

**AGENDA**  
**REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS**  
**Monday, January 22, 2018 at 9:00 am**  
**State Capitol, Room 303**  
**Helena, MT**

**ACTION ITEMS**

**0118-1 Non-Metalliferous Gypsum Lease Application: CRH US**

*Benefits: Common Schools*  
*Location: Judith Basin County*  
**APPROVED 5-0**

**0118-2 Authorization to Include Lands in the Lower Yellowstone Irrigation District**

*Benefits: Common Schools*  
*Location: Richland County*  
**APPROVED 5-0**

**0118-3 Biennial Cabin Site Lease Rate Review (September 2015 – September 2017)**

*Benefits: Common Schools, School for Deaf & Blind, Montana State University, Montana Tech, Pine Hills, Public Buildings, University of Montana, Veterans Home, Eastern College–MSU/Western College–UM*  
*Location: Beaverhead, Big Horn, Blaine, Broadwater, Cascade, Chouteau, Custer, Daniels, Fallon, Fergus, Flathead, Gallatin, Golden Valley, Hill, Judith Basin, Lake, Lewis & Clark, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Phillips, Pondera, Powder River, Powell, Prairie, Richland, Rosebud, Sanders, Sheridan, Stillwater, Sweet Grass, Toole, Valley, Wheatland, Wibaux, Yellowstone Counties*  
**APPROVED 5-0**

**0118-4 Land Banking Parcels: Set Minimum Bid for Sale**

**A. McCone County**

*Benefits: Common Schools*  
*Location: McCone County*

**B. Dawson County**

*Benefits: Common Schools*  
*Location: Dawson County*

**APPROVED 5-0**

**0118-5 Cabin and Home Site Sales: Set Minimum Bid for Sale**

*Benefits: Common Schools*  
*Location: Sanders County*  
**APPROVED 5-0**

**0118-6 Cabin and Home Site Sales: Final Approval for Sale**

*Benefits: Common Schools, Pine Hills, Montana State University, Montana Tech*  
*Location: Broadwater, Chouteau, Flathead, Lake, Missoula, Sanders, Stillwater, Yellowstone Counties*  
**APPROVED 5-0**

**0118-7 Easements**

**A. Regular Easements**

*Benefits: Common Schools, Pine Hills, Public Buildings, Public Land Trust, University of Montana, Eastern College–MSU/Western College–UM*  
*Location: Blaine, Cascade, Chouteau, Glacier, Pondera, Rosebud, Teton Counties*  
**APPROVED 5-0**

**B. Montana Department of Corrections: Easement Grant to  
Montana Department of Transportation**

*Benefits: N/A*

*Location: Yellowstone County*

**APPROVED 5-0**

**PUBLIC COMMENT**

# 0118-1

NON-METALLIFEROUS GYPSUM LEASE  
APPLICATION: CRH US



**Land Board Agenda Item  
January 22, 2018**

**0118-1 Non-Metalliferous Gypsum Lease Application: CRH US**

**Location: Judith Basin County  
T16N-R10E-10: N $\frac{1}{2}$ NE  $\frac{1}{4}$  - 80 acres  
Trust Benefits: Common Schools  
Trust Revenue: \$260,000 (estimated)**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) received an application from CRH US for a non-metalliferous mineral gypsum lease. The parcel is located 6 miles SSE of Geyser, MT (Figure 1). CRH US currently operates a gypsum mine on private land in this section and now desires to continue mining gypsum as it extends onto state-owned school trust land (Figure 2). The solid yellow outline is the current mine permit area on private land. The dashed yellow line is the expanded permit area as it would extend eastward onto state land. CRH US transports mined gypsum to its Trident cement plant located north of Three Forks, MT (Figure 3).

The actual mine area on state land will encompass approximately 8.2 acres, which is outlined in red on Figure 2. The state land contains  $\pm 70,000$  tons of gypsum reserves. The royalty rate is \$3.75 per ton, consistent with the private lease covering the existing mine. Therefore, the projected royalty revenue is approximately \$260,000. An annual rental of \$240 is also required. Mining is expected to take 2.5 to 3 years to complete.

Mining is accomplished by removing an average of 8 feet of topsoil and overburden, mining the 5 to 10 foot thick gypsum layer, re-contouring the overburden back over the mined area, replacing the topsoil over the overburden layer, and revegetating the area.

Non-metalliferous mineral mining is regulated by the Montana Department of Environmental Quality (DEQ). An amended mine operating/reclamation plan has been submitted. Approvals will be required from both DEQ and DNRC before any mining can occur.

**Impact to State**

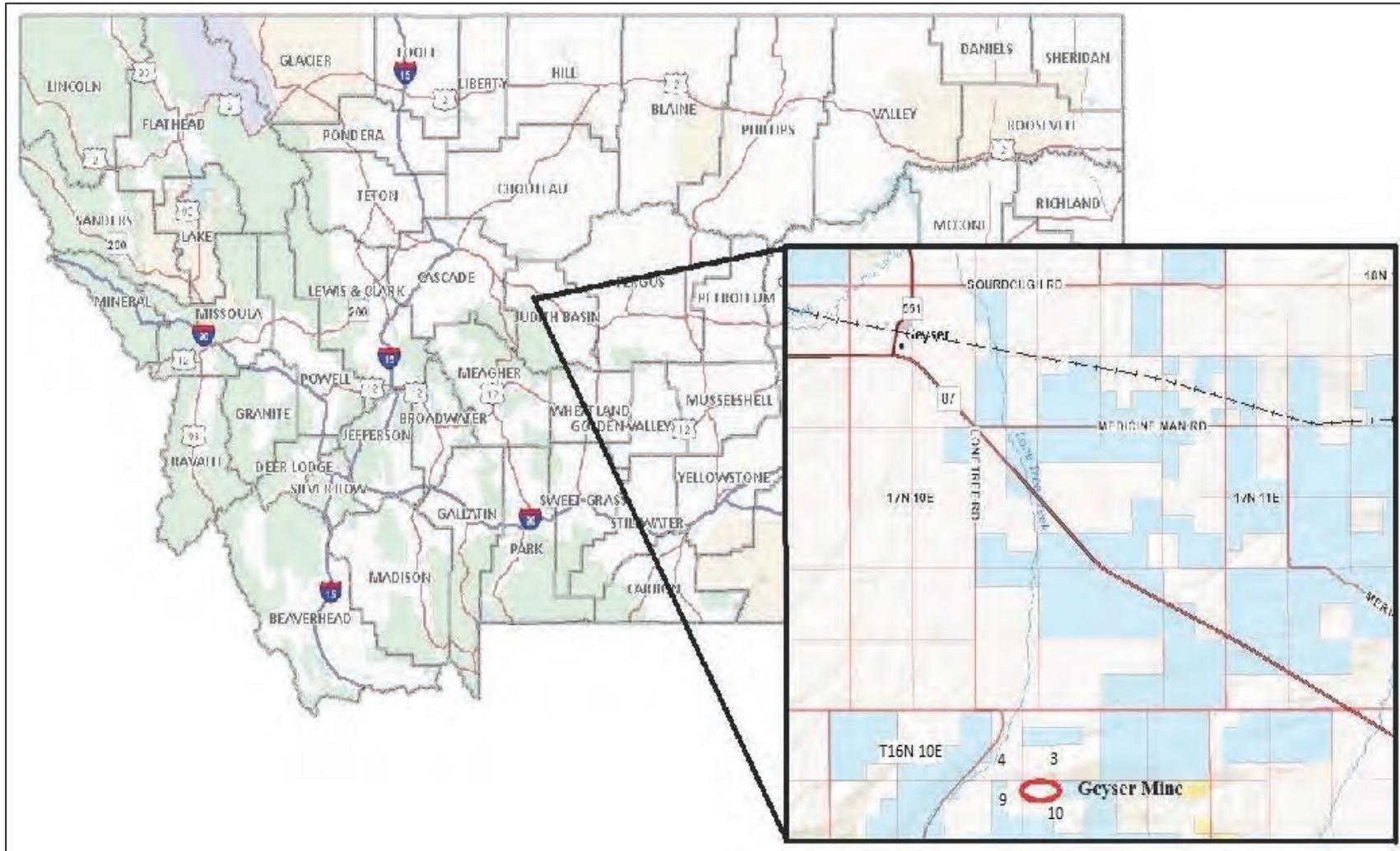
The Common School permanent trust would receive an estimated \$260,000 in royalty payments.

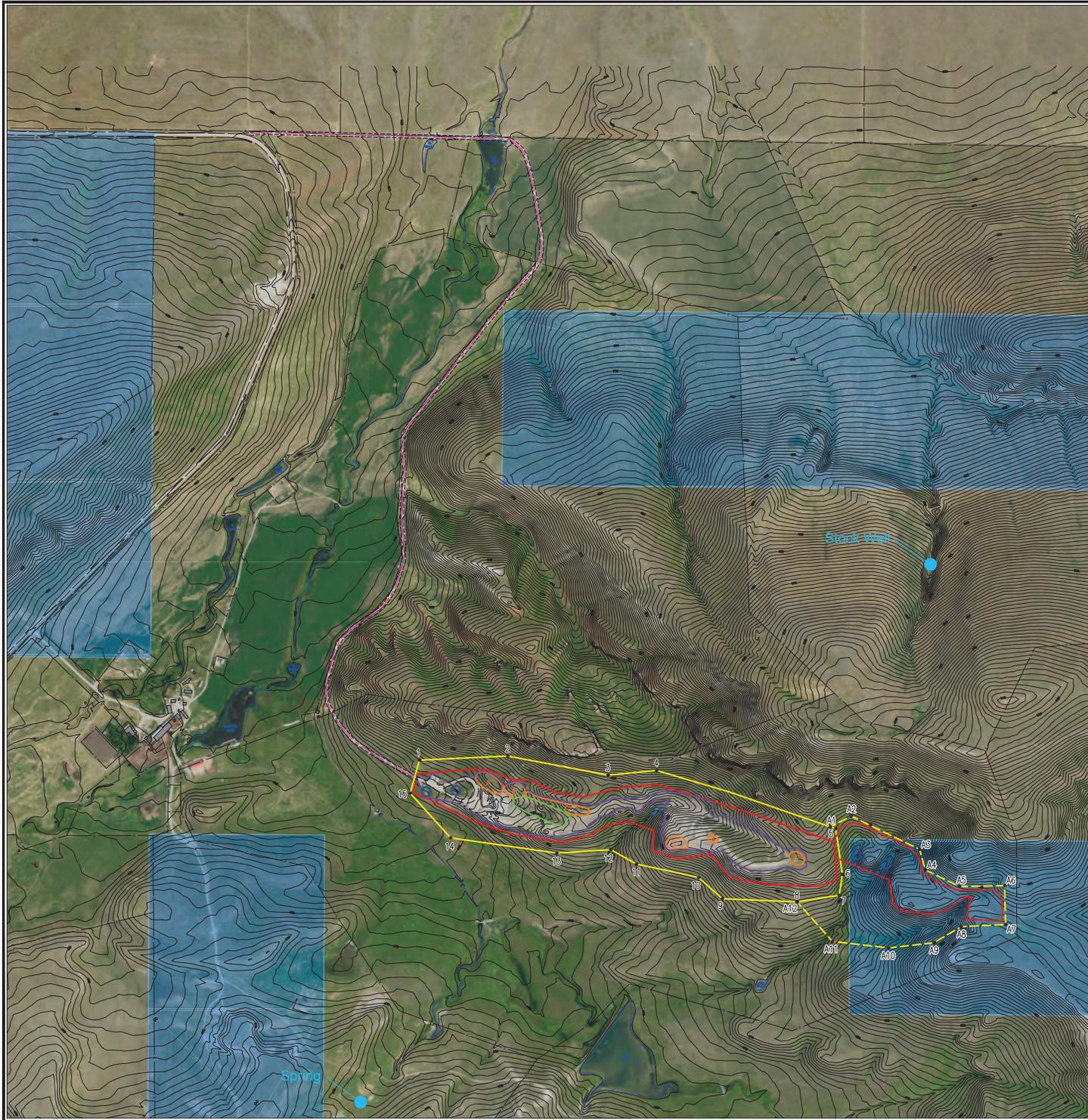
**DNRC Recommendation**

The director recommends Land Board approval to issue a non-metalliferous gypsum lease to CRH US.

Figure 1

**Exhibit A: Mine Location Map**



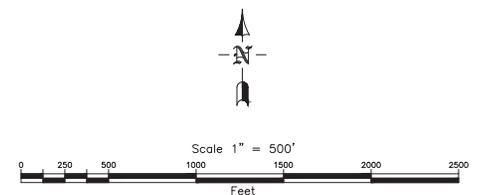


Permit Corner Locations WGS84		
Number	Longitude	Latitude
1	-110.455108	47.171345
2	-110.452429	47.171453
3	-110.449371	47.171083
4	-110.447899	47.171190
5	-110.442431	47.170028
6	-110.442212	47.169083
7	-110.442297	47.168649
8	-110.443578	47.168503
9	-110.445855	47.168548
10	-110.446578	47.168984
11	-110.448475	47.169247
12	-110.449261	47.169539
13	-110.450901	47.169453
14	-110.454135	47.169742
15	-110.455383	47.170660

Permit Amendment Corner Locations WGS84		
Number	Longitude	Latitude
A1	-110.442594	47.170065
A2	-110.441968	47.170293
A3	-110.439877	47.169621
A4	-110.439690	47.169194
A5	-110.438649	47.168861
A6	-110.437276	47.168891
A7	-110.437233	47.168085
A8	-110.438589	47.168029
A9	-110.439404	47.167690
A10	-110.440782	47.167570
A11	-110.442489	47.167692
A12	-110.443578	47.168503

Topsoil Volumes	
Pile	Cubic Yards
A	4,892
B	2,561
C	3,582
D	3,783
E	528
F	2,420
Mine Road Berms	5,819
TOTAL	23,585

- LEGEND**
- Permit Boundary 48.1 Acres
  - Amendment Permit Boundary 19.2 Acres
  - Quarry Disturbance Area 28.3 Acres
  - Amendment Disturbance Area 8.2 Acres
  - Current Disturbance Limits 16.4 Acres
  - Reclamation 1.0 Acres
  - Topsoil Stockpile 2.0 Acres
  - Access Road
  - Sediment Control Structure Location
  - State of Montana Parcel
  - Stock Well / Spring

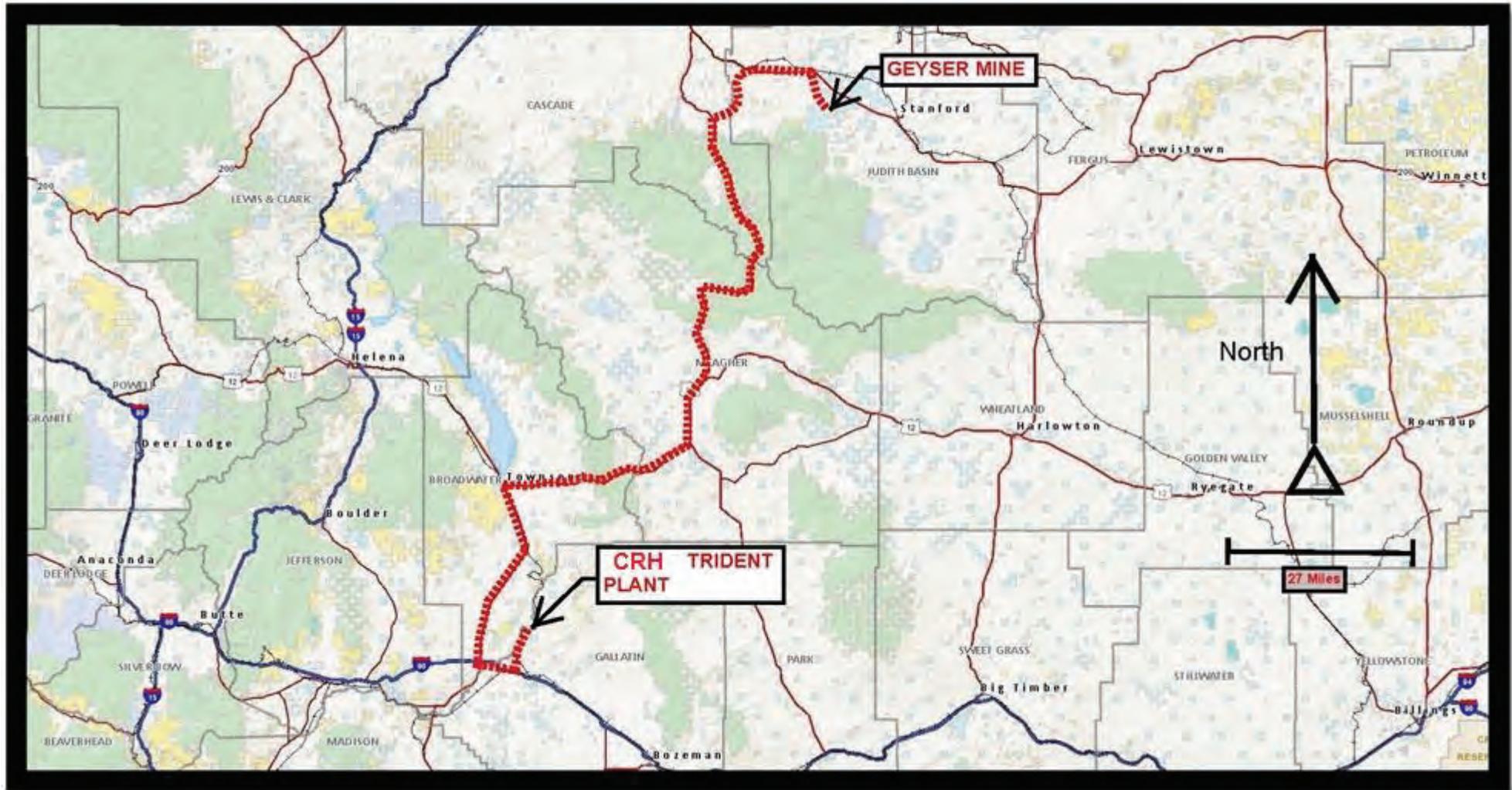


Aerial 2015 NAIP  
 Premine topography contour interval 5 feet  
 Sections 3, 4, 9 & 10 T.16 N. R.10 E.  
 NAD83, Montana State Plane, US Foot

 	<b>GEYSER MINE                  MINE SITE &amp; PLAN</b>	EXHIBIT <span style="font-size: 2em; font-weight: bold;">B</span>
	SCALE: 1" = 500' DATE: 08/08/17 DRAWN BY: DC/WESTTECH CHECKED BY: RJ FILE: GM17_SitePlan.dwg	SHEET: 1 OF 1

Figure 3

Geyser Mine Haul Route Figure



## Geyser Mine

### Operation Summary

- Existing mine, capable of producing approximately 20,000 tons of gypsum per 8 month season. Mine developed in segments moving west to east.
- DEQ reclamation bond currently \$359,800. Would be revised as needed if extension onto state land were approved.
- Operations would continue at current level, but extending operations onto state land would extend the life of mine by about 3 years.
- Mining occurs on demand during the year. When active, three to six truckloads of ore hauled per day to CRH's Trident cement plant. Using over the road rock trucks with pup trailers – 34-38 tons per load. Normally one to two equipment operators will be onsite during working hours.
- Up to eight equipment operators and truck drivers employed
- Onsite equipment includes a loader, dozer, excavator and water truck.
- Operations 7 am – 6 pm, Monday – Friday
- Blasting may be required once per year.
- No water used in the mining operation.
- Concurrent reclamation when mining in a segment is completed.

### Resource Summary

An environmental assessment to cover the extension of the mine onto state land will be conducted by DEQ and DNRC. However, the initial environmental assessment for the mine and the mine plan amendment submitted for review provides basic information on resources.

- The soils present are not fragile, unstable, or overly erosive.
- Mine is situated on a bench that does not contain springs or groundwater flows.
- An air quality permit is not required as no onsite crushing is proposed. Dust control onsite managed by spraying water as needed during mining and hauling operations.
- Existing vegetation is mostly native range/grassland species. A native seed mix will be used for reclamation.
- Comparable habitat plentiful in area.
- DNRC archaeologist surveyed the state land and found no cultural sites.
- No public access to mine site or state land.
- The mine is not visible from a major highway or the town of Geyser.
- Mining and truck noise noticeable at the closest residence (private landowner who owns the gypsum currently being mined). Nearest non-landowner residence over one mile away.
- Concurrent weed control.

### Mine Permitting/MEPA Review

- Two decisions – DEQ regulatory permit approval and DNRC mine plan approval. Environmental assessment (EA) jointly prepared by DEQ and DNRC.
- Existing EA prepared in 2013 covering current mine. New EA updates the review for the additional state mine area.
- Will solicit public comment on the draft EA. Minimal to no interest expected.
- Anticipate +/- 6 months to complete.

## Gypsum

Gypsum<sup>1</sup> is a soft mineral composed of calcium sulfate dihydrate. Pure gypsum is white but impurities may produce a wide range of colors to specific deposits. It is a relatively common mineral<sup>2</sup>, with thick and extensive evaporite beds in association with sedimentary rocks.



## Uses

CRH US utilizes its mined gypsum as an additive to Portland cement to delay the hardening process. However, gypsum has a wide variety of commercial and other interesting uses, such as:

- Gypsum board (sheetrock, drywall) - used in buildings as a finish for walls and ceilings
- Gypsum mortar or cement – used in buildings as a flooring material
- Plaster – surgical splints, casting moulds and modeling
- Fertilizer and soil conditioner for clay type soils
- A component in the making of tofu
- Shampoo and other hair products
- A medicinal agent in traditional Chinese medicine
- In baking as a dough conditioner
- A common ingredient in making mead (honey wine)
- Alabaster – a type of gypsum historically used in sculptures

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<sup>1</sup> Some information is from the most credible source available – Wikipedia.

<sup>2</sup> Orbital pictures and exploration by rover confirmed the existence of gypsum dunes in the northern polar region of Mars.

# 0118-2

AUTHORIZATION TO INCLUDE LANDS IN THE  
LOWER YELLOWSTONE  
IRRIGATION DISTRICT



Land Board Agenda Item  
January 22, 2018

**0118-2 Authorization to Include Lands in the Lower Yellowstone Irrigation District**

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

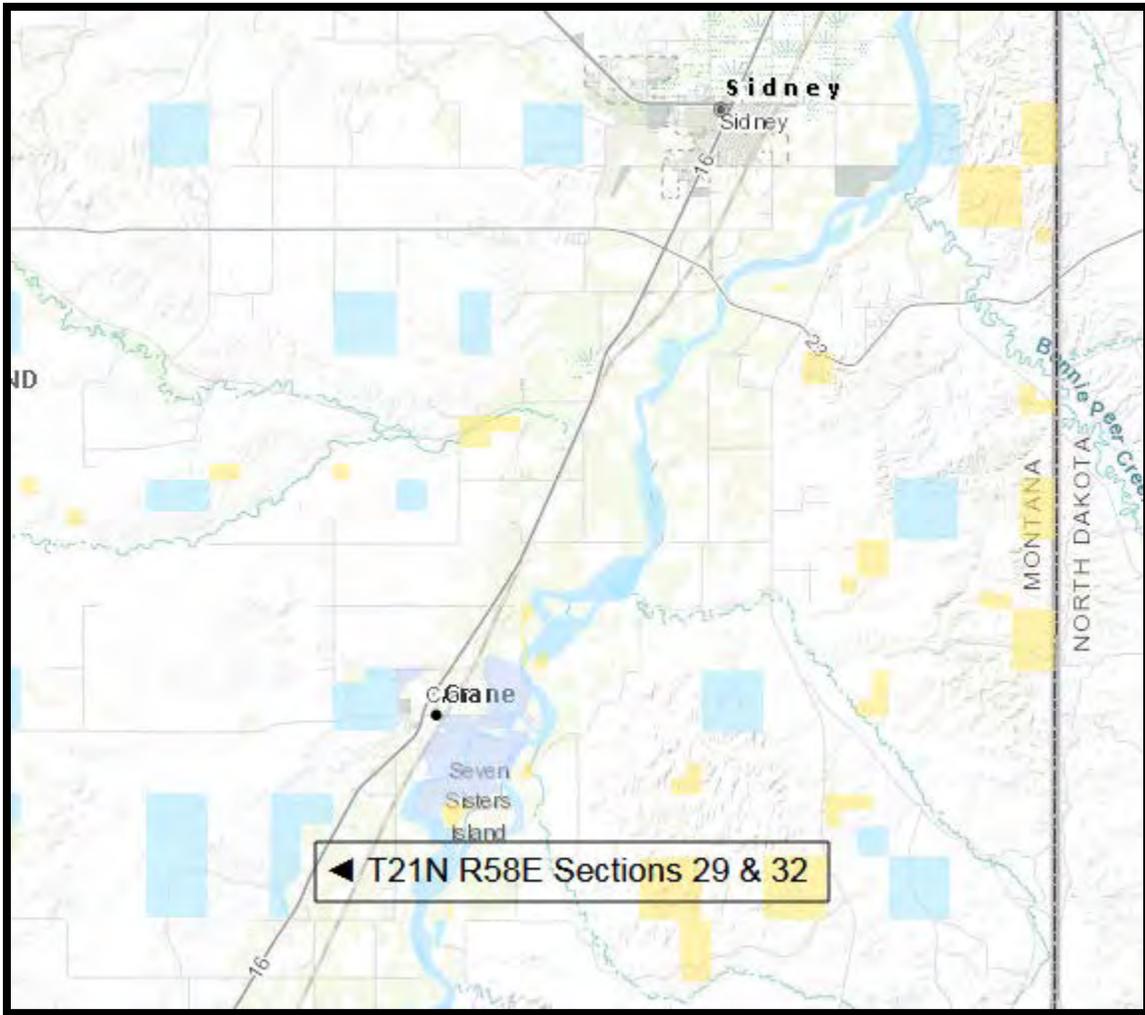
**Item Summary**

There are approximately 232 acres located in T21N R58E, Sections 29 & 32 that are currently irrigated with water from the Lower Yellowstone Irrigation District. It is applied by 3 pivot systems that irrigate both state land and adjacent private property owned by Mr. William Struckman. While the lands owned by Mr. Struckman are within the District, the state lands are outside the District boundaries. The District has notified the Department of Natural Resources and Conservation (DNRC) that to continue irrigation on the state land, a request must be submitted to the District Court to include 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 and impact the operation of the 1 pivot system that irrigates both state and private lands.

**DNRC Recommendation**

The Director recommends the Board authorize the Department to request that lands located in T21N R58E Sections 29 & 32 be included in the Lower Yellowstone Irrigation District.

### Vicinity Map



# 0118-3

BIENNIAL CABIN SITE LEASE RATE REVIEW  
(SEPTEMBER 2015 – SEPTEMBER 2017)



**Land Board Agenda Item  
January 22, 2018**

**0118-3 Biennial Cabin Site Lease Rate Review (September 2015 – September 2017)**

**Location:** Beaverhead, Big Horn, Blaine, Broadwater, Cascade, Choteau, Custer, Daniels, Fallon, Fergus, Flathead, Gallatin, Golden Valley, Hill, Judith Basin, Lake, Lewis & Clark, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Phillips, Pondera, Powder River, Powell, Prairie, Richland, Rosebud, Sanders, Sheridan, Stillwater, Sweet Grass, Toole, Valley, Wheatland, Wibaux, Yellowstone Counties

**Trust Benefits:** Common Schools, School for Deaf & Blind, Montana State University, Montana Tech, Pine Hills School, Public Buildings, University of Montana, Veterans Home, Eastern College–MSU/Western College–UM

**Trust Revenue:** N/A

**Item Summary**

The Department of Natural Resources and Conservation's (DNRC) Trust Lands Management Division (TLMD) is required to provide to the Land Board a review of cabin site lease rates every two years. The review includes data from all cabin site lease bids within the two-year period and a review of the data by an economist. The Biennial Cabin Site Lease Rate Review was presented to the Land Board at their December 2017 meeting as an informational Item.

This lease rate review requirement was established in September 2015 through a settlement agreement to a civil suit (Montrust III). The settlement agreement specifically provided that:

*“The Land Board will review the data from all competitively bid Montana cabin site leases, and all non-competitively bid Montana cabin site leases, complete a formal review by an appropriately qualified, professional economist, and consider whether to revise leasing procedures and/or rental rates. Based on the results of the review, the Land Board commits to setting the rental rates for cabin site leases so as to capture for the trust beneficiaries the full market value of such leases in order to maximize the cumulative long-term revenue from cabin sites without creating vacancy rates that are detrimental to the best financial interest of the trust beneficiaries, as required by the Montana Constitution and Enabling Act.”*

**Current Lease Rate Origin**

In September of 2015, a Settlement Agreement to resolve the civil suit, Montrust III, was executed between all parties involved, approved by the Land Board, and subsequently approved by the District Court. DNRC then adopted Administrative Rules to implement the settlement agreement in June 2016.

**Settlement Agreement Key Points**

*(and subsequent ARM 36.25.1001-36.25.1021)*

- Voided all rules implementing SB409 (2011) and lease fee calculations of Alternative 3B.
- Provided that all current leases remain in place until expiration.
- Established lease fee rates for renewals at 5%, and lease fee rates for new bidding will be adjustable based on vacancy rates (between 6.5% and 3.5%).
- The minimum annual lease fee for all renewals and/or new bidding will be \$800.

- Lease bid rates will be reviewed by the Land Board every two years.

### **Current Lease Rates**

*(as established in the settlement agreement)*

#### **New Bidding:**

Cabin site leases on unleased lots are issued through a competitive bidding process. The bid rate is a percentage of the Department of Revenue (DOR) land value, and the bid amount is the first year's lease fee.

- 6.5%: All initial bidding starts at 6.5% for 60 days;
- 5.0%: The rate may be reduced to 5% for an additional 60 days.
- Less than 5%: The rate may be incrementally reduced after bidding has been unsuccessful at 6.5% and 5%, only in neighborhoods with vacancy rates over 30%.
- Minimums: Minimum Rate is 3.5%, and the minimum annual rent is \$800.

#### **Renewals:**

All cabin site leases have a right to renew upon expiration without competitive bidding.

- 5%: All renewals are offered at 5% of the land value.
- Minimums: The minimum annual rent is \$800.

### **Summary**

DNRC has implemented the terms of the 2015 settlement agreement, and subsequent administrative rules by renewing all expiring cabin site leases at 5% of the DOR land value, and releasing all available vacant cabin sites for bid in accordance with the terms of the Settlement. All available cabin site leases were released for bid at 6.5% of the DOR land value for 60 days and subsequently released for bid at 5% of the DOR land value. Available cabin sites in high vacancy neighborhoods were then made available for bid at 4.5% of the DOR land value for two bid cycles, and then further reduced to 4% for the final cycle in the report period. High vacancy neighborhoods that saw reduced bid rates included: Beaver Lake, Echo Lake, McGregor Lake, Rogers Lake, and East Lake Shore of Flathead Lake.

In some instances, neighborhood vacancy rates reflect unoccupied cabin sites that are not available for lease due to the cabin site sale program, pending resolution of split title and/or access issues, or environmental impacts. DNRC considers these factors when reviewing lease rate adjustments based on vacancy rates.

Between September 2015 and September 2017, DNRC renewed 30 leases at 5% and conducted five rounds of competitive bidding. Although DNRC could not start competitive bidding until June 2016 when Administrative Rules were finalized, the department received a record number of bids and a general heightened interest in the leasing program during the 15 months of bidding. Twenty-nine bids were received for 26 lots, and to date 22 competitively bid leases have been executed.

### **DNRC Recommendation**

Consistent with the economic analysis of the lease rate data provided in the Biennial Cabin Site Lease Rate Review to the Land Board at their December 2017 meeting, the director recommends that the Land Board approve upholding the current lease rates and procedures, and make no changes at this time.

# 0118-4

LAND BANKING PARCELS:  
SET MINIMUM BID FOR SALE

- A. McCone County
- B. Dawson County

**Land Board Agenda Item  
January 22, 2018**

**0118-4A Land Banking Parcel: Set Minimum Bid for Sale**

**Location: McCone County**  
**Trust Benefits: Common Schools**  
**Trust Revenue: \$90,000**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) requests to set the minimum bid to sell a parcel totaling approximately 240 acres nominated for sale in McCone County. The sale was nominated by the lessee and located approximately 10 miles southeast of Wolf Point, Montana.

<b>Sale #</b>	<b># of Acres</b>	<b>Legal</b>	<b>Nominator</b>	<b>Trust</b>
245	240±	SW1/4, W1/2SE1/4, T26N-R48E Sec. 35	Mary Dillon	Common Schools

The sale parcel has been used primarily for livestock grazing purposes. The parcel has average productivity for grazing lands statewide.

The parcel is not legally accessible by DNRC nor the public.

No potentially negative issues were identified through the MEPA process regarding the sale of this parcel.

**Economic Analysis**

Short-term – The rate of return on the sale parcel is 1.25%. 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 July 2017, the Land Board granted preliminary approval for this parcel to continue through the Land Banking sale evaluation process.

**Appraised Value of Sale Parcel**

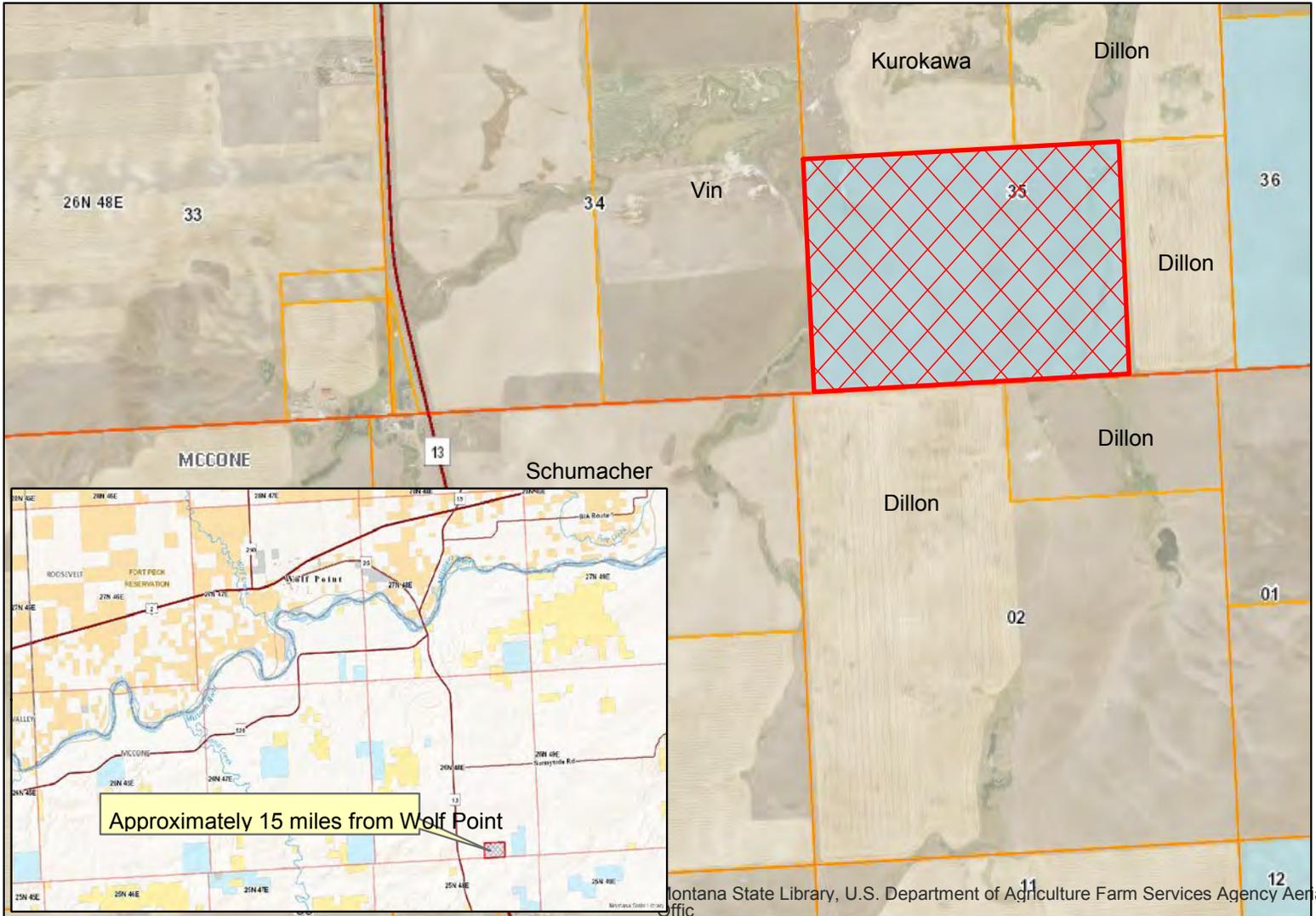
<b>Sale #</b>	<b>Appraised Value With Access</b>	<b>Appraised Value per acre</b>	<b>Recommended Minimum Bid</b>
245	\$90,000	\$375	\$90,000

**DNRC Recommendation**

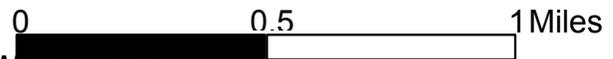
The director recommends the Land Board set the minimum bid at the value shown above.

# McCone County Sale Location Map

**Sale #245**  
SW¼, W½SE¼  
T26N-R48E Sec. 35



Location: McCone County, MT  
 Legal Description: S35, T26 N, R48 E, SW4: W2SE4  
 Prepared by: RMW  
 Prepared on: 2 JAN 2018  
 Projection: NAD 1983 - MT State Plane



 Sale #245

**Land Board Agenda Item  
January 22, 2018**

**0118-4B Land Banking Parcel: Set Minimum Bid for Sale**

**Location: Dawson County**  
**Trust Benefits: Common Schools**  
**Trust Revenue: \$135,000**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) requests to set the minimum bid to sell a parcel totaling approximately 320 acres nominated for sale in Dawson County. The sale was nominated by the lessee and is located approximately 20 miles southwest of Glendive, Montana.

<b>Sale #</b>	<b># of Acres</b>	<b>Legal</b>	<b>Nominator</b>	<b>Trust</b>
613	320±	S1/2, T14N-R54E Sec. 36	Tim & Laurie Gibbs	Common Schools

The sale parcel has been used primarily for livestock grazing purposes. The parcel produces lower than average productivity for grazing lands statewide.

The parcel is not legally accessible by DNRC nor the public.

No potentially negative issues were identified through the MEPA process regarding the sale of this parcel.

**Economic Analysis**

Short-term – The rate of return on the sale parcel is 0.68%. 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 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**

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

**Appraised Value of Sale Parcel**

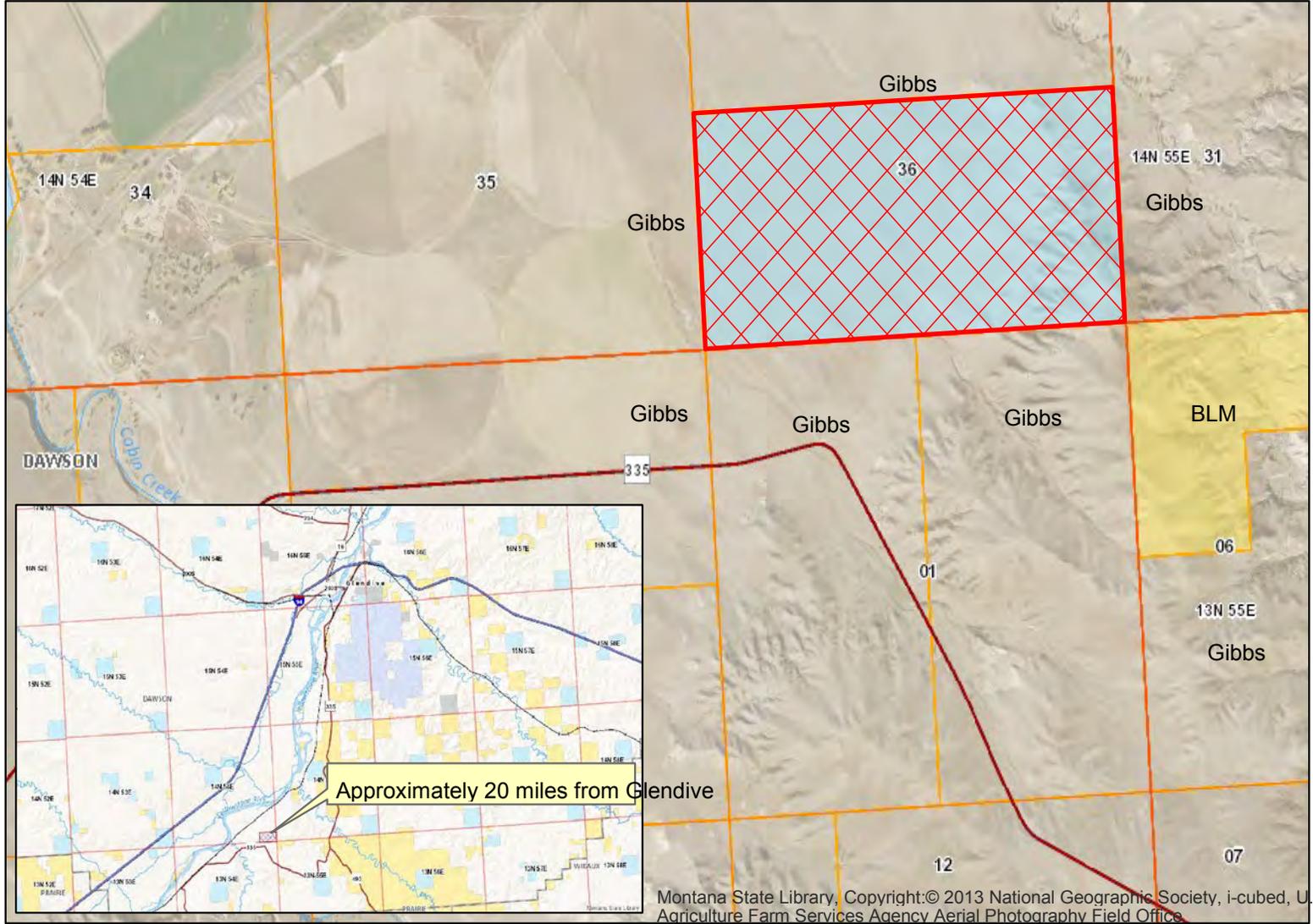
<b>Sale #</b>	<b>Appraised Value With Access</b>	<b>Appraised Value per acre</b>	<b>Recommended Minimum Bid</b>
613	\$135,000	\$422	\$135,000

**DNRC Recommendation**

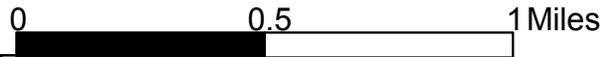
The director recommends the Land Board set the minimum bid for this parcel at the value shown above.

# Dawson County Sale Location Map

Sale #613  
S½  
Section 31, T13N-R54E



Location: Dawson County, MT  
 Legal Description: S36, T14 N, R54 E, S2  
 Prepared by: RMW  
 Prepared on: 2 JAN 2018  
 Projection: NAD 1983 - MT State Plane



 Sale #613



# 0118-5

CABIN AND HOME SITE SALES:  
SET MINIMUM BID FOR SALE

**Land Board Agenda Item  
January 22, 2018**

**0118-5 Cabin and Home Sites: Set Minimum Bid for Sale**

**Location:** Sanders County  
**Trust Benefits:** Common Schools  
**Trust Revenue:** \$40,000

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) requests to set the minimum bid for the sale of a cabin site in Sanders County. The sale was 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>
875	1.27	Lot in NW4NW4 T23N-R27W, Sec. 34 Sanders County	Donna Davis & Denise White	Common Schools

This sale parcel is currently leased as a cabin site and produces an average income for residential leases statewide.

The 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 rate of return for the sale parcel is as follows:

<b>Sale #</b>	<b>Rate of Return</b>
875	1.506%

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**

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 Value**

The values for this sale parcel were set after a hearing on the originally-appraised value of the land which took place in November 2017. The hearing was requested by the sale proponents within the time frame allotted by the Cabin and Home Site Sale Program process. The appraised improvements value was not affected by the hearing.

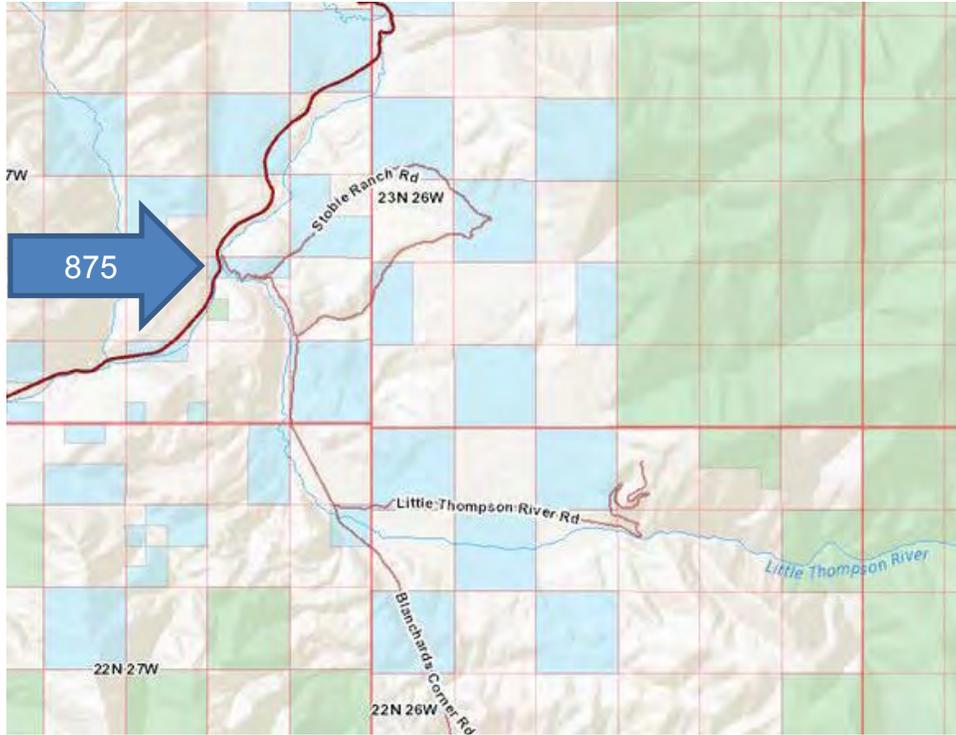
The hearing examiner determined the original appraised value of the land to be accurate, which resulted in the following values:

<b>Sale #</b>	<b>Original Appraised Value of the Land</b>	<b>Value of the Land Determined by the Valuation Hearing</b>	<b>Appraised Value of Improvements</b>
875	\$40,000	\$40,000	\$130,000

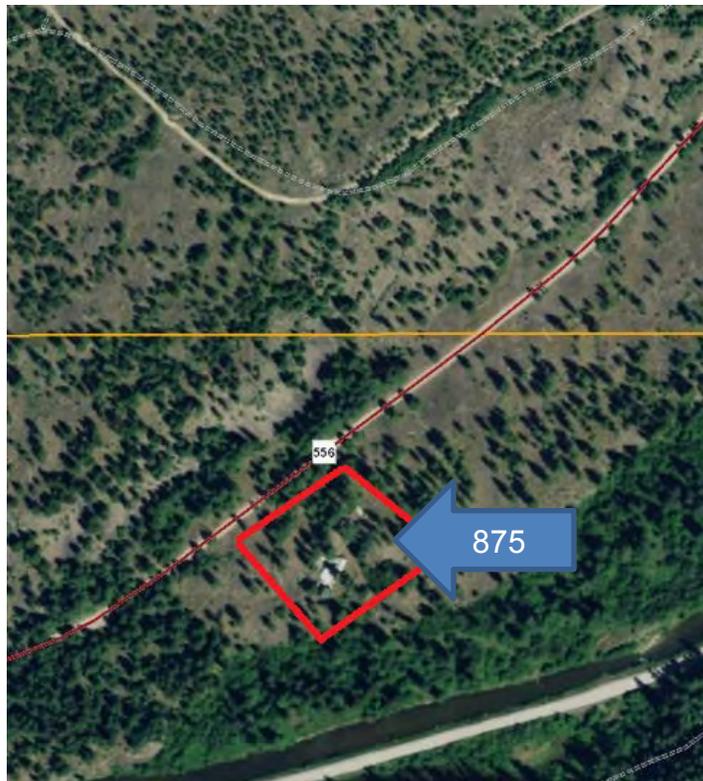
**DNRC Recommendation**

The director recommends that the Land Board set the minimum bid for this sale parcel at the value of the land determined by the valuation hearing and the maximum value of compensation for the improvements as shown above.

# Sanders County Sales Location Map



**Sale Number 875**  
Lot in NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> T23N-R27W Sec. 34



# 0118-6

CABIN AND HOME SITE SALES:  
FINAL APPROVAL FOR SALE

**Land Board Agenda Item  
January 22, 2018**

**0118-6 Cabin and Home Sites: Final Approval for Sale**

**Location: Broadwater, Chouteau, Flathead, Lake, Missoula, Sanders, Stillwater,  
Yellowstone Counties**

**Trust Benefits: Common Schools, Pine Hills, Montana State University,  
Montana Tech**

**Trust Revenue: \$1,470,100**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) is requesting final approval for sale of 13 cabin sites nominated for sale in Broadwater, Chouteau, Flathead, Lake, Missoula, Sanders, Stillwater, and Yellowstone 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>
847	1.039	Lot 19, Echo Lake T27N-R19W, Sec. 5 Flathead County	Ray & Shawn Christiaens	Montana Tech
868	9.5	Lot in SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , T5N-R2E, Sec. 16, Broadwater County	Toston Land Group, LLC	Common Schools
871	0.909	Lot 11, E Shore Flathead Lake, T24N-R19W, Sec. 16 Lake County	Charles & Myrna Hall	Common Schools
872	1.182	Lot 10, E Shore Flathead Lake, T24N-R19W, Sec. 16 Lake County	Charles & Myrna Hall	Common Schools
873	1.923	Lot in SW $\frac{1}{4}$ ,SW $\frac{1}{4}$ , N&E of the road T23N-R26W, Sec. 6 Sanders County	Shannon Holmes	Common Schools
881	1.00	Lot 4, Elbow Lake, T15N-R14W, Sec. 20 Missoula County	Michael & Patrice Schwenk	Pine Hills
882	1.5	Lot 29, Elbow Lake, T15N-R14W, Sec. 20 Missoula County	Patrick & Cathy Schwenk	Pine Hills
884	0.983	Lot 20, Morrell Flats, T16N-R15W, Sec. 14 Missoula County	Lou Ann Nelson & Michael Marosits	MSU

885	1.443	Lot 15, Morrell Flats, T16N-R15W, Sec. 14 Missoula County	Mary Adams Riggs	MSU
887	10.3	Lot in PT S ½ SW ¼ SW ¼, T2N-R22E, Sec. 4 Stillwater County	Terry Pierce	Common Schools
888	2.16	Lot in NW¼NW¼SW¼, T2N-R27E, Sec. 16 Yellowstone County	Robert Schwab	Common Schools
891	4.68	PT E½ of Gov't Lot 9, Sec. 33 & PT W½ of Gov't Lot 5, Sec. 34, T24N-R8E, Chouteau County	Larry & Bonnie Jo Cook	Pine Hills
892	1.999	Lot 33, Echo Lake, T27N-R19W, Sec. 5 Flathead County	Dale & Connie Russell	Montana Tech

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 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	2.70%	884	3.72%
868	9.07%	885	3.24%
871	4.71%	887	2.03%
872	4.79%	888	4.55%
873	1.33%	891	2.81%
881	1.96%	892	2.52%
882	2.03%		

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 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.

### Background

Sale Number 892 was granted preliminary approval to continue through the cabin site sale evaluation process in May 2016. In May 2017, the Land Board granted preliminary approval for the other parcels listed. In August, September, and October 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:

Sale #	Appraised Value of the Land	Appraised Value of Improvements
847	\$366,000	\$113,000
868	\$33,000	\$247,000
871	\$60,000	\$10,000
872	\$60,000	\$180,000
873	\$30,000	\$79,000
881	\$155,000	\$156,000
882	\$100,000	\$147,000
884	\$42,000	\$110,000
885	\$42,000	\$100,000
887	\$21,600	\$173,400
888	\$37,500	\$107,500
891	\$23,000	\$356,000
892	\$500,000	\$130,000

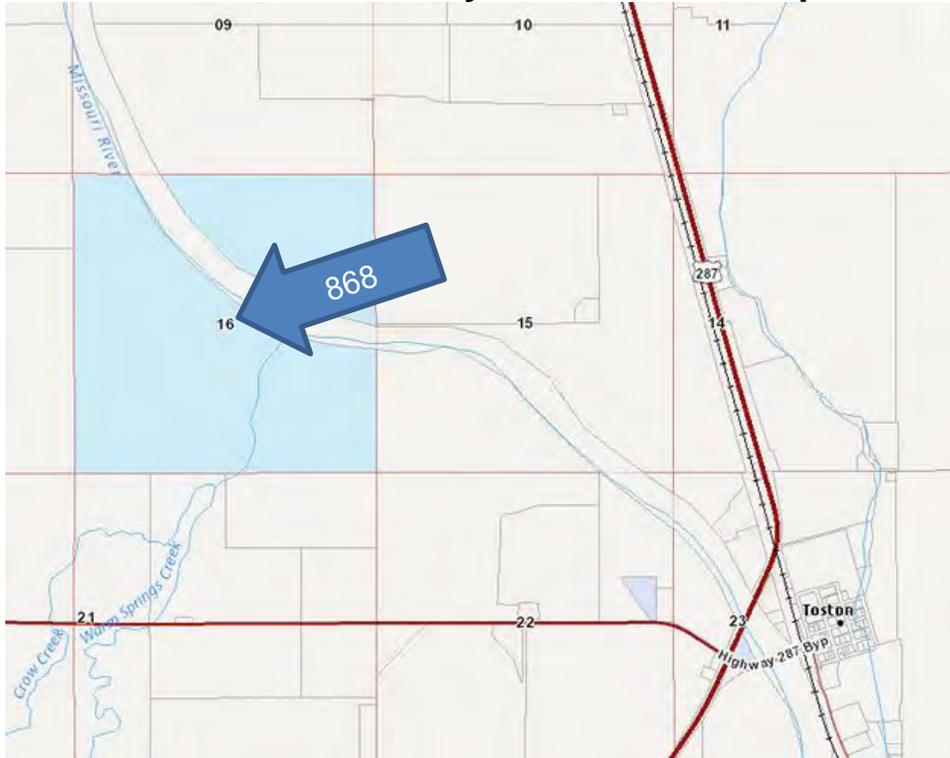
### Sale Price

The cabin sites were sold at public auctions on December 7<sup>th</sup>, 2017. There was one bidder per sale who were the lessees. These parcels were sold for the minimum bid amounts listed above.

### DNRC Recommendation

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

### Broadwater County Sale Location Map



### Sale Number 868



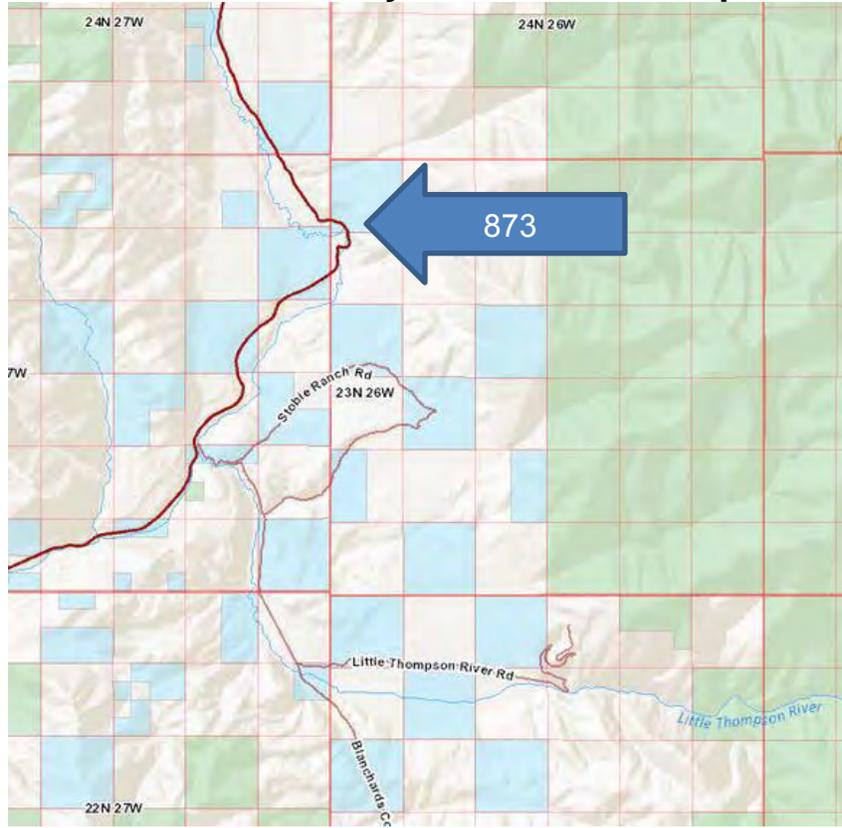
### Lake County Sales Location Map



### East Shore Flathead Lake, Sale Numbers 871, 872



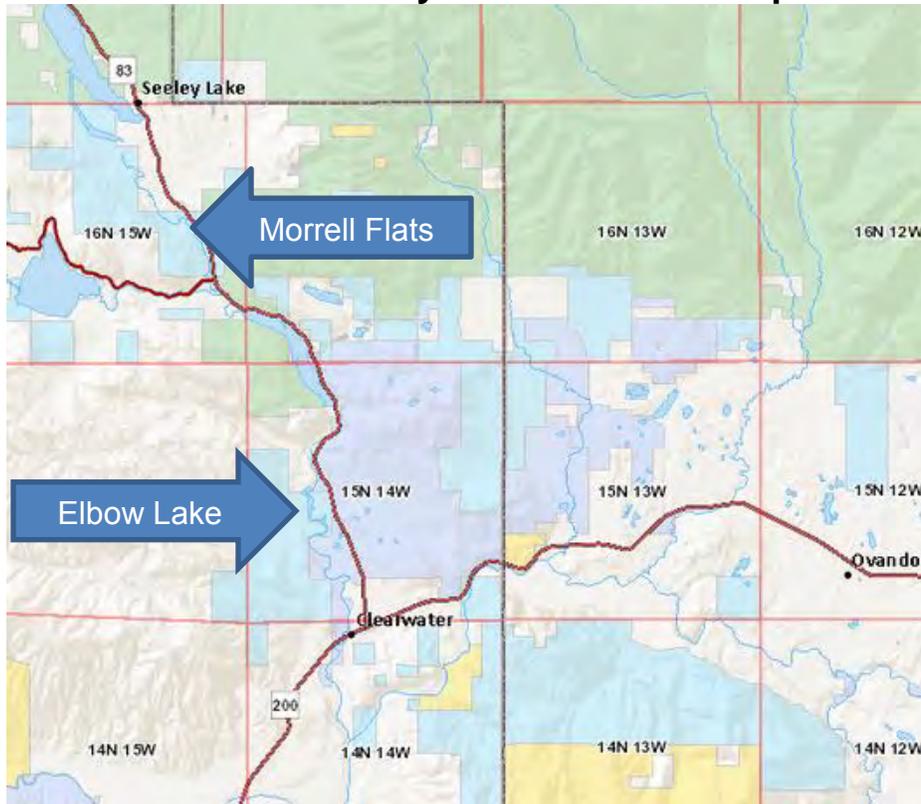
### Sanders County Sale Location Map



### Sale Number 873



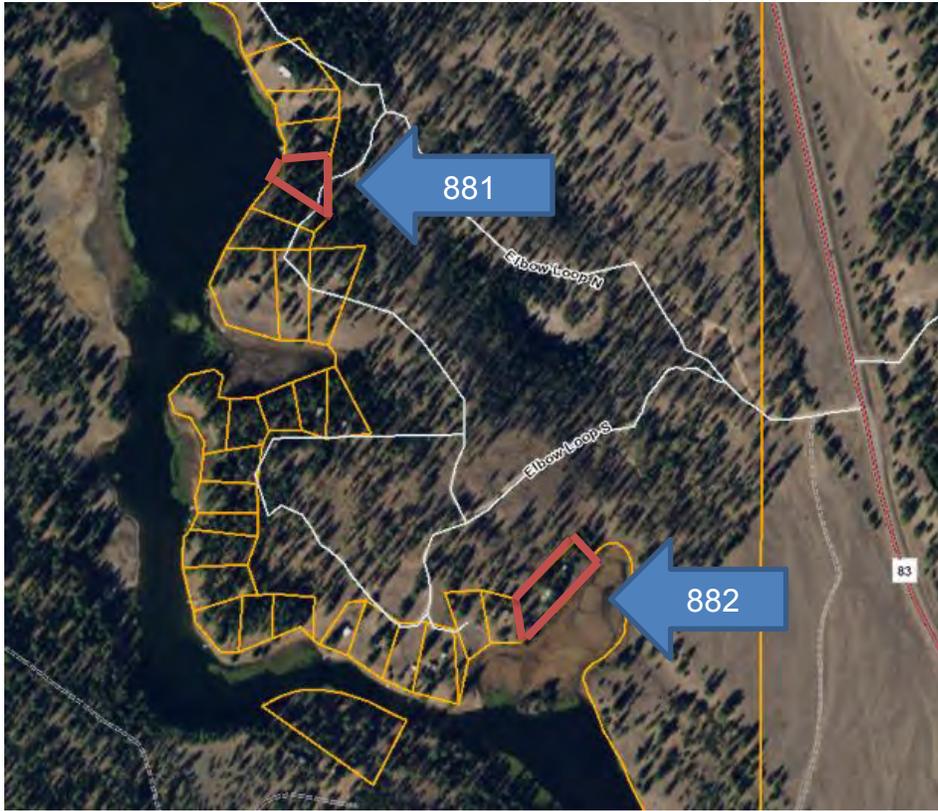
### Missoula County Sales Location Map



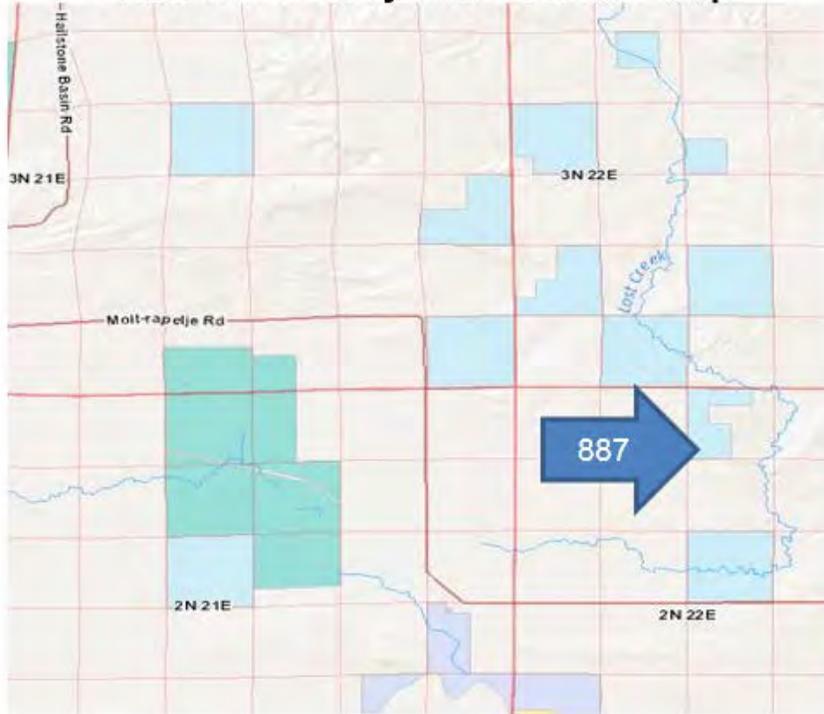
### Morrell Flats, Sale Numbers 884, 885



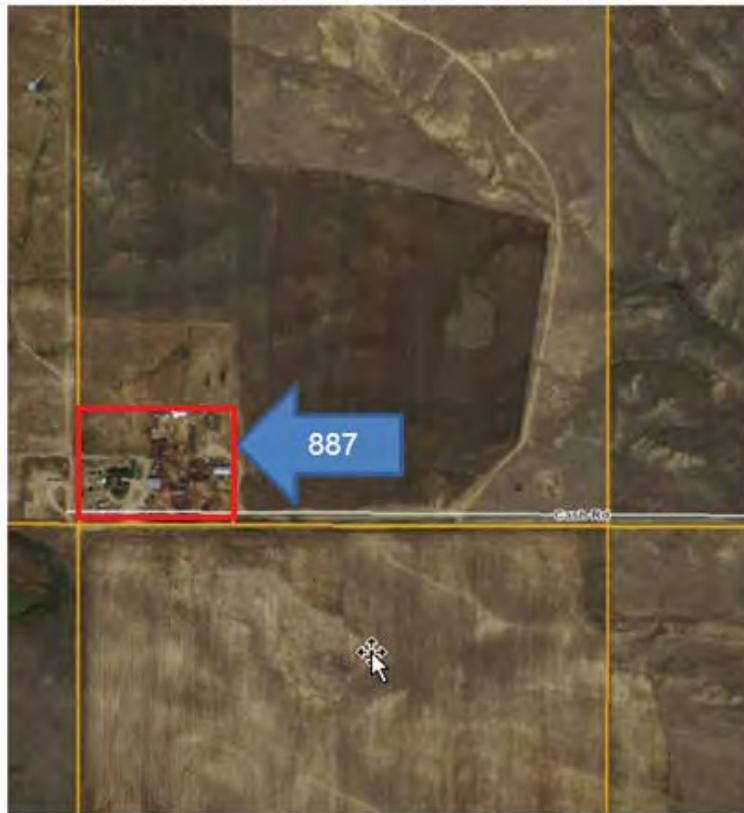
### Elbow Lake, Sale Numbers 881, 882



### Stillwater County Sale Location Map



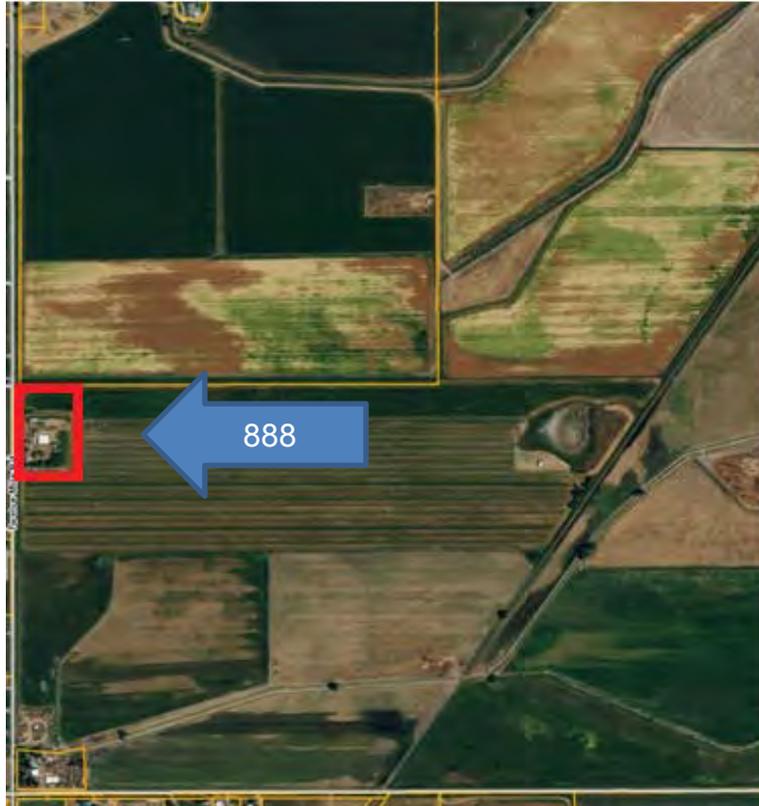
### Sale Number 887 S 1/2 SW 1/4 SW 1/4 T2N-R22W Sec. 4



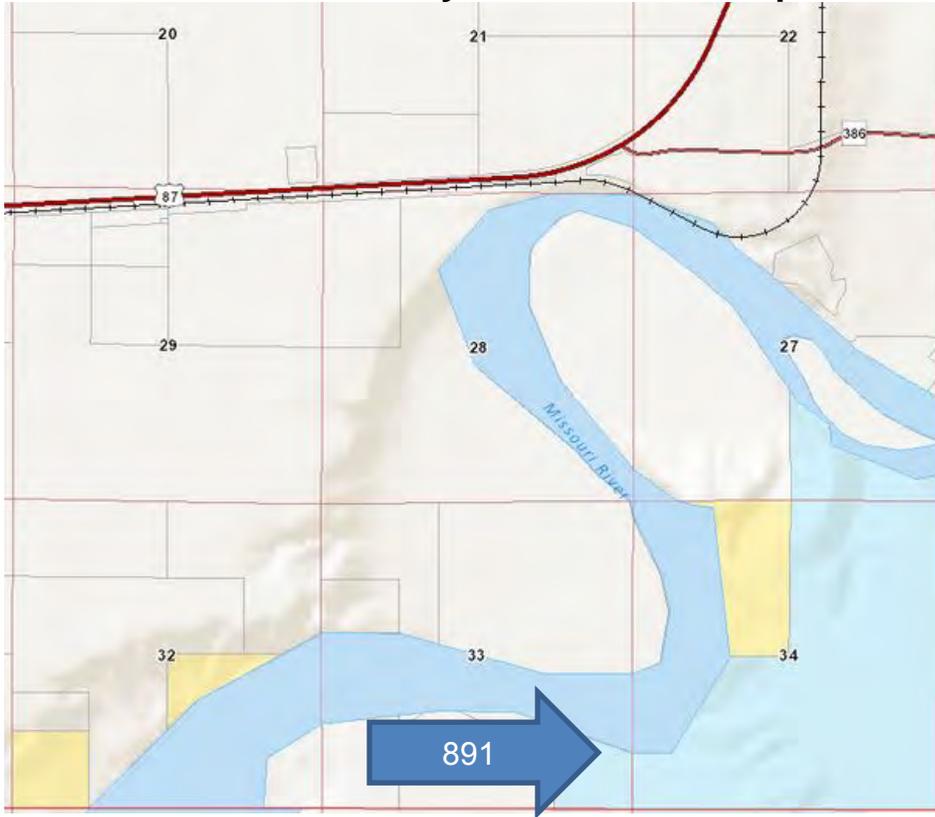
# Yellowstone County Sale Location Map



## Sale Number 888



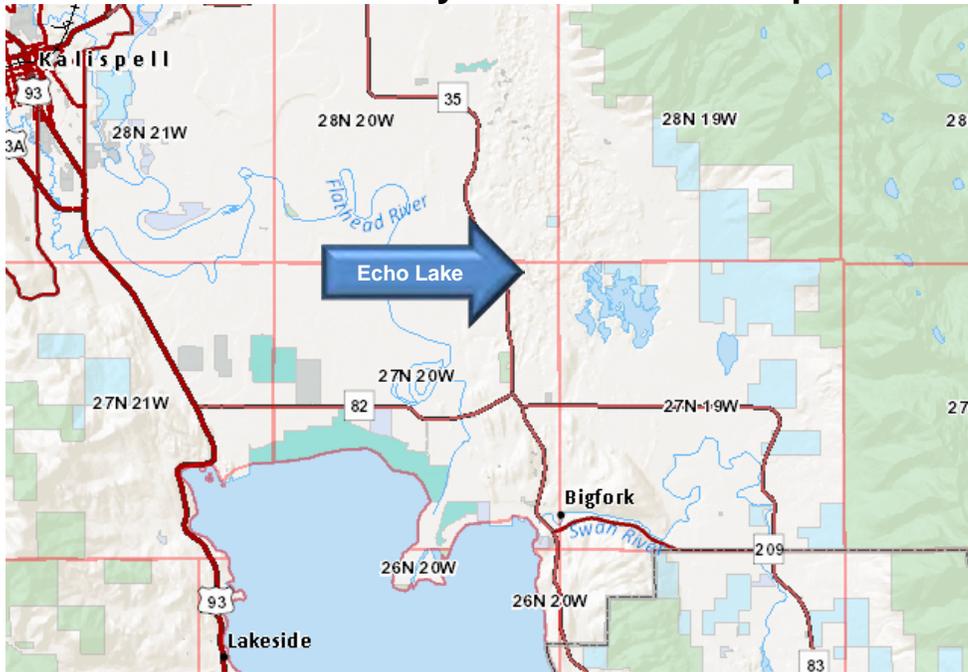
### Chouteau County Sale Location Map



### Sale Number 891



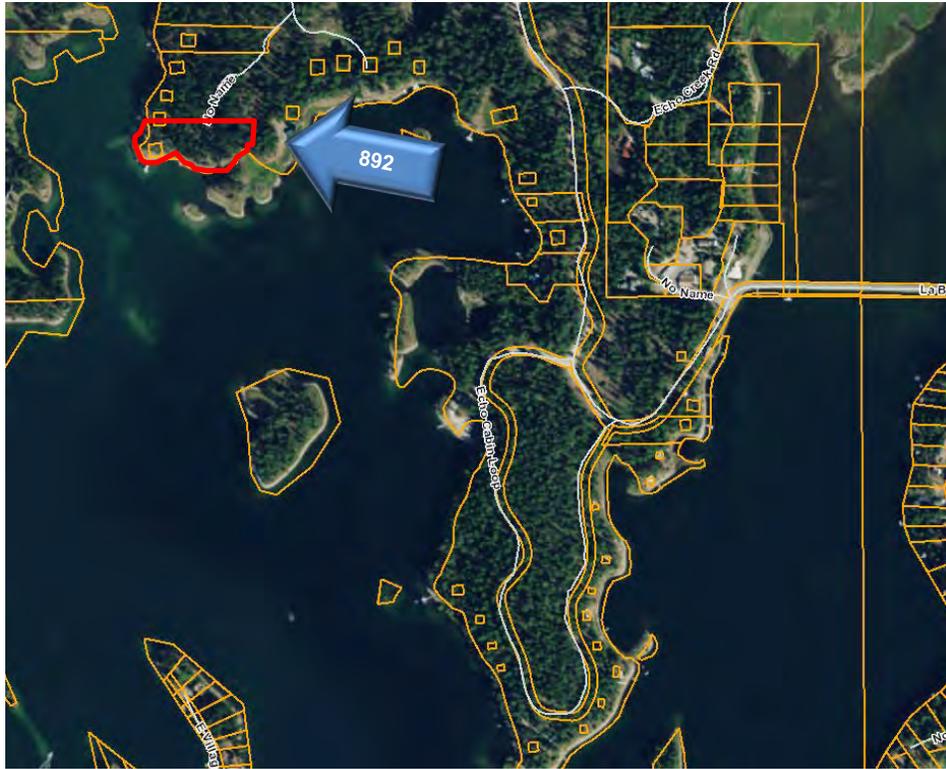
### Flathead County Sales Location Map



### Echo Lake, Sale Number 847



### Echo Lake, Sale Number 892



# 0118-7

## EASEMENTS:

- A. Regular Easements
- B. Montana Department of Corrections:  
Easement Grant to Montana Department of  
Transportation



**Land Board Agenda Item  
January 22, 2018**

**0118-7A Easements: Regular Easements**

**Location: Blaine, Cascade, Chouteau, Glacier, Pondera, Rosebud, Teton Counties**

**Trust Benefits: Common Schools, Pine Hills, Public Buildings, Public Land Trust, University of Montana, Eastern College–MSU/Western College–UM**

**Trust Revenue: Common Schools= \$6,991  
Pine Hills=\$133  
Public Buildings=\$322  
Public Land Trust= \$4,151  
University of Montana=\$23,145  
Western/Eastern=\$344**

**Item Table of Contents**

<b>Applicant</b>	<b>Right-of-Way Purpose</b>	<b>Term</b>	<b>Page(s)</b>
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Kory & Mitzi Ceacle	Historic Private Access	Permanent	46-47
Range Telephone Cooperative, Inc.	New Telecommunications Utility	Permanent	48-49

# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Northwestern Energy 11 East Park Butte, MT 59701
Application No.:	17988
R/W Purpose:	a 12.47kV overhead electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	0.03
Compensation:	\$104.00
Legal Description:	10-foot strip through NE4NW4 across the Sun River, Sec. 8, Twp. 20N, Rge. 3E, Cascade County
Trust Beneficiary:	Public Land Trust

### 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

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17989  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.04  
Compensation: \$138.00  
Legal Description: 10-foot strip across the Sun River in NW4NE4, Sec. 8, Twp.  
20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17990  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.05  
Compensation: \$173.00  
Legal Description: 10-foot strip across the Sun River in NW4SE4, Sec. 9,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17991  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.04  
Compensation: \$139.00  
Legal Description: 10-foot strip across the Sun River in NE4SE4, Sec. 9,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17992  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.03  
Compensation: \$104.00  
Legal Description: 10-foot strip across the Sun River in SE4NW4, Sec. 9,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17993  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.04  
Compensation: \$192.00  
Legal Description: 10-foot strip across the Sun River in NW4SW4, Sec. 10,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17994  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.05  
Compensation: \$316.00  
Legal Description: 10-foot strip across the Sun River in NE4NW4, Sec. 15,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17995  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.13  
Compensation: \$1042.00  
Legal Description: 10-foot strip across the Missouri River in NW4NE4, Sec. 14,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17996  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.05  
Compensation: \$364.00  
Legal Description: 10-foot strip across the Sun River in NW4NW4, Sec. 14,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17997  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.31  
Compensation: \$12,926.00  
Legal Description: 30-foot strip through W2NE4, Sec. 23, Twp. 20N, Rge. 3E,  
Cascade County  
Trust Beneficiary: University Of Montana

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17998  
R/W Purpose: a 12.47kV buried electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.18  
Compensation: \$2164.00  
Legal Description: 30-foot strip through SW4SW4, Sec. 23, Twp. 20N, Rge. 3E,  
Cascade County  
Trust Beneficiary: University of Montana

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 17999  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.67  
Compensation: \$8055.00  
Legal Description: 30-foot strip through SW4SW4, Sec. 23, Twp. 20N, Rge. 3E,  
Cascade County  
Trust Beneficiary: University of Montana

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18003  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.04  
Compensation: \$253.00  
Legal Description: 10-foot strip across the Sun River in NW4NE4, Sec. 15,  
Twp. 20N, Rge. 3E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18029  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.35  
Compensation: \$608.00  
Legal Description: 30-foot strip through S2SE4, Sec. 36, Twp. 25N, Rge. 9E,  
Chouteau County  
Trust Beneficiary: Common Schools

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18030  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.12  
Compensation: \$100.00  
Legal Description: 10-foot strip across the Missouri River in SW4SW4, Sec. 31,  
Twp. 25N, Rge. 10E, Chouteau County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18031  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.96  
Compensation: \$336.00  
Legal Description: 30-foot strip through SW4NE4, Sec. 9, Twp. 34N, Rge. 8E,  
Chouteau County  
Trust Beneficiary: Common Schools

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18032  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.14  
Compensation: \$175.00  
Legal Description: 10-foot strip across the Missouri River in E2SE4, Sec. 28,  
Twp. 24N, Rge. 8E, Chouteau County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18034  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.11  
Compensation: \$138.00  
Legal Description: 10-foot strip across the Missouri River in SE4NW4,  
NE4SW4, Sec. 33, Twp. 24N, Rge. 8E, Chouteau County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Northwestern Energy 11 East Park Butte, MT 59701
Application No.:	18036
R/W Purpose:	a 69kV overhead electric transmission line with a 12.47kV distribution underbuilt
Lessee Agreement:	N/A (Historic)
Acreage:	0.32
Compensation:	\$112.00
Legal Description:	60-foot strip through SE4SE4, Sec. 8, Twp. 24N, Rge. 8E, Chouteau County
Trust Beneficiary:	Common Schools

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18037  
R/W Purpose: a 69kV overhead electric transmission line with a 12.47kV  
distribution underbuilt

Lessee Agreement: N/A (Historic)  
Acreage: 0.04  
Compensation: \$100.00  
Legal Description: 30-foot strip across the Teton River in NE4NE4, Sec. 17,  
Twp. 24N, Rge. 8E, Chouteau County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18038  
R/W Purpose: a 69kV overhead electric transmission line with a 12.47kV  
distribution underbuilt

Lessee Agreement: N/A (Historic)  
Acreage: 2.43  
Compensation: \$851.00  
Legal Description: 60-foot strip through NE4NE4, Sec. 17, Twp. 24N, Rge. 8E,  
Chouteau County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18039  
R/W Purpose: a 69kV overhead electric transmission line with a 12.47kV  
distribution underbuilt

Lessee Agreement: N/A (Historic)  
Acreage: 1.21  
Compensation: \$424.00  
Legal Description: 40-foot strip through NE4NE4, Sec. 8, Twp. 22N, Rge. 5E,  
Cascade County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18040  
R/W Purpose: a 69kV overhead electric transmission line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.08  
Compensation: \$100.00  
Legal Description: 40-foot strip through SE4NE4, Sec. 26, Twp. 23N, Rge. 5E,  
Chouteau County  
Trust Beneficiary: Western/Eastern

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18041  
R/W Purpose: a 1" buried natural gas pipeline  
Lessee Agreement: N/A (Historic)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 20-foot strip across the Teton River in SE4NE4, 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

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18043  
R/W Purpose: a 1.25" buried natural gas pipeline  
Lessee Agreement: N/A (Historic)  
Acreage: 0.21  
Compensation: \$137.00  
Legal Description: 20-foot strip through SW4SW4, Sec. 16, Twp. 33N,  
Rge. 5W, Glacier County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18045  
R/W Purpose: a 2" buried natural gas pipeline  
Lessee Agreement: N/A (Historic)  
Acreage: 0.07  
Compensation: \$100.00  
Legal Description: 20-foot strip across the Sun River in SE4NW4, Sec. 30,  
Twp. 21N, Rge. 2E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18046  
R/W Purpose: a 2" buried natural gas pipeline  
Lessee Agreement: N/A (Historic)  
Acreage: 0.07  
Compensation: \$100.00  
Legal Description: 20-foot strip through NW4NE4 across the Sun River, Sec.  
34, Twp. 21N, 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

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

---

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18047  
R/W Purpose: a 2" buried natural gas pipeline  
Lessee Agreement: N/A (Historic)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 20-foot strip across the Teton River in SE4SW4, Sec. 25,  
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

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18061  
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 Sun River in SE4SE4, Sec. 35,  
Twp. 21N, 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

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18062  
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 Sun River in SW4NE4, Sec. 35,  
Twp. 21N, Rge. 2E, Cascade County  
Trust Beneficiary: Public Land Trust

### Item Summary

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18064  
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 Marias River in SW4SW4, Sec. 1,  
Twp. 25N, Rge. 9E, Chouteau County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18065  
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 Marias River in SE4NW4, Sec. 12,  
Twp. 25N, Rge. 9E, Chouteau County  
Trust Beneficiary: Public Land Trust

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18066  
R/W Purpose: a 4.16kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.15  
Compensation: \$575.00  
Legal Description: 30-foot strip through SE4SE4, Sec. 16, Twp. 27N, Rge. 4W,  
Pondera County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18067  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.83  
Compensation: \$915.00  
Legal Description: 30-foot strip through S2NE4, Sec. 16, Twp. 27N, Rge. 4W,  
Pondera County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18068  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.41  
Compensation: \$144.00  
Legal Description: 30-foot strip through SW4NW4, Sec. 25, Twp. 23N, Rge. 5E,  
Chouteau County  
Trust Beneficiary: Western/Eastern

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18069  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.18  
Compensation: \$100.00  
Legal Description: 30-foot strip through SE4NE4, Sec. 26, Twp. 23N, Rge. 5E,  
Chouteau County  
Trust Beneficiary: Western/Eastern

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18070  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.92  
Compensation: \$322.00  
Legal Description: 30-foot strip through NW4NW4, Sec. 33, Twp. 22N, Rge. 4E,  
Cascade County  
Trust Beneficiary: Public Buildings

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18071  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.87  
Compensation: \$655.00  
Legal Description: 30-foot strip through SE4NW4, NW4NE4, Sec. 5, Twp. 23N,  
Rge. 3E, Chouteau County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18072  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.16  
Compensation: \$1160.00  
Legal Description: 30-foot strip through W2SW4, Sec. 16, Twp. 23N, Rge. 3E,  
Chouteau County  
Trust Beneficiary: Common Schools

### Item Summary

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### DNRC Recommendation

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# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 East Park  
Butte, MT 59701

Application No.: 18073  
R/W Purpose: a 12.47kV overhead electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.38  
Compensation: \$133.00  
Legal Description: 30-foot strip through SW4SE4, Sec. 31, Twp. 23N, Rge. 3E,  
Chouteau County  
Trust Beneficiary: Pine Hills

### Item Summary

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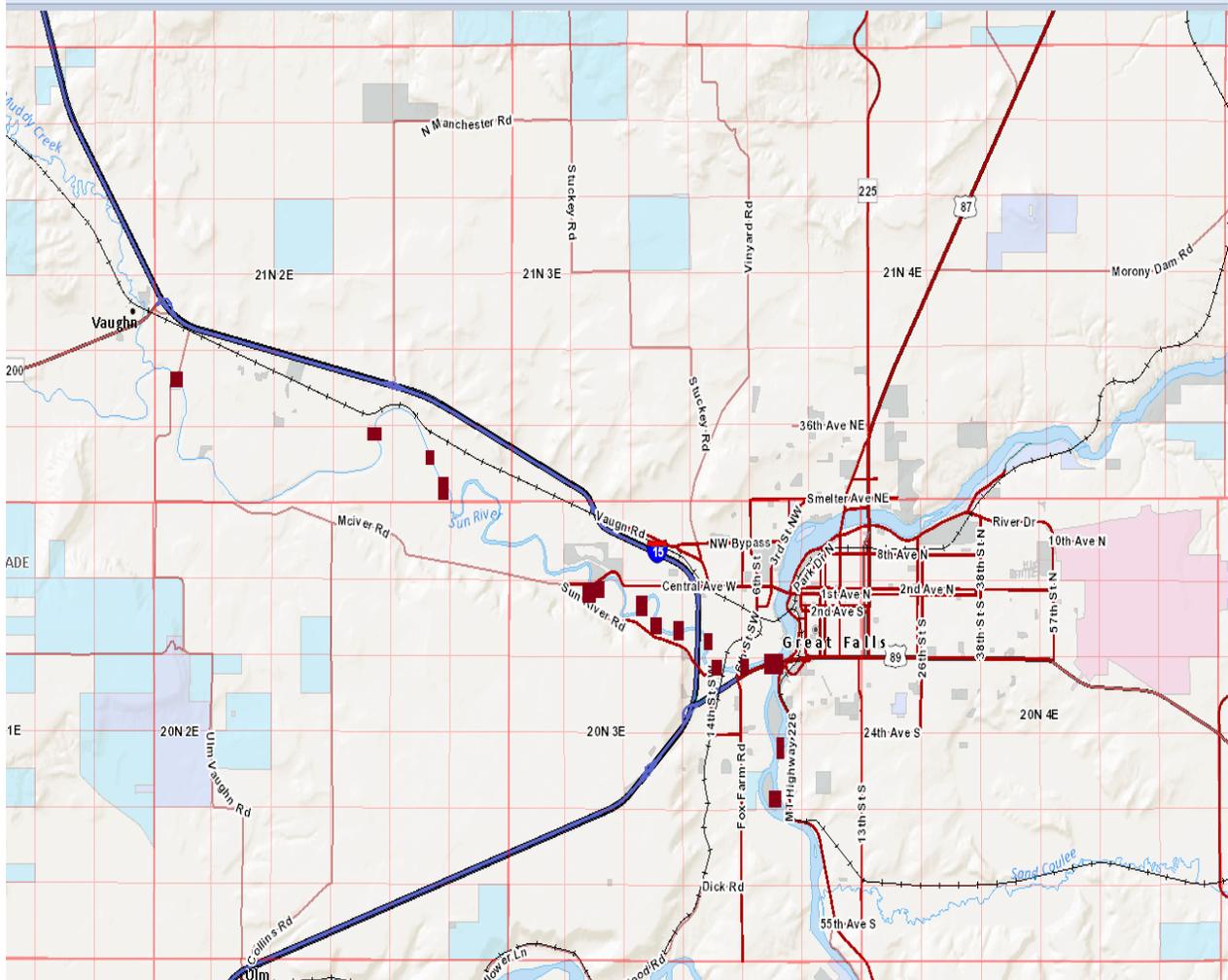
### DNRC Recommendation

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# Rights of Way Applications

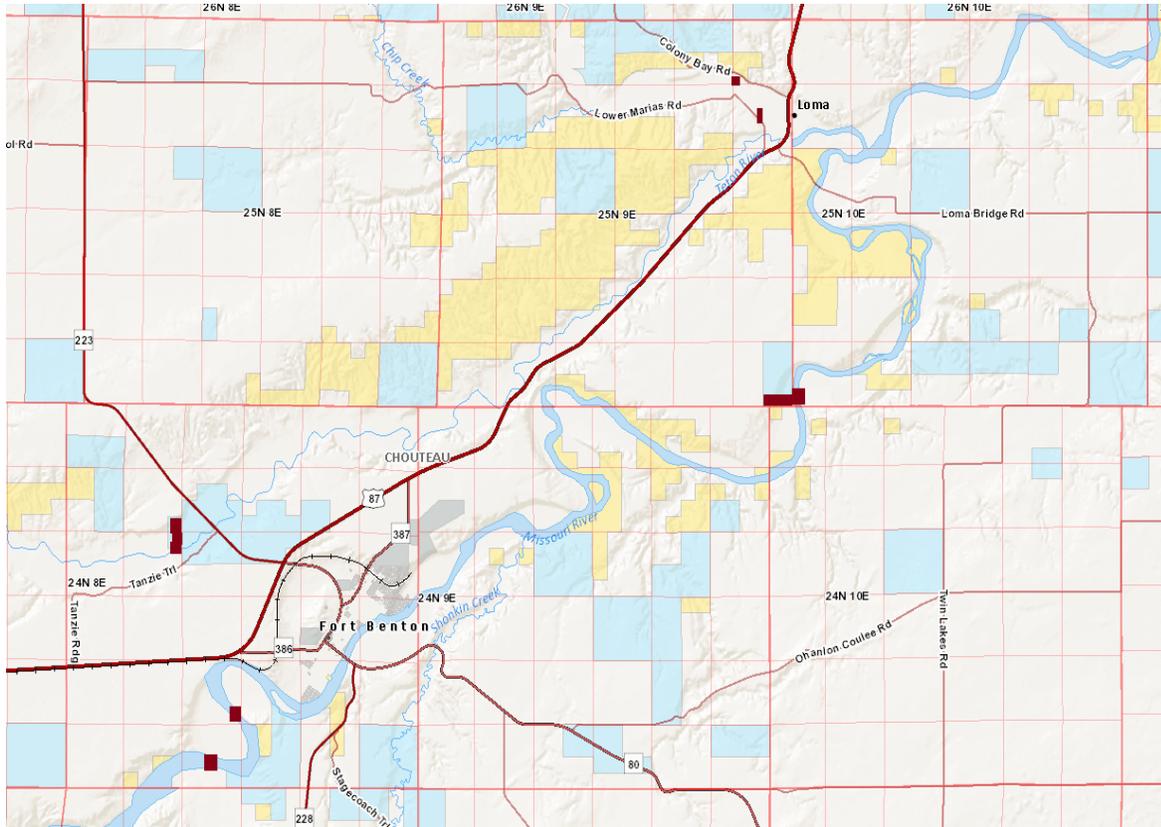
## January 22, 2018



Application #s 17988 – 17999, 18003, 18045 & 18046, 18061 & 18062 – NWE

# Rights of Way Applications

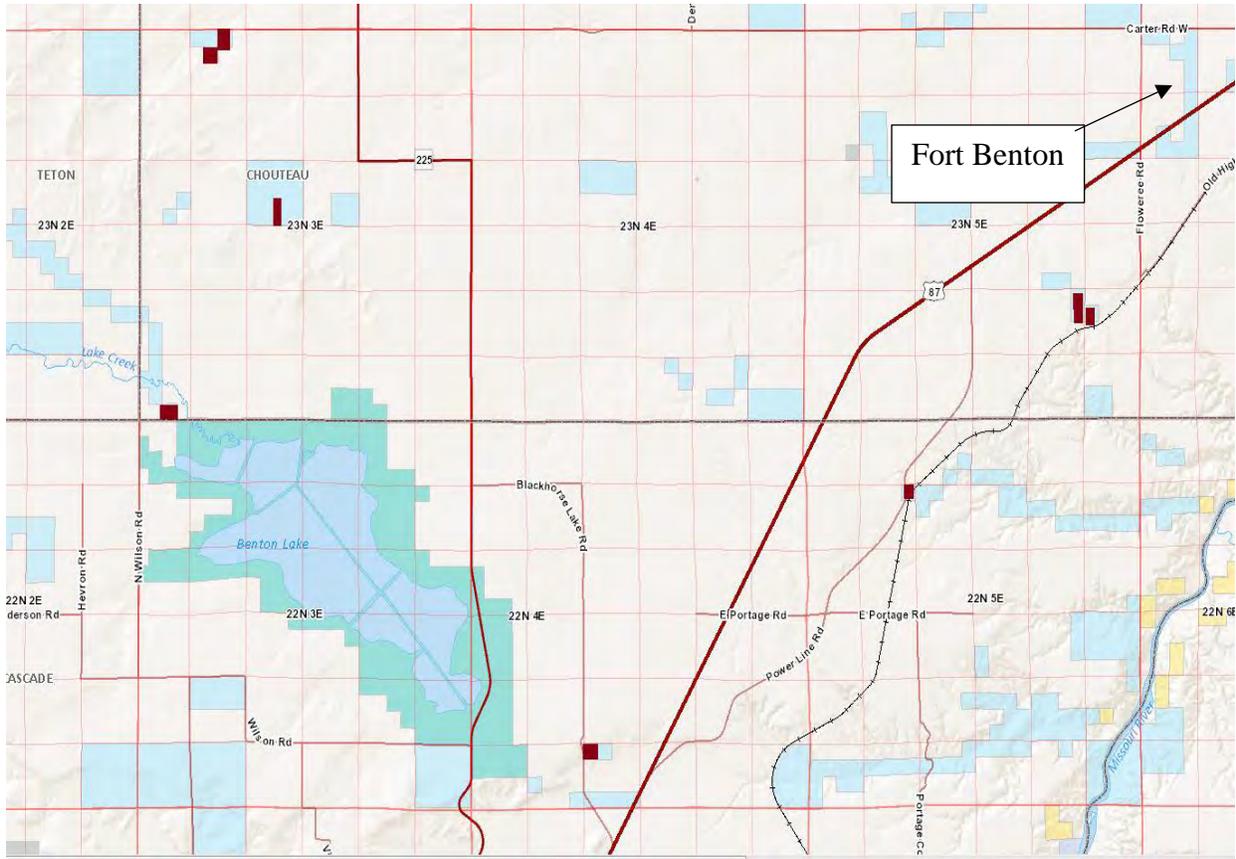
## January 22, 2018



Application #s 18029 & 18030, 18031, 18032 & 18034, 18036 -18038, 18064 & 18065 – NWE

# Rights of Way Applications

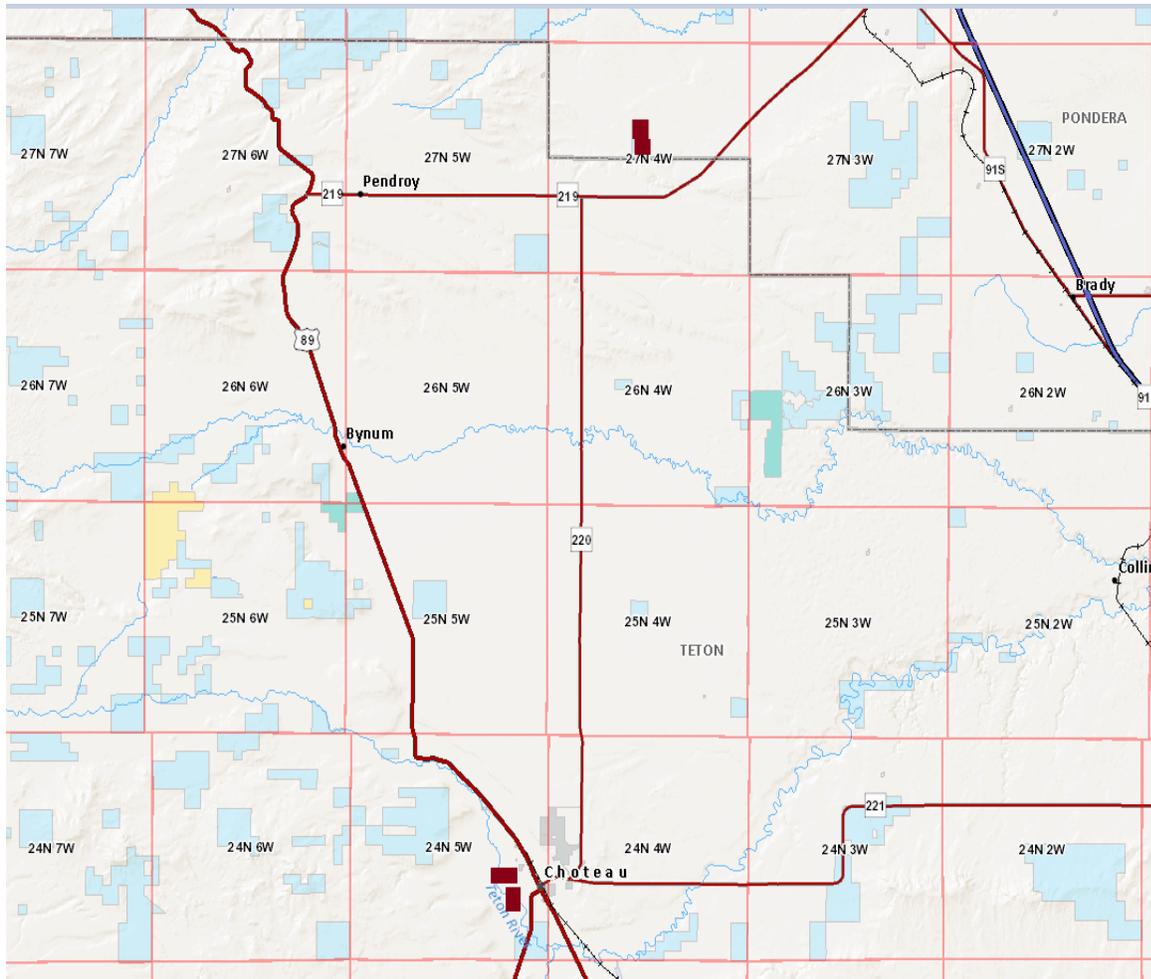
## January 22, 2018



Application #s 18039 & 18040, 18068 – 18073 – NWE

# Rights of Way Applications

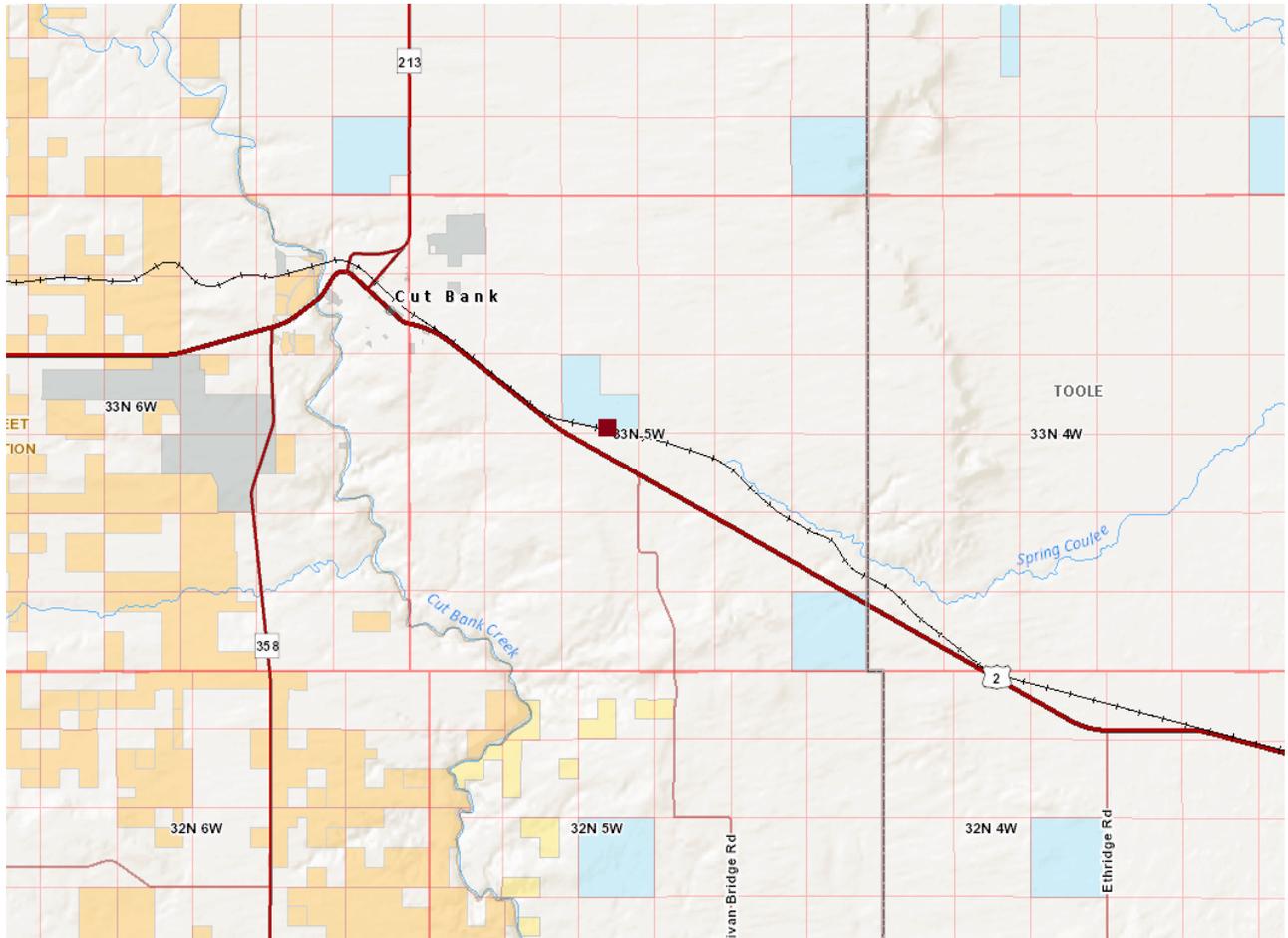
## January 22, 2018



Application #s 18041, 18047, 18066 & 18067 – NWE

# Rights of Way Applications

## January 22, 2018



Application # 18043 – NWE

# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Kory & Mitzi Ceclre 3395 River Road Chinook, MT 59523
Application No.:	18059
R/W Purpose:	a private access road for the purpose of conducting normal farming and ranching operations
Lessee Agreement:	N/A (Historic)
Acreage:	0.96
Compensation:	\$288.00
Legal Description:	15-foot strip through S2NW4, Sec. 36, Twp. 34N, Rge. 24E, Blaine County
Trust Beneficiary:	Common Schools

### Item Summary

Kory & Mitzi Ceclre have made application for the use of an existing road for conducting normal farming and ranching operations. The road has been in place for years and authorization for continued use is being requested pursuant to §77-1-130, MCA, which allows for recognition of such historic access. State land in the vicinity of the Ceclre property is legally accessed through a series of public county roads, therefore reciprocal access is not viable. The private property to be accessed is described as:

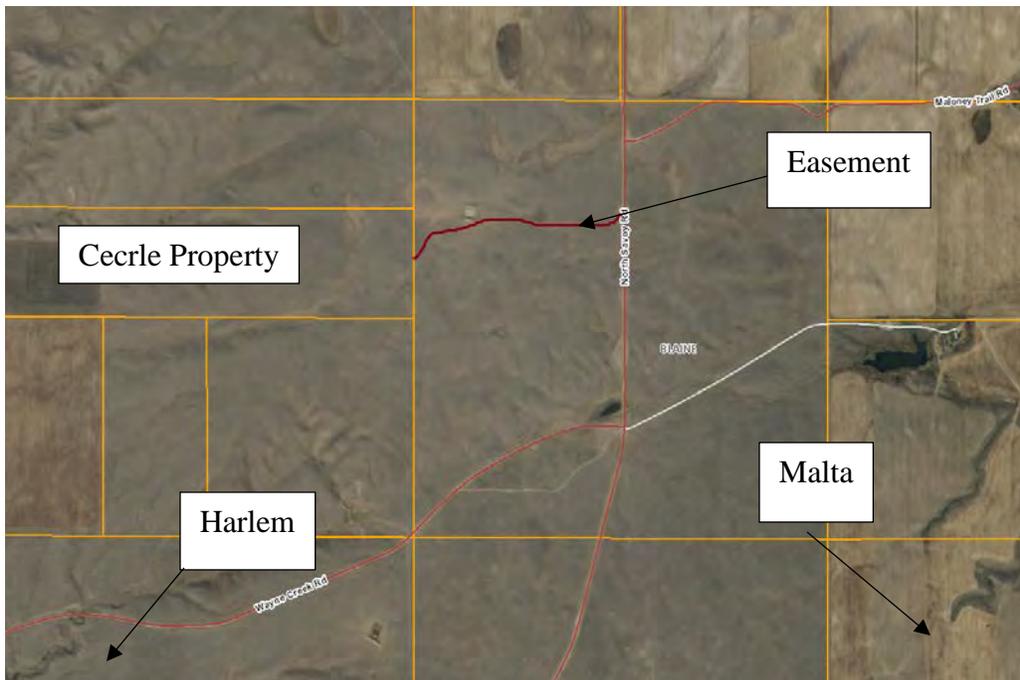
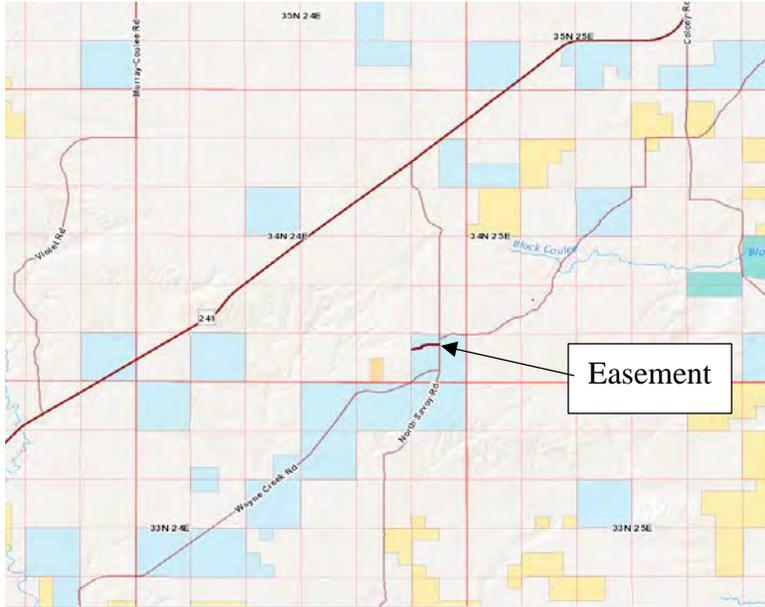
- Sec. 35, Twp. 34N, Rge. 24E – S2N2

### DNRC Recommendation

The director recommends approval of this historic private access easement.

# Rights of Way Applications

## January 22, 2018



# Rights of Way Applications

## January 22, 2018

### APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Range Telephone Cooperative, Inc. PO Box 127 Forsyth, MT 59327
Application No.:	18126
R/W Purpose:	a buried telecommunications cable
Lessee Agreement:	ok
Acreage:	0.31
Compensation:	\$930.00
Legal Description:	10-foot strip through NW4NE4, Sec. 36, Twp. 7N, Rge. 44E, Rosebud County
Trust Beneficiary:	Common Schools

### Item Summary

Range Telephone Cooperative, Inc., has made application to install a new buried fiber optic cable described as the North Rosebud East fiber optic project within Rosebud and Custer Counties. This cable would upgrade the existing telecommunication facilities within the Rosebud Exchange service area. The proposed route would be placed within the existing and previously disturbed right of way of Cartersville Road in Rosebud County. This route was chosen for its ease of access and its previous disturbed nature. No other reasonable alternative routes exist within the immediate area.

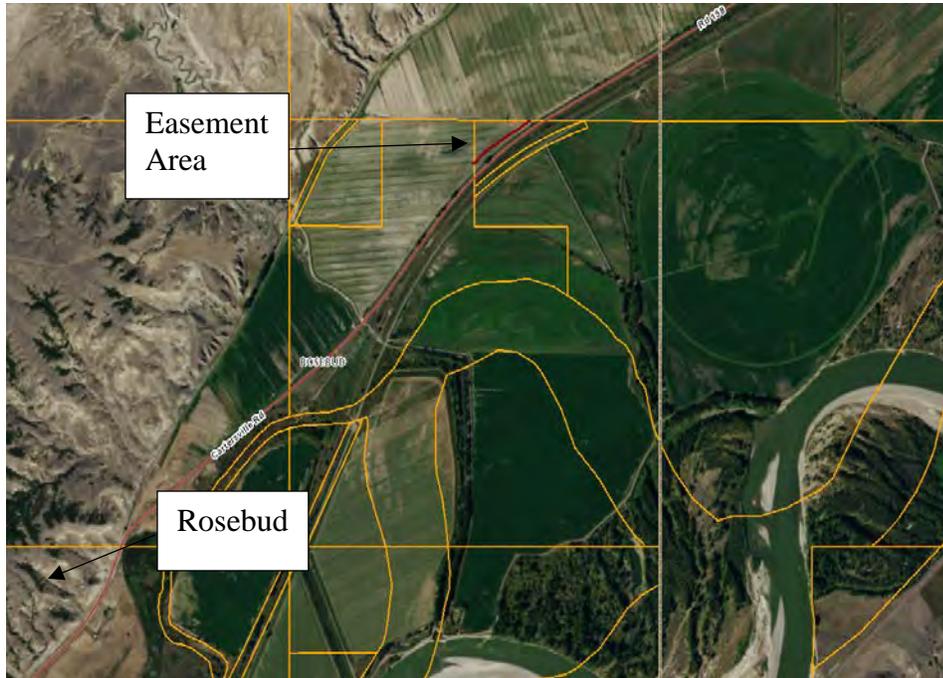
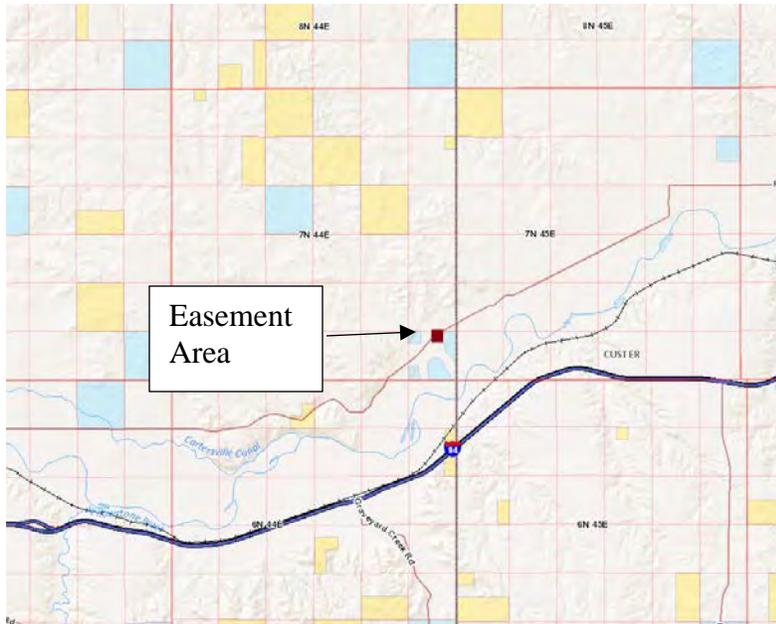
### DNRC Recommendation

The director recommends approval of this buried telecommunications cable.

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# Rights of Way Applications

January 22, 2018



**Land Board Agenda Item  
January 22, 2018**

**0118-7B Montana Department of Corrections: Easement Grant to  
Montana Department of Transportation**

**Location: Yellowstone County**

**Trust Benefits: N/A (non-trust)**

**Non-Trust Revenue: \$500.00 to Montana Department of Corrections**

**Item Summary**

The Montana Department of Transportation (MDT) is requesting an additional 15 square feet of land owned by the Montana Department of Corrections at the Women's State Prison in Billings, MT. The scope of the project is to bring 27<sup>th</sup> Street from its intersection with Interstate 90 to Logan International Airport up to current federal design standards and to meet Americans With Disabilities Act (ADA) requirements. Proposed work will include new overlay of asphalt on 27<sup>th</sup> Street and installation of ADA compliant ramps at the intersections along the length of the project. New lighting and pavement markings as well as street signs and drainage features will be included.

**Appraisal**

MDT conducted a market value analysis and determined a value of \$7.00 per square foot, which equates to \$105 for the 15-square foot parcel necessary for the project. The minimum payment for a federal highway project is \$500.00, which has been offered to the Department of Corrections

**Department Recommendation**

The Department of Corrections requests the Land Board approve this easement grant MDT at the Women's State Prison in Billings, MT.

### Location Map

