

**AGENDA**  
**REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS**  
July 16, 2018, at 9:00 am  
State Capitol, Room 303  
Helena, MT

**ACTION ITEMS**

- 0718-1 **FWP: Fish Creek Wildlife Management Area Addition/Fee Acquisition:**  
*Benefits: N/A (non-trust land)*  
*Location: Mineral County*  
**APPROVED 5-0**
- 0718-2 **Timber Sales**  
**A. Bear Springs**  
*Benefits: Common Schools*  
*Location: Flathead County*
- B. Smoke Brulee**  
*Benefits: Common Schools*  
*Location: Lincoln County*  
**APPROVED 5-0**
- 0718-3 **Easements**  
*Benefits: Common Schools, MSU-Eastern/UM-Western and Public Land Trust*  
*Location: Cascade, Chouteau, Fergus, Garfield, Teton, Meagher, Toole, Valley and Yellowstone counties*  
**APPROVED 5-0**

**PUBLIC COMMENT**

# 0718-1

FWP: Fish Creek Wildlife Management Area  
Addition/Fee Acquisition

**Land Board Agenda Item  
July 16, 2018**

**0718-1 FWP: Fish Creek Wildlife Management Area Addition/Fee Acquisition**

**Location: Mineral County, Montana**

**Trust Benefits: n/a**

**Trust Revenue: n/a**

**Item Summary** Fish Wildlife and Parks (FWP) proposes to purchase two private inholdings totaling approximately 276 acres of vital wildlife and fish habitat in the Fish Creek WMA which will block up FWP ownership and management of the Fish Creek WMA. The appraised value and purchase price of these parcels is \$900,000, which would be paid for with Habitat Montana funds, a \$60,000 grant from the NW Energy Thompson Falls mitigation fund, and \$10,000 from the local Trout Unlimited Chapter.

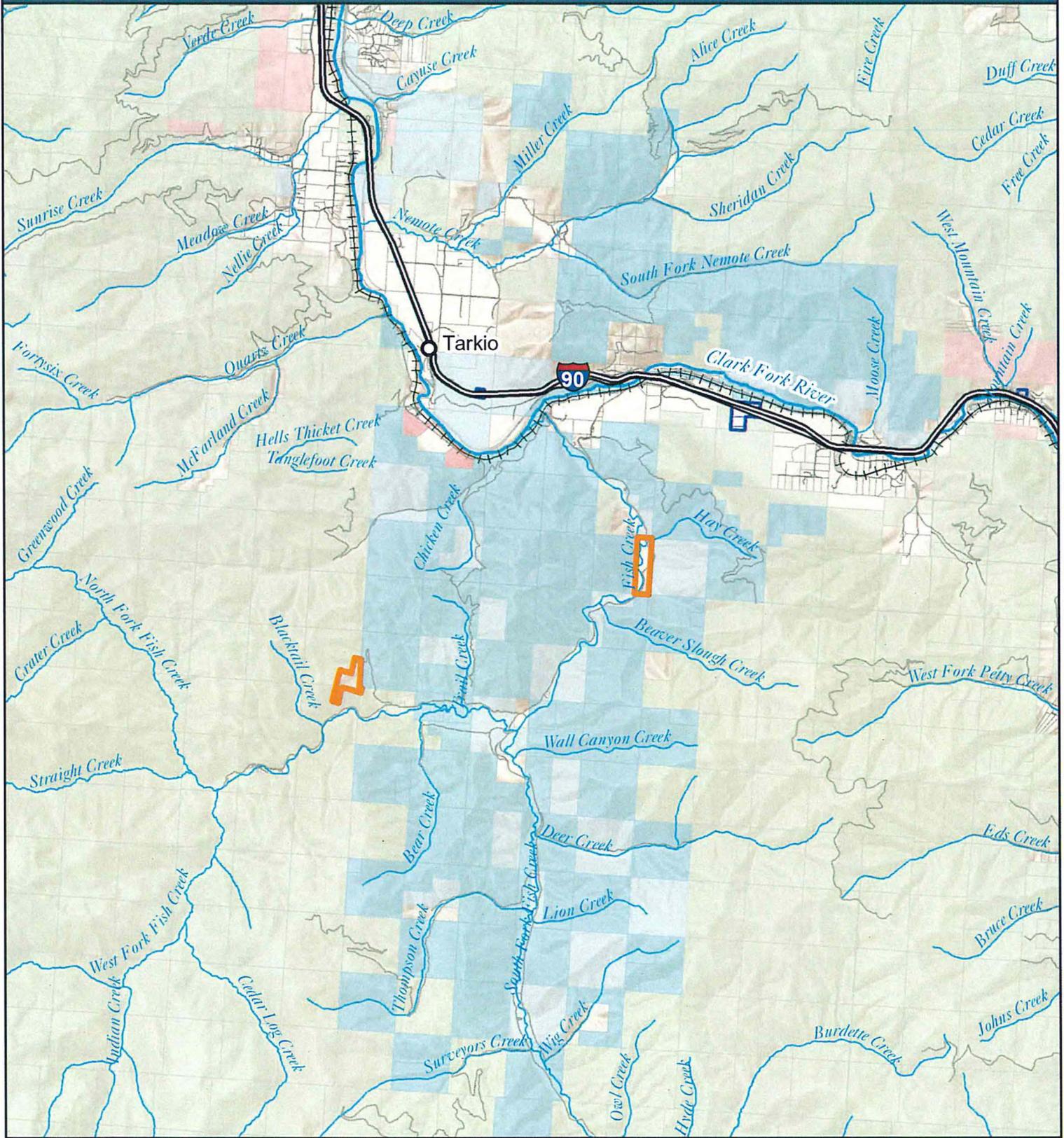
Acquiring these inholdings would eliminate the threat of development that would compromise the ecological integrity of the Fish Creek watershed and be a source of management conflicts while providing additional opportunity for public hunting and other recreation. The parcels fill a crucial gap in public ownership that connects wildlife movement across a broader landscape and protects key habitat for bull trout and westslope cutthroat trout. The Fish Creek drainage is a Tier 1 Terrestrial Focal Area for wildlife connectivity and a high priority linkage zone for carnivores (grizzly bear, lynx, wolverine, etc.) between the Northern Continental Divide Ecosystem, Ninemile Divide and the Selway-Bitterroot Wilderness. The subject parcels provide an important migratory corridor for elk and mule deer from the WMA to the higher elevation summer range in the Great Burn Proposed Wilderness, as well as 1.2 miles of Fish Creek, 120 acres of which is identified as a bull trout critical habitat priority area providing a key migratory corridor and rearing area.

FWP released a draft Environmental Assessment (EA) for public review on March 14, 2018 and accepted public comment through April 13, 2018 (30 days). A public hearing was held in Alberton (Mineral County) on March 22. FWP received a total 82 public comments, with 73 supporting and 3 opposing the proposal, and 6 not (clearly) stating support or opposition. Support included many individuals, in addition to 1 timber company and 11 organizations; opposition was from 3 individuals (1 anonymous).

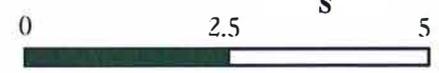
FWP Commission approval was received June 14, 2018.

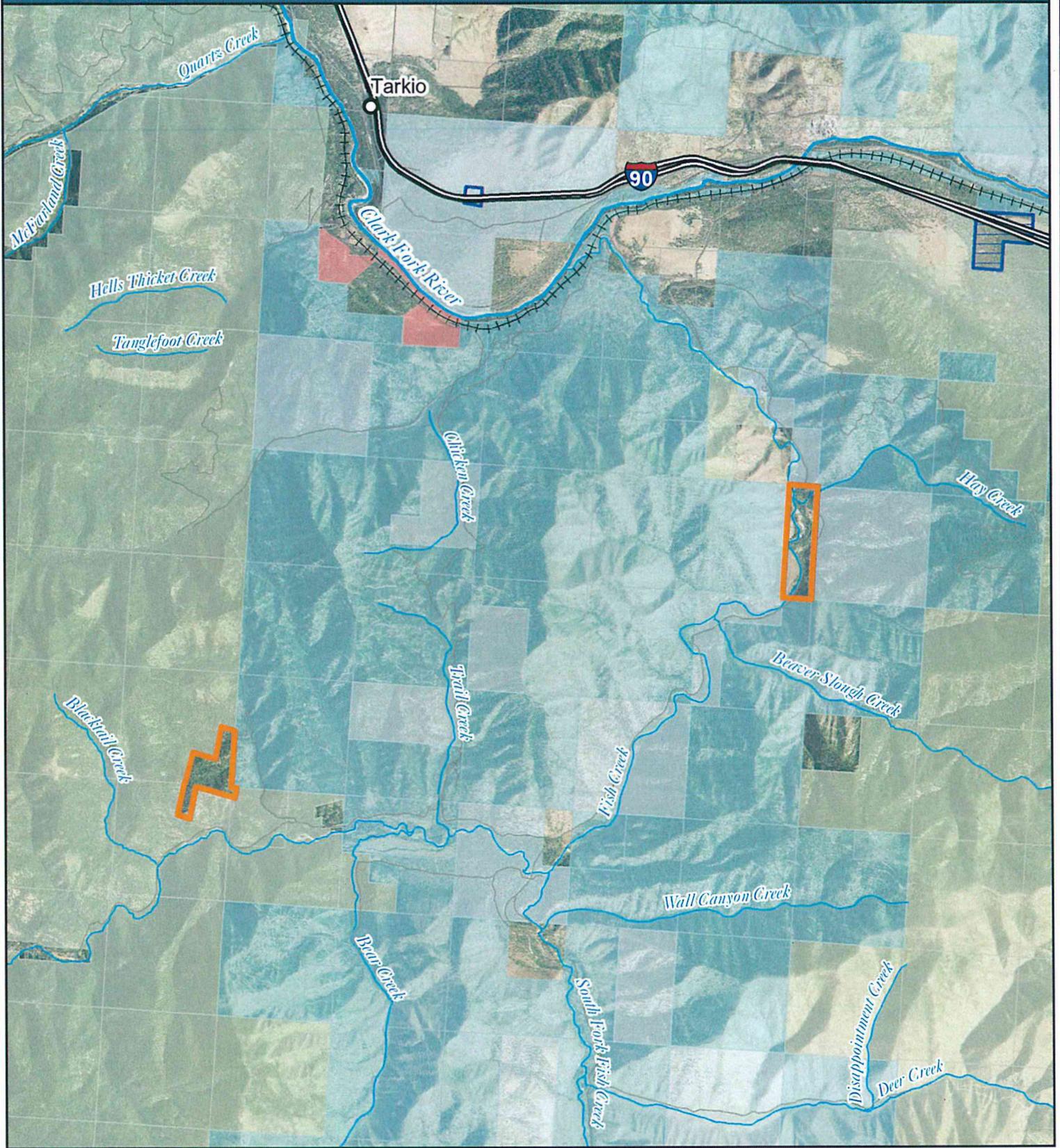
**FWP Recommendation**

FWP recommends the members of the Land Board approve FWP's acquisition of the 2 parcels totaling 276 acres as additions to the FCWMA as proposed.



 Koch Properties	 Stimson Lumber
 FVLTC Conservation Easements	 Plum Creek
 MT Fish, Wildlife & Parks	 USFS
 MT State Trust Lands	





Koch Properties



FVLT Conservation Easements



MT Fish, Wildlife & Parks



MT State Trust Lands



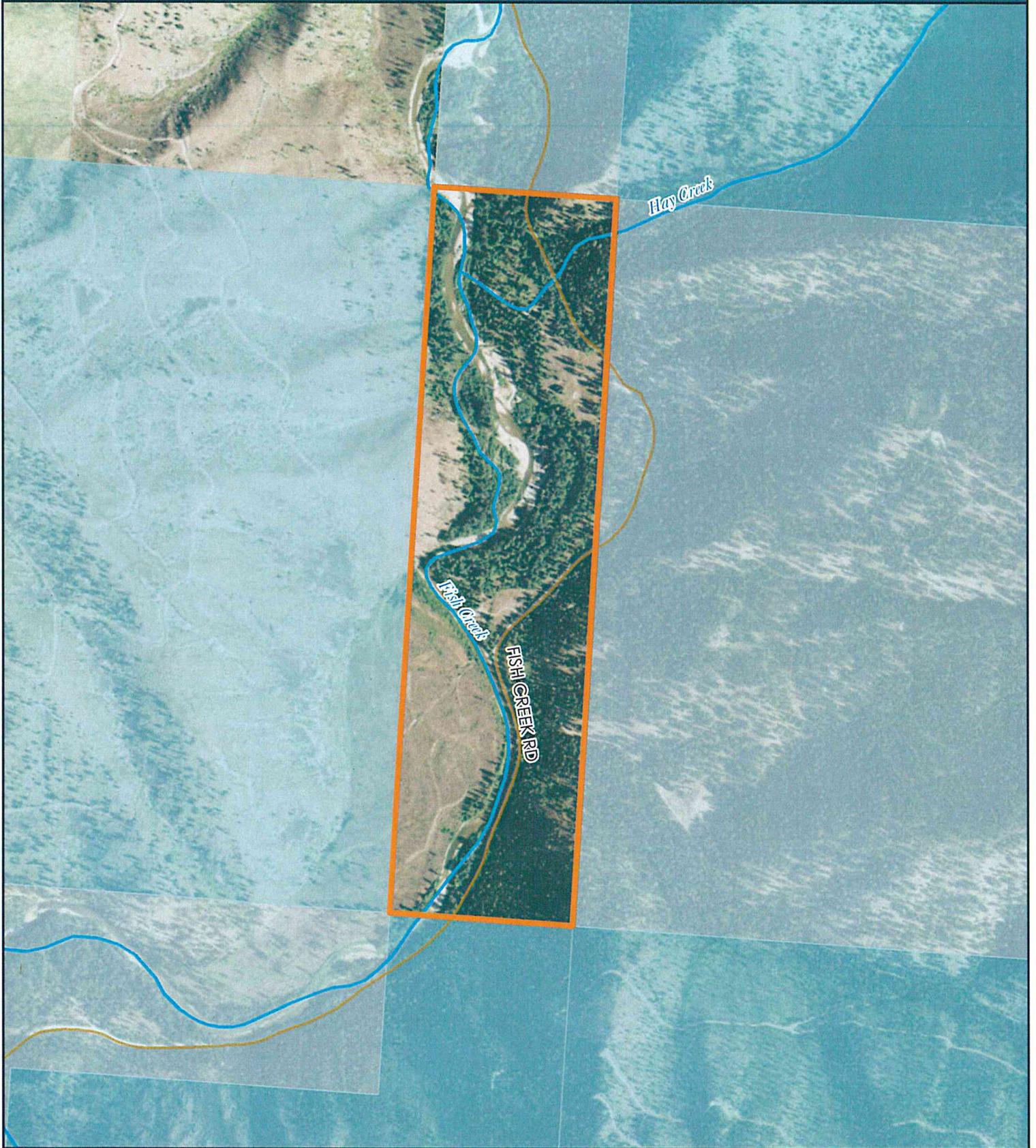
Stimson Lumber



USFS



Miles



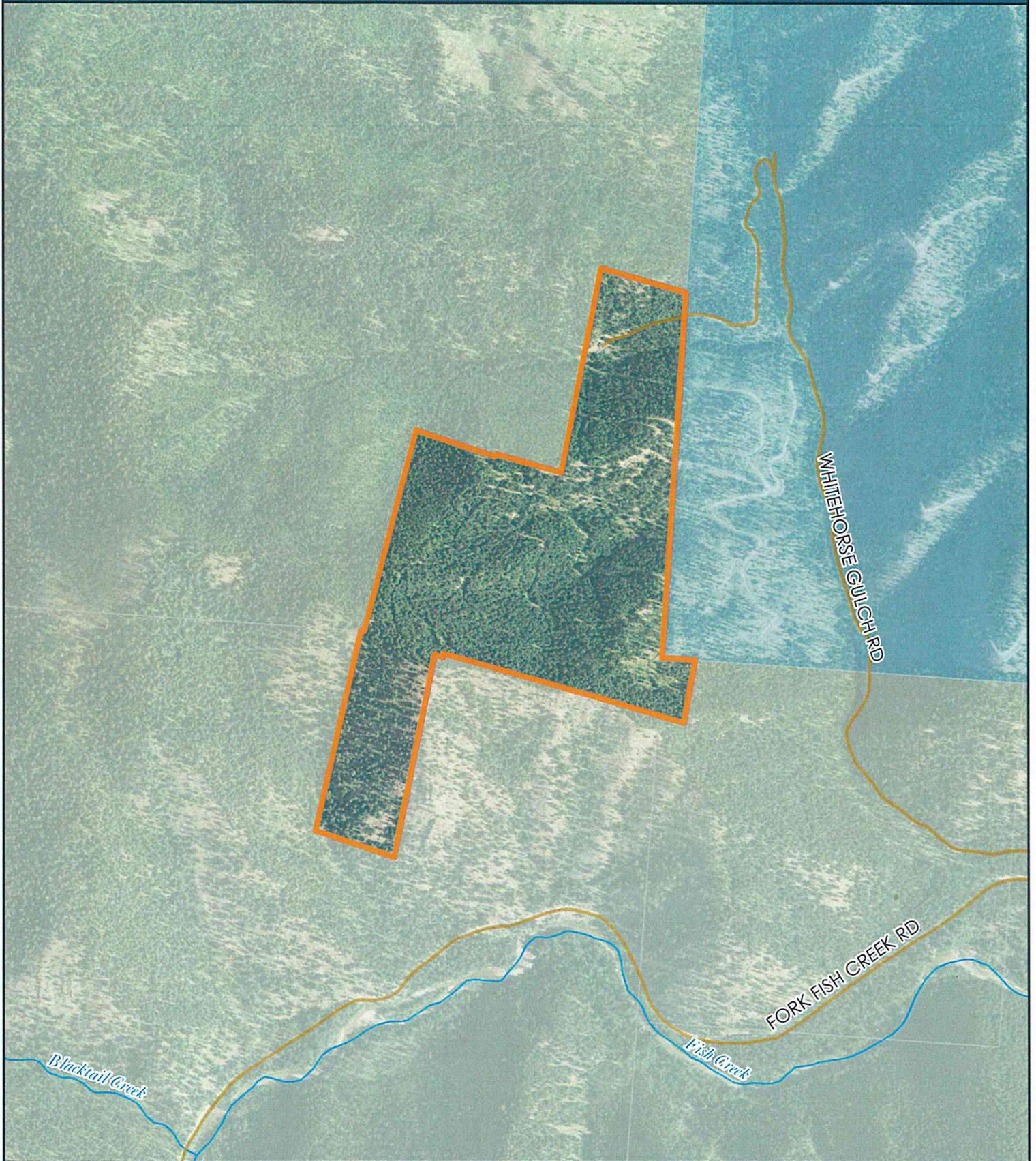
 Koch Property

 MT Fish, Wildlife & Parks

 USFS

 MT State Trust Lands



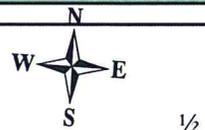


 Koch Property

 USFS

 MT Fish, Wildlife & Parks

Miles  
0 1/4 1/2



# 0718-2

Timber Sales

A. Bear Springs

B. Smoke Brulee

**Land Board Agenda Item  
July 16, 2018**

**0718-2A Timber Sale: Bear Springs**

**Location: County: Flathead  
Section 16, T27N, R25W**

**Trust Beneficiaries: Common Schools**

**Trust Revenue: \$373,274 (estimated, minimum bid)**

**Item Summary**

**Location:** The Bear Springs Timber Sale is located approximately 8 miles west of Marion, MT.

**Size and Scope:** The project contains 2 harvest units (566 acres) of tractor logging.

**Volume:** The estimated volume is 14,719 tons (2.1 MMBF) of sawlogs.

**Estimated Return:** The minimum bid is \$25.36 per ton which would generate approximately \$373,274 for the Common Schools Trust and approximately \$25,758 in Forest Improvement fees.

**Prescription:** This sale has commercial thinning and sanitation prescriptions. These treatments are designed to remove disease and insect infected trees while improving the health and vigor of residual trees. Timber harvest will remove ponderosa pine, Douglas-fir, western larch, lodgepole pine, white fir, and Englemann spruce.

**Road Construction/Maintenance:** The project is proposing 630 feet of new road construction, 6.6 miles of road with site improvements, and 9.7 miles of road maintenance.

**Access:** Access to the project area will be obtained through temporary road use agreements with Weyerhaeuser Company.

**Public Comments:** Two public comments were received. DNRC received one letter from the Northern Cheyenne Tribal Historic Preservation Office and another from the Confederated Salish and Kootenai Tribal Historic Preservation Office. These comments were forwarded to the DNRC archeologist who conducted a field survey of the project area. No cultural resources were found. If an unanticipated cultural resource is discovered, all project related activities will cease until the resource can be adequately evaluated. DNRC will keep interested parties apprised of any unanticipated discoveries. A copy of the cultural report will be sent to the Confederated Salish and Kootenai Tribe.

**DNRC Recommendation**

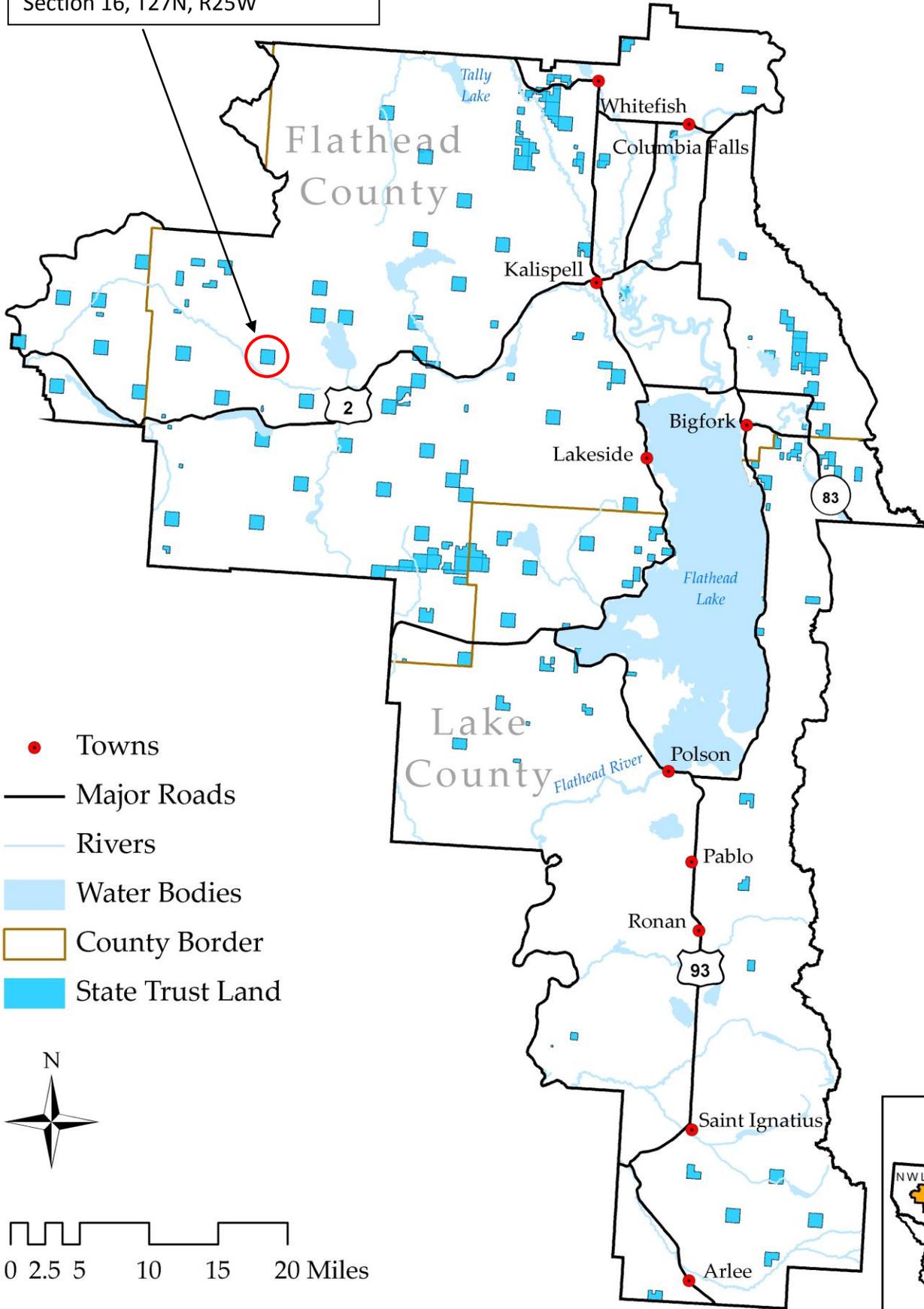
The director recommends the Land Board direct DNRC to sell the Bear Springs Timber Sale.

# BEAR SPRINGS TIMBER SALE VICINITY MAP KALISPELL UNIT

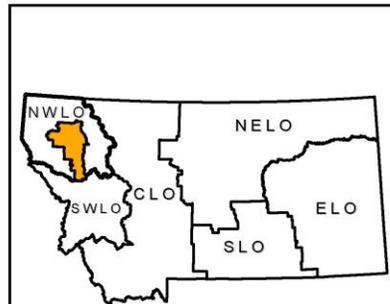
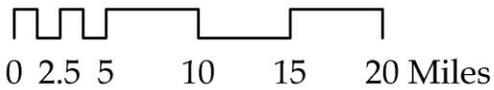
0718-2A



**Bear Springs Timber Sale**  
Section 16, T27N, R25W

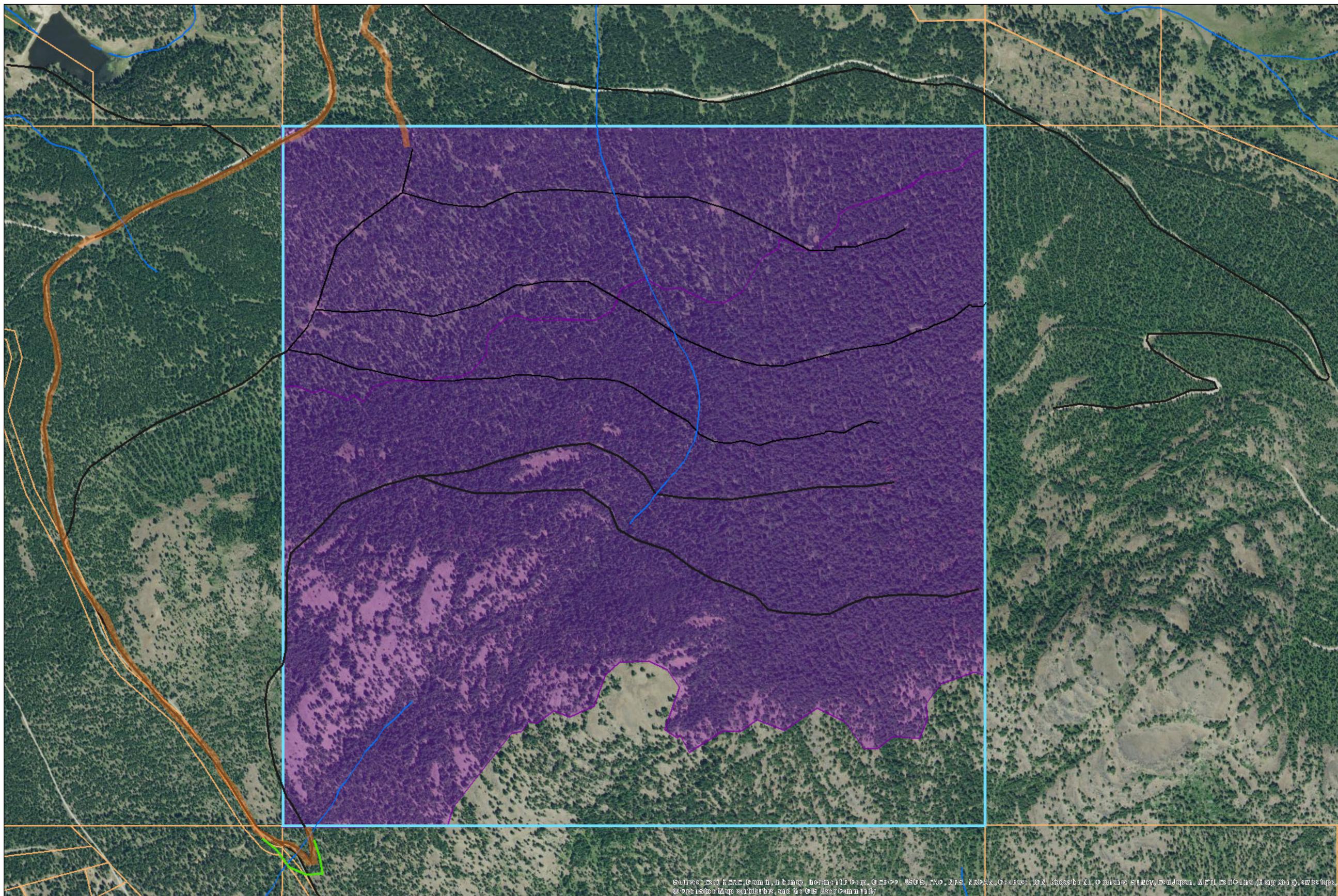


- Towns
- Major Roads
- Rivers
- Water Bodies
- County Border
- State Trust Land





# Bear Springs Timber Sale Harvest Unit Map



Source: Montana Department of Natural Resources, USGS, NPS, NRCAN, Geobase, IGN, Kadaster, L. O. Zolotarev, Esri, Japan, METI, EsriOnline (ArcGIS), EsriShape, © OpenStreetMap contributors, and the GIS User Community

- |   |  |  |
|---|--|--|
|  Existing Road       |  Perennial Stream       |  USFS Land  |
|  New Road            |  Intermittent Stream    |  USFWS Land |
|  Road Reconstruction |  Proposed Harvest Units |  BLM Land   |
|  Haul Route          |  DNRC Surface Tracts    |  MT FWP     |



**Land Board Agenda Item  
July 16, 2018**

**0718-2B Timber Sale: Smoke Brulee**

**Location: Lincoln County  
Section 16, T27N, R29W**

**Trust Beneficiaries: Common Schools**

**Trust Revenue: \$210,024 (estimated, minimum bid)**

**Item Summary**

**Location:** The project is located 21 miles southeast of Libby, MT.

**Size and Scope:** The sale includes 2 harvest units (*530 acres*) of skyline and tractor logging.

**Volume:** The estimated harvest volume is 21,652 tons (*3.1 MMBF*) of sawlogs.

**Estimated Return:** The minimum bid is \$9.70 per ton, which would generate approximately \$210,024 for the Common Schools Trust and approximately \$38,108 in Forest Improvement fees.

**Prescription:** This sale has a harvest prescription of shelterwood treatment that will capture the value of insect killed trees, and improve resistance to future insect attack, while reducing future fuel load. Timber harvest will remove ponderosa pine, Douglas-fir, western larch, lodgepole pine, white fir, and Engelmann spruce.

**Road Construction/Maintenance:** Department of Natural Resources and Conservation (DNRC) is proposing 4.1 miles of new permanent road construction, and 21 miles of road maintenance.

**Access:** Access is obtained through the Brulee Reciprocal Access Agreement, a temporary road use permit with Weyerhaeuser, and a temporary road use permit from the United States Forest Service Kootenai National Forest.

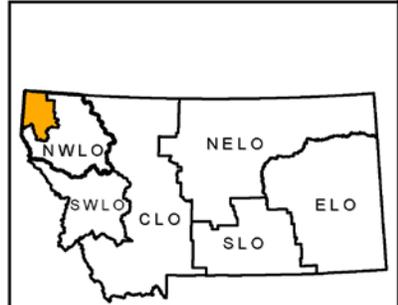
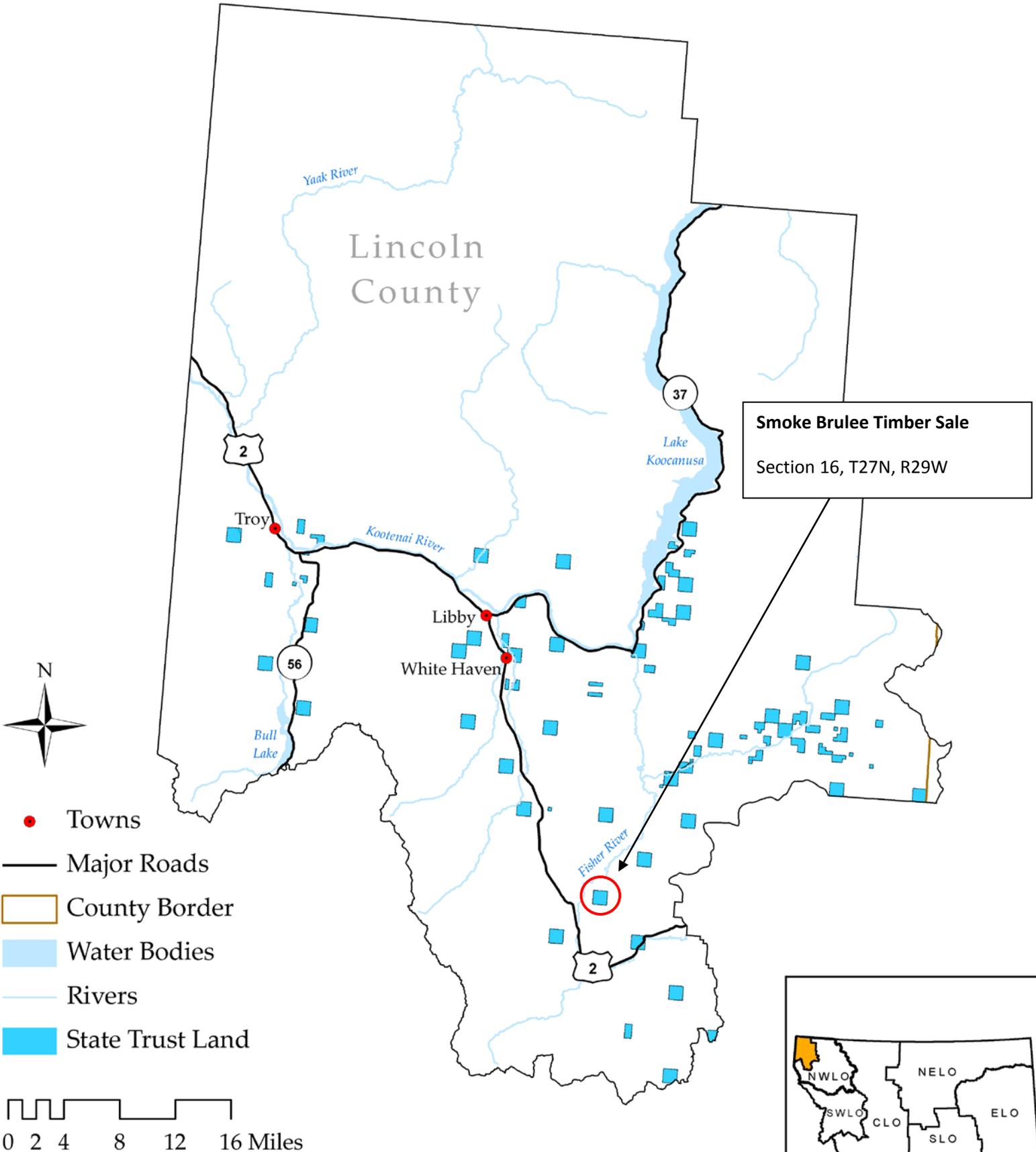
**Public Comments:** DNRC received 2 comments. Montana Fish, Wildlife, and Parks supports the proposal to address forest health issues, but was concerned about the reduction to winter canopy cover for white-tailed deer winter range. Browse for elk and mule deer would be improved as well as mule deer winter range. The Confederated Salish and Kootenai Tribes found no cultural sites and approved of the project. Internal and external issues and concerns were incorporated into project planning and design.

**DNRC Recommendation**

The director recommends the Land Board direct DNRC to sell the Smoke Brulee Timber Sale.

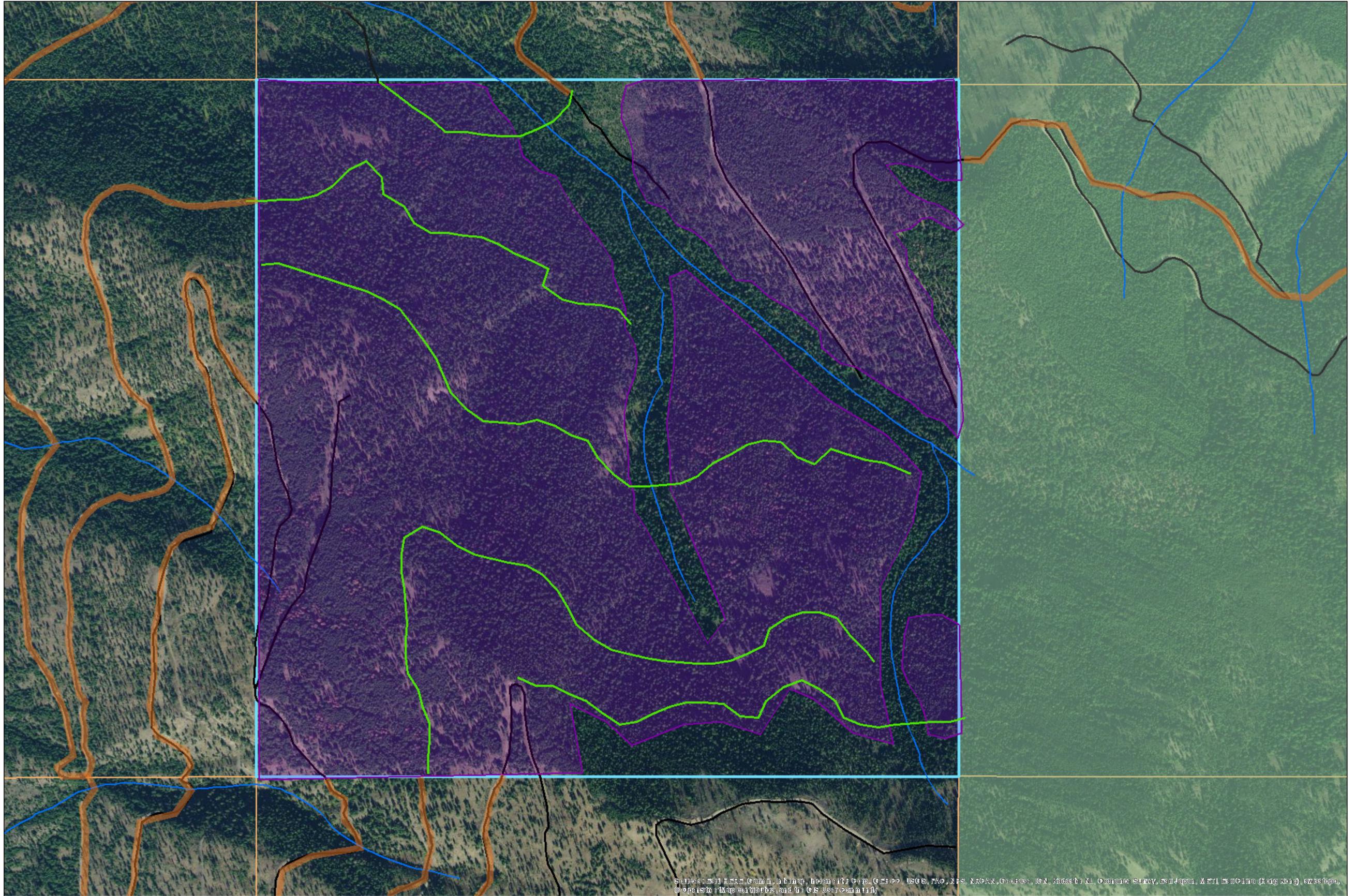
# SMOKE BRULEE TIMBER SALE VICINITY MAP LIBBY UNIT

0718-2B

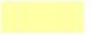




# Smoke Brulee Timber Sale Harvest Unit Map



Source: MT DNR, Camille, Inman, Inverness, Co., Co., USGS, FWS, NRGAN, Geospatial, Kadaster NL, Ordnance Survey, Esri Japan, Esri, Esri (China), Swisstopo, OpenStreetMap contributors, and the GIS User Community

- |   |  |  |
|---|--|--|
|  Existing Road       |  Perennial Stream       |  USFS Land  |
|  New Road            |  Intermittent Stream    |  USFWS Land |
|  Road Reconstruction |  Proposed Harvest Units |  BLM Land   |
|  Haul Route          |  DNRC Surface Tracts    |  MT FWP     |



# 0718-3

Easements

**Land Board Agenda Item  
July 16, 2018**

**0718-3 Easements**

**Location:** Cascade, Chouteau, Fergus, Garfield, Teton, Meagher, Toole, Valley, Yellowstone

**Trust Benefits:** Common Schools, MSU-Eastern/UM-Western, Public Land Trust

**Trust Revenue:** Common Schools = \$ 20,200.00  
MSU-Eastern/UM-Western = \$ 10,190.00  
Public Land Trust = \$ 7,272.00

**Item Table of Contents**

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Northwestern Energy 11 E. Park Butte, MT 59701
Application No.:	18060
R/W Purpose:	An overhead 12.47 kv electric distribution line
Lessee Agreement:	N/A (Navigable River)
Acreage:	0.31
Compensation:	\$388.00
Legal Description:	35-foot strip across Missouri River in NW4NW4, Sec. 35, Twp. 30N, Rge 4E, Cascade County
Trust Beneficiary:	Public Land Trust

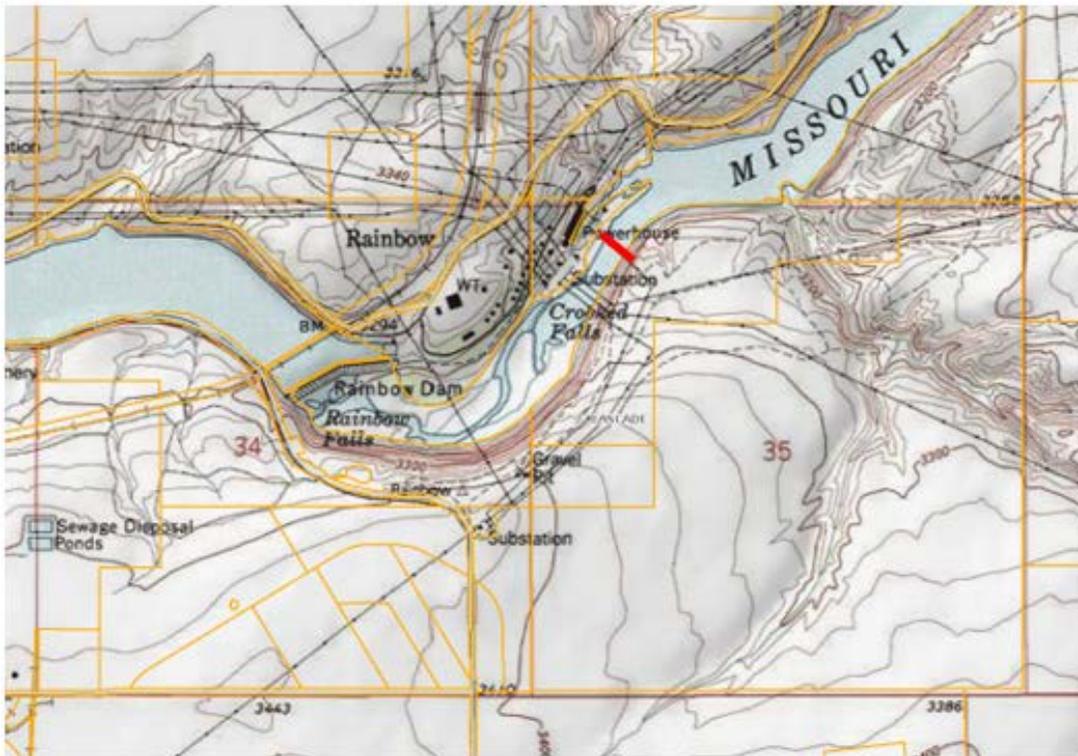
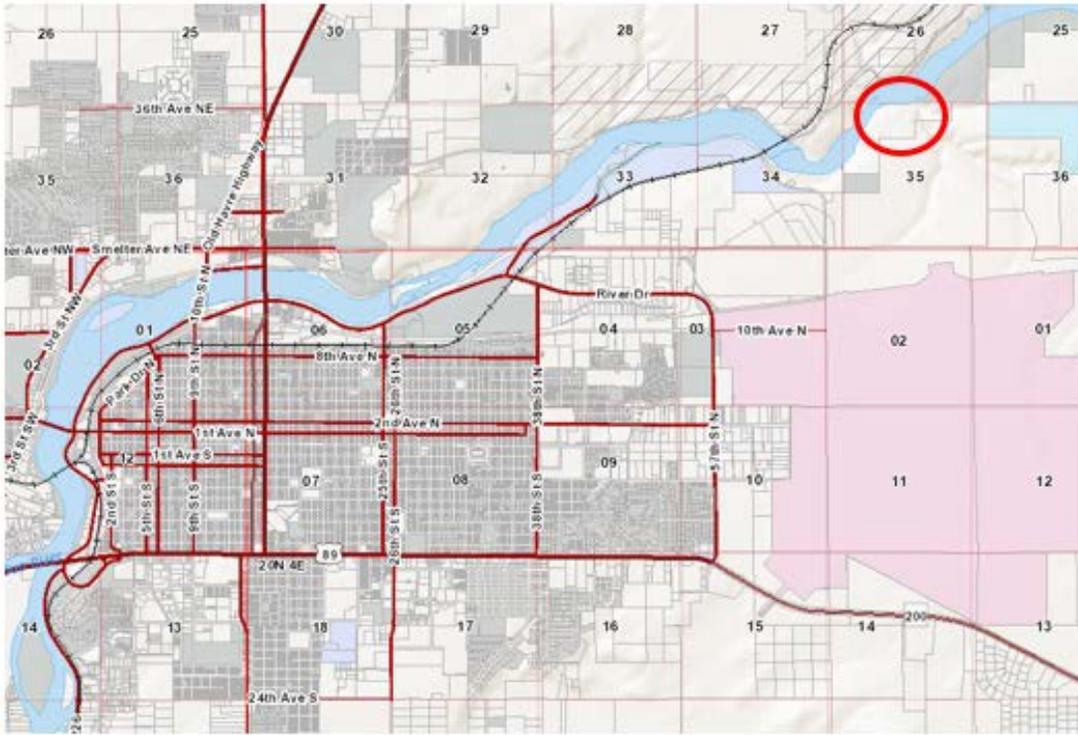
Item Summary

Northwestern Energy has made application for multiple overhead electric distribution, 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 as historic rights of ways.

DNRC Recommendation

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

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R/W App # 18060

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18063  
R/W Purpose: An overhead 12.47 kv electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.98  
Compensation: \$1,274.00  
Legal Description: 30-foot strip through NW4NW4 SW4NW4, Sec. 36, Twp. 21N,  
Rge. 2E, Cascade County  
Trust Beneficiary: Common Schools

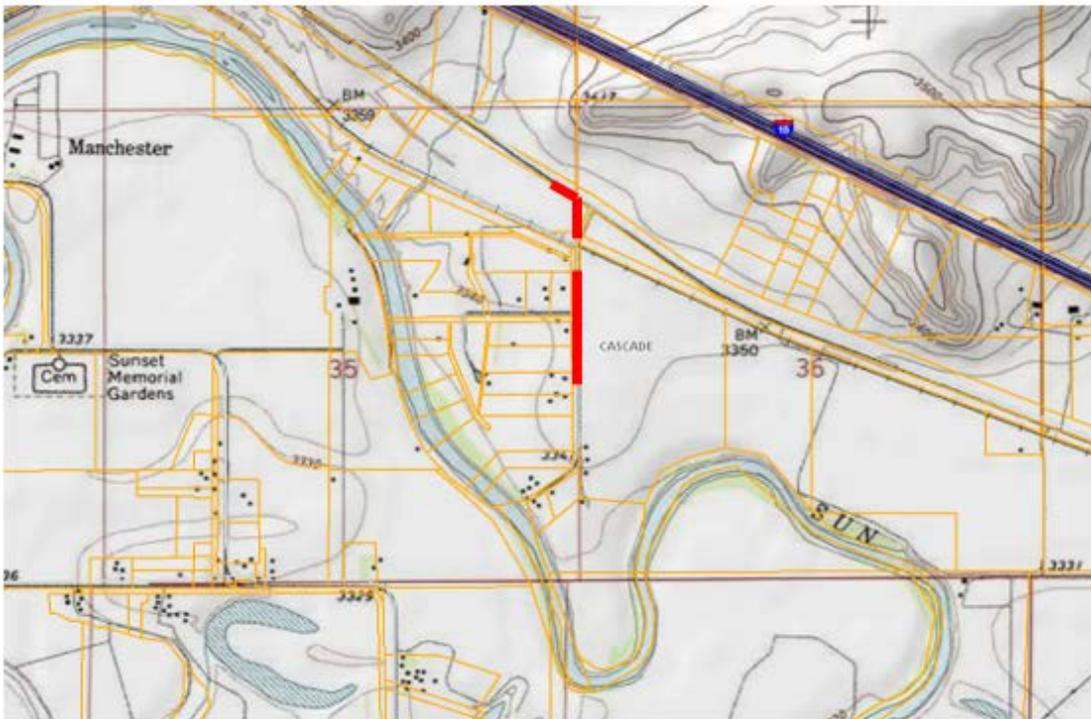
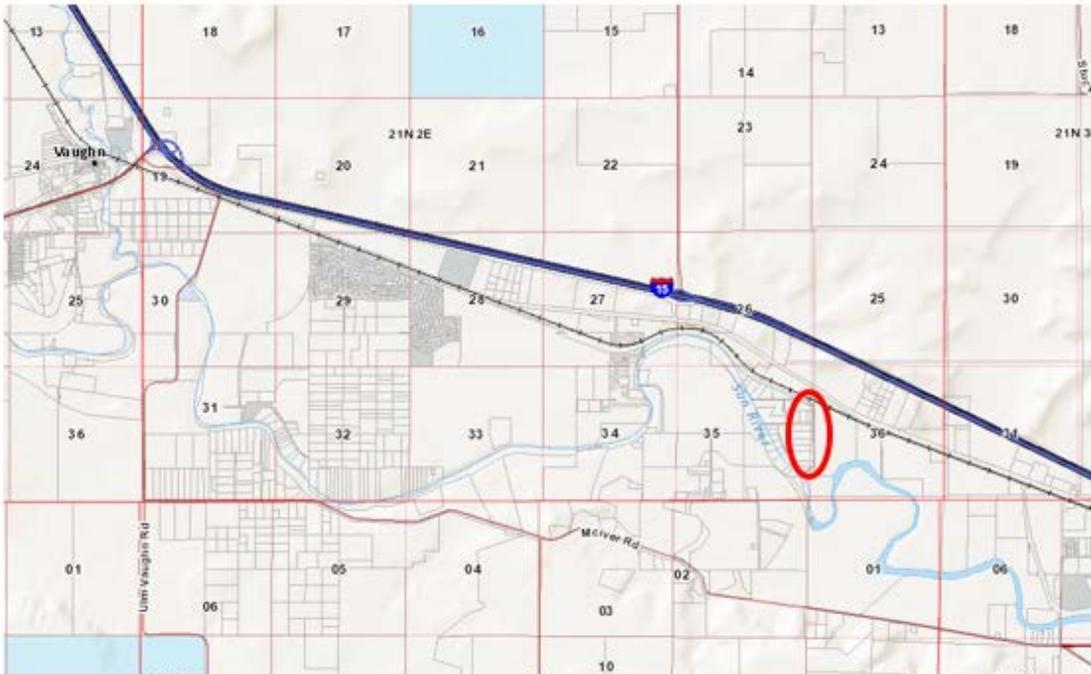
Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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R/W App 18063

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18074  
R/W Purpose: An overhead 12.47 kv electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.82  
Compensation: \$4,550.00  
Legal Description: 30-foot strip through N2NW4, Sec. 4, Twp. 23N, Rge 5E,  
Chouteau County  
Trust Beneficiary: Common Schools

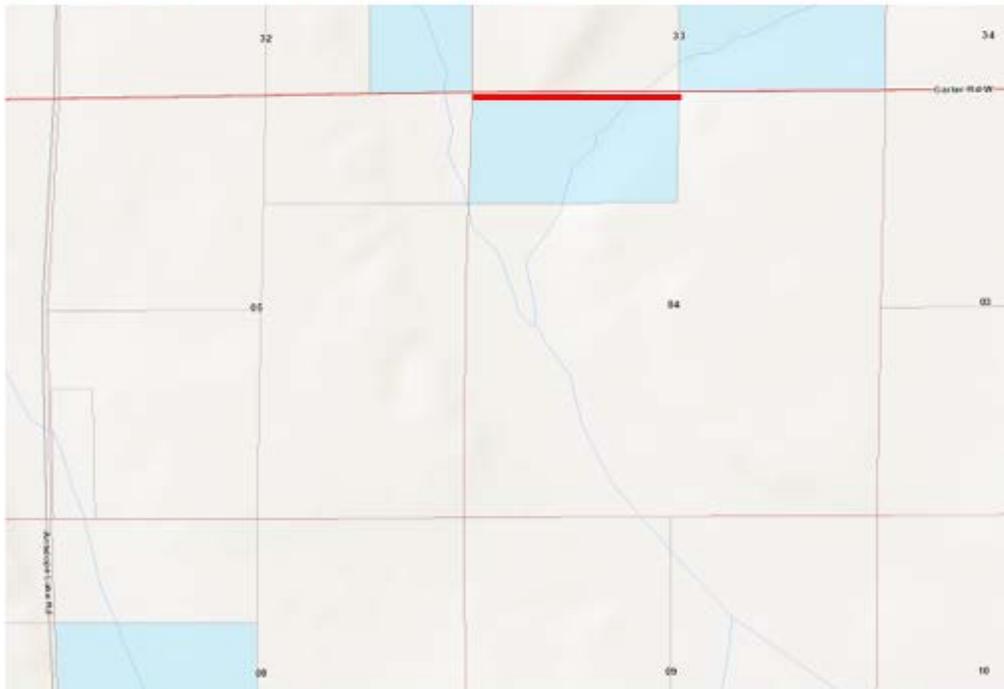
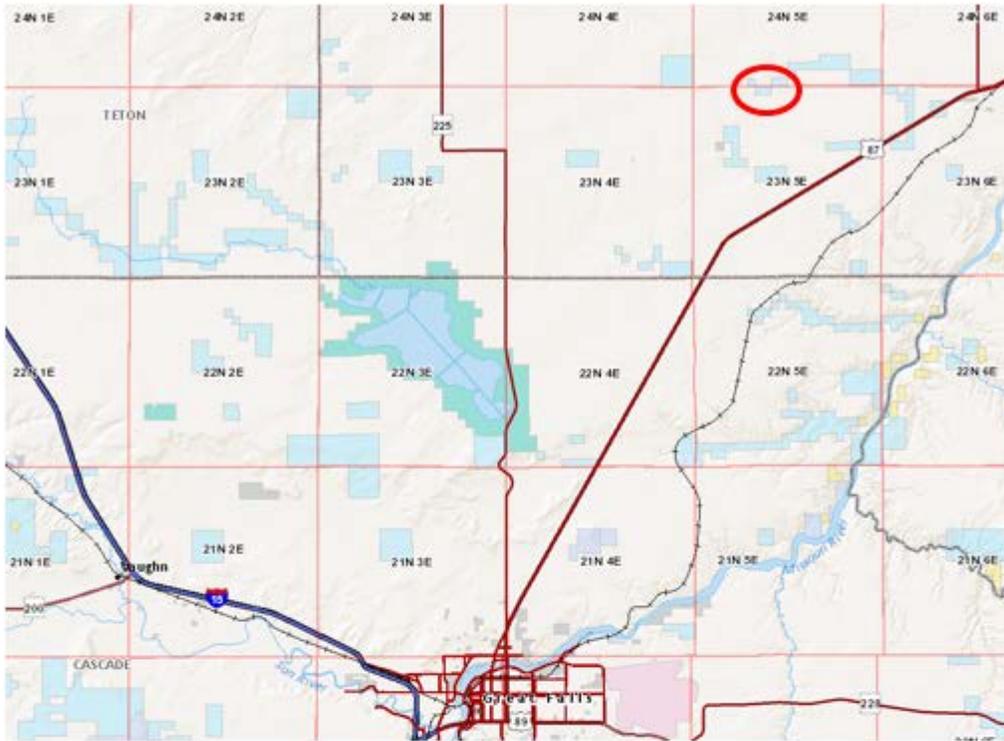
Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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R/W App 18074

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18075  
R/W Purpose: An overhead 12.47 kv electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.98  
Compensation: \$4,950.00  
Legal Description: 30-foot strip through S2SW4, Sec. 30, Twp. 24N, Rge. 3E,  
Chouteau County  
Trust Beneficiary: MSU-Eastern/UM-Western

Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18076  
R/W Purpose: An overhead 12.47 kv electric distribution line  
Lessee Agreement: N/A (Navigable River)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across Teton River in SE4NW4, Sec. 33, Twp. 25N,  
Rge. 4E, Chouteau County  
Trust Beneficiary: Public Land Trust

Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18077  
R/W Purpose: An overhead 12.47 kv electric distribution line  
Lessee Agreement: N/A (Navigable River)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across Teton River in NE4SE4, Sec. 34, Twp. 25N,  
Rge. 4E, Chouteau County  
Trust Beneficiary: Public Land Trust

Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18078  
R/W Purpose: An overhead 12.47 kv electric distribution line  
Lessee Agreement: N/A (Navigable River)  
Acreage: 0.01  
Compensation: \$100.00  
Legal Description: 10-foot strip across Teton River in SW4NW4, Sec. 35, Twp. 25N,  
Rge. 4E, Chouteau County  
Trust Beneficiary: Public Land Trust

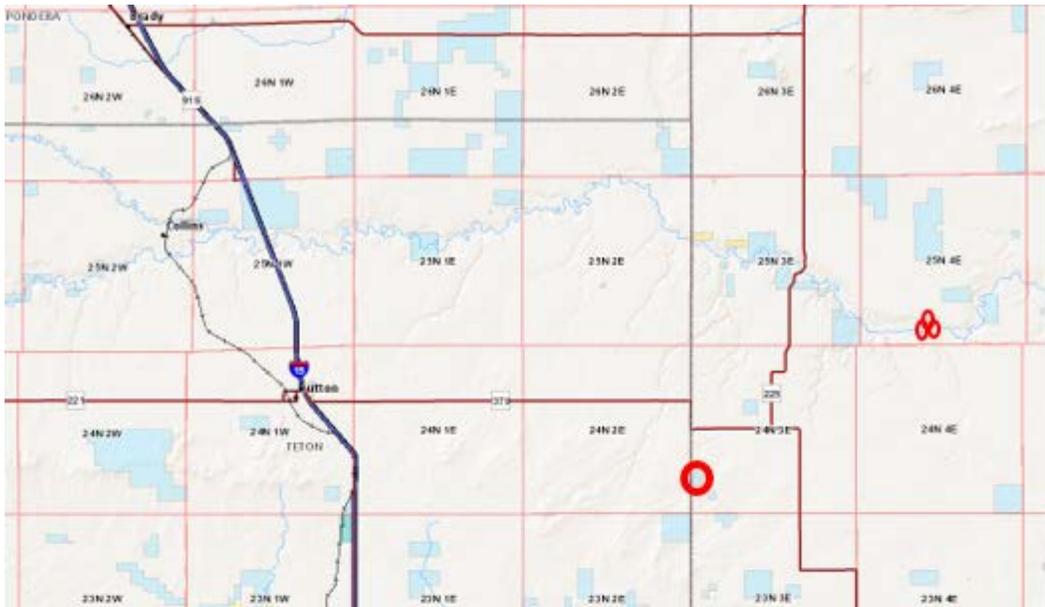
Item Summary

See page 1 for summary

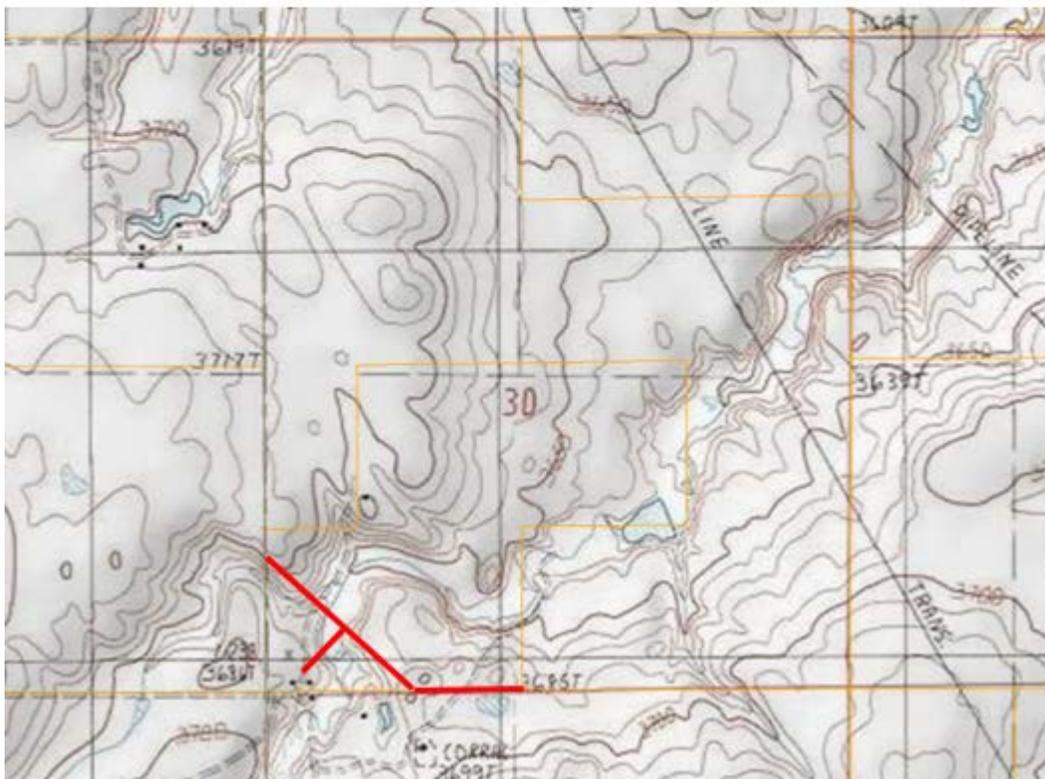
DNRC Recommendation

See page 1 for recommendation.

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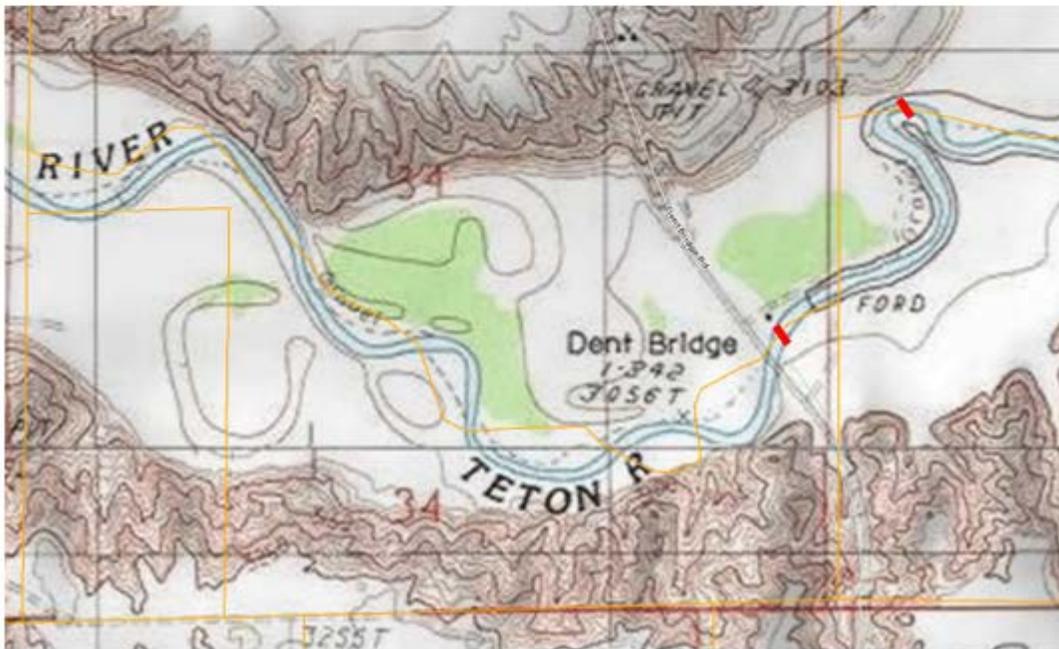
R/W Apps 18075,18076,18077,18078



R/W App 18075



R/W App 18076



R/W App 18077 & 18078

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18079  
R/W Purpose: An overhead 12.47 kv electric distribution line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.48  
Compensation: \$2,960.00  
Legal Description: 30-foot strip through SE4SW4 NE4SE4, Sec. 35, Twp. 23N,  
Rge. 1W, Teton County  
Trust Beneficiary: MSU-Eastern/UM-Western

Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18080  
R/W Purpose: An overhead 69 kv electric transmission line  
Lessee Agreement: N/A (Historic)  
Acreage: 1.14  
Compensation: \$2,280.00  
Legal Description: 40-foot strip through NW4SW4, Sec. 2, Twp. 21N, Rge 1E,  
Cascade County  
Trust Beneficiary: MSU-Eastern/UM-Western

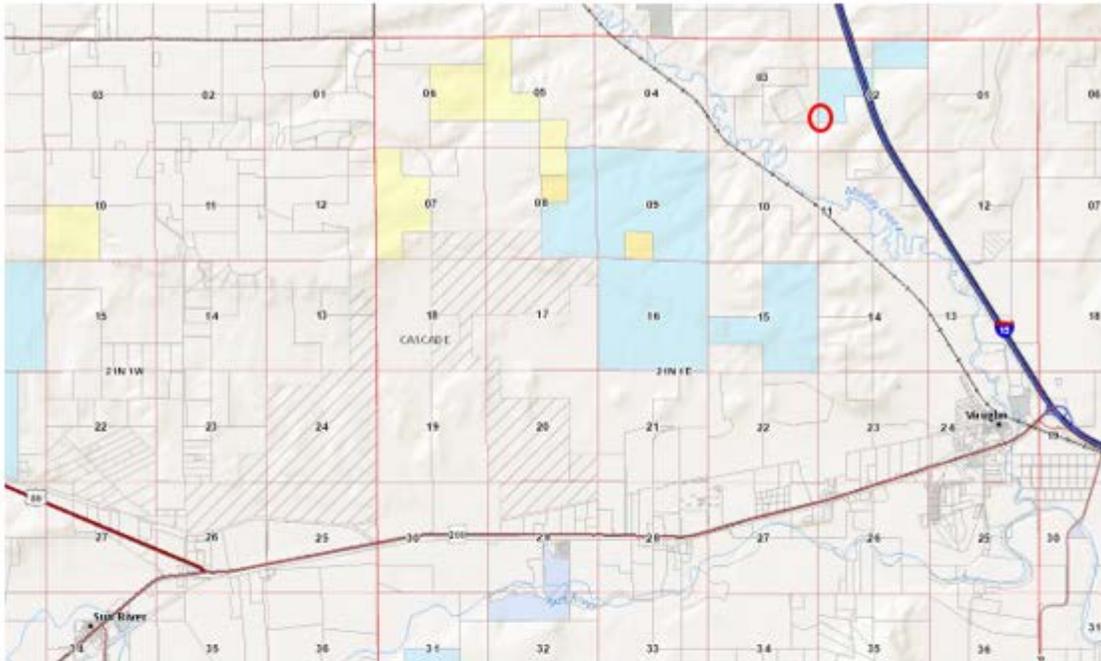
Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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R/W App 18080

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18081  
R/W Purpose: An overhead 69 kv electric transmission line with 12.47 kv  
distribution underbuilt

Lessee Agreement: N/A (Historic)  
Acreage: 2.44  
Compensation: \$2,196.00  
Legal Description: 40-foot strip through W2SW4, Sec 36, Twp. 20N, Rge. 4E,  
Cascade County  
Trust Beneficiary: Common Schools

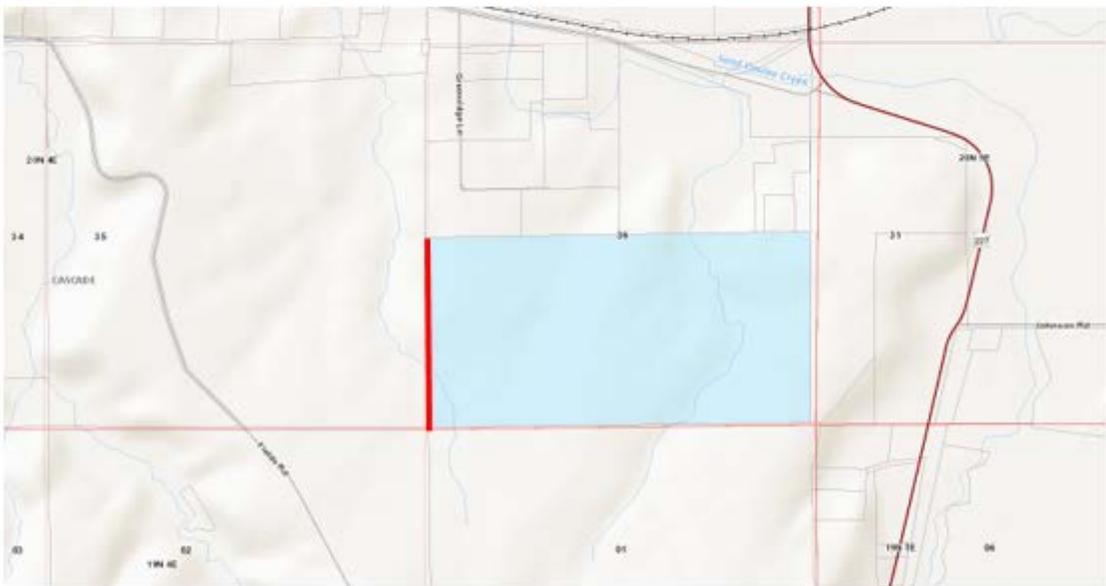
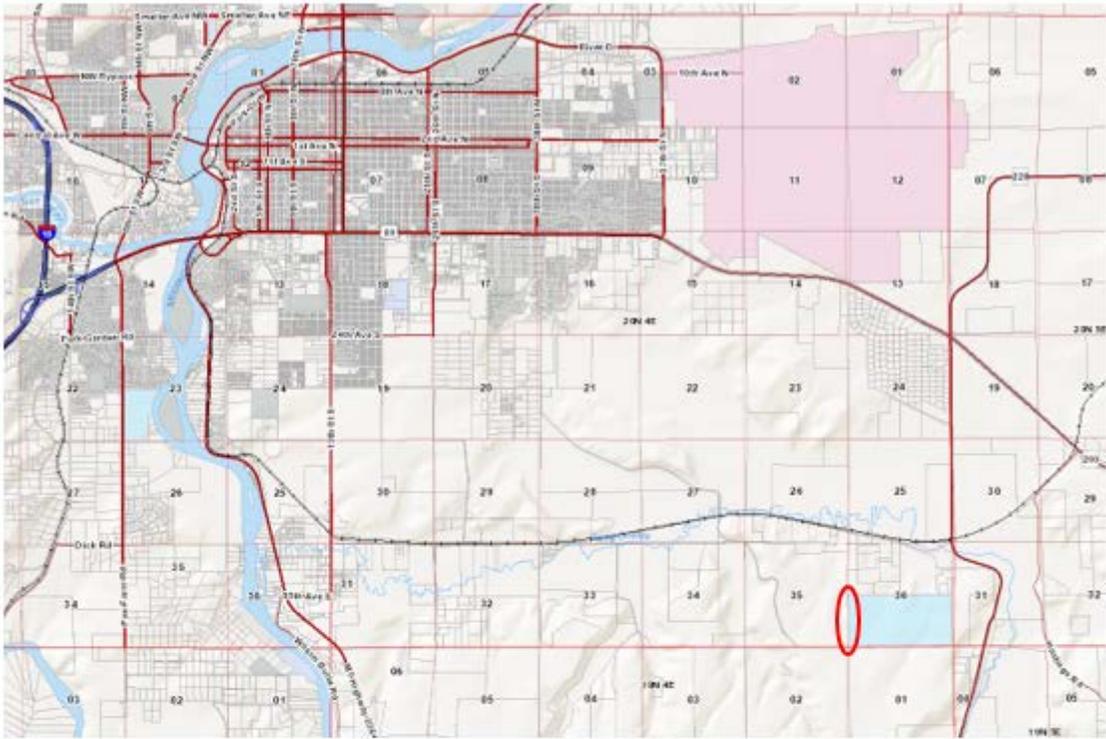
Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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R/W App 18081

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18082  
R/W Purpose: An overhead 69 kv electric transmission line  
Lessee Agreement: N/A (Navigable River)  
Acreage: 0.24  
Compensation: \$552.00  
Legal Description: 30-foot strip across the Missouri River in NW4NW4, Sec. 35,  
Twp. 21N, Rge 4E, Cascade County  
Trust Beneficiary: Public Land Trust

Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18083  
R/W Purpose: An overhead 100 kv electric Transmission line  
Lessee Agreement: N/A (Navigable River)  
Acreage: 0.24  
Compensation: \$552.00  
Legal Description: 30-foot strip across the Missouri River in NW4NW4, Sec. 35,  
Twp. 21N, Rge. 4E, Cascade County  
Trust Beneficiary: Public Land Trust

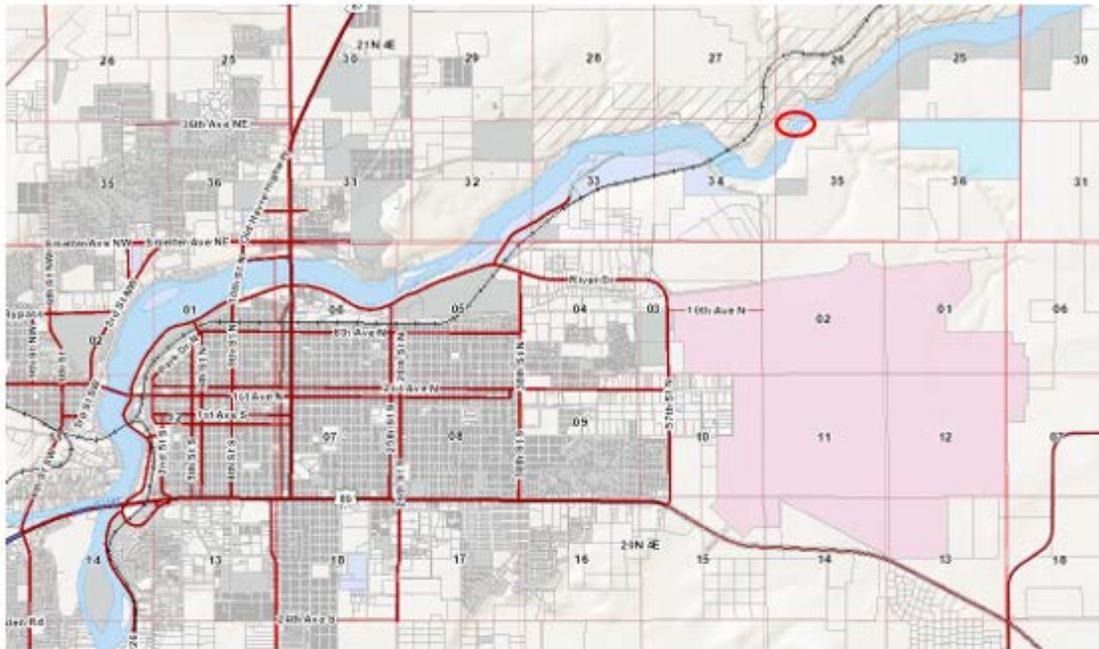
Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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R/W App 18082 & 18083

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Northwestern Energy  
11 E. Park  
Butte, MT 59701

Application No.: 18084  
R/W Purpose: A buried 4-inch natural gas pipeline transmission line  
Lessee Agreement: N/A (Historic)  
Acreage: 0.10  
Compensation: \$220.00  
Legal Description: 50-foot strip through SW4SE4, Sec. 36, Twp. 28N, Rge. 5W,  
Pondera County  
Trust Beneficiary: Common Schools

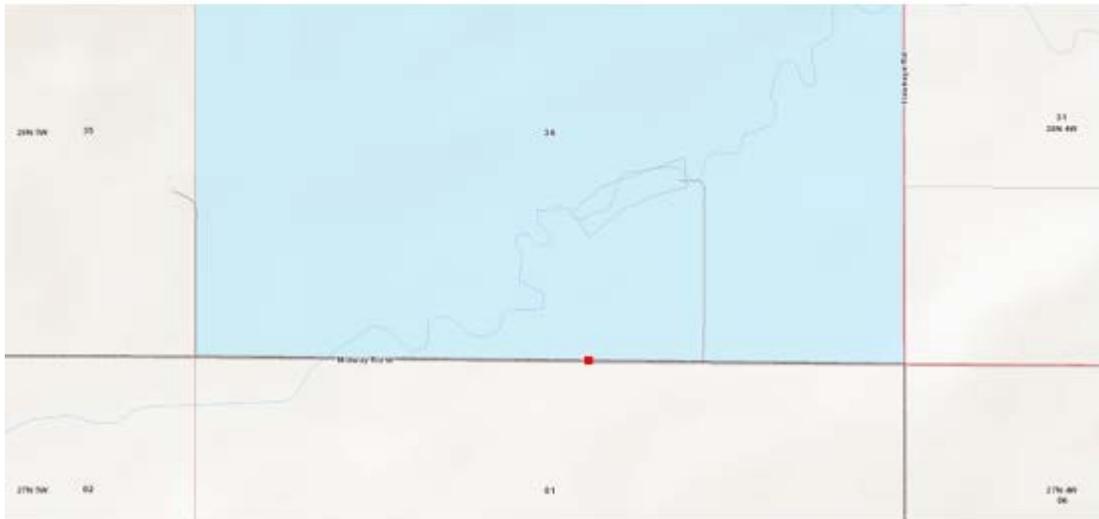
Item Summary

See page 1 for summary

DNRC Recommendation

See page 1 for recommendation.

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R/W App 18084

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Nemont Telephone Cooperative Inc. PO Box 600 Scobey, MT 59263
Application No.:	18247
R/W Purpose:	A buried fiber optic cable
Lessee Agreement:	ok
Acreage:	2.44
Compensation:	\$1,191.00
Legal Description:	20-foot strip through Gov. Lot 1, SE4NE4, E2SE4, Sec. 6, Twp. 30N, Rge. 40E, Valley County
Trust Beneficiary:	Common Schools

Item Summary

Nemont Telephone Cooperative is proposing to upgrade existing infrastructure in the Saint Marie service area. The existing facilities are aging cables that have reached their useful life limit which prevents Nemont from fulfilling new service requests, including digital services. The upgraded fiber optic cables will provide high speed data and broadband services to rural Valley County. Installation of the fiber optic cable is mainly along existing highway right-of-way with minimal impacts expected. The State land in the project area is within General Sage Grouse Habitat as described in Executive Order 12-2015.

DNRC Recommendation

The director recommends approval of the Nemont Telephone fiber optic project.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Nemont Telephone Cooperative Inc.  
PO Box 600  
Scobey, MT 59263

Application No.: 18248  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 1.83  
Compensation: \$549.00  
Legal Description: 20-foot strip through SE4NE4, NE4SE4, SE4SE4, Sec. 19,  
Twp. 30N, Rge. 40E, Valley County  
Trust Beneficiary: Common Schools

Item Summary

See page 24 for summary

DNRC Recommendation

See page 24 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Nemont Telephone Coop Inc.  
PO Box 600  
Scobey, MT 59263

Application No.: 18249  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 0.61  
Compensation: \$183.00  
Legal Description: 20-foot strip through NE4NE4, Sec. 30, Twp. 30N, Rge. 40E,  
Valley County  
Trust Beneficiary: Common Schools

Item Summary

See page 24 for summary

DNRC Recommendation

See page 24 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Nemont Telephone Coop Inc.  
PO Box 600  
Scobey, MT 59263

Application No.: 18250  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 0.67  
Compensation: \$402.00  
Legal Description: 20-foot strip through Gov. Lot 7, Sec. 31, Twp. 31N, Rge. 40E,  
Valley County  
Trust Beneficiary: Common Schools

Item Summary

See page 24 for summary

DNRC Recommendation

See page 24 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Nemont Telephone Coop Inc.  
PO Box 600  
Scobey, MT 59263

Application No.: 18251  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 3.04  
Compensation: \$1,731.00  
Legal Description: 20-foot strip through NE4SE4 Gov. Lots 1, 2, 3, 4, Sec. 32,  
Twp. 31N, Rge. 40E, Valley County  
Trust Beneficiary: Common Schools

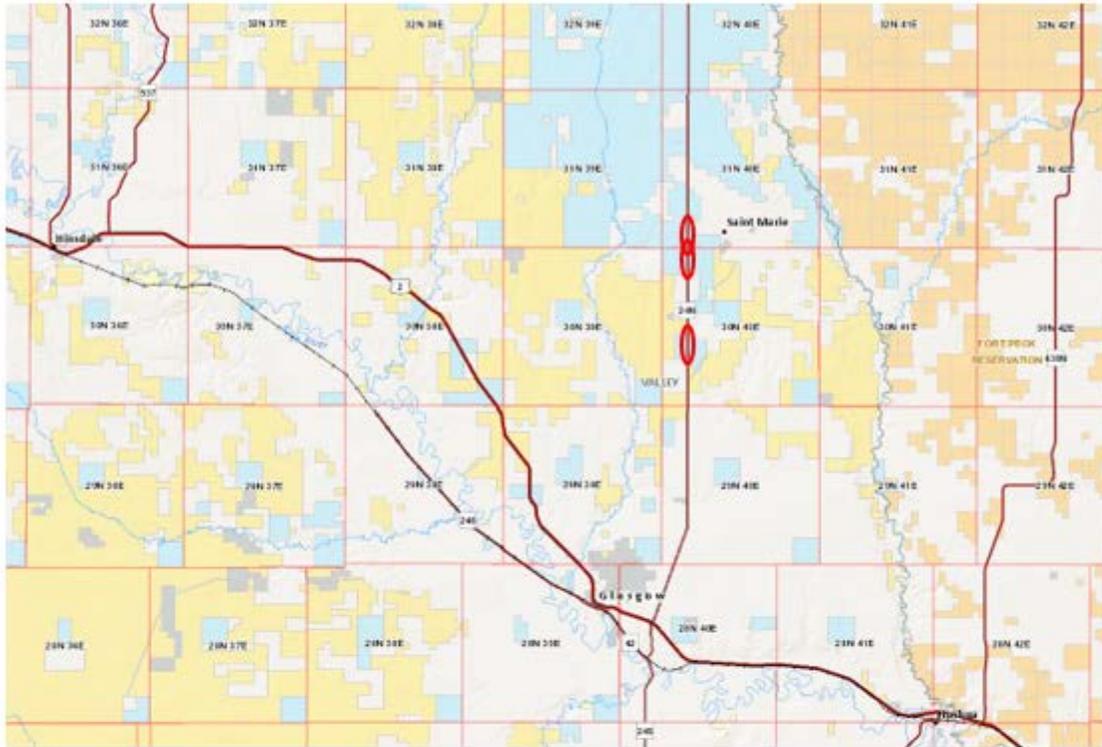
Item Summary

See page 24 for summary

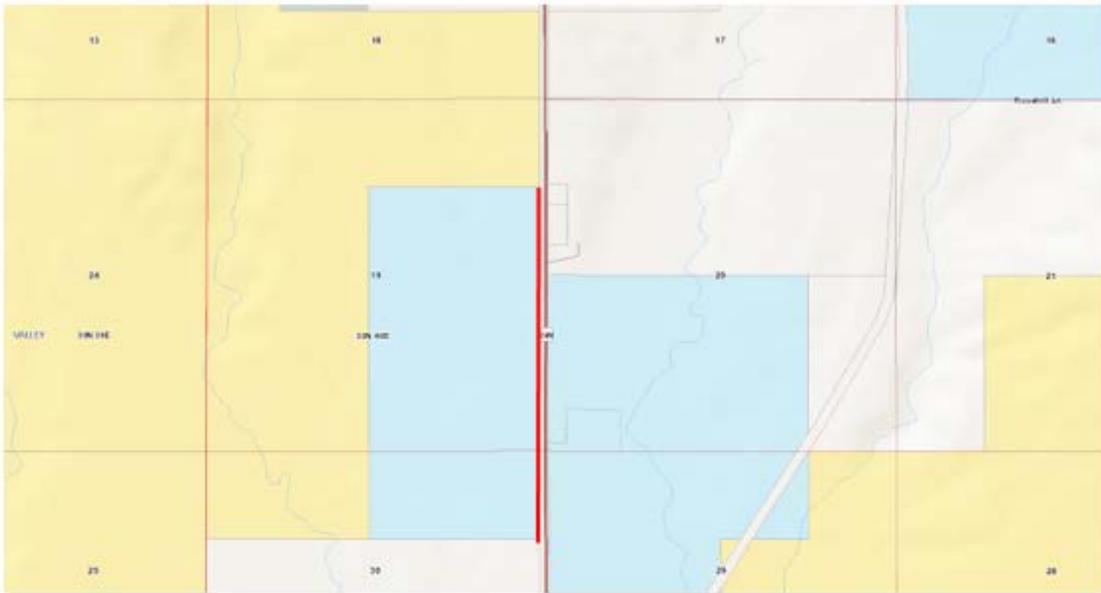
DNRC Recommendation

See page 24 for recommendation.

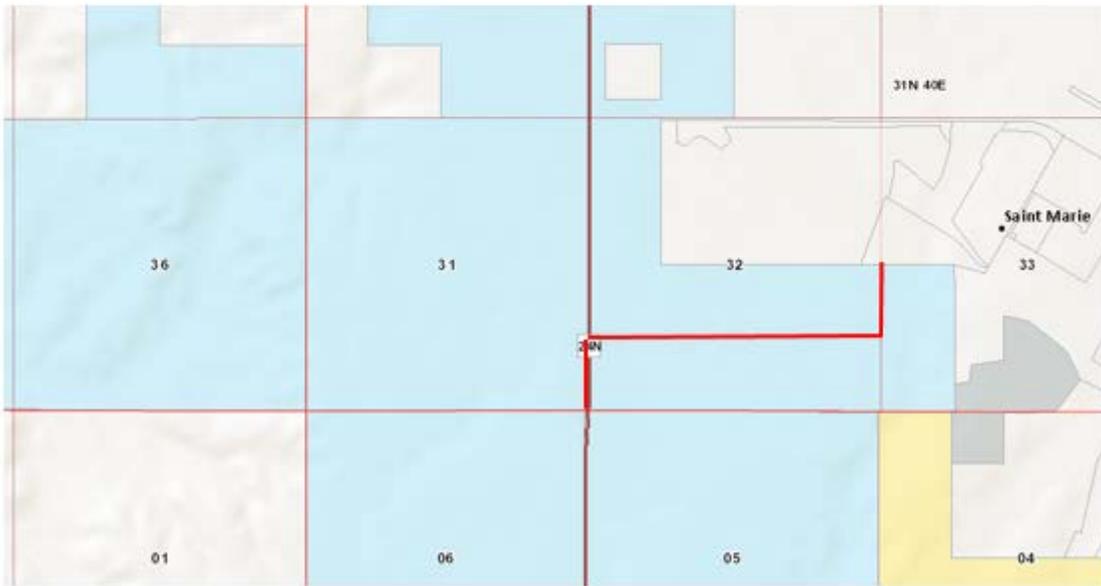
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R/W App 18247



R/W App 18248 & 18249



R/W App 18250 & 18251

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flesch, Lyle and Carl  
870 Spirit Dr.  
Shelby, MT 59474

Application No.: 18252

R/W Purpose: Private access road for the purpose of conducting normal farming and ranching operations

Lessee Agreement: N/A (Historic)

Acreage: 2.13

Compensation: \$533.00

Legal Description: 30-foot strip through N2NW4, NW4NE4, Sec. 36, Twp. 36N, Rge. 3W, Toole County

Trust Beneficiary: Common Schools

Item Summary

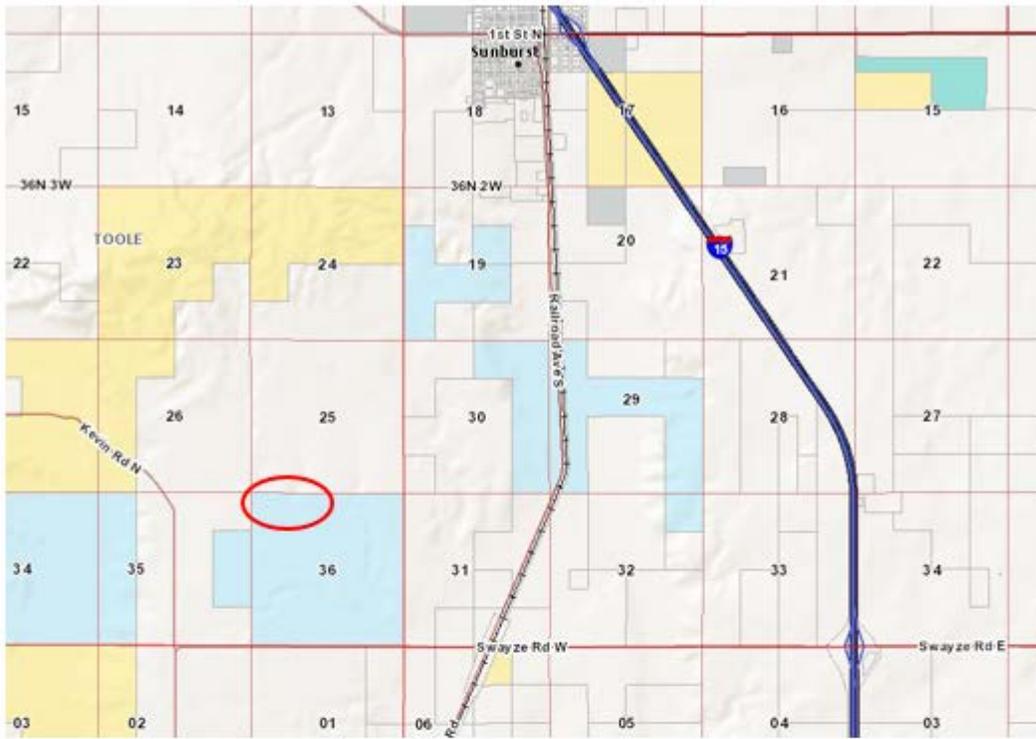
Lyle and Carl Flesch have made application for the use of an existing road for conducting normal farming and ranching operations. The road has been in place for years and authorization for continued use is being requested pursuant to §77-1-130, MCA, which allows for recognition of such historic access. State Land affected by this access road is legally accessible via County Road on the southern boundary, therefore reciprocal access is not viable. The private property to be accessed is described as:

- Sec. 25-T36N-R3W – All
- Sec. 19-T36N-R2W – SE4SW4
- Sec. 30-T36N-R2W – N2NW4, SW4NW4, SW4SW4

DNRC Recommendation

The director recommends approval of this historic private access road application.

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R/W App 18252

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Northwestern Energy 11 E. Park Butte, MT 59701
Application No.:	18253
R/W Purpose:	A buried 12-inch natural gas pipeline
Lessee Agreement:	N/A (Navigable River)
Acreage:	0.56
Compensation:	\$5,530.00
Legal Description:	40-foot strip across Yellowstone River in NE4NE4, NW4NE4, Sec. 11 Twp. 1S Rge. 26E, Yellowstone County
Trust Beneficiary:	Public Land Trust

Item Summary

Northwestern Energy has made application to reroute a segment of the Warren to Billings natural gas pipeline. Currently, an existing pipeline providing product to customers is attached to the South Billings Boulevard bridge, approximately 4 miles upstream of this proposed relocation site. The pipeline is proposed for re-routing under the bed of the Yellowstone River within a less developed area and is designed to increase the safety and reliability of natural gas service to the residential and commercial customers. The river is braided in the proposed area of reroute with islands within the river that were originally federally owned and subsequently transferred to the City of Billings. Thus, the easement request is solely related to the State's claim of the riverbed itself. The pipeline will be directional drill bored to a depth between 36' and 50' under the river bed and will be in proximity to other pipeline installations in the river. The Department and the City of Billings have been working together on permitting this project. Of note is that the existing pipeline located on the bridge may continue to be utilized and the Department is working with Northwestern Energy to authorize its continued placement in the event it remains an active pipeline. As is consistent with other pipeline installations, this proposed pipeline relocation easement is recommended to be approved as a 30-year term easement.

DNRC Recommendation

The director recommends approval of a 30-year term easement to Northwestern Energy.

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R/W App 18253

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Zehntner Brothers LLC  
 PO Box 534  
 White Sulphur Springs, MT 59645

Application No.: 18254  
 R/W Purpose: a private access road to one single-family residence, and associated outbuildings and for conducting normal farming and ranching operations

Lessee Agreement: N/A (Historic)  
 Acreage: 1.50  
 Compensation: \$1,199.00  
 Legal Description: 30-foot strip through S2SE4, Sec. 30, Twp. 14N, Rge. 5E, Meagher County  
 Trust Beneficiary: Common Schools

Item Summary

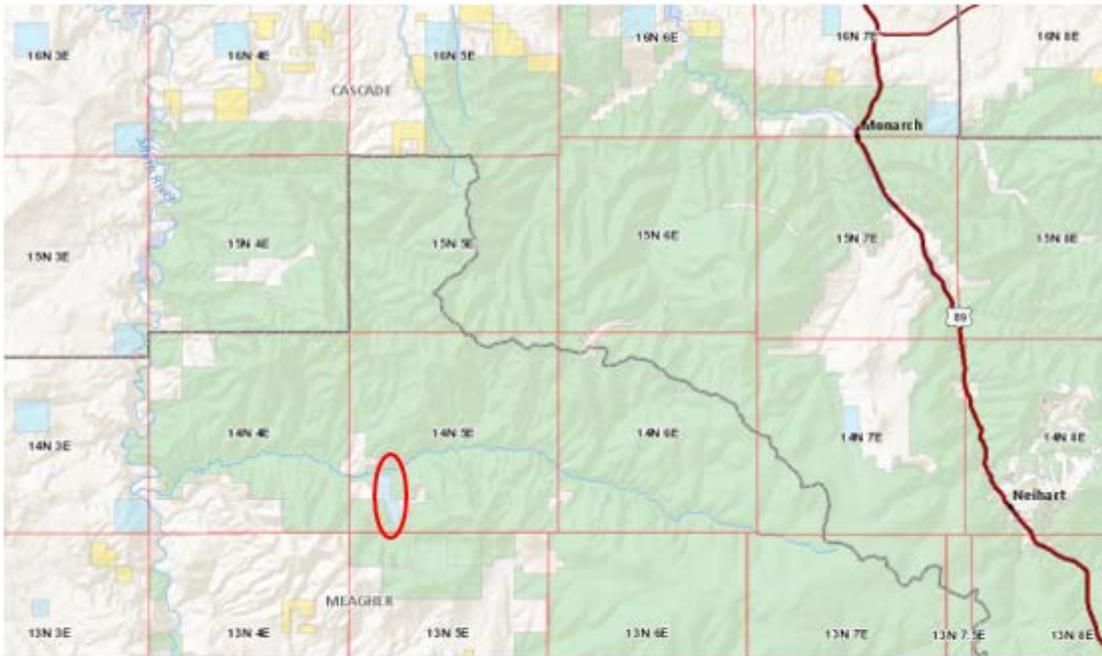
Zehntner Brothers LLC have made application for the use of an existing road for access to one single-family residence and associated outbuildings, along with conducting normal farming and ranching operations. The road has been in place for years and authorization for continued use is being requested pursuant to §77-1-130, MCA, which allows for recognition of such historic access. State Land affected by this access road is legally accessible via Tenderfoot Creek Road. The private property to be accessed is described as:

- Sec. 32-T14N-R5E – Gov. Lots 1 & 2, NW4NE4NW4, S2NE4NW4 and POR of N2N2
- Sec. 28-T14N-R5E – POR in W2SW4
- Sec 29-T14N-R5E – POR of SE4
- Sec. 33-T14N-R5E – POR of NW4NW4NW4

DNRC Recommendation

The director recommends approval of this historic private access road application.

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R/W App 18254

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Garfield County PO Box 7 Jordan, MT 59337
Application No.:	18255
R/W Purpose:	A Public County Road
Lessee Agreement:	N/A (Historic)
Acreage:	4.61
Compensation:	\$1,844.00
Legal Description:	30-foot strip through S2NW4 S2NE4 NE4SE4, Sec. 36, Twp. 15N, Rge. 30E, Garfield County
Trust Beneficiary:	Common Schools

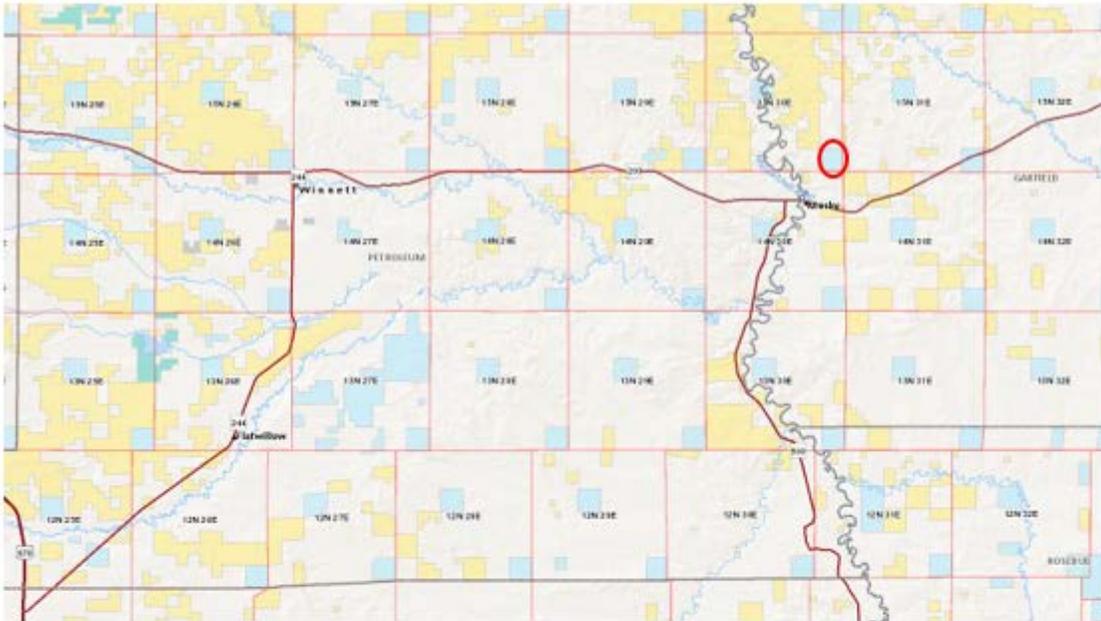
Item Summary

Garfield 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 county road easement request.

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R/W App 18255

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative PO Box 280 Circle, MT 59215
Application No.:	18256
R/W Purpose:	A buried fiber optic cable
Lessee Agreement:	ok
Acreage:	1.96
Compensation:	\$882.00
Legal Description:	16-foot strip through NW4SW4, SW4SW4, SE4SW4, Sec. 17, Twp. 18N, Rge. 21E, Fergus County
Trust Beneficiary:	Common Schools

Item Summary

Mid-Rivers Telephone Cooperative is proposing to construct additional infrastructure in the Roy service area. The new fiber optic cables will provide high speed data and broadband services to rural Fergus County. This project is mainly along existing highway right-of-way and minimal impacts are expected.

DNRC Recommendation

The director recommends approval of the Mid-Rivers Telephone fiber optic project.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative PO Box 280 Circle, MT 59215
Application No.:	18257
R/W Purpose:	A buried fiber optic cable
Lessee Agreement:	ok
Acreage:	1.90
Compensation:	\$855.00
Legal Description:	16-foot strip through NW4NW4, SW4NW4, NW4SW4, SW4SW4, Sec. 20 Twp. 18N Rge. 21E, Fergus County
Trust Beneficiary:	Common Schools

Item Summary

See page 39 for summary

DNRC Recommendation

See page 39 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative  
PO Box 280  
Circle, MT 59215

Application No.: 18258  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 0.48  
Compensation: \$216.00  
Legal Description: 16-foot strip through Gov. Lot 6, Sec. 6 Twp. 17N, Rge. 22E,  
Fergus County  
Trust Beneficiary: Common Schools

Item Summary

See page 39 for summary

DNRC Recommendation

See page 39 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative  
PO Box 280  
Circle, MT 59215

Application No.: 18259  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 0.70  
Compensation: \$490.00  
Legal Description: 16-foot strip through E2SE4, Sec. 16 Twp. 15N Rge. 23E,  
Fergus County  
Trust Beneficiary: Common Schools

Item Summary

See page 39 for summary

DNRC Recommendation

See page 39 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative  
PO Box 280  
Circle, MT 59215

Application No.: 18260  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 1.00  
Compensation: \$1,000.00  
Legal Description: 16-foot strip through S2NE4, Sec. 9 Twp. 14N Rge. 22E,  
Fergus County  
Trust Beneficiary: Common Schools

Item Summary

See page 39 for summary

DNRC Recommendation

See page 39 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative  
PO Box 280  
Circle, MT 59215

Application No.: 18261  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 0.95  
Compensation: \$665.00  
Legal Description: 16-foot strip through NE4SE4, SW4NW4, Sec. 10, Twp. 14N,  
Rge. 22E, Fergus County  
Trust Beneficiary: Common Schools

Item Summary

See page 39 for summary

DNRC Recommendation

See page 39 for recommendation.

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative  
PO Box 280  
Circle, MT 59215

Application No.: 18262  
R/W Purpose: A buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 0.22  
Compensation: \$220.00  
Legal Description: 16-foot strip through NW4SW4, Sec. 11, Twp. 14N, Rge. 22E,  
Fergus County  
Trust Beneficiary: Common Schools

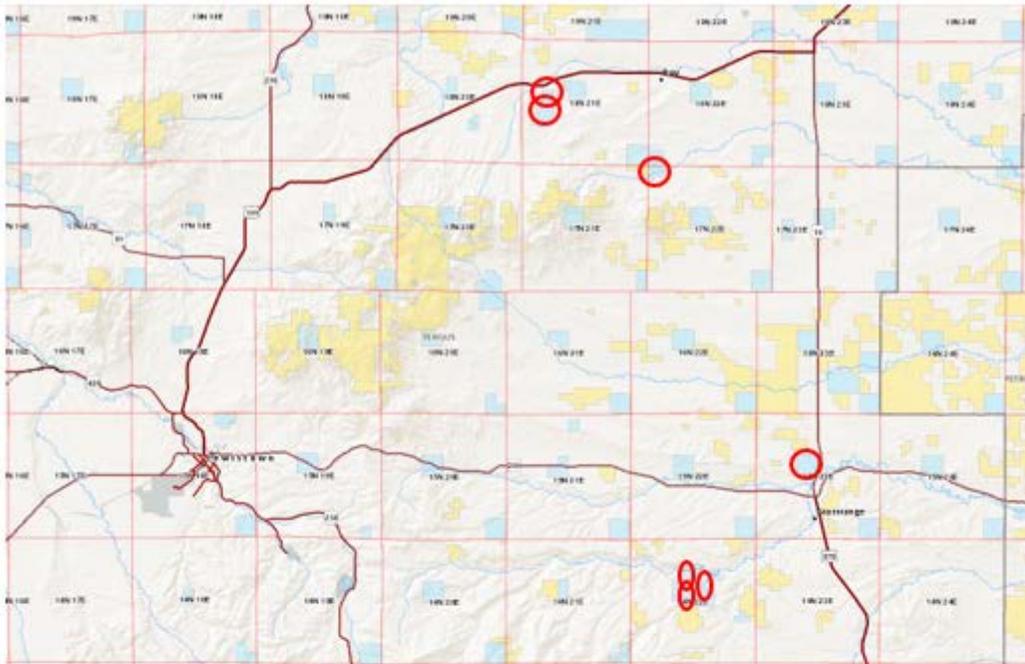
Item Summary

See page 39 for summary

DNRC Recommendation

See page 39 for recommendation.

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R/W Apps 18256, 18257, 18258, 18259, 18260, 18261, 18262

