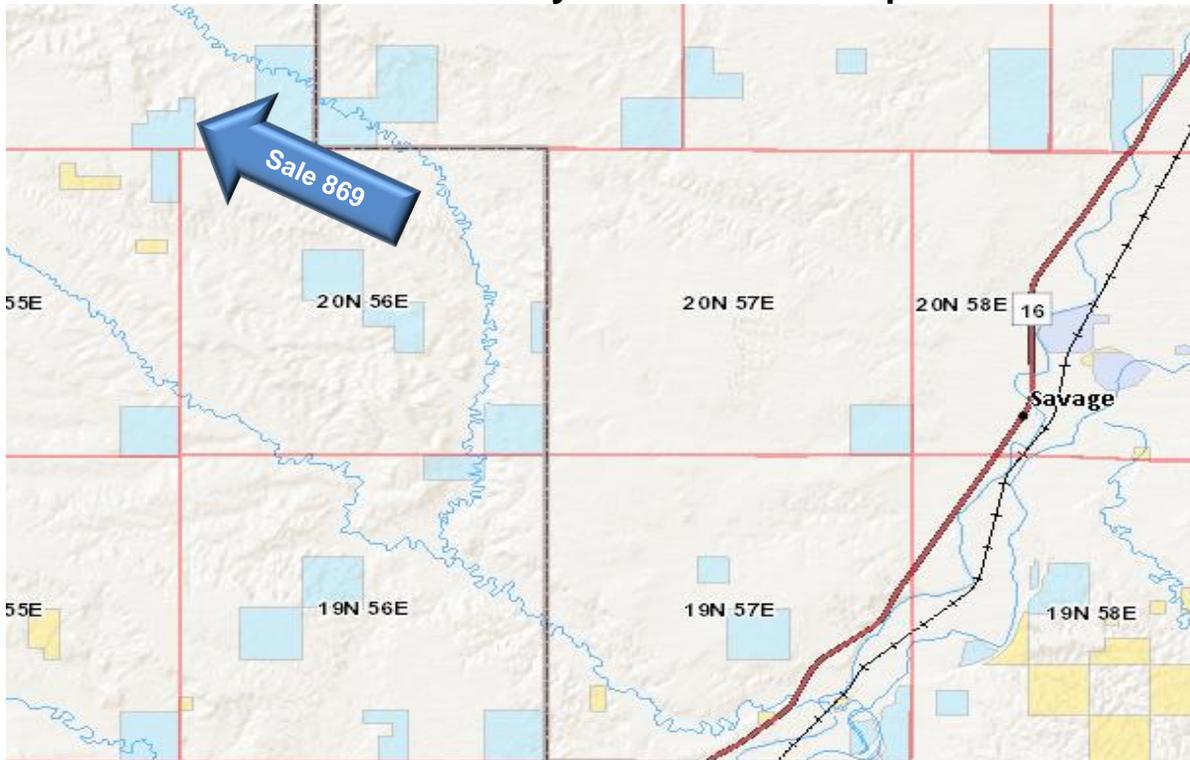
### Lewis & Clark County Sales Location Map



### Lincoln Flats Sales



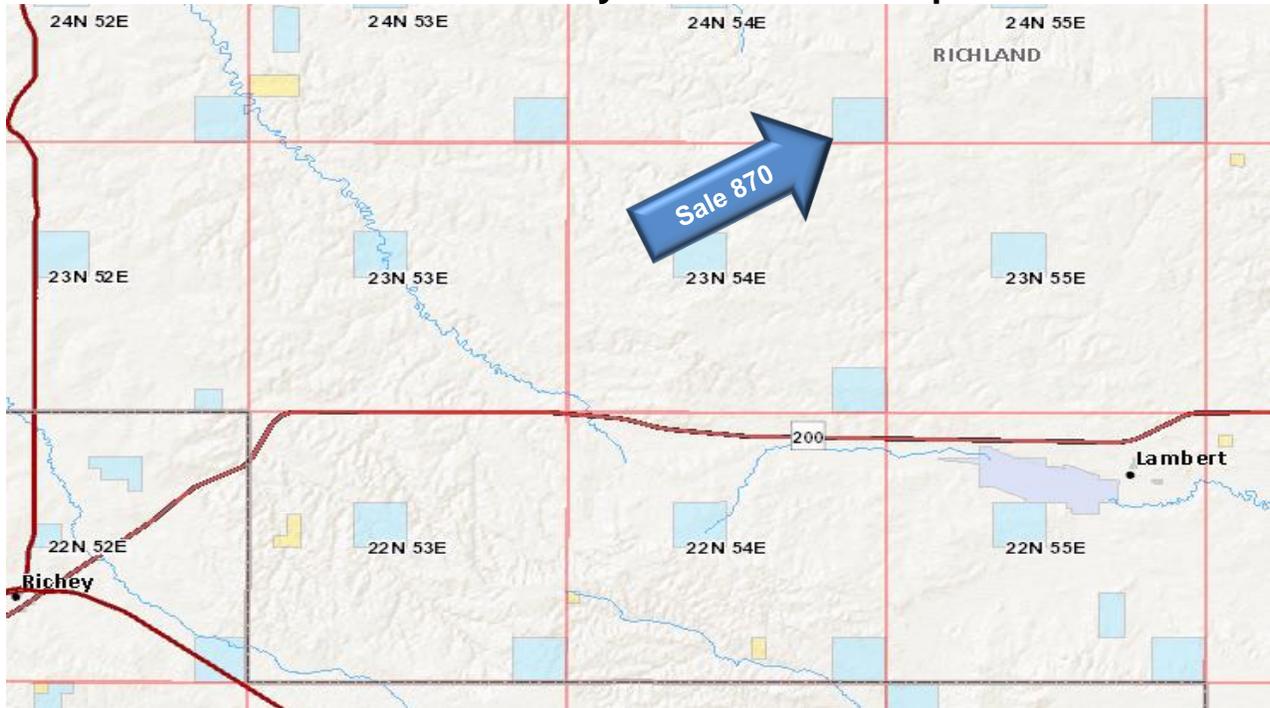
### Dawson County Sale Location Map



### Sale # 869



### Richland County Sale Location Map



### Sale # 870



# 1017-7

EASEMENTS



**Land Board Agenda Item  
October 25, 2017**

**1017-8 Easements**

**Location: Cascade, Chouteau, Judith Basin, Lewis & Clark, Lincoln, Meagher, Phillips, Pondera, Sanders, Teton, Toole Counties**

**Trust Benefits: Common Schools, Montana Tech, Public Buildings, Public Land Trust**

**Trust Revenue: Common Schools= \$32,347  
Montana Tech=\$3075  
Public Buildings=\$303  
Public Land Trust=\$2938**

**Item Table of Contents**

<b>Applicant</b>	<b>Right-of-Way Purpose</b>	<b>Term</b>	<b>Page(s)</b>
Phillips County	Historic County Road	Permanent	1-4
Mica Jean Wright, et al	New Private Access	Permanent	5-6
Northwestern Energy	Historic Utilities	Permanent	7-57

# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Phillips County PO Box 360 Malta, MT 59538
Application No.:	16921
R/W Purpose:	a public county road known as Williamson Road
Lessee Agreement:	N/A (Historic)
Acreage:	7.3
Compensation:	\$1825.00
Legal Description:	30-foot strip through W2W2, S2S2, Sec. 36, Twp. 33N, Rge. 27E, Phillips County
Trust Beneficiary:	Common Schools

### Item Summary

Phillips County has made application for this county road that was constructed on state lands many years ago without proper authorization from the Land Board. Pursuant to §77-1-130, MCA the county is requesting recognition of this road as a historic right of way.

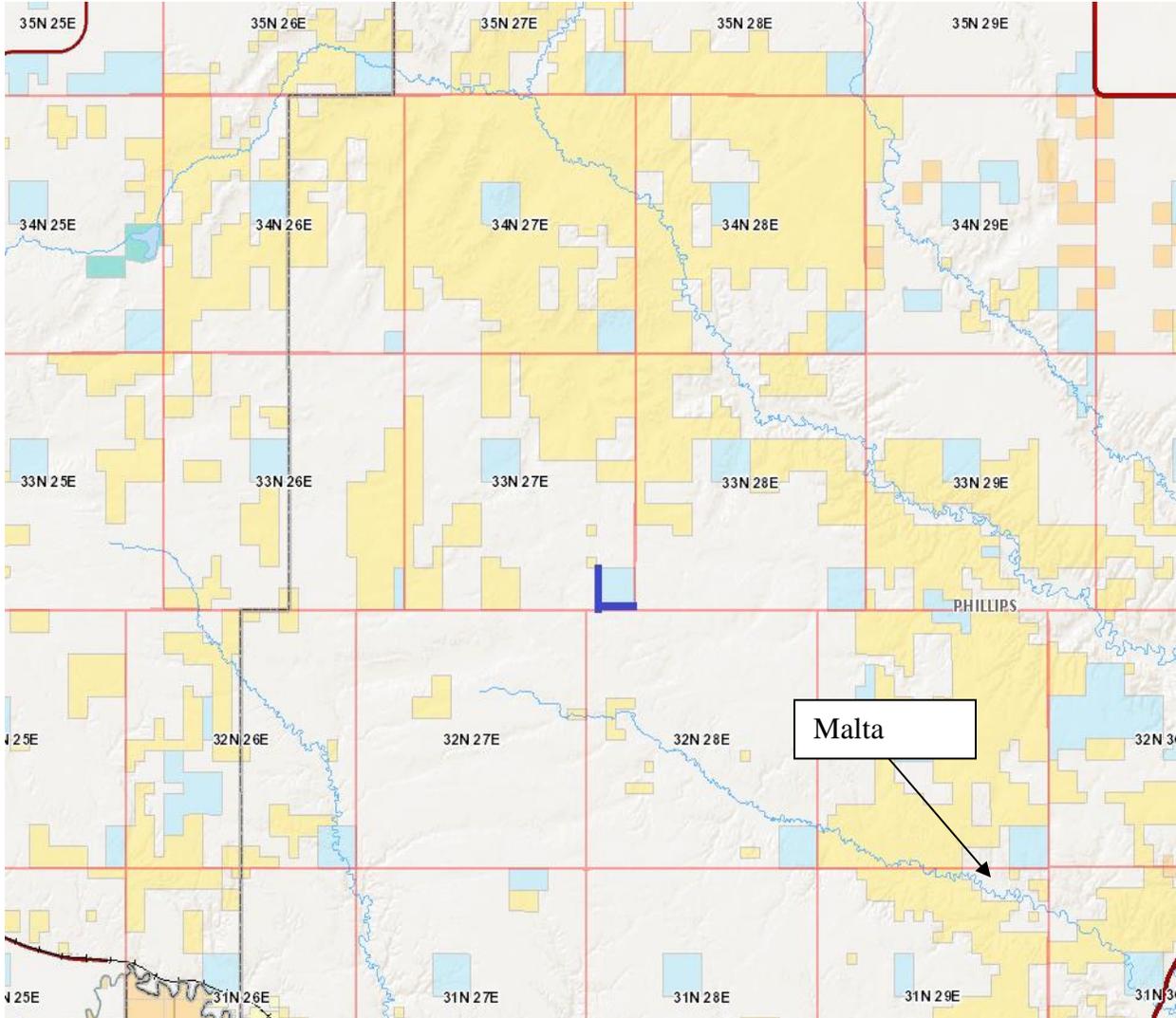
### DNRC Recommendation

The director recommends approval of this historic right of way for Phillips County.

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# Rights of Way Applications

## October 25, 2017



Application # 16921 – Phillips County  
Williamson Road

# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Phillips County PO Box 360 Malta, MT 59538
Application No.:	16925
R/W Purpose:	a public county road known as Assiniboine Road
Lessee Agreement:	N/A (Historic)
Acreage:	14.5
Compensation:	\$3940.00
Legal Description:	60-foot strip through SW4NW4, NW4SW4, SE4SW4, SW4SE4, Sec. 16, Twp. 31N, Rge. 30E; 30-foot strip through W2NW4, S2NW4, Sec. 17 & N2N2, Sec. 21, Twp. 32N, Rge. 29E, Phillips County
Trust Beneficiary:	Common Schools

#### Item Summary

See page 1

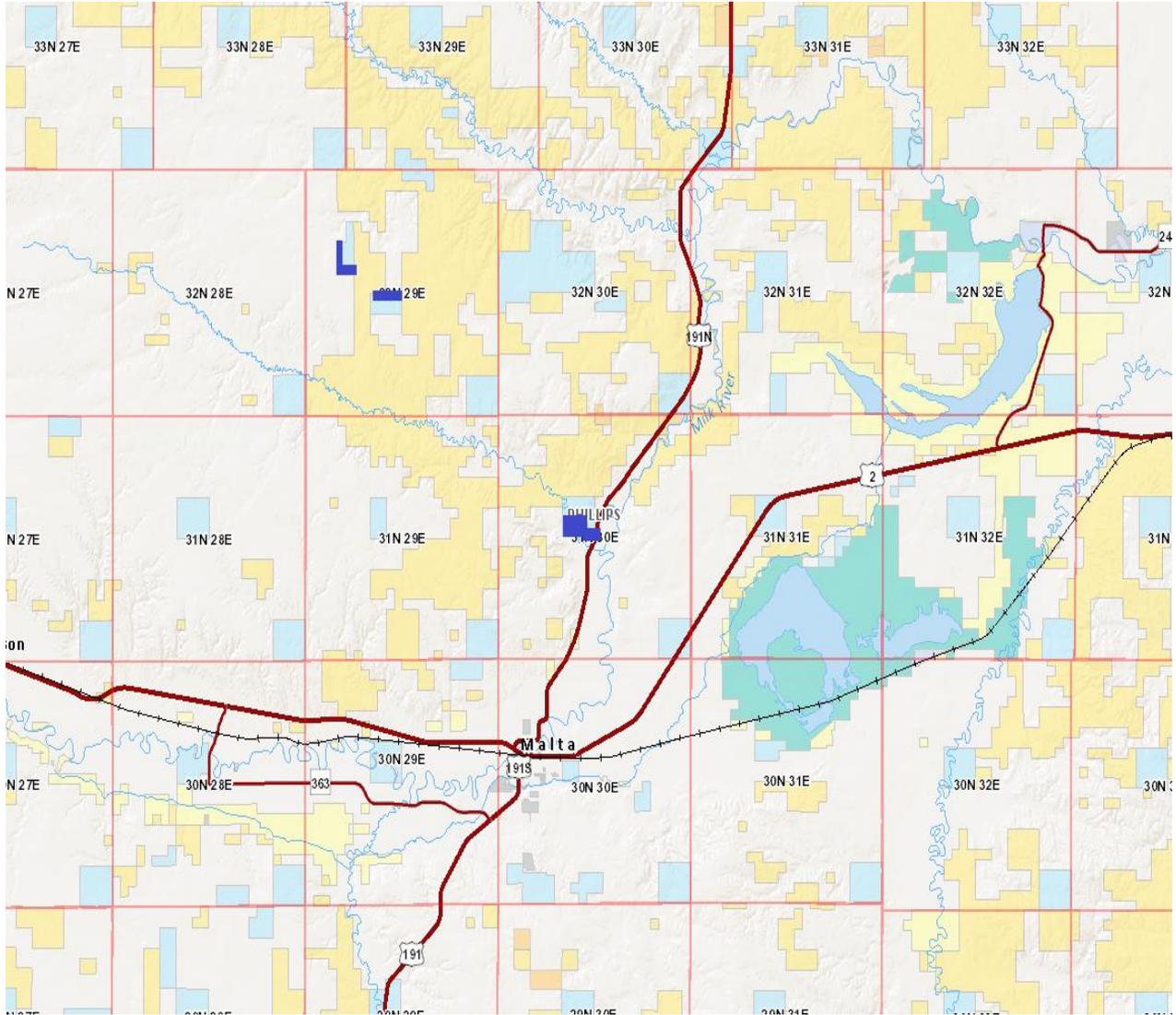
#### DNRC Recommendation

See page 1

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# Rights of Way Applications

## October 25, 2017



Application # 16925 – Phillips County  
Assiniboine Road

# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Mica Jean Wright, Roger W. Bergmann, & Ruth Ellen Levin  
Revocable Trust  
1629 Stoney Brook Drive  
Las Vegas, NV 89108

Application No.: 17137  
R/W Purpose: a private access road to one single family residence and associated outbuildings and for timber management

Lessee Agreement: ok  
Acreage: 4.86  
Compensation: \$8505.00  
Legal Description: 30-foot strip through E2NW4, NE4SW4, W2SE4, Sec. 36, Twp. 26N, Rge. 28W, Lincoln & Sanders County  
Trust Beneficiary: Common Schools

#### Item Summary

Applicants have requested residential and timber management access to their private property located in Sanders County. Access to the state land is via a US Forest Service controlled road known as Elk Creek Road that intersects a county road from the north. The Forest Service holds an easement for the public across state land, shown in blue on the map following this agenda item. The route to applicant's parcel on the state land from Elk Creek Road is shown on red on this same exhibit. The majority of the road is on an existing two-track alignment that will be reconstructed, with approximately 700 feet of new road construction occurring. New construction is necessary to avoid using a portion of existing road that is within the Upper Whitney Creek riparian zone. This proposal will provide a benefit to the state for management and public access purposes in that the road will be upgraded to a better standard which will facilitate a future planned timber sale. Reciprocal opportunities are not available, immediate state parcels in the area have legal access through Forest Service (including public) or Weyerhaeuser (resource management only) easements.

Applicants private land to be accessed is described as:

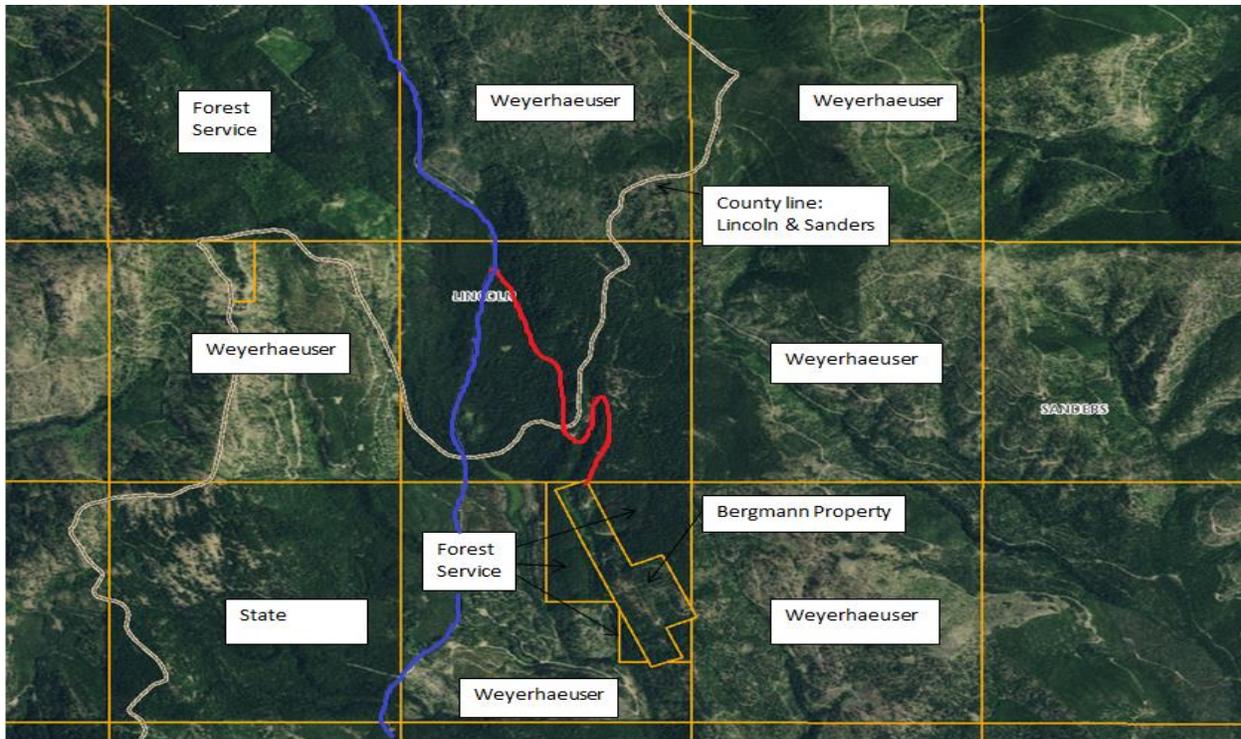
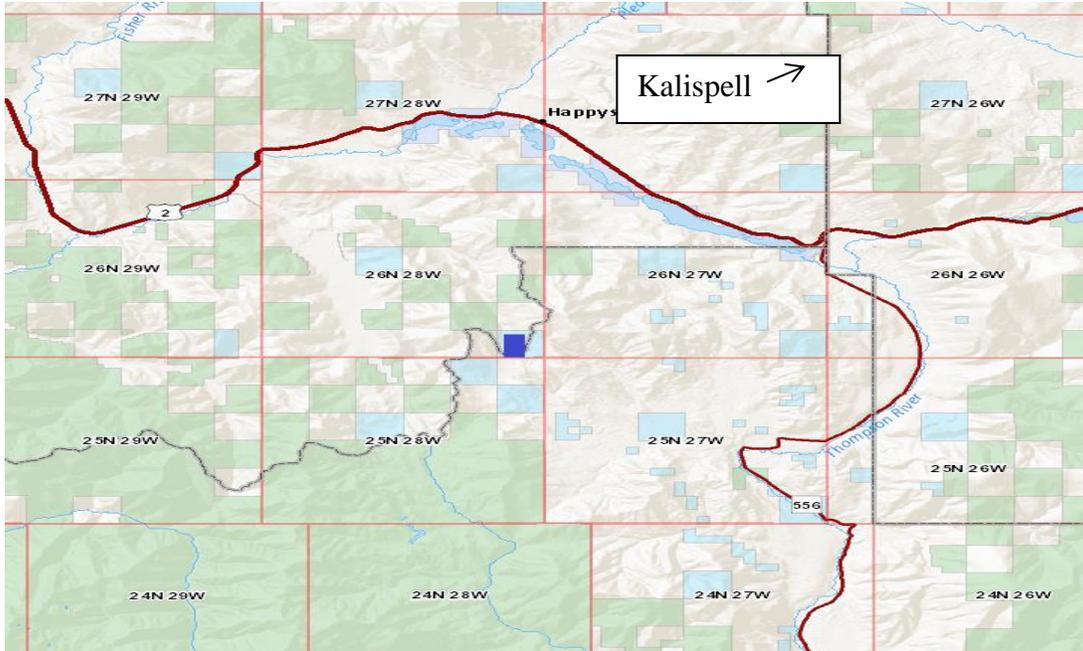
- Sec. 1, Twp. 25N, Rge. 28W – MES Pat 956077 (76 ac)

#### DNRC Recommendation

The director recommends approval of this private access road.

# Rights of Way Applications

## October 25, 2017



Application # 17137 – Wright, et al.

# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Northwestern Energy 11 East Park Butte, MT 59701
Application No.:	17549
R/W Purpose:	a 24.94kV overhead electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	2.05
Compensation:	\$3075.00
Legal Description:	30-foot strip through NE4SE4, S2SE4, Sec. 6, Twp. 14N, Rge. 7W, Lewis & Clark County
Trust Beneficiary:	Montana Tech

### Item Summary

Northwestern Energy has made application for multiple overhead electric distribution and transmission lines and natural gas pipelines that were constructed on state lands many years ago without proper authorization from the Land Board. Pursuant to §77-1-130, MCA Northwestern Energy is requesting recognition of these overhead electric distribution and transmission lines and natural gas pipelines as historic rights of ways.

### DNRC Recommendation

The director recommends approval of this historic right of way for Northwestern Energy.

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17552  
 R/W Purpose: a 24.94kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.46  
 Compensation: \$1610.00  
 Legal Description: 30-foot strip through NW4NW4, Sec. 19, Twp. 14N,  
 Rge. 8W, Lewis & Clark County  
 Trust Beneficiary: Common Schools

#### Item Summary

See page 7

#### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17823  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 1.83  
 Compensation: \$641.00  
 Legal Description: 30-foot strip through E2NE4, Sec. 16, Twp. 24N, Rge. 6E,  
 Chouteau County  
 Trust Beneficiary: Common Schools

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17824  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Teton River in SW4NE4, Sec. 27,  
Twp. 25N, Rge. 5E, Chouteau County  
Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17826  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.49  
 Compensation: \$172.00  
 Legal Description: 30-foot strip through NW4NE4, Sec. 16, Twp. 26N, Rge. 3E,  
 Chouteau County  
 Trust Beneficiary: Common Schools

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17827  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in SE4SE4, Sec. 4,  
 Twp. 24N, Rge. 5W, Chouteau County  
 Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17828  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in SW4NW4, Sec. 14,  
 Twp. 24N, Rge. 5W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17829  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in SW4NW4, Sec. 14,  
 Twp. 24N, Rge. 5W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17830  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.02  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Teton River in NE4NW4, Sec. 23,  
Twp. 24N, Rge. 5W, Teton County  
Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17831  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in NE4NW4, Sec. 5,  
 Twp. 23N, Rge. 4W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

---

# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17833  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in NW4SW4, Sec. 24,  
 Twp. 24N, Rge. 4W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

---

# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17834  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.02  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Teton River in NE4SW4, Sec. 24,  
Twp. 24N, Rge. 4W, Teton County  
Trust Beneficiary: Public Land Trust

### Item Summary

See page 7

### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17835  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.02  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in NW4SE4, Sec. 31,  
 Twp. 24N, Rge. 4W, Teton County  
 Trust Beneficiary: Public Land Trust

#### Item Summary

See page 7

#### DNRC Recommendation

See page 7

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17836  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.04  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in NE4SW4, Sec. 31,  
 Twp. 24N, Rge. 4W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17837  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in NE4SE4, Sec. 31,  
 Twp. 24N, Rge. 4W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17838  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in SE4SW4, Sec. 32,  
 Twp. 24N, Rge. 4W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17839  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Teton River in SW4SE4, Sec. 32,  
Twp. 24N, Rge. 4W, Teton County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17840  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.05  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Teton River in SE4SE4, Sec. 32,  
 Twp. 24N, Rge. 4W, Teton County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17841  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Teton River in SW4SW4, Sec. 25,  
Twp. 24N, Rge. 5W, Teton County  
Trust Beneficiary: Public Land Trust

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17842  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Teton River in NE4NW4, Sec. 36,  
Twp. 24N, Rge. 5W, Teton County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17843  
R/W Purpose: a 4.16kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Teton River in SW4NE4, Sec. 26,  
Twp. 24N, Rge. 5W, Teton County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17844  
R/W Purpose: a 24.94kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.23  
Compensation: \$431.00  
Legal Description: 30-foot strip through NW4NE4, Sec. 29, Twp. 28N, Rge. 2W,  
Pondera County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17845  
R/W Purpose: a 69kV overhead electric transmission line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.05  
Compensation: \$100.00  
Legal Description: 30-foot strip across the Teton River in SE4SW4, Sec. 10,  
Twp. 25N, Rge. 1W, Teton County  
Trust Beneficiary: Public Land Trust

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Northwestern Energy 11 East Park Butte, MT 59701
Application No.:	17846
R/W Purpose:	a 3" buried natural gas pipeline
Lessee Agreement:	N/A (Historic)
Acreage:	1.24
Compensation:	\$744.00
Legal Description:	20-foot strip through W2NW4, Sec. 36, Twp. 20N, Rge. 2W, Cascade County
Trust Beneficiary:	Common Schools

### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17847  
R/W Purpose: a 4" buried natural gas pipeline  
Lessee Agreement: N/A (Historic)  
Acreage: 1.21  
Compensation: \$303.00  
Legal Description: 20-foot strip through E2SW4, Sec. 22, Twp. 34N, Rge. 2W,  
Toole County  
Trust Beneficiary: Public Buildings

### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17879  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.06  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Missouri River in NW4SW4, Sec. 2,  
Twp. 16N, Rge. 2W, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17880  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.07  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Missouri River in SE4SE4, Sec. 3,  
 Twp. 16N, Rge. 2W, Cascade County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17881  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.05  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Missouri River in NE4SE4, Sec. 10,  
 Twp. 16N, Rge. 2W, Cascade County  
 Trust Beneficiary: Public Land Trust

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17883  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.08  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Missouri River in NE4NW4, Sec. 2,  
 Twp. 17N, Rge. 1W, Cascade County  
 Trust Beneficiary: Public Land Trust

#### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17884  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.1  
 Compensation: \$125.00  
 Legal Description: 10-foot strip across the Missouri River in SW4NE4, Sec. 17,  
 Twp. 17N, Rge. 1W, Cascade County  
 Trust Beneficiary: Public Land Trust

#### Item Summary

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#### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17885  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.09  
 Compensation: \$113.00  
 Legal Description: 10-foot strip across the Missouri River in NW4NE4, Sec. 36,  
 Twp. 17N, Rge. 2W, Cascade County  
 Trust Beneficiary: Public Land Trust

#### Item Summary

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#### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17886  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 30-foot strip through NE4NE4, Sec. 16, Twp. 18N, Rge. 1W,  
 Cascade County  
 Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17887  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.75  
 Compensation: \$450.00  
 Legal Description: 30-foot strip through NW4SW4, Sec. 24, Twp. 18N,  
 Rge. 1W, Cascade County  
 Trust Beneficiary: Common Schools

#### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17888  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.02  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Dearborn River in NE4SE4, Sec. 27,  
 Twp. 17N, Rge. 4W, Lewis & Clark County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17889  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.01  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Dearborn River in SW4NE4, Sec. 16,  
 Twp. 17N, Rge. 5W, Lewis & Clark County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17890  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 6.22  
 Compensation: \$3732.00  
 Legal Description: 30-foot strip through NE4NW4, N2NE4, S2NE4, E2SW4,  
 SW4SW4, NW4SE4, Sec. 16, Twp. 18N, Rge. 1W,  
 Cascade County

Trust Beneficiary: Common Schools

#### Item Summary

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Northwestern Energy 11 East Park Butte, MT 59701
Application No.:	17891
R/W Purpose:	a 12.47kV overhead electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	2.37
Compensation:	\$1659.00
Legal Description:	30-foot strip through E2SW4, Sec. 1, Twp. 17N, Rge. 8E, Judith Basin County
Trust Beneficiary:	Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17892  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.04  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Smith River in NW4SE4, Sec. 18,  
 Twp. 16N, Rge. 4E, Cascade County  
 Trust Beneficiary: Public Land Trust

#### Item Summary

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#### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17893  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.04  
 Compensation: \$100.00  
 Legal Description: 10-foot strip across the Smith River in NW4NE4, Sec. 19,  
 Twp. 16N, Rge. 4E, Cascade County  
 Trust Beneficiary: Public Land Trust

#### Item Summary

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#### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17894  
 R/W Purpose: a 12.47kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 6.26  
 Compensation: \$5634.00  
 Legal Description: 30-foot strip through E2NW4, SW4NW4, N2NE4, SE4NE4,  
 NW4SW4, NE4SE4, Sec. 36, Twp. 17N, Rge. 4E,  
 Cascade County

Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17895  
 R/W Purpose: a 24.94kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 3.63  
 Compensation: \$2904.00  
 Legal Description: 30-foot strip through SW4NW4, N2S2, Sec. 16, Twp. 14N,  
 Rge. 3E, Meagher County  
 Trust Beneficiary: Common Schools

#### Item Summary

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#### DNRC Recommendation

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# Rights of Way Applications

## October 25, 2017

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
 11 East Park  
 Butte, MT 59701

Application No.: 17896  
 R/W Purpose: a 24.94kV overhead electric distribution line  
 Lessee Agreement: N/A (Historic)  
 Acreage: 0.02  
 Compensation: \$100.00  
 Legal Description: 10-foot strip through across the Smith River in, Sec. 1,  
 Twp. 17N, Rge. 2E, Cascade County  
 Trust Beneficiary: Public Land Trust

### Item Summary

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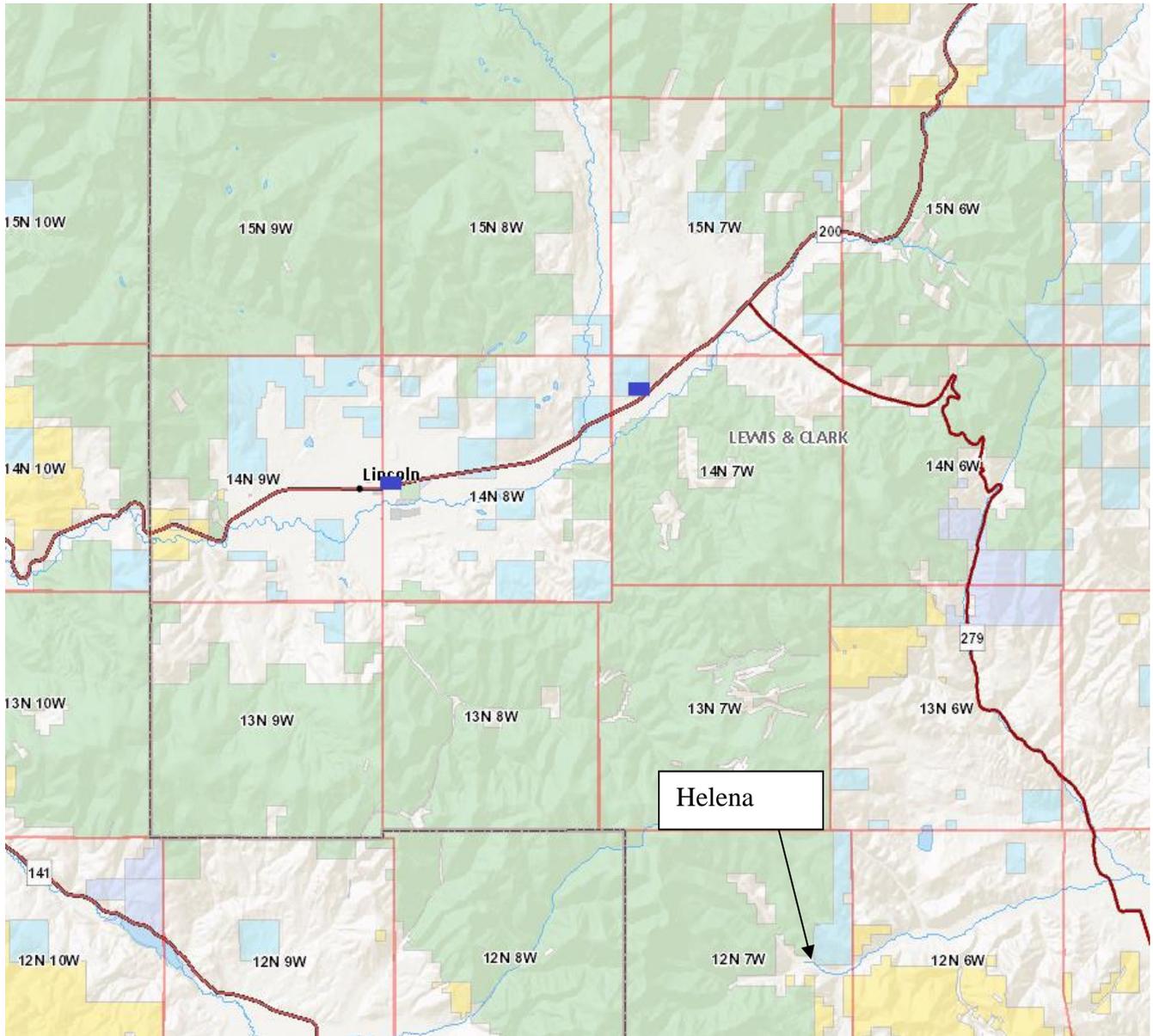
### DNRC Recommendation

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# Rights of Way Applications

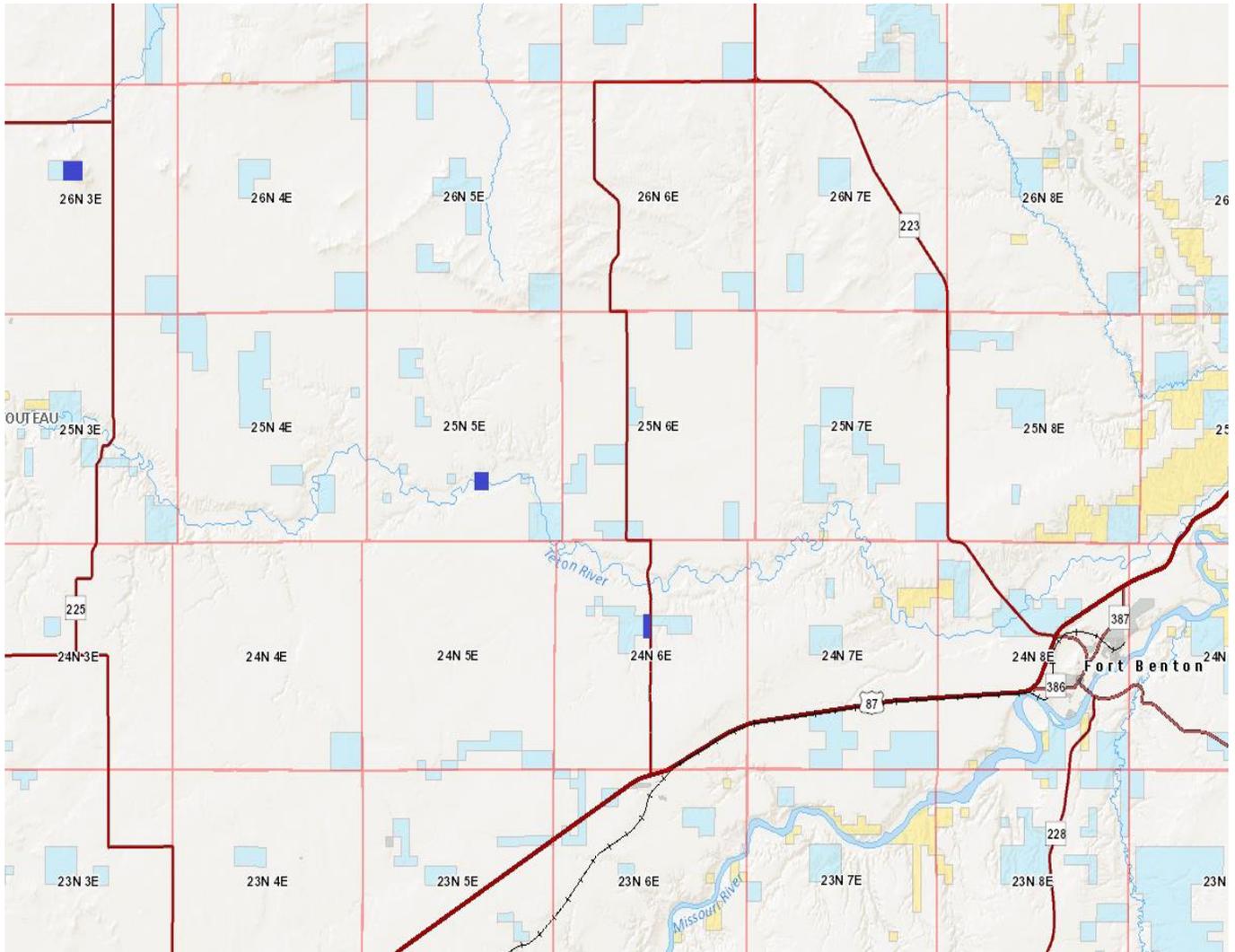
October 25, 2017



Application #'s 17549 & 17552 – NEW

# Rights of Way Applications

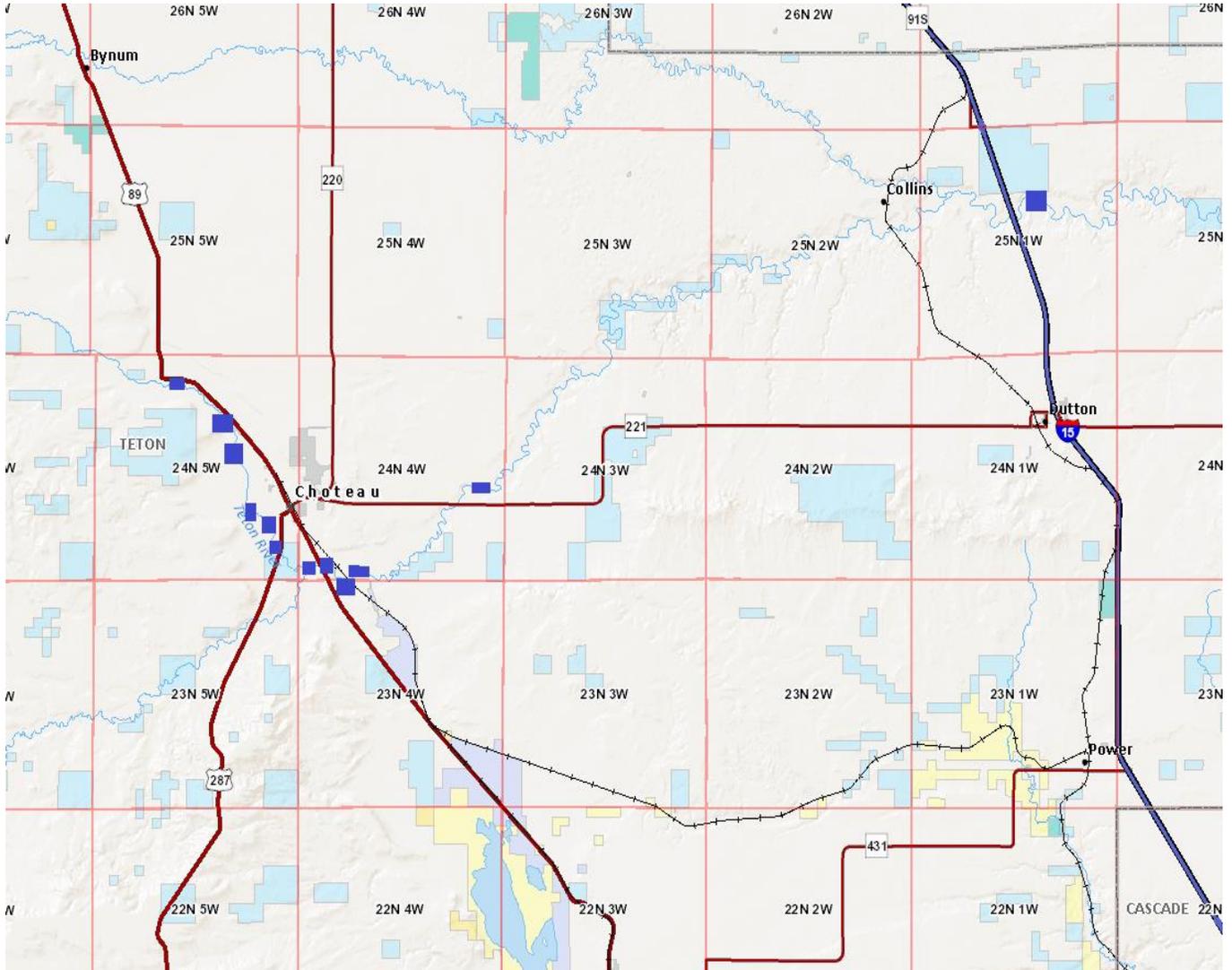
## October 25, 2017



Application #'s 17823, 17824, 17826 – NEW

# Rights of Way Applications

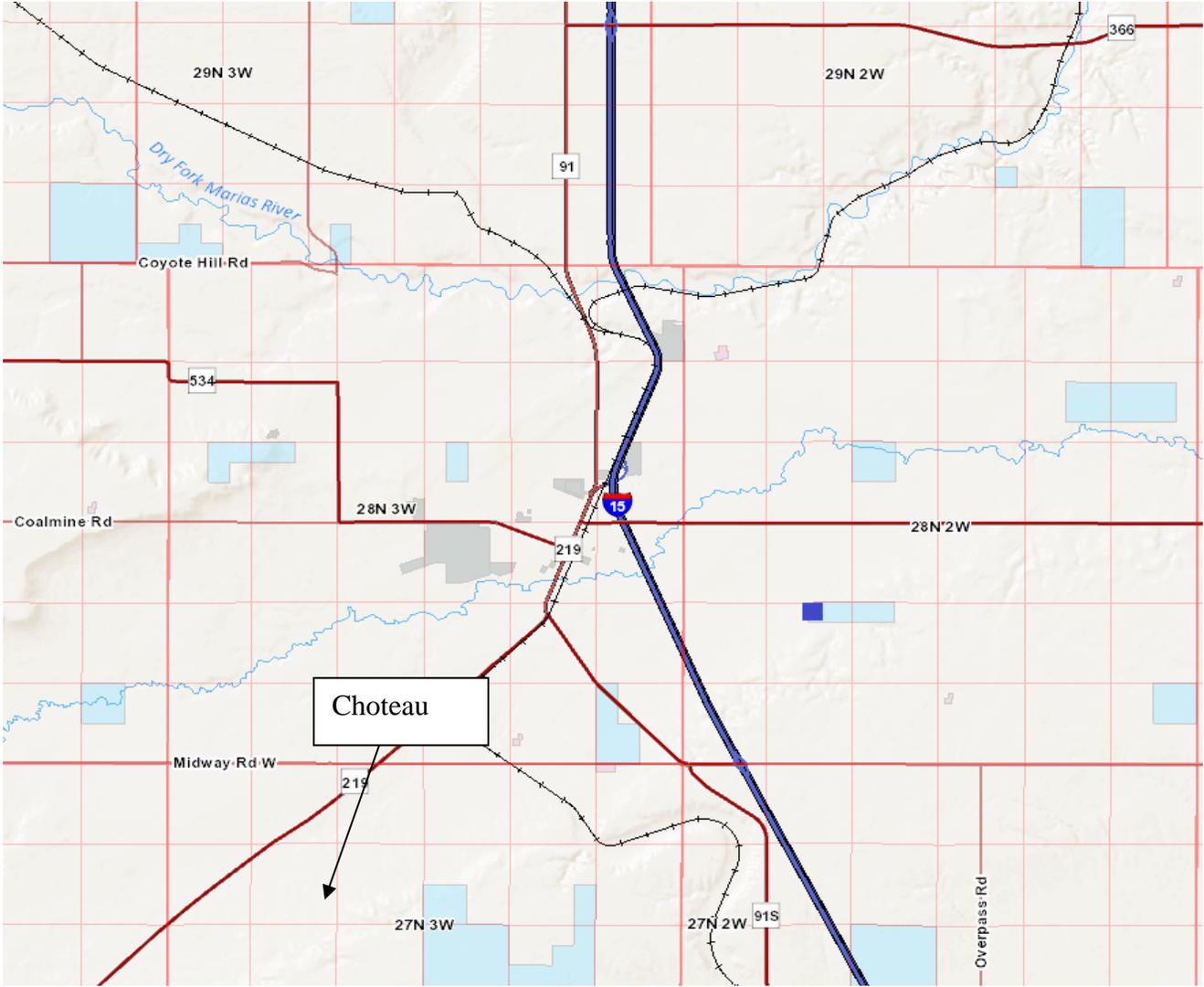
## October 25, 2017



Application #'s 17827-17831, 17833-17843, 17845 – NWE

# Rights of Way Applications

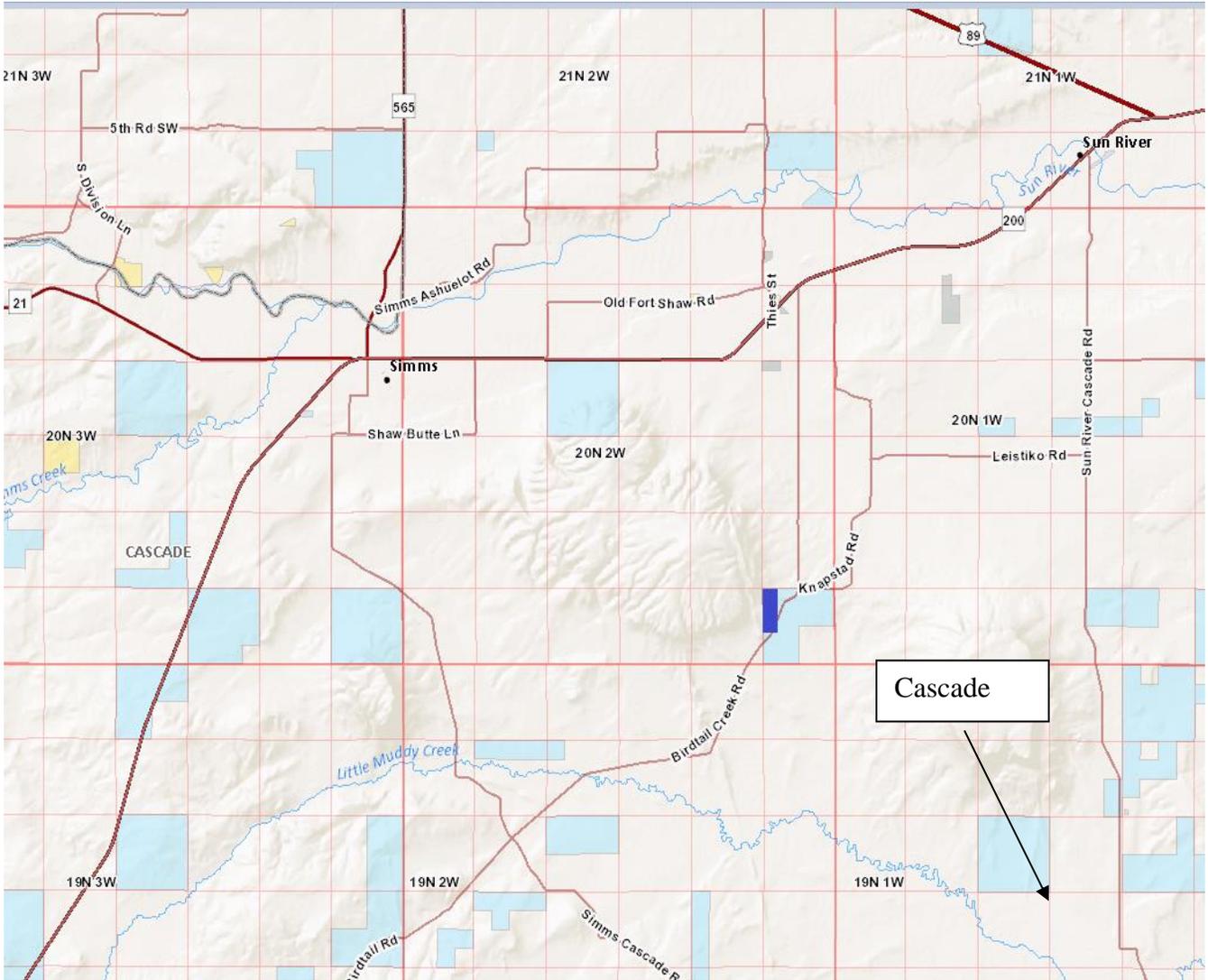
October 25, 2017



Application # 17844 – NWE

# Rights of Way Applications

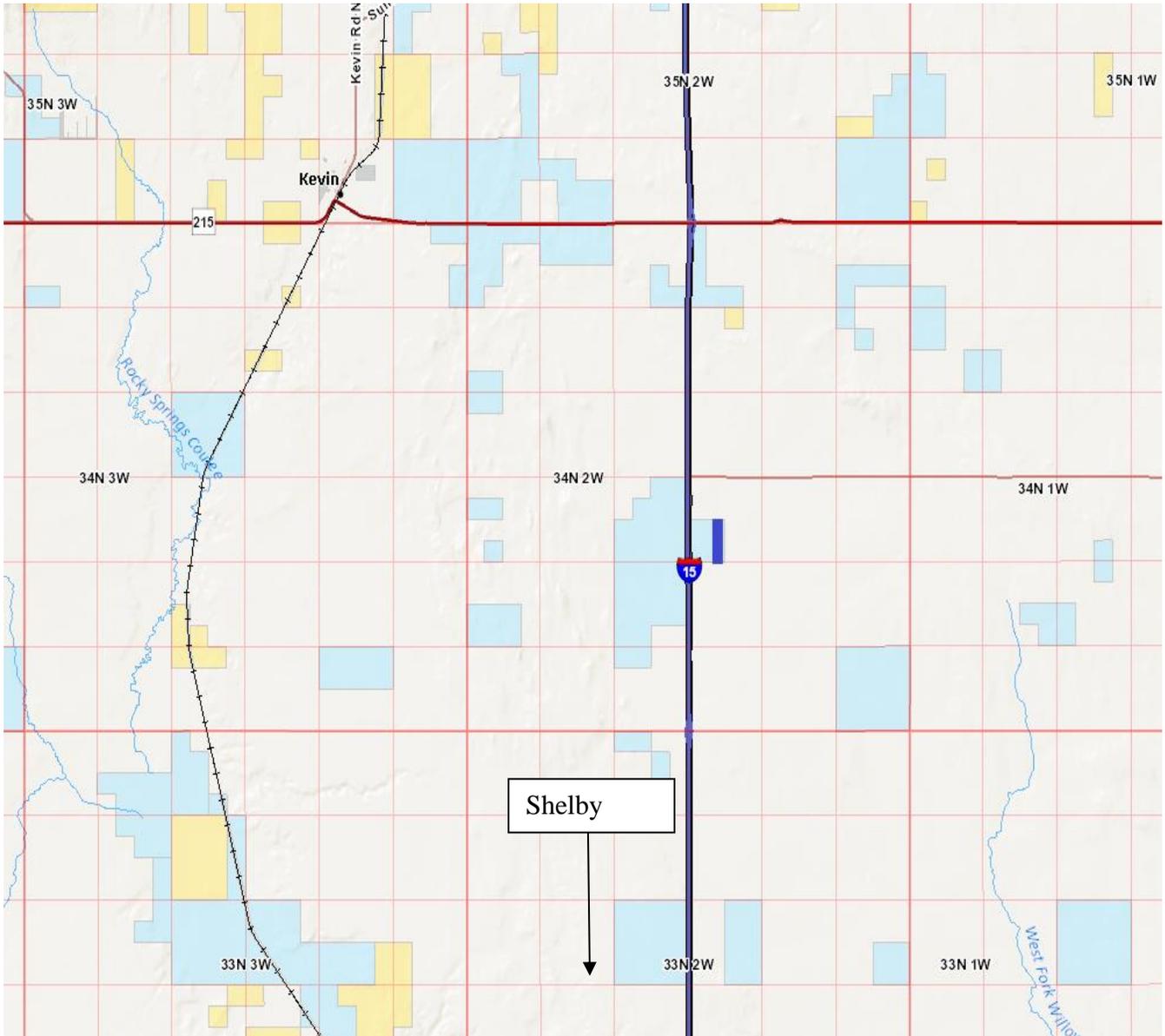
## October 25, 2017



Application # 17846 – NWE

# Rights of Way Applications

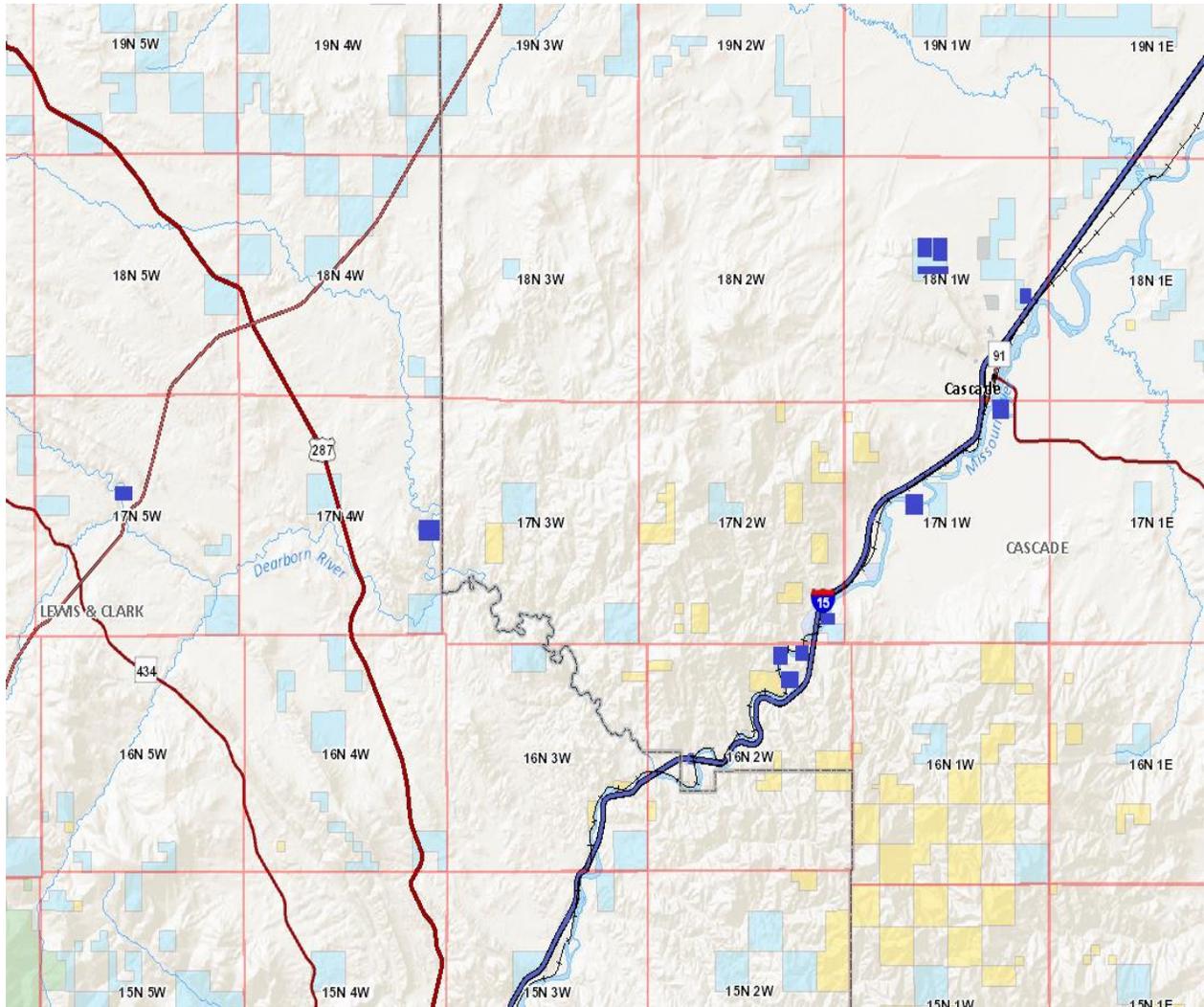
## October 25, 2017



Application # 17847 – NWE

# Rights of Way Applications

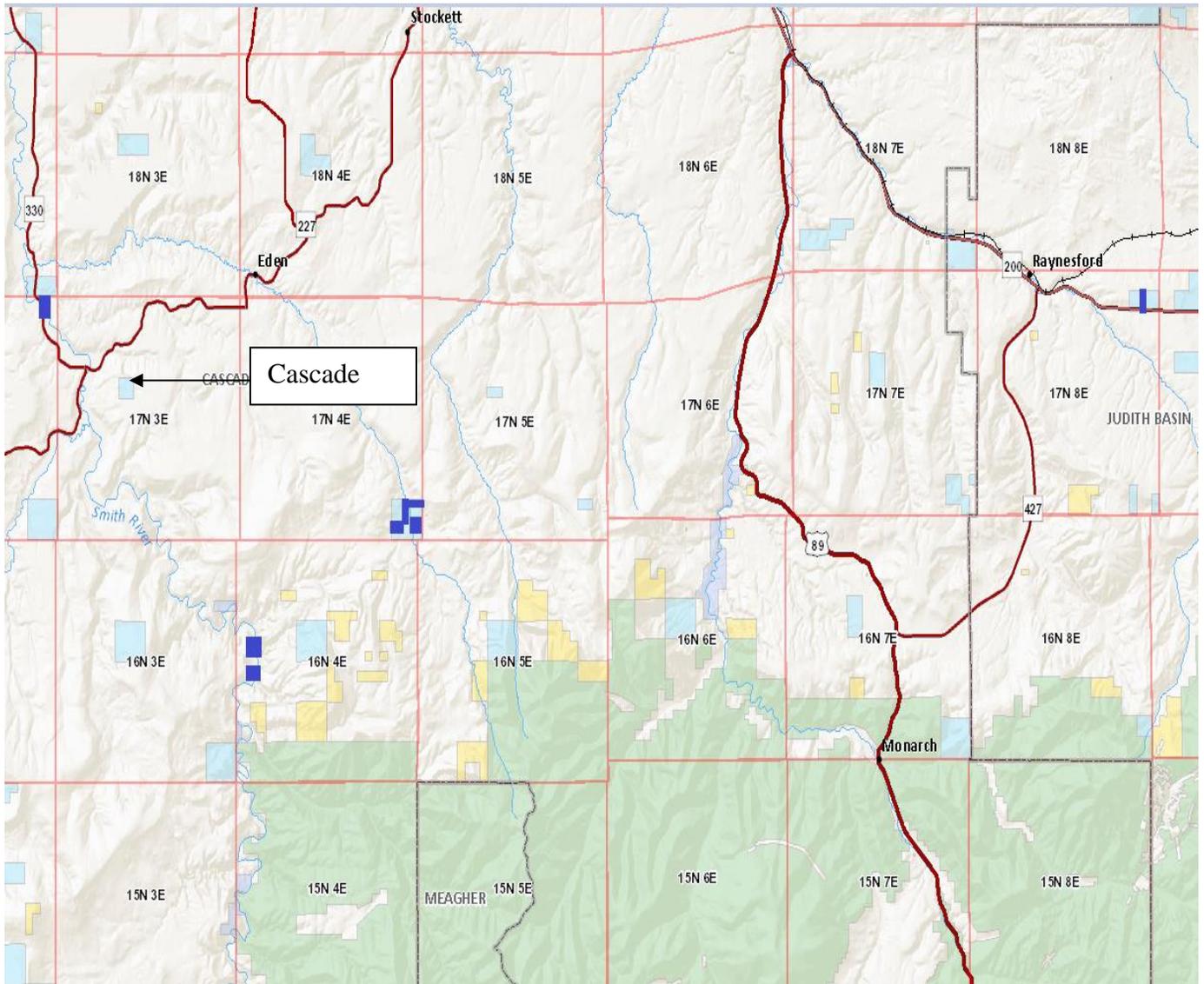
## October 25, 2017



Application #'s 17879-17881, 17883-17890 – NWE

# Rights of Way Applications

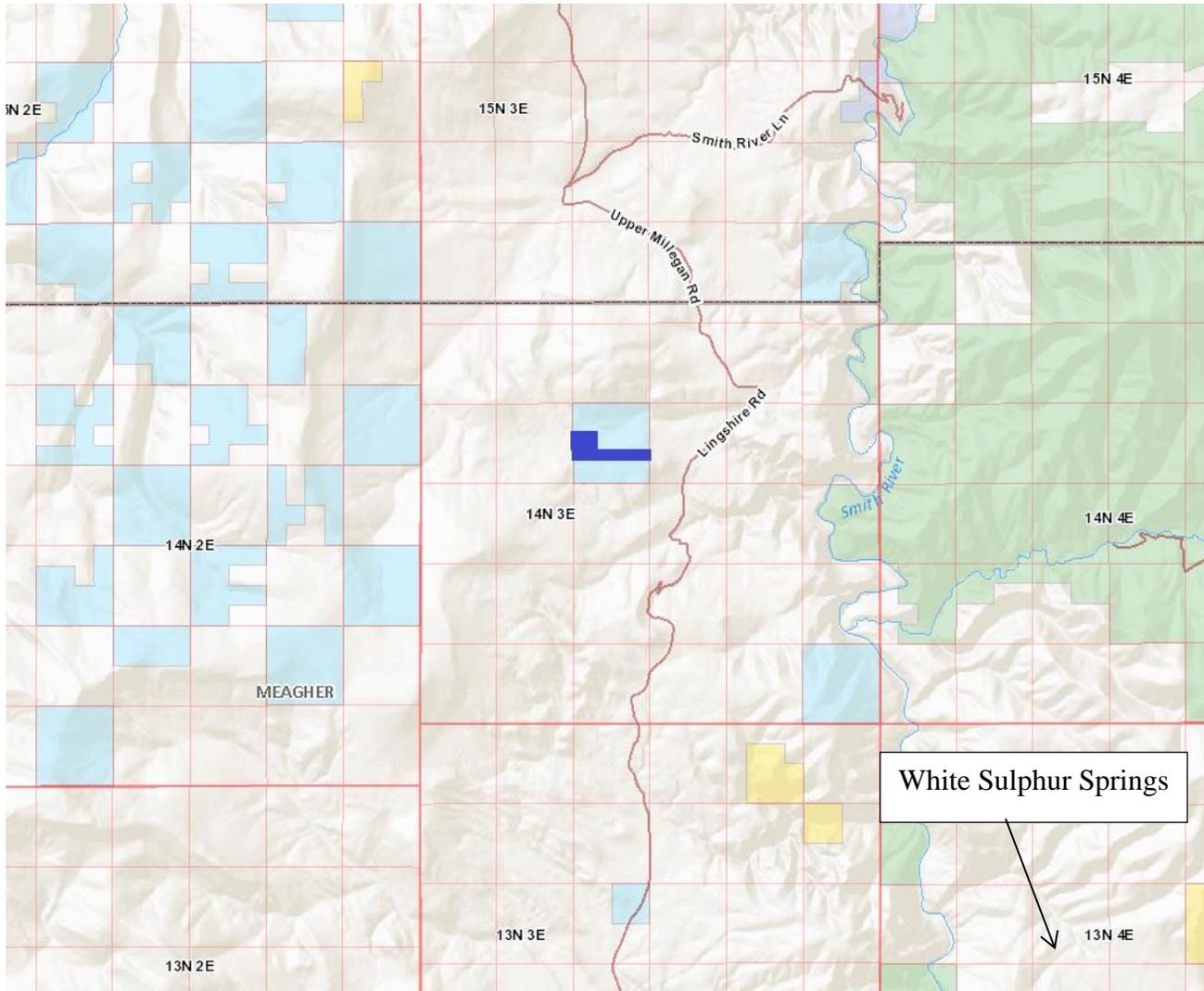
## October 25, 2017



Application #'s 17891-17894, 17896 – NWE

# Rights of Way Applications

## October 25, 2017



Application # 17895 – NWE

# 1017-8

INFORMATIONAL ITEM:  
MONTANA PUBLIC LAND ACCESS NETWORK  
(MT-PLAN)

**Land Board Agenda Item  
October 25, 2017**

**1017-8 Informational Item: Montana Public Land Access Network (MT-PLAN)**

**Location: Montana (state-wide)**

**Trust Benefits: N/A**

**Trust Revenue: N/A**

**Item Summary**

Montana House Bill 597, introduced by Representative Alan Doane (R) HD 36, passed in the 65th Legislature and was signed in law by Governor Steve Bullock. The law creates the Montana Public Land Access Network (MT-PLAN) which consists of a voluntary contribution account and grant program administered by the Montana Department of Natural Resources and Conservation (DNRC) to acquire public land access easements to provide public access to public land for recreational purposes.

The MT-PLAN is funded by private donations through DNRC and Montana Department of Fish, Wildlife & Parks (FWP). Donations of \$1 or more can be made through State of Montana department websites, an authorized wildlife conservation and combination license vendor, or through direct donations to DNRC. DNRC will work with successful grant applicants and landowners to negotiate the terms of the access easement or enhancement project. Easements may be for a term no less than three (3) years and up to permanent access in perpetuity. DNRC will hold and enforce public access easements granted under the MT-PLAN.

**MT-PLAN Eligibility**

- An individual or organization may apply to DNRC for a grant to pay for costs associated with an access project that secures public access through private land to public land as defined in Section 15-30-2380, MCA, for which there is no other legal public access, or to enhance existing access to public land. The costs of the grant must include payment to the owner of private land who allows public access. Grants may not be made to pay costs associated with litigation related to public access, or to acquire public access easements where public access has been unlawfully restricted or where legal public access is currently contested.
- Public access easements or enhancement projects are eligible for MT-PLAN if the public lands they access are open to general recreational uses compatible with the land the project accesses.
- Public access easements or enhancement projects are eligible for MT-PLAN if the public land they provide access to cannot be legally accessed by:
  - Public road, right-of-way, or easement;
  - Public water; or
  - Adjacent federal, state, county, or municipal land that is open to public use.
- If the public access easement or enhancement project would provide access to state trust land, as defined in MCA 77-1-101, the easement must provide access for all lawful purposes to the state trust land.
- Public access easements or enhancement projects may not provide access to a previously inaccessible parcel of land if that parcel is leased state land under Title 77, Chapter 1 of Montana Code Annotated, and the lessee is not the landowner granting access to the parcel.

- Public access easements or enhancement projects may have a term that ranges from no less than three (3) years up to permanent access in perpetuity. A termed easement that is awarded a grant creates no expectation of access after the term expires.
- DNRC shall make recommendations to the State Board of Land Commissioners (Board) regarding grant applications received prior to award. A grant must be approved by the Board before it is awarded and disbursed.
- A public access easement that is awarded a grant must be held and enforced by DNRC for the duration of the term.
- DNRC shall report the details of approved MT-PLAN grants to the legislative auditor.

## **MT PLAN Program Details**

### **General Information**

- MT-PLAN public access easements or enhancement projects must be made available for the entirety of the year for all general recreational uses compatible with the land.
- A MT-PLAN public access easement or enhancement project does not convey to the public any right to hunt or otherwise recreate on the private land through which they are allowed to pass to reach public land.
- The location of the MT-PLAN public access easement or enhancement project will be published on a map located on DNRC's website, and made available to the public for the length of the contract term.
- The MT-PLAN public access easement or enhancement project area will be signed by DNRC with MT-PLAN signs to identify participation in the MT-PLAN program. Signs must remain in place for the entire length of the contract term.

### **Contracts**

- DNRC and successful MT-PLAN applicants will enter into cooperative agreements (contracts) that will outline the terms of the public access easement or enhancement project.
- Upon execution of the contract, payment will be made to the landowner for the public access easement or enhancement project.
- Violation of the contract terms may result in DNRC not paying the landowner and/or enforcing the contract with the full force of the law.

### **Payment**

- The costs of the grant must include payment to the owner of private land that provides a public access easement across private land to public land.
- A landowner participating in the MT-PLAN program will be paid according to the terms negotiated in the contract for the public access easement or enhancement project with DNRC.
- Payments received by landowners for easements providing public access to public land are exempt from taxation, according to Section 15-30-2110, MCA, and subject to provisions in the Internal Revenue Code.

### **Funding**

The grant program is funded by private donations to the MT-PLAN account. Donations are collected in a state special revenue account, which is statutorily appropriated. MT-PLAN allows taxpayers to deduct donations to the public land access network grant program from their Montana taxable incomes. Funding amounts and cycles vary depending on voluntary contributions to the MT-PLAN account.

**MT-PLAN Status**

DNRC created a special revenue account for the MT-PLAN voluntary contributions. DNRC, FWP, and Montana Interactive (MI) coordinated to facilitate private donations through the FWP automated licensing service (ALS) website and DNRC's website. Voluntary contributions will be accepted by both departments through the MI-created secure public access donation website application that can accept credit card and electronic check. DNRC can also accept mail-in check donations to the MT-PLAN account. DNRC has adopted a logo for the MT-PLAN grant program, using the acronym "MT-PLAN". The logo is being used for a promotional flyer by both departments to distribute to conservation and combination license vendors and the public.

# ACCESS

## Montana's 30 million acres of public lands are the cornerstone of our state's outdoor heritage.

And legal access to public lands is essential for present and future generations of all recreationists. The **Montana Public Lands Access Network (MT-PLAN)** is a new program to facilitate collaboration among recreationists, private landowners, and land management agencies to enhance public access throughout the state.

MT-PLAN is a voluntary contribution account and grant program administered by the Montana Department of Natural Resources and Conservation (DNRC). DNRC will award grants to eligible groups to acquire public lands access easements across private lands to inaccessible or hard-to-access public lands for recreational purposes. Your tax-deductible donation of \$1.00 or more will go directly into the MT-PLAN account and help finance easements that improve public access to public lands.

Donations can be made on the DNRC website, or on the websites of Montana Fish, Wildlife & Parks and the State of Montana. Donations made electronically will include a small processing fee. You can also contribute by writing a check payable to the Montana Department of Natural Resources and Conservation. If paying by check, please include "MT-PLAN" in the memo section. Checks should be mailed to Montana DNRC, PO Box 201601, Helena, MT 59620-1601.

- ▶ **More scenic hikes. More places to hunt, fish, kayak, or ride. Better access to Montana's public lands.**  
***How much is it worth to you?***

Make your contribution and get with the PLAN!

**[dnrc.mt.gov/mtplan](http://dnrc.mt.gov/mtplan)**



**MT-PLAN**  
PUBLIC LANDS ACCESS NETWORK