

AGENDA
REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
Tuesday, February 19, 2019 at 9:00 am
Supreme Court Chambers, Mazurek Justice Building
Helena, MT

ACTION ITEMS

0219-1 Timber Sales
A. Aspen Park
Benefits: Common Schools and Public Buildings
Location: Powell County

B. Miller
Benefits: Common Schools
Location: Missoula County

APPROVED 5-0

0219-2 Land Banking Parcels: Set Minimum Bid for Sale
Teton
Benefits: Common Schools and Public Buildings
Location: Teton County

APPROVED 5-0

0219-3 Land Banking Parcels: Final Approval for Sale
Galen
Benefits: Common Schools
Location: Deer Lodge County

APPROVED 5-0

0219-4 Cabin Site Sales: Set Minimum Bid for Sale
Sale #929
Benefits: Montana Tech
Location: Flathead county

APPROVED 5-0

0219-5 Cabin Site Sales: Final Approval for Sale
Sale #922
Benefits: Common Schools
Location: Flathead County

APPROVED 5-0

0219-6 Easements
Benefits: Capitol Buildings, common Schools, Montana Tech, Public Land Trust-Nav. Rivers, and University of Montana
Location: Carter, Fallon, Gallatin, Missoula, Park, Prairie, Richland, Sheridan and Sweet Grass

APPROVED 5-0

PUBLIC COMMENT

0219-1

TIMBER SALES:

A. Aspen Park Timber Sale

B. Miller Timber Sale

**Land Board Agenda Item
February 19, 2019**

0219-1A Timber Sale: Aspen Park

**Location: Powell County
Section 19 & 30 T15N R10W and
Section 24 & 25 T15N R11W**

Trust Beneficiaries: Common Schools and Public Buildings

Trust Revenue: \$37,684.00 (estimated, minimum bid)

Item Summary

Location: The Aspen Park Timber Sale is located approximately 10 miles northeast of Ovando, MT.

Size and Scope: The sale includes one harvest unit (273 acres) of tractor logging.

Volume: The estimated harvest volume is 5,205 tons (523 MBF) of sawlogs.

Estimated Return: The minimum bid is \$7.24 per ton, which would generate approximately \$37,684 for the Common Schools and Public Buildings Trusts and approximately \$5,465 in Forest Improvement fees.

Prescription: This timber sale will use a commercial thinning harvest prescription designed to reduce insect and disease issues and to promote forest health.

Road Construction/Maintenance: DNRC is proposing 3.8 miles of road maintenance.

Access: The access to the sale is from the Cooper Lake County Road.

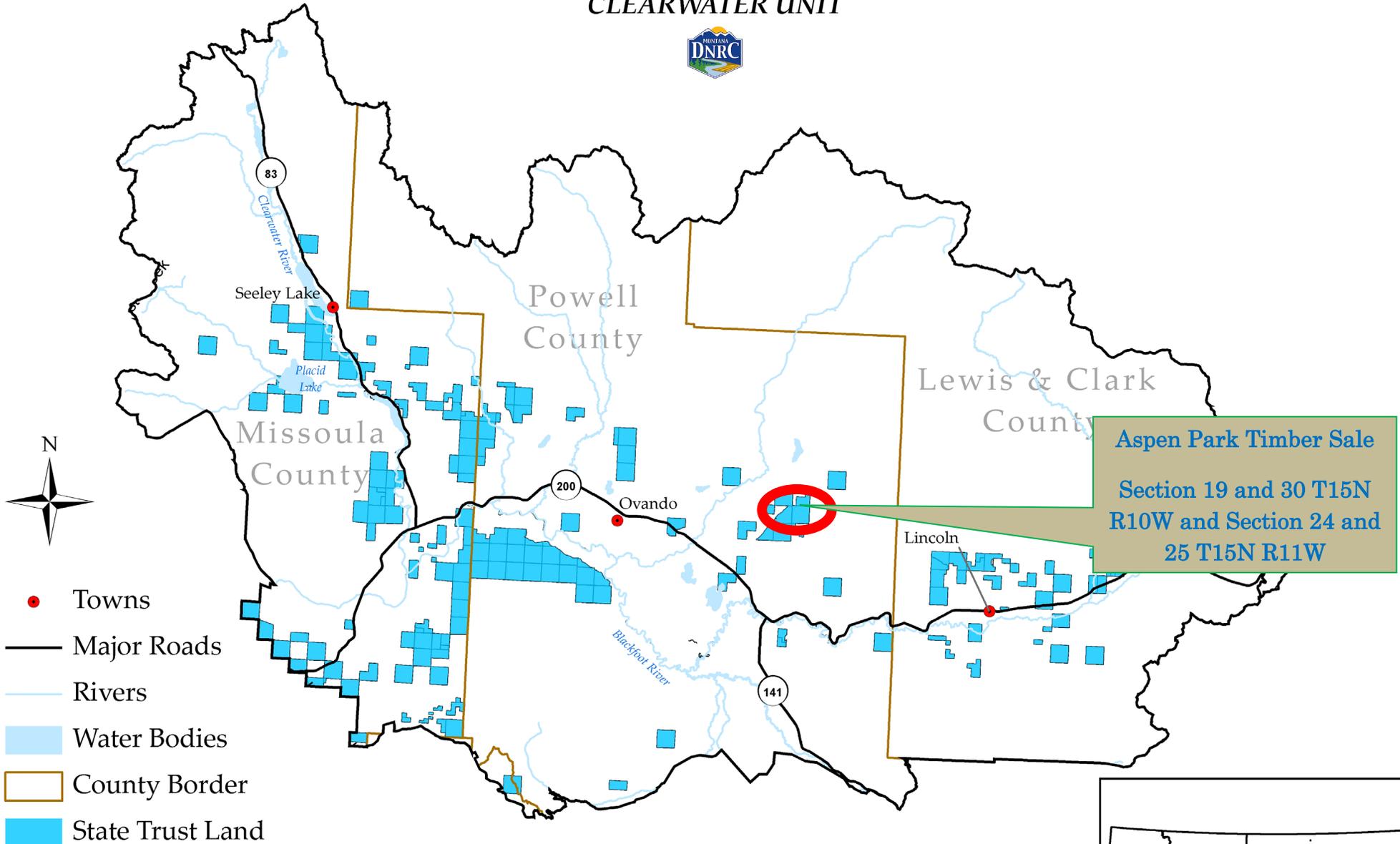
Public Comments: Six comments were received in total from the public, MT FWP and the Northern Cheyenne Tribal Historic Preservation office. Primary concerns were wetland buffers, spread of noxious weeds, and wildlife security. To mitigate potential concerns, DNRC has designed wetland buffers as directed in Forest Management rules, will construct no new roads in the project area and will continue to manage project area roads for restricted, non-motorized use. Noxious weed mitigations and treatment will be incorporated into the timber sale contract. Upon further review, the Northern Cheyenne THPO had no concerns with the project.

DNRC Recommendation

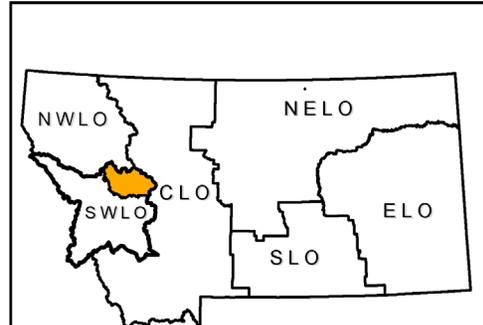
The director recommends the Land Board direct DNRC to sell the Aspen Park Timber Sale.

ASPEN PARK TIMBER SALE, VICINITY MAP CLEARWATER UNIT

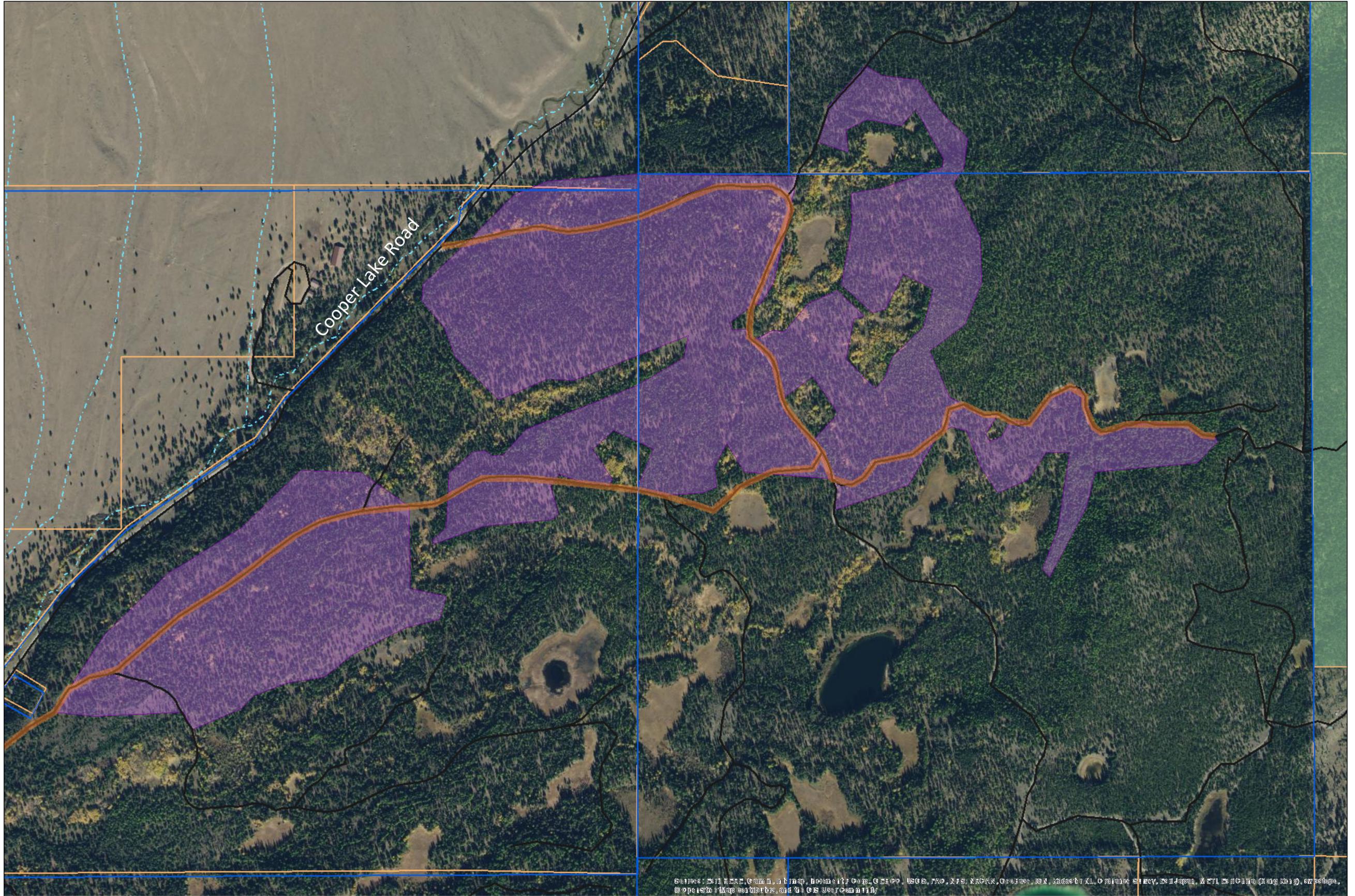
0219-1A



Aspen Park Timber Sale
Section 19 and 30 T15N
R10W and Section 24 and
25 T15N R11W

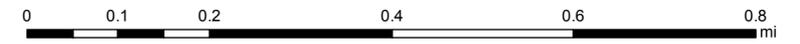


Aspen Park Timber Sale Harvest Unit and Haul Route Map



Source: MTR, Inc., Camille, Montana; Corp. Geopac, USGS, FWS, NPS, NAGAN, Geopac, Inc., Madacheli, L.L. O'Neil Survey, BLM, MT, DNRC (Map King), Esri, Inc., 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
February 19, 2019**

0219-1B Timber Sale: Miller Limited Access

**Location: Missoula County
Section 36, T12N, R19W**

Trust Beneficiaries: Common Schools

Trust Revenue: \$91,310 (Negotiated Rate for Limited Access Sale)

Item Summary

Location: The Miller Limited Access Timber Sale is located approximately 6 air miles southeast of Missoula, Montana in the Limestone Creek drainage in Missoula County

Size and Scope: The sale includes 6 harvest units (246 acres) of tractor and skyline logging.

Volume: The estimated harvest volume is 9,131 tons (1.2 MMBF) of sawlogs.

Estimated Return: The negotiated rate is \$10.00 per ton. This sale would generate approximately \$91,310 for the Common Schools Trust, and \$12,600 in Forest Improvement fees.

Prescription: This sale is a sanitation harvest designed to reduce insect and disease issues, as well as remove trees with poor growth characteristics (forks, crook, sweep). Post harvest stands would contain vigorous trees, free of insects and disease. Western larch and ponderosa pine are favored to leave.

Road Construction/Maintenance: Department of Natural Resources and Conservation (DNRC) is proposing .73 miles of new permanent road construction and 1.5 miles of road maintenance. Temporary spurs may be utilized to shorten skidding distances in tractor units or mitigate deflection problems in the line units.

Access: DNRC does not have legal access to this section. Access to the project area is through private landowners. This sale would utilize the Limited Access Timber Sale program and its guidelines to gain temporary access to harvest previously unavailable timber.

Scoping:

The project was scoped in June of 2017 that included 4 adjacent landowners. One landowner called and offered an alternative access to the project area. This alternative was explored by DNRC but was concluded to be cost prohibitive.

DNRC specialists were consulted and including an archeologist, wildlife biologist and a soils scientist/hydrologist.

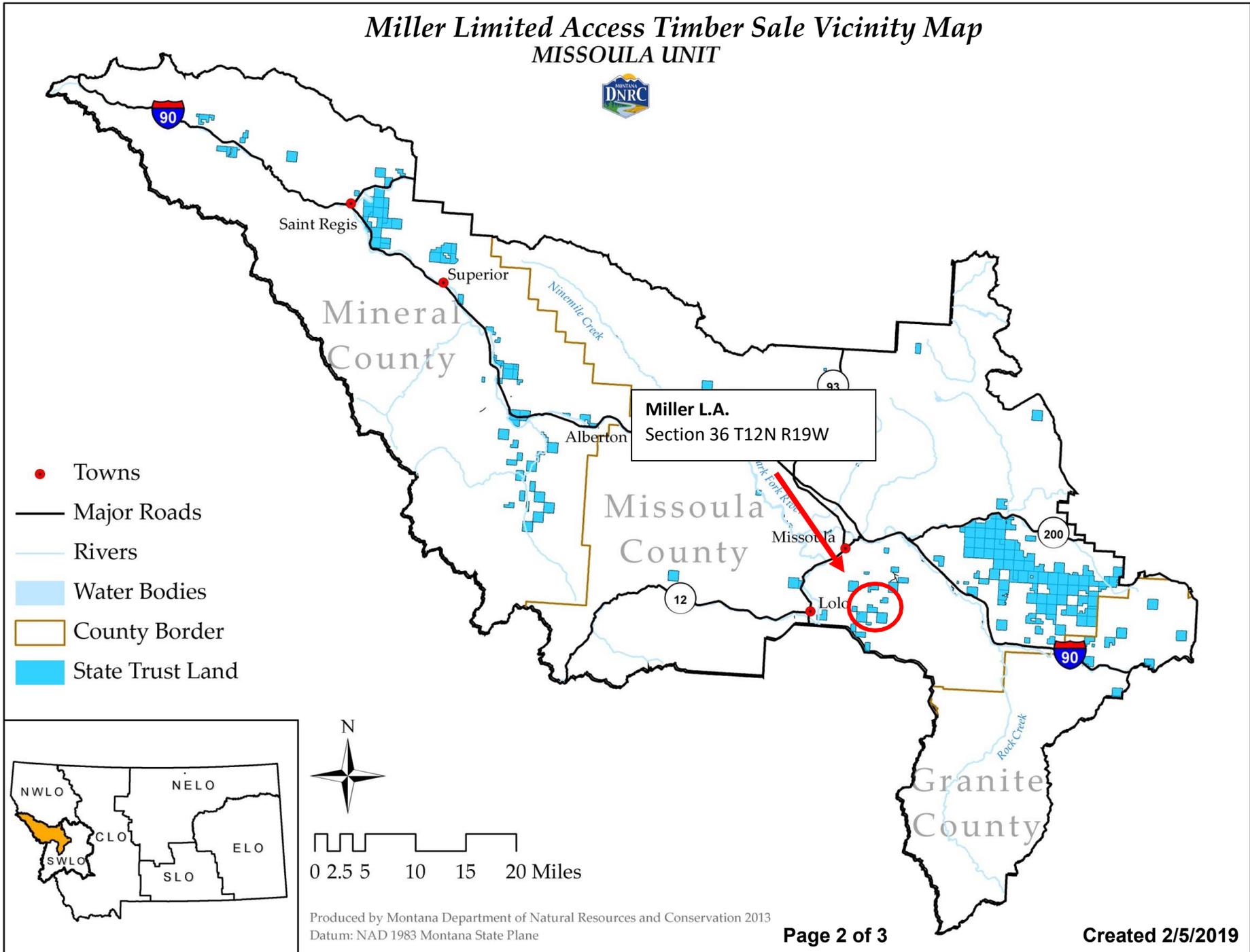
Internal issues and concerns were incorporated into project planning and design and would be implemented in associated contracts.

DNRC Recommendation

The director recommends the Land Board direct DNRC to sell the Miller Limited Access Timber Sale.

Miller Limited Access Timber Sale Vicinity Map

MISSOULA UNIT



0219-2

LAND BANKING:

Set Minimum Bid for Sale

Teton

**Land Board Agenda Item
February 19, 2019**

0219-2 Land Banking Parcel: Set Minimum Bid for Sale

Location: Teton County

Trust Benefits: Common Schools, Public Buildings

Trust Revenue: \$130,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) requests to set minimum bid for the sale of three parcels totaling approximately 200 acres nominated for sale in Teton County. The sales were nominated by the lessee and are located approximately 15 miles northwest of Choteau, Montana.

Sale #	# of Acres	Legal	Nominator	Trust
1044	80±	W2SE4, T25N-R6W, Sec. 2	Miller Colony, Inc.	Common Schools
1045	80±	W2NE4, T25N-R6W, Sec. 11	Miller Colony, Inc.	Common Schools
1046	40±	SW4NE4, T25N-R6W, Sec. 3	Miller Colony, Inc.	Public Buildings

The sale parcels have been used primarily for livestock grazing purposes. These sale parcels are small and isolated generally not efficient to manage. Sale No. 1044 is used as a calving lot with lessee owned calving facilities.

Sale No. 1046 is surrounded entirely by private land and is not legally accessible by the public. Sale Nos. 1044 and 1045 are bordered to the southeast by other state trust lands leased by Miller Colony, Inc., for agricultural and grazing purposes. Together, this block of state trust lands is surrounded entirely by private land and not legally accessible by the public. The sale of these three parcels would not restrict or eliminate access to adjacent private land.

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

Economic Analysis:

Short term – The average rate of return on the sale parcel 1044 is 1.30%, for sale parcel 1045 is 0.41% and sale parcel 1046 is 2.30% These parcels would continue to receive this return if it remains in state ownership.

Long-term – The funds from the sale of these parcels 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 2.62% on acquisitions with income generated from annual lease payments.

Cultural/Paleontological Resources:

The state parcel proposed for sale was inventoried to Class III standards for cultural and paleontological resources. No cultural or paleontological resources 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 August 2018, the Board granted preliminary approval for these parcels to continue through the Land Banking sale evaluation process.

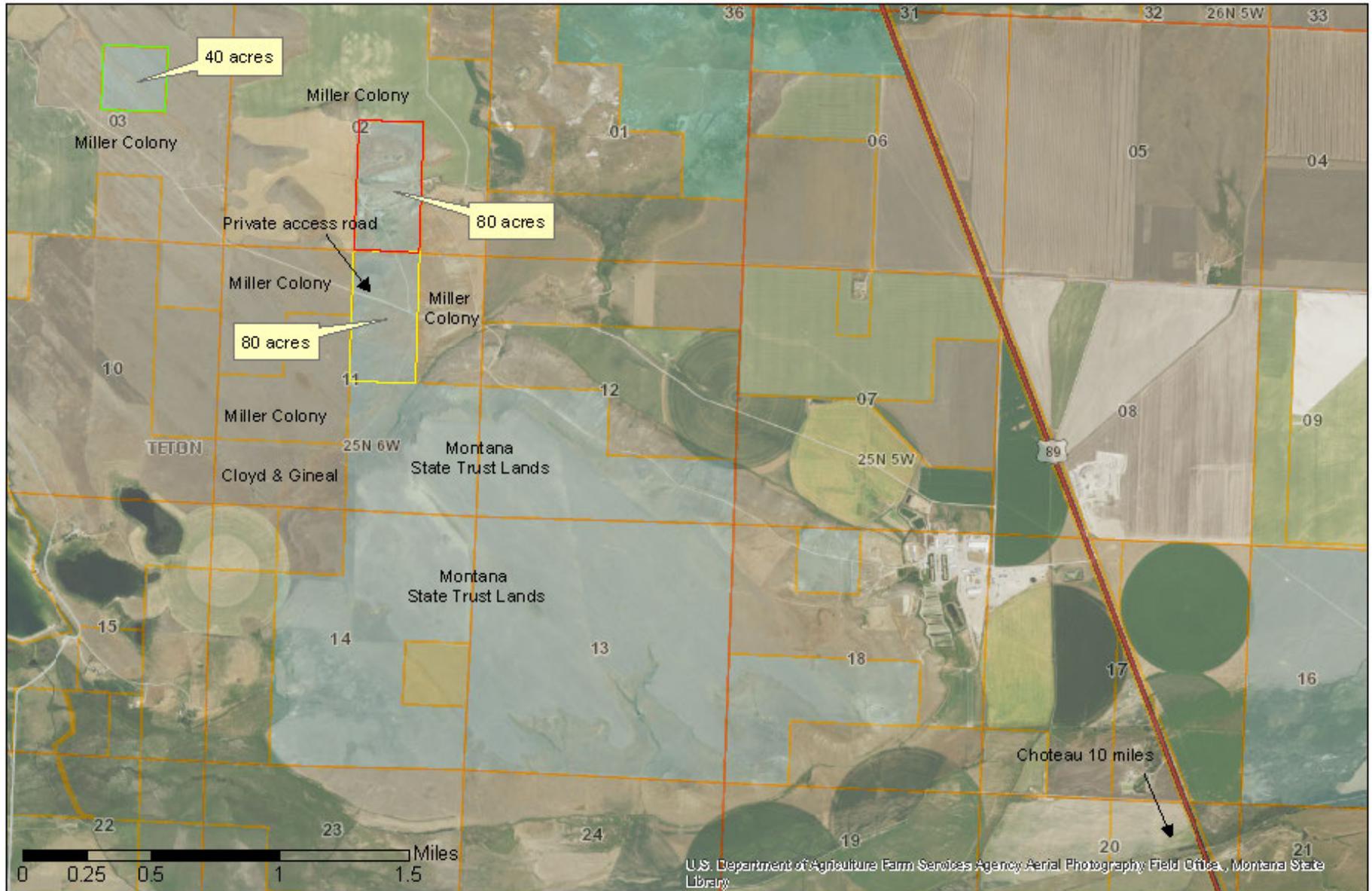
Appraised Value:

Sale #	Appraised Value with Access	Recommended Minimum Bid
1044	\$52,000	\$52,000
1045	\$52,000	\$52,000
1046	\$26,000	\$26,000

DNRC Recommendation

The director recommends the Land Board set the minimum bid for these parcels at the appraised land value shown above.

Teton County Land Sales



Location: Section 2, 3, 11 T25 N, R6 W
 Prepared by: RMW
 Prepared on: 30 JUL 2018
 Projection: NAD 1983 - MT State Plane

Land Sale #1044
 Land Sale #1045
 Land Sale #1046

Parcel
 US Fish and Wildlife
 Montana State Trust Land

0219-3

LAND BANKING:

Final approval for Sale

Galen

0219-3 Land Banking Parcel: Final Approval for Sale

Location: Deer Lodge County

Trust Benefits: Common Schools

Trust Revenue: \$149,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting final approval on one parcel totaling approximately 40 acres nominated for sale in Deer Lodge County. The sale was nominated by the lessee and the parcel is located approximately 12 miles south of Deer Lodge, Montana.

Sale #	# of Acres	Legal	Nominator	Trust
919	40±	NE4NE4 T6N-R10W Sec. 36	Peggy Beck	Common Schools

The land is adjacent to the Galen Tuberculosis Sanitarium, which was established in 1912 and closed in 1993. The acreage nominated for sale comprised the dairy farm for the sanitarium. The buildings on the nominated parcel have deteriorated considerably. The primary purpose of the potential sale of this parcel is to remove the liability to the State of Montana. Due to lack of funding and ability to maintain the buildings, the DNRC has determined it is in the best interest of the trustee to sell the land through the land banking process. The buildings will be conveyed with the land and without the obligation to restore or maintain the buildings. These buildings are on the State Historic Preservation Office's (SHPO) register. The department has consulted with the SHPO and met all requirements of the state Antiquities Act.

The sale parcel has been used primarily for livestock grazing purposes.

The sale parcel is legally accessible by the public. The state will reserve a 40' wide non-exclusive road easement for all lawful ingress and egress in the SE corner of the 40-acre parcel.

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 2.13%. 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 2.62% on acquisitions with income generated from annual lease payments.

The DNRC conducted a Class III cultural and paleontological resources inventory of the area of potential effect (APE). During the course of inventory, a series of barns, sheds, and irrigation features were identified and documented. The features are all considered part of the Galen State Hospital (24DL289)— a cultural resource that has been determined eligible for listing in the National Register of Historic Places. All of these features are in poor to fair condition because of abandonment and a lack of maintenance. A detailed site form update has been prepared by the DNRC and is on file with both the DNRC and the SHPO.

Through consultation with the Montana State Historic Preservation Officer (SHPO), it was agreed that sale of the subject farm buildings would constitute an Adverse Effect to Heritage Properties by removing these features from state ownership. However, because of a lack of state resources, the buildings will continue to deteriorate if left in State ownership. It was also agreed that the only realistic (but not guaranteed) possibility to preserve one or more of the Galen Farm buildings to their original historical appearance is under private ownership.

Background:

In May of 2018, the Board granted preliminary approval for this parcel to continue through the Land Banking sale evaluation process. This parcel was appraised by an independent appraiser contracted by the Department concluding a market value of \$149,000. The appraisal was prepared by a Certified General Appraiser complying with the Uniform Standards of Professional Appraisal Practice and provided reasonable estimates of the current fair market value of the subject property. In November of 2018 the Board set the minimum bid at the appraised value with access as follows:

Sale #	Minimum Bid
919	\$149,000

Sale Price

The parcel was sold at a public auction on January 23, 2019. The Department received a bid deposit from one qualified bidder, whom is the current lessee. The parcel sold for the minimum bid amount listed above.

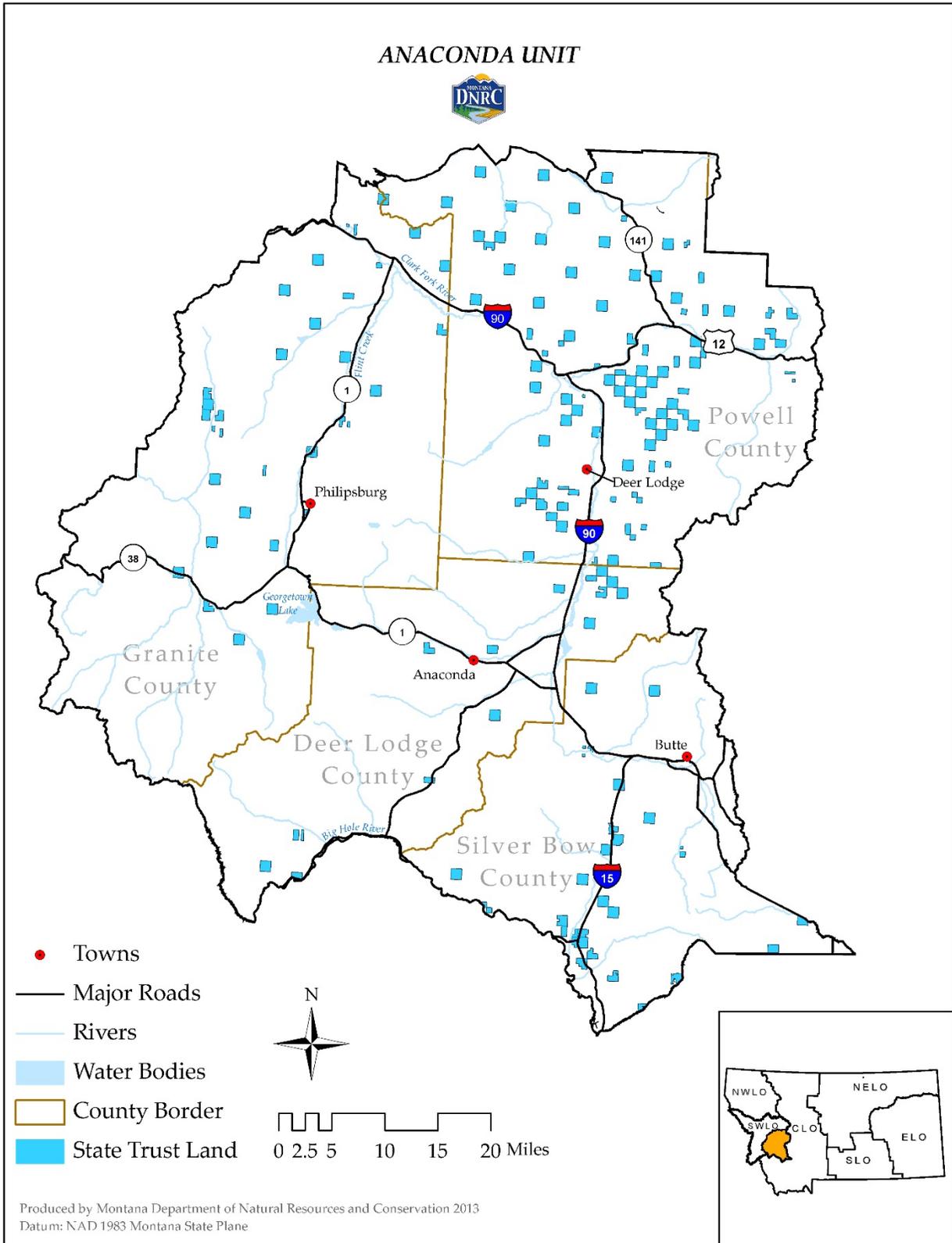
Appraised value of sale parcel:

Sale #	Appraised Value With Access	Appraised Value per acre	Recommended Minimum Bid	Appraised Value of Improvements
919	\$149,000	\$3725	\$149,000	\$0

DNRC Recommendation

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

ANACONDA UNIT



Produced by Montana Department of Natural Resources and Conservation 2013
Datum: NAD 1983 Montana State Plane



0219-4

CABIN SITE SALES:

Set Minimum Bid for Sale

Sale #929

**Land Board Agenda Item
February 19, 2019**

0219-4 Cabin and Home Sites: Set Minimum Bid for Sale

A. Sale No. 929

Location: Flathead County

Trust Benefits: Montana Tech

Trust Revenue: \$368,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) requests to set the minimum bid for the sale of a cabin site in Flathead County. This sale was nominated by the lessees and DNRC in conjunction with the Cabin and Home Site Sale Program and brought to the Land Board for preliminary approval on March 19, 2018.

Sale Number	# of Acres	Legal	Nominator	Trust
929	0.658±	Lot 22, Echo Lake, COS 18885, Sec. 5, T27N-R19W Flathead County	Lance & Juli Miller	Montana Tech

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:

Sale #	Rate of Return
929	2.810%

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 2.62% 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 December 2018. The hearing was requested by the sale proponents within the time frame allotted by the Cabin and Home Site Sale Program process.

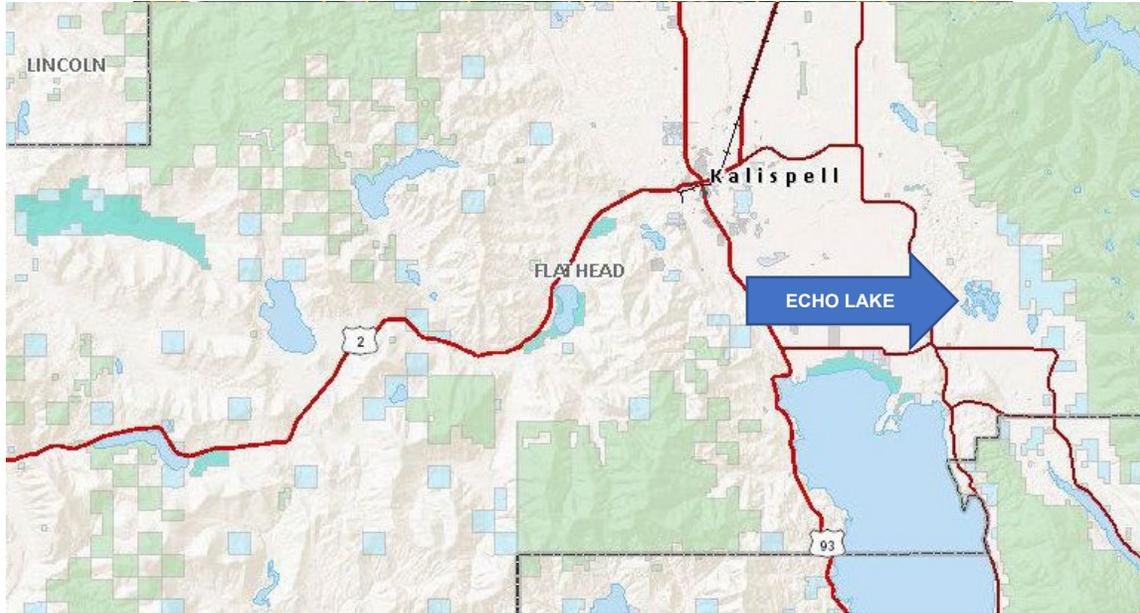
The hearing examiner recommended no change to the originally-appraised value of the land after additional consideration, which resulted in the following values:

Sale #	Original Appraised Value of the Land	Value of the Land Determined by the Hearing	Appraised Value of Improvements	Value of the Improvements Determined by the Hearing
929	\$368,000	\$368,000	\$41,000	not contested

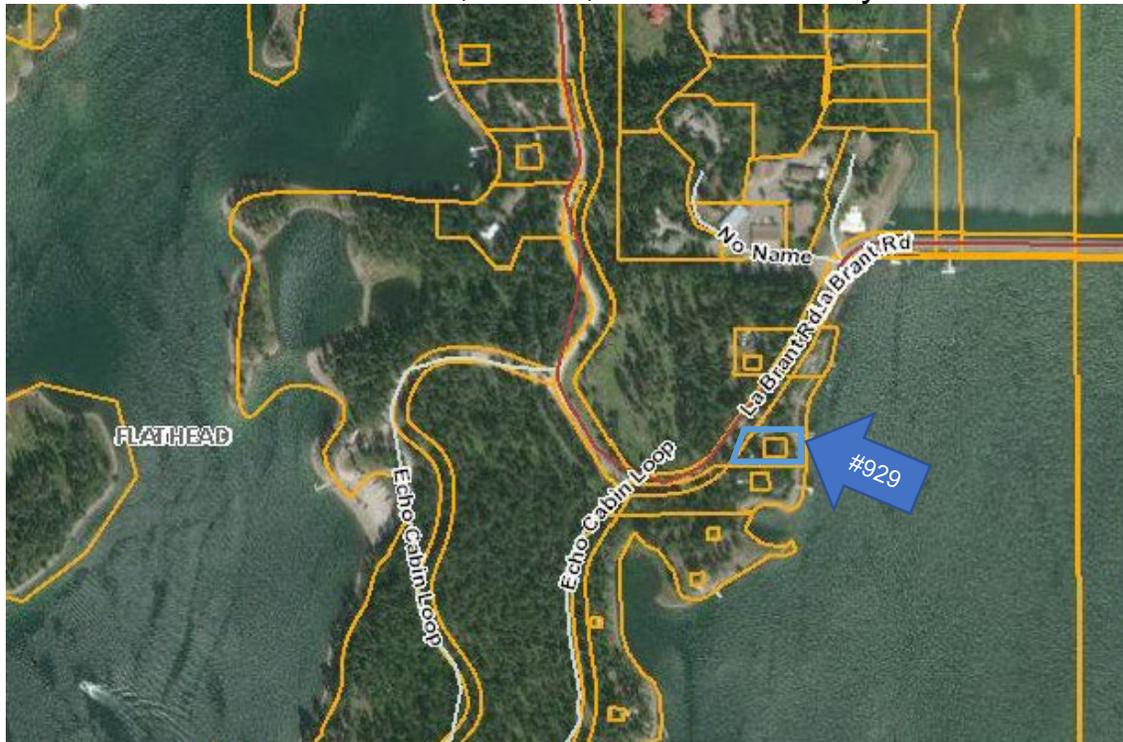
DNRC Recommendation

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 maximum value of compensation for the improvements as shown above.

FLATHEAD COUNTY SALE



Echo Lake Sale #929 T27N-R19W, Sec. 5, Flathead County



0219-5

CABIN SITE SALES:

Final approval for Sale

Sale #922

**Land Board Agenda Item
February 19, 2019**

0219-5 Cabin and Home Sites: Final Approval for Sale

Location: Flathead County
Trust Benefits: Common Schools
Trust Revenue: \$340,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting final approval for sale of a cabin site nominated for sale in Flathead County. The sale was nominated by the lessees in conjunction with the Cabin and Home Site Sale Program.

Sale Number	# of Acres	Legal	Nominator	Trust
922	1.789±	Lot 7, McGregor Lake, COS 19909, Sec. 16, T26N-R25W Flathead County	Donald & Sara Ericksen	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 agreements.

Economic Analysis

Short term – The average rate of return for the sale parcel is as follows:

Sale #	Rate of Return
922	3.366%

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 2.62% 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

This sale was granted preliminary approval in March 2018 to proceed through the Cabin and Home Site Sale Program. In December 2018, the Land Board set the minimum bid for the land and the maximum value of compensation for the improvements at the values below:

Sale #	Minimum Bid for the Lane	Appraised Value of Improvements
922	\$340,000	\$386,000

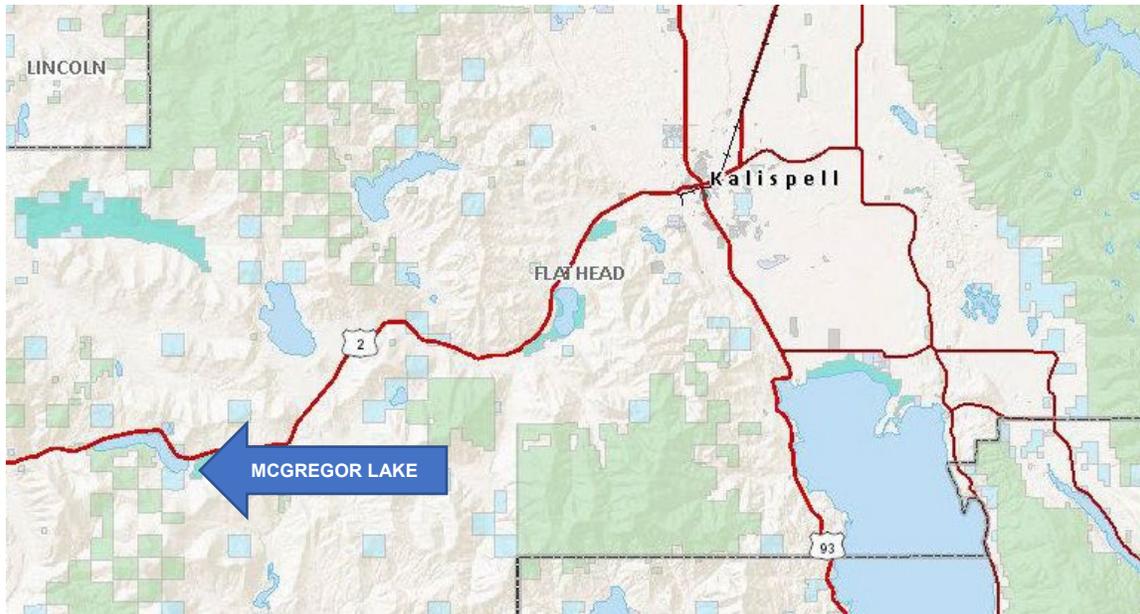
Sale Price

The sale sold at public auction on January 29, 2019. There was one bidder for the sale, and bidders for the sale were the current lessees. The parcel sold for the minimum bid amount listed above.

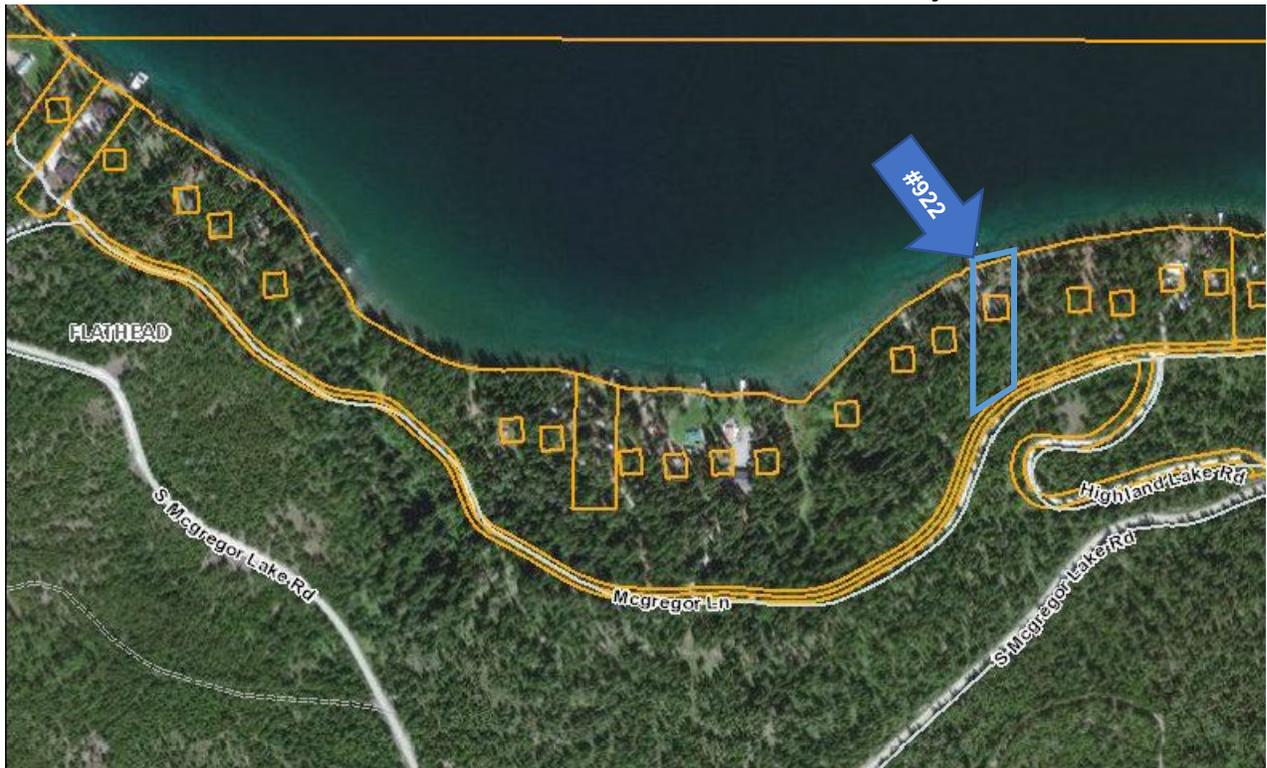
DNRC Recommendation

The director recommends the Land Board grant final approval for the sale of this cabin site at the value shown above. The sale will close within 30 days of final approval by the Land Board.

FLATHEAD COUNTY SALE



McGregor Lake Sale #922 T26N-R25W, Sec. 16, Flathead County



0219-6

EASEMENTS

**Land Board Agenda Item
February 19, 2019**

0219-6 Easements

Location: Carter, Fallon, Gallatin, Missoula, Park, Prairie, Richland, Sheridan
Sweet Grass

Trust Benefits: Capitol Buildings, Common Schools, Montana Tech,
Public Land Trust – Nav. Rivers, University of Montana

Trust Revenue: Capitol Building = \$ 3,728
Common Schools = \$ 105,474
Montana Tech = \$ 11,418
Public Land Trust = \$ 6,931
University of Montana = \$ 2,480

Item Table of Contents

Applicant	Right-of-Way Purpose	Term	Page(s)
NorthWestern Energy	Overhead Electric Lines & Pipelines	Permanent	1-37
Sheridan County	Public County Road	Permanent	38-39
Mid-Rivers Telephone Cooperative	Buried Fiber Optic Cable	Permanent	40-43
OneOK Rockies Midstream LLC	Buried Natural Gas Pipeline	30-year	44-47
Denbury Green Pipeline – Montana LLC	Buried CO ² Pipeline	30-year	48-65

APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18324
R/W Purpose: a buried 2" natural gas pipeline
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$100.00
Legal Description: 20-foot strip through the NE4SW4, Sec. 36, Twp. 1N, Rge. 5E,
Gallatin County
Trust Beneficiary: Common Schools

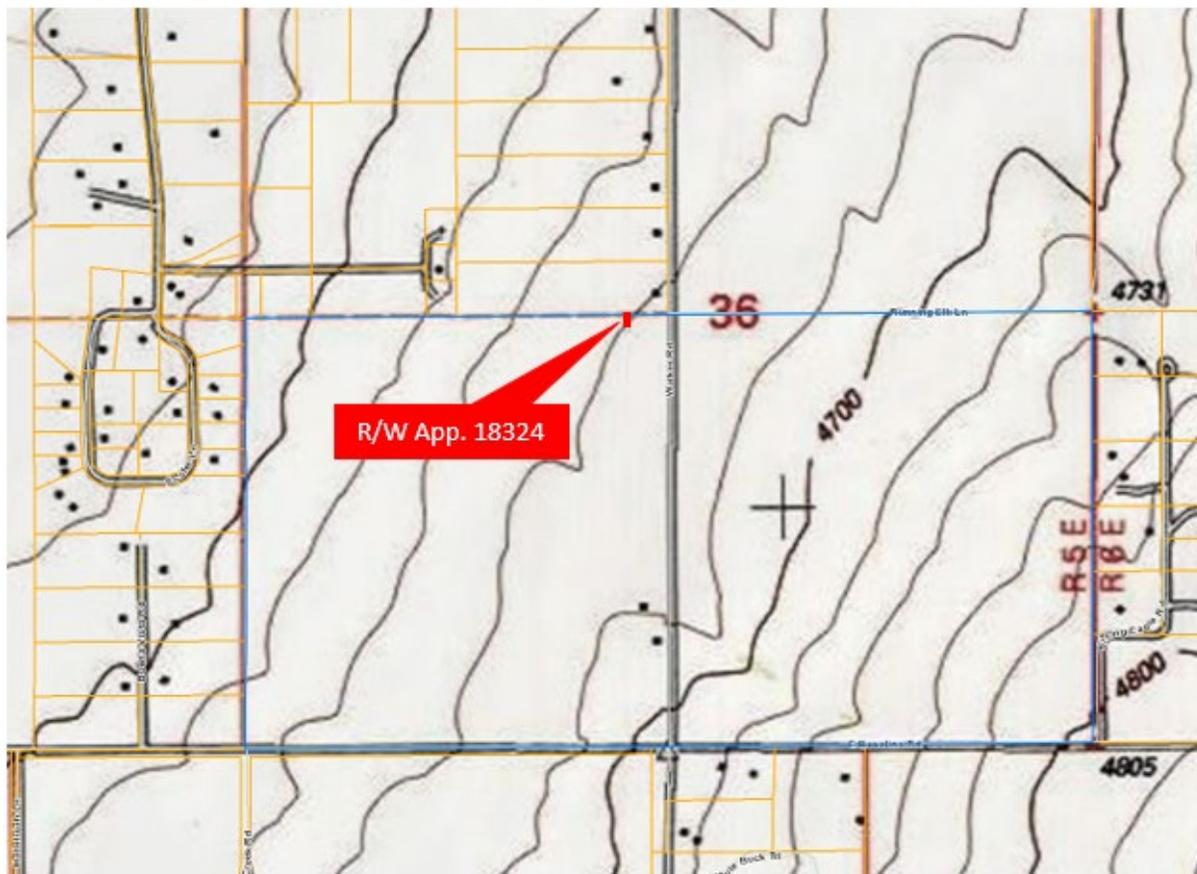
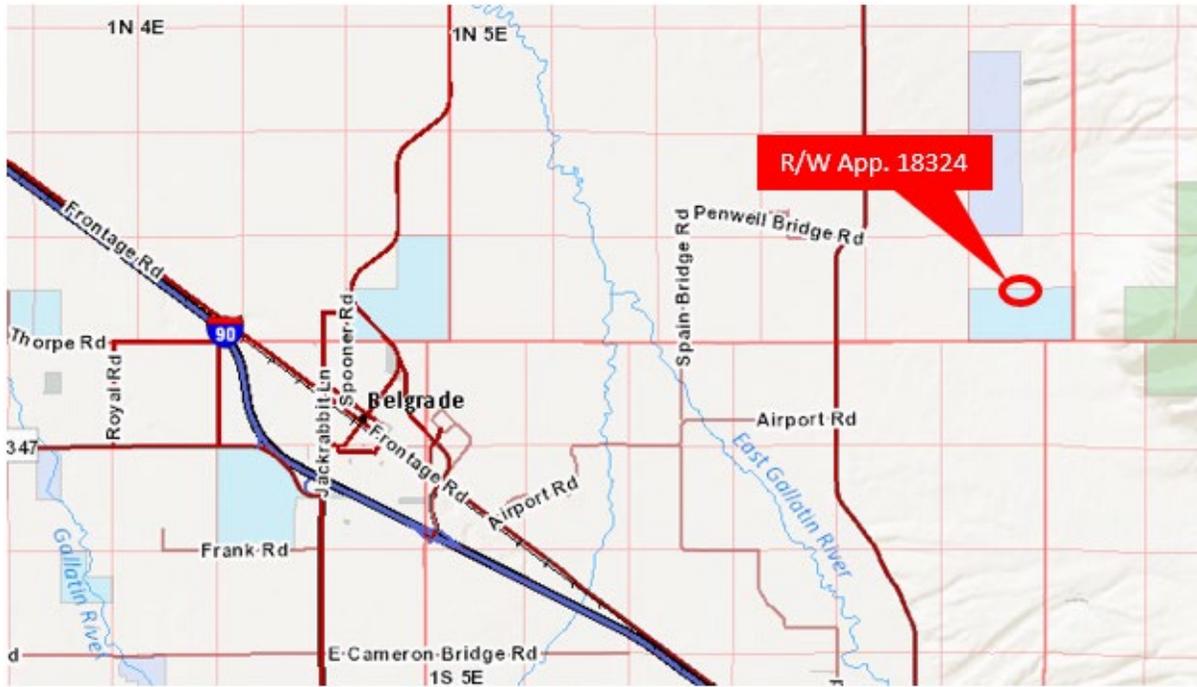
Item Summary

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 as historic rights of ways.

DNRC Recommendation

The director recommends approval of these historic rights of way for NorthWestern Energy.

R/W Application 18324



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18328
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.79
Compensation: \$632.00
Legal Description: 30-foot strip through the SE4SE4, Sec. 30, Twp. 1S, Rge. 2W,
Gallatin County
Trust Beneficiary: Common Schools

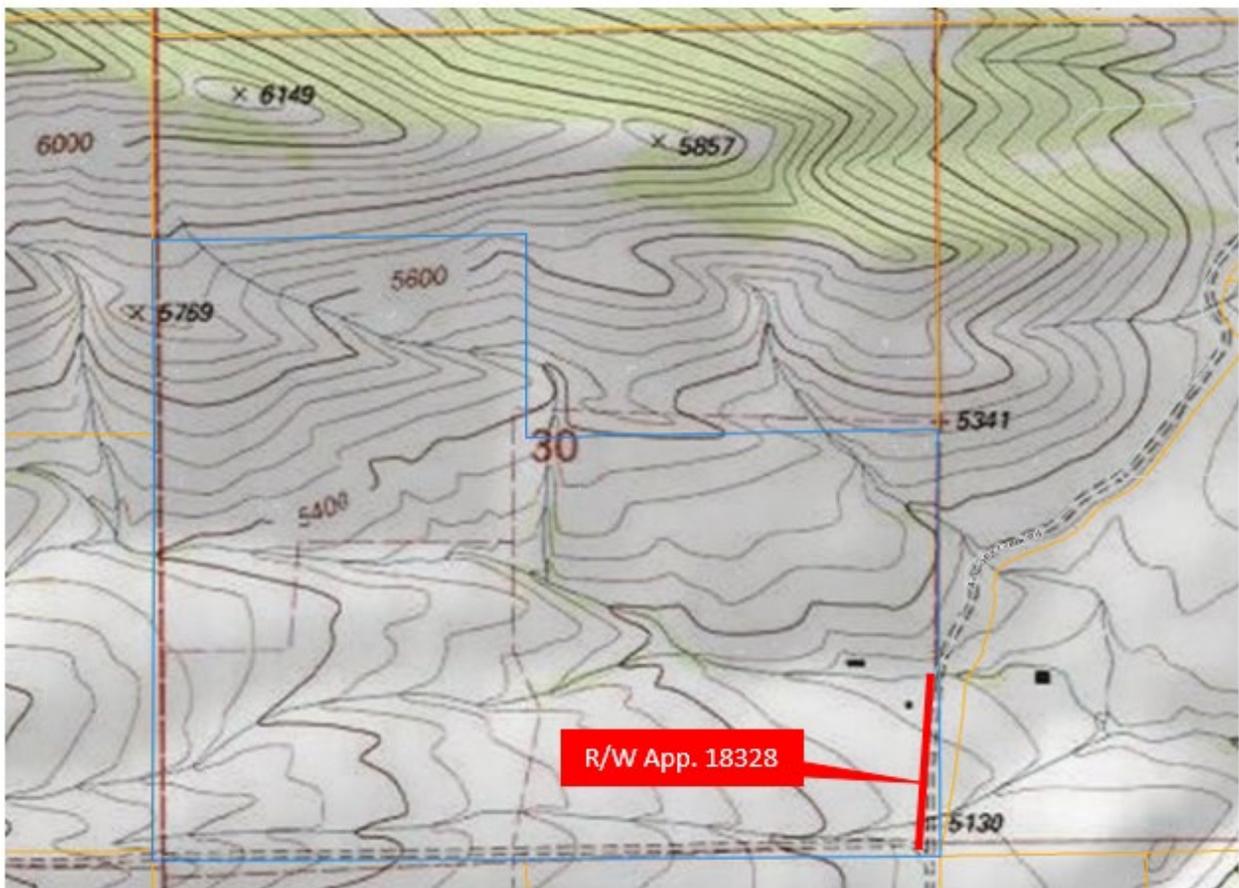
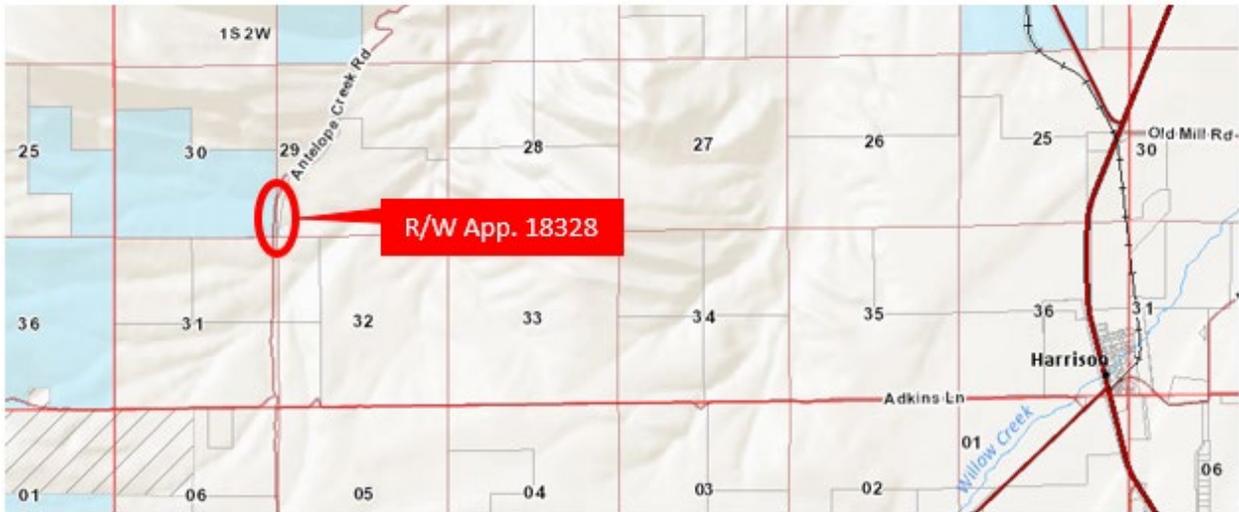
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18328



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18329
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 1.63
Compensation: \$1,630.00
Legal Description: 30-foot strip through the SW4NW4, NW4SW4, Sec. 36, Twp. 1S,
Rge. 10E, Park County
Trust Beneficiary: Common Schools

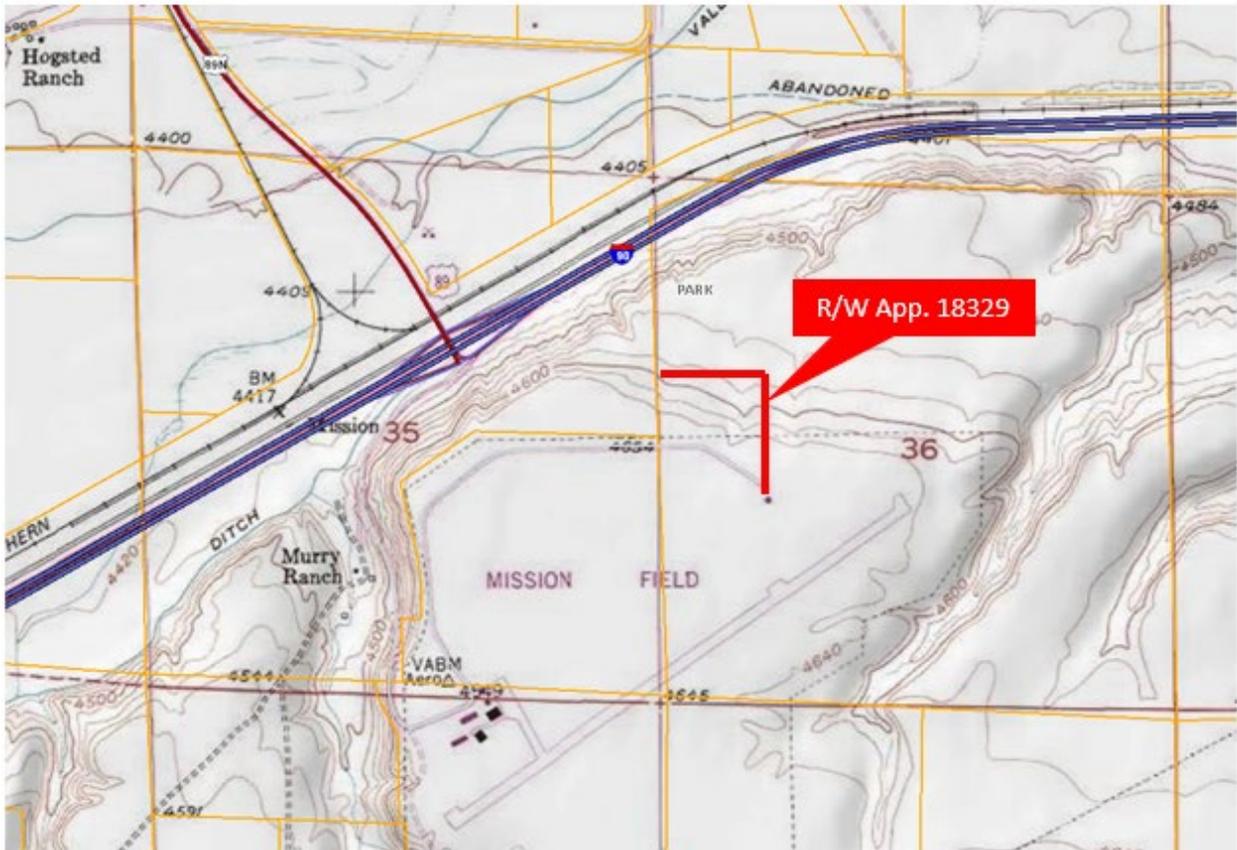
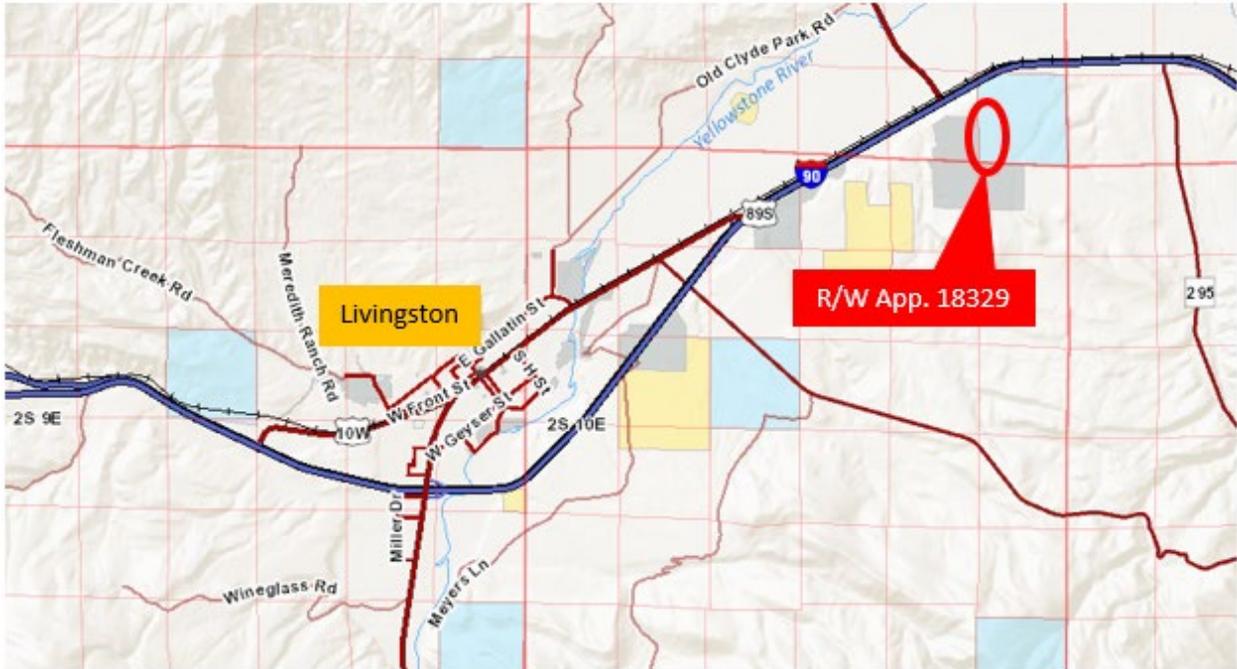
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18329



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18330
R/W Purpose: an overhead 7.2 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.07
Compensation: \$100.00
Legal Description: 30-foot strip through the SE4SE4, Sec. 36, Twp. 1N, Rge. 5E,
Gallatin County
Trust Beneficiary: Common Schools

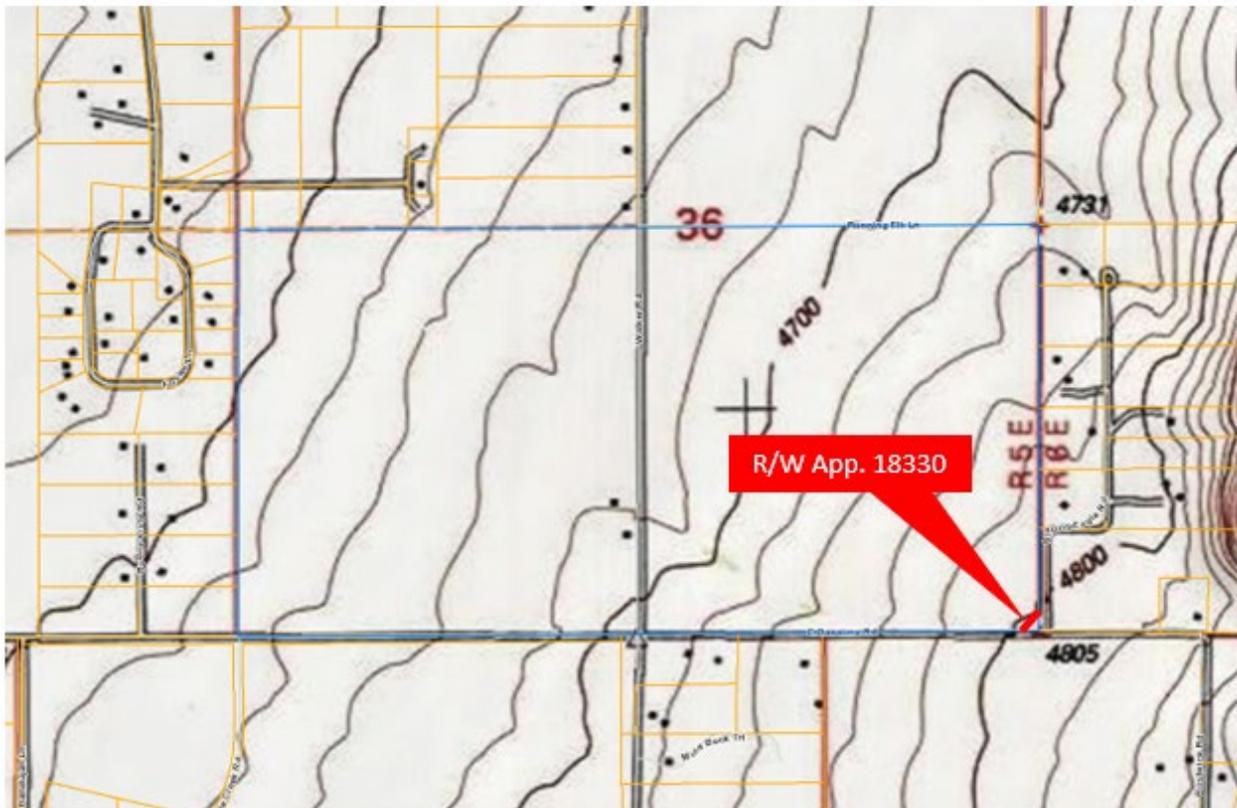
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18330



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18339
R/W Purpose: an overhead 7.2 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.24
Compensation: \$240.00
Legal Description: 30-foot strip through the SE4SE4, Sec. 32, Twp. 1N, Rge. 4E,
Gallatin County
Trust Beneficiary: Common Schools

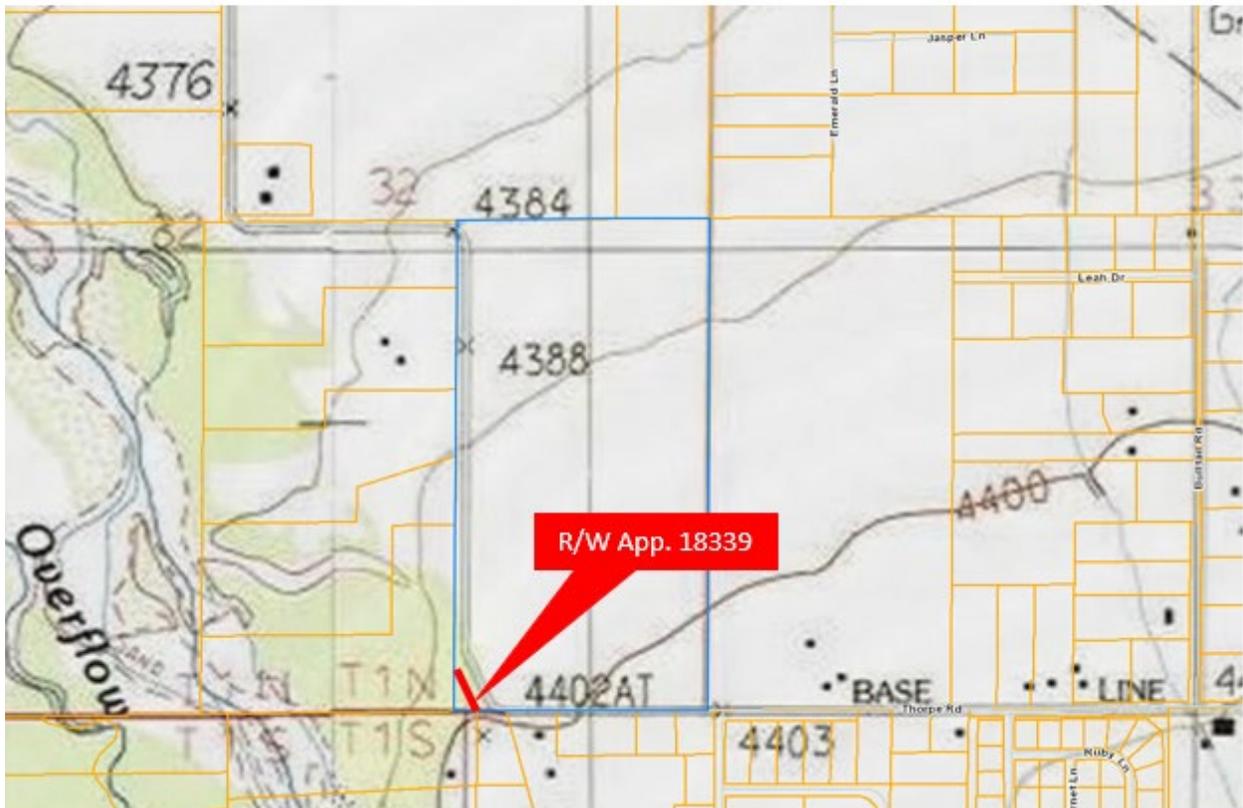
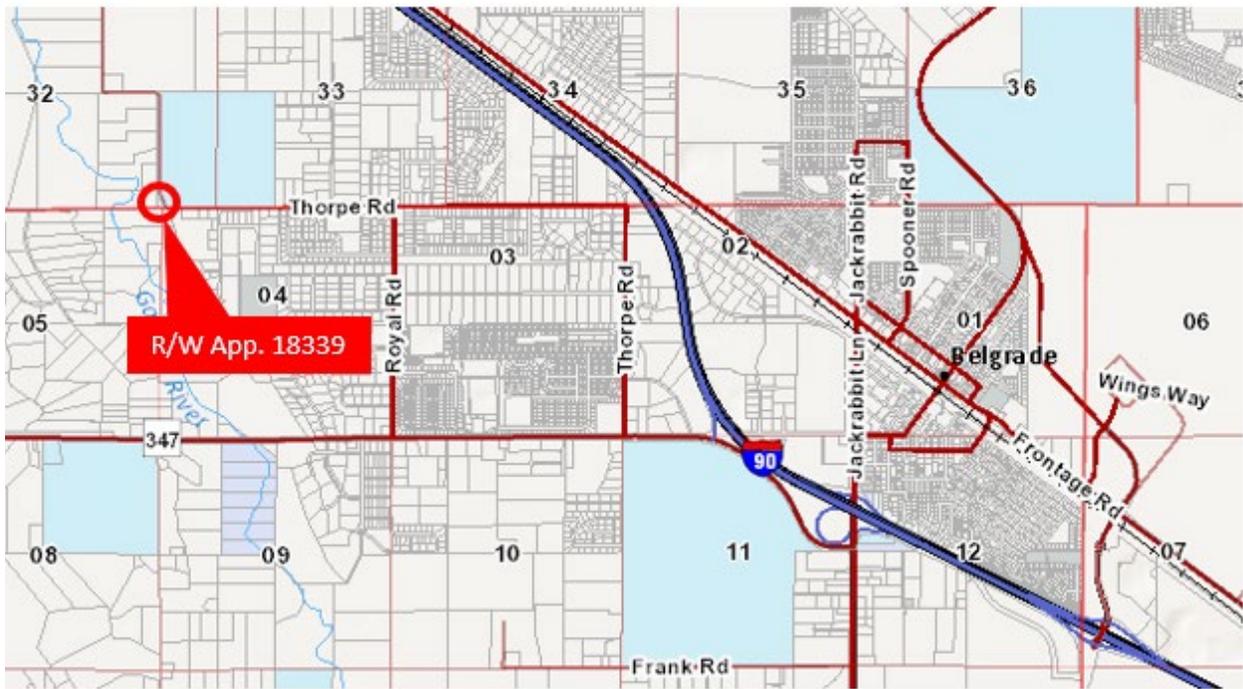
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18339



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18341
R/W Purpose: an overhead 12.47 kV electric distribution line and a buried 12.47 kV electric distribution line

Lessee Agreement: N/A (Historic)
Acreage: 2.16
Compensation: \$2,160.00
Legal Description: 30-foot strip through the NE4SW4, W2SE4 and N2SE4, SW4SE4, Sec. 36, Twp. 1N, Rge. 5E, Gallatin County
Trust Beneficiary: Common Schools

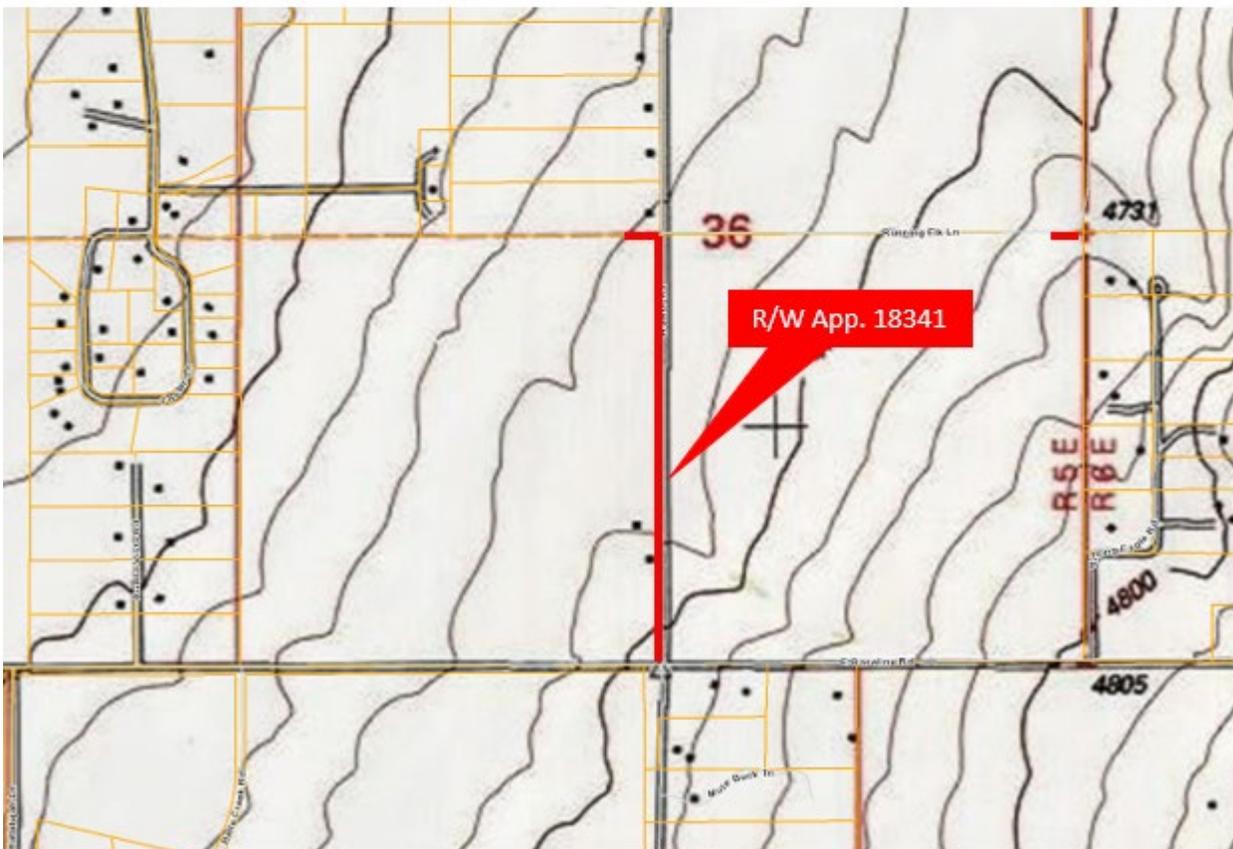
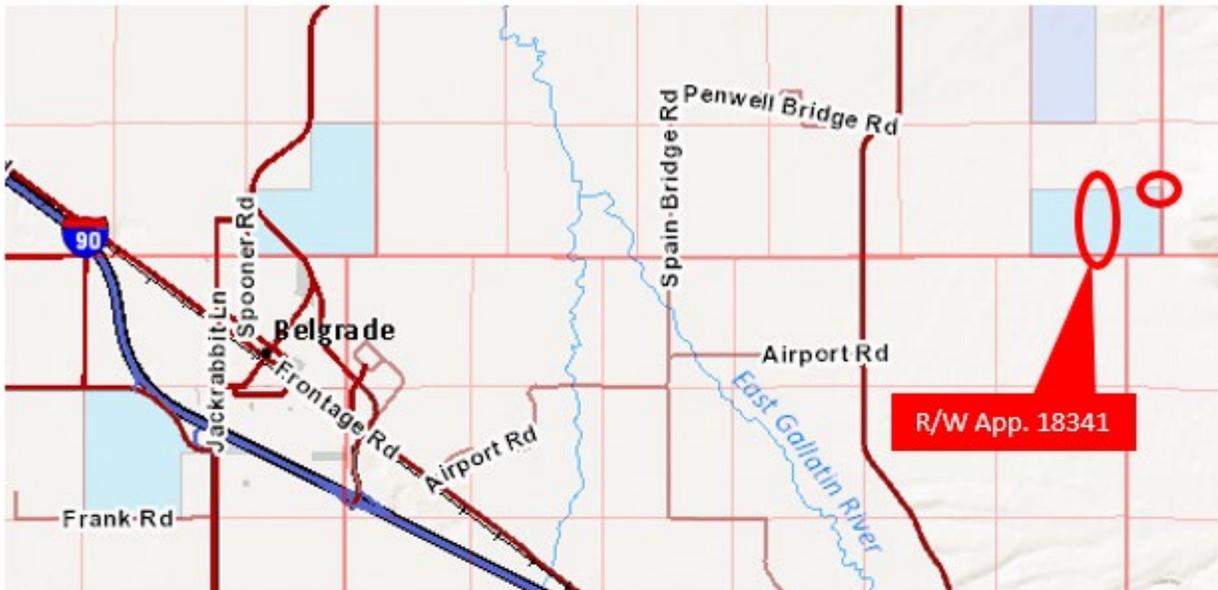
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18341



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18355
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 1.98
Compensation: \$1,980.00
Legal Description: 30-foot strip through the E2NE4, Sec. 22, Twp. 1S, Rge. 3E,
Gallatin County
Trust Beneficiary: Montana Tech

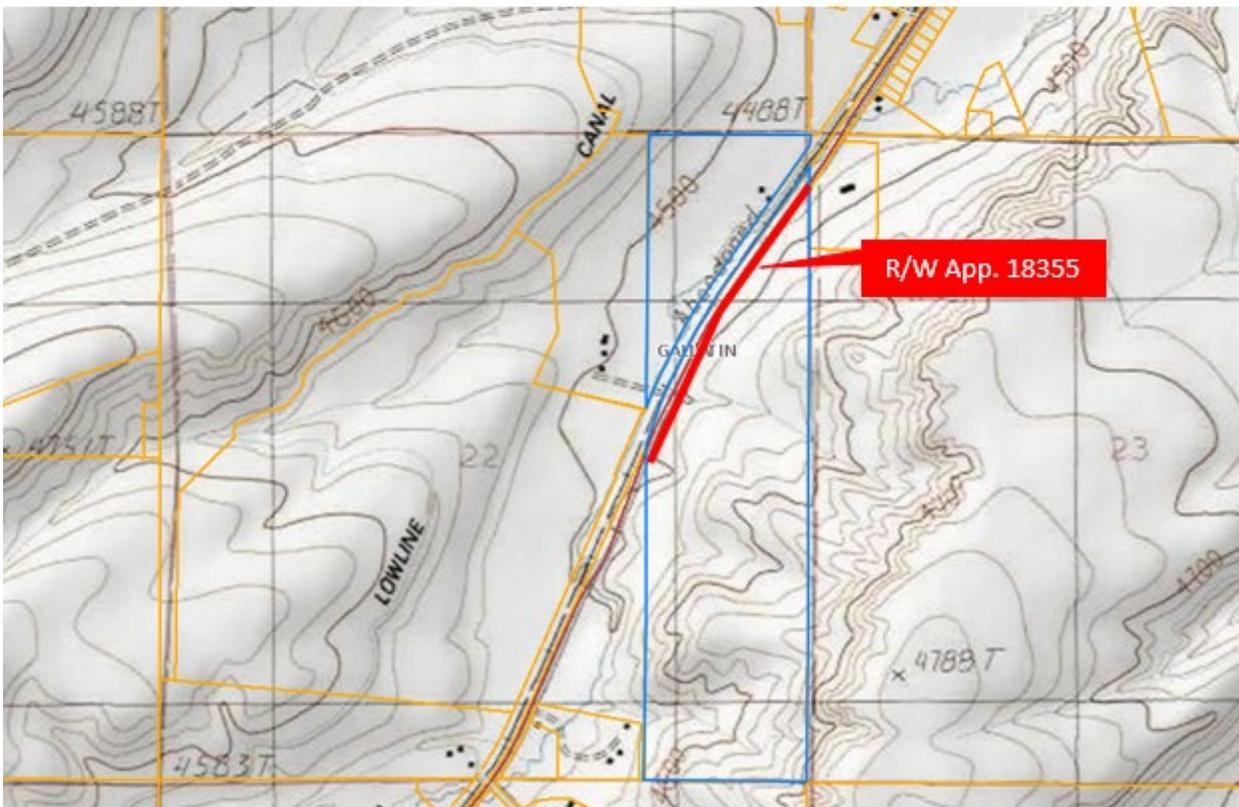
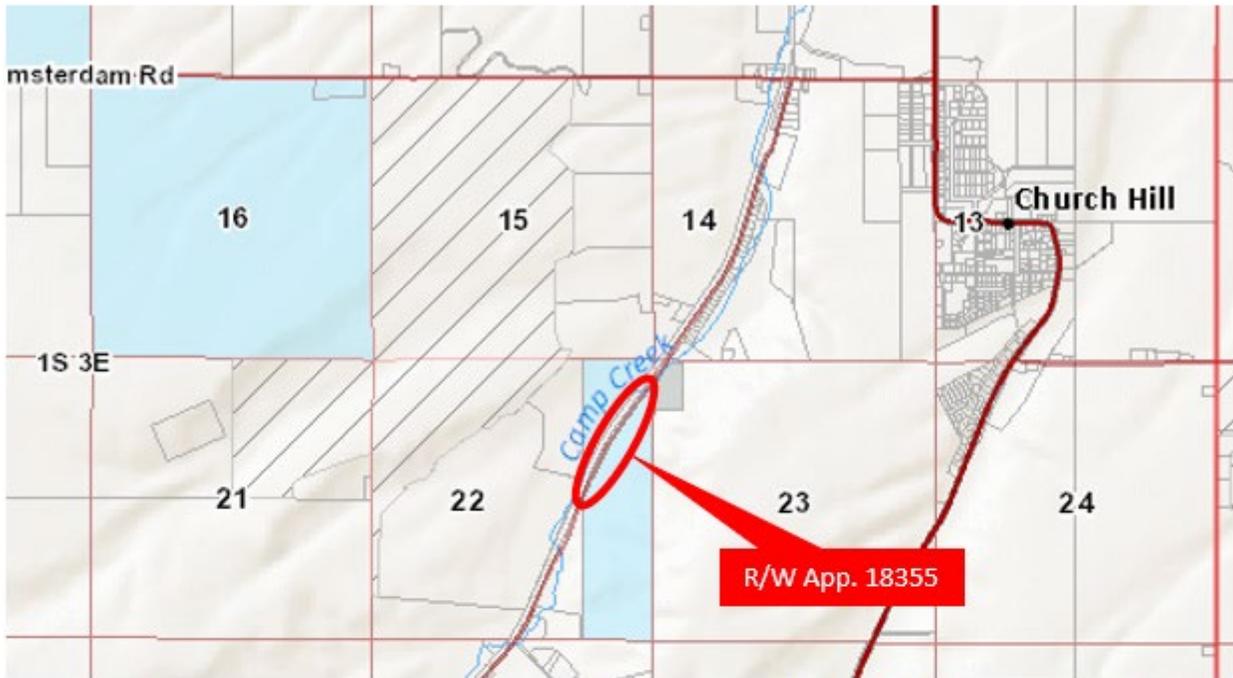
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18355



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18356
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.03
Compensation: \$602.00
Legal Description: 10-foot strip across the Gallatin River in SE4SW4, Sec. 4,
Twp. 1S, Rge. 4E, Gallatin County
Trust Beneficiary: Public Land Trust - Nav. River

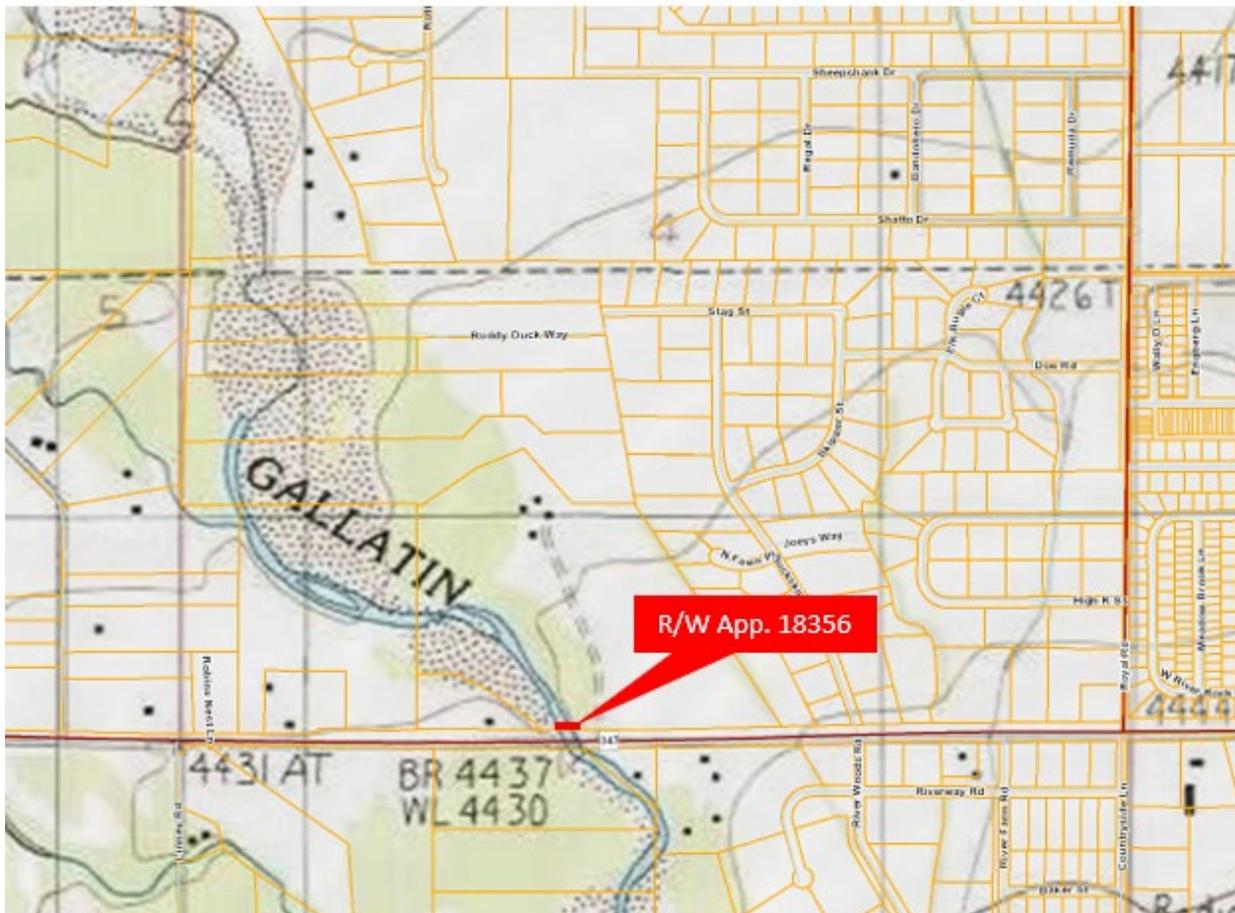
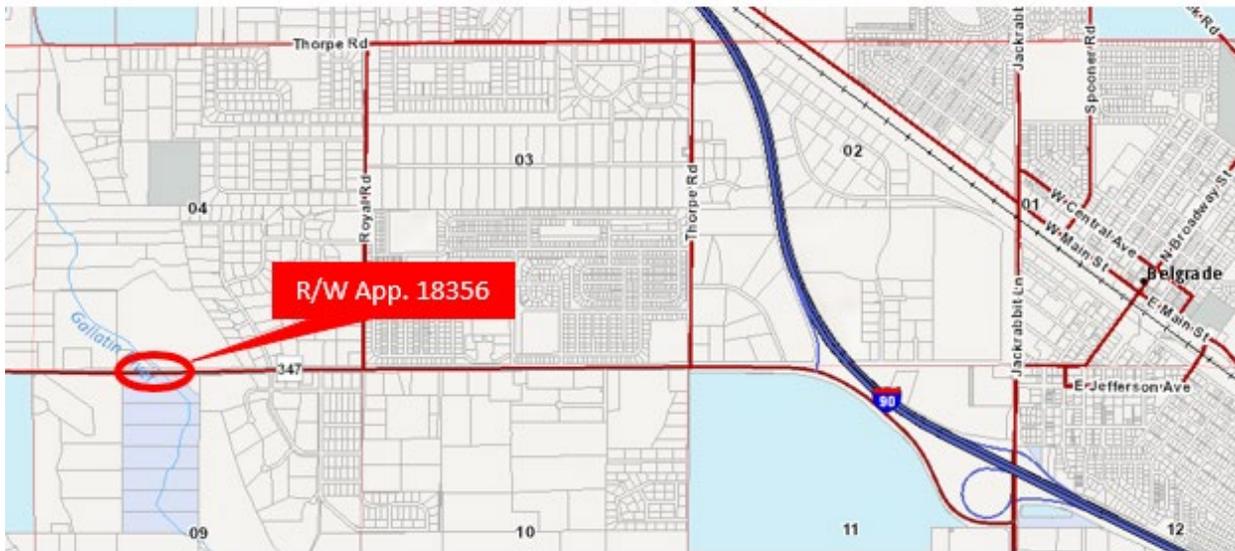
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18356



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18357
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 1.70
Compensation: \$1,700.00
Legal Description: 30-foot strip through the NW4NE4, SE4NE4, Sec. 8, Twp. 1S,
Rge. 4E, Gallatin County
Trust Beneficiary: University of Montana

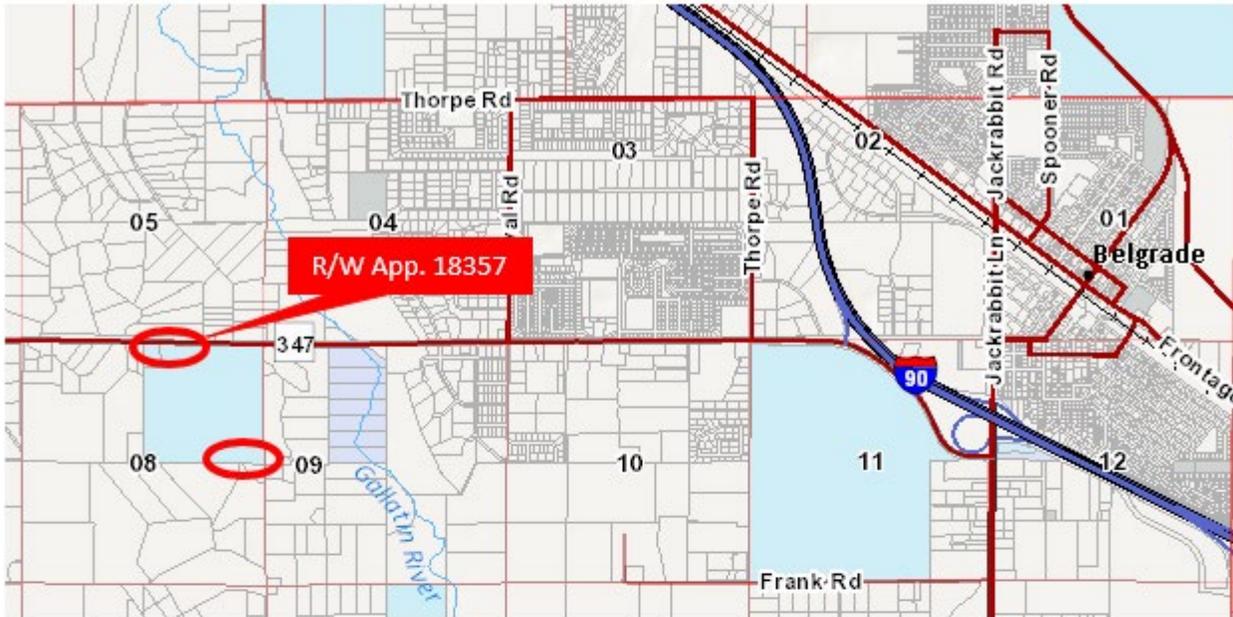
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18357



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18358
R/W Purpose: an overhead 7.2 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.91
Compensation: \$910.00
Legal Description: 30-foot strip through the NE4NE4, Sec. 10, Twp. 1S, Rge. 11E,
Park County
Trust Beneficiary: Common Schools

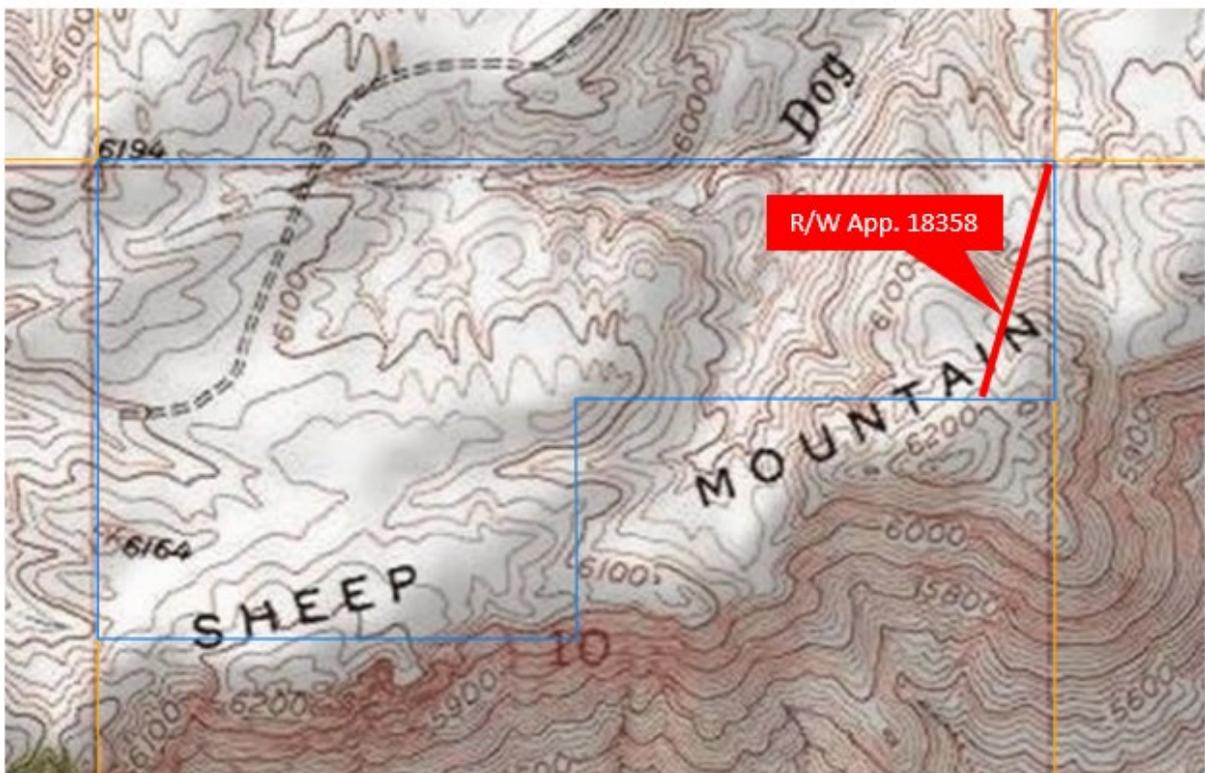
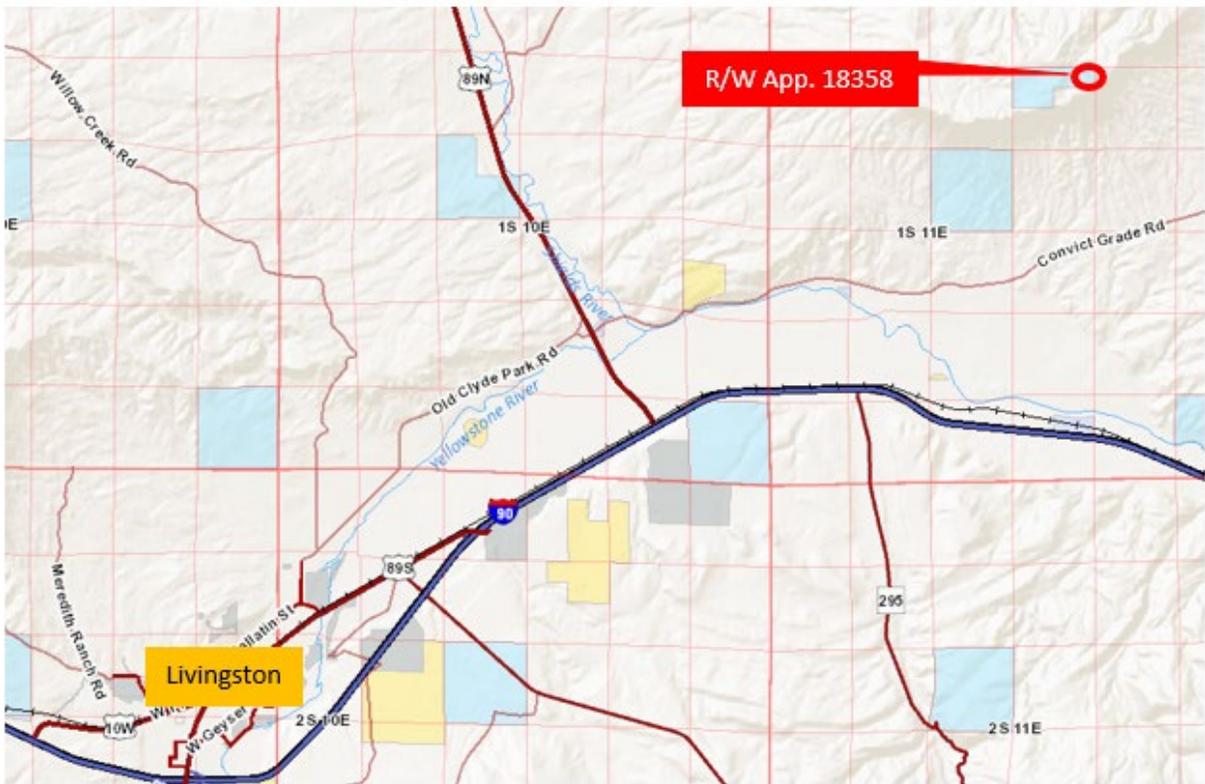
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18358



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18359
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.08
Compensation: \$100.00
Legal Description: 10-foot strip across the Yellowstone River in SE4SW4, Sec. 15,
Twp. 1S, Rge. 12E, Park County
Trust Beneficiary: Public Land Trust - Nav. River

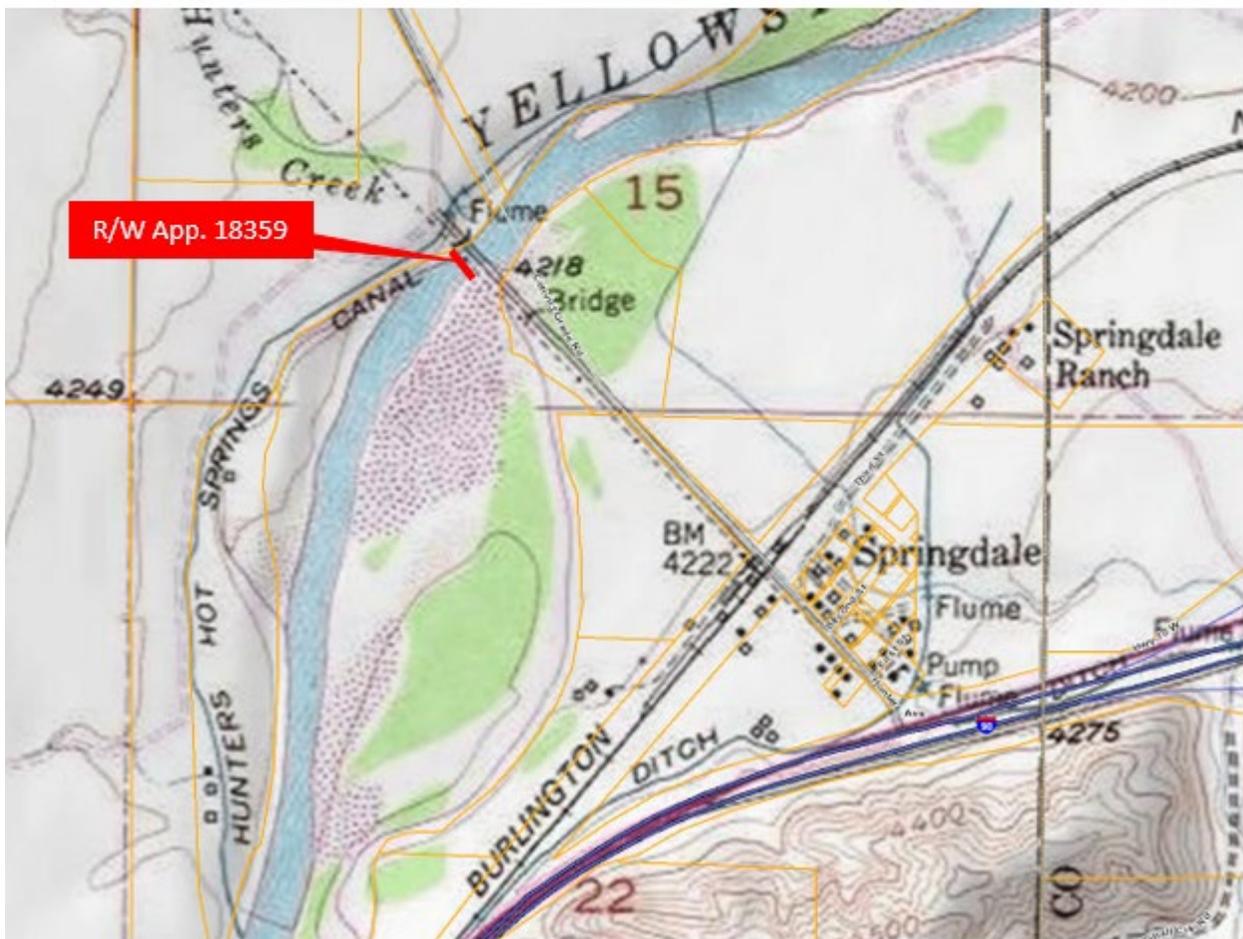
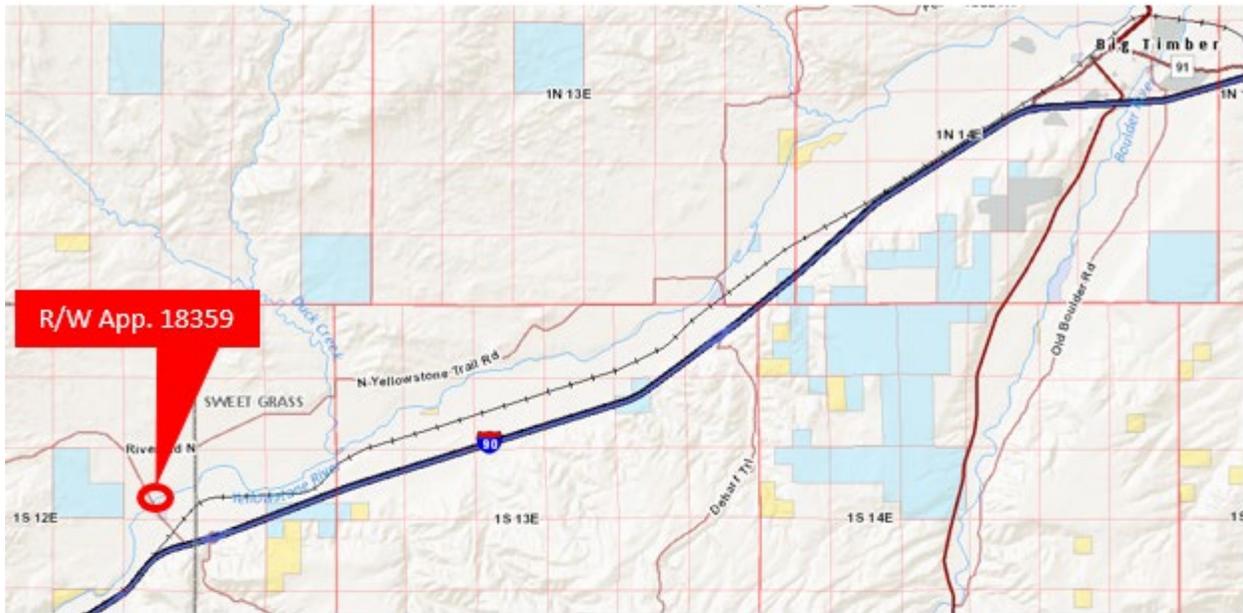
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18359



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18360
R/W Purpose: an overhead 7.2 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.40
Compensation: \$600.00
Legal Description: 30-foot strip through the NW4NW4, Sec. 24, Twp. 1S, Rge. 12E,
Sweet Grass County
Trust Beneficiary: Common Schools

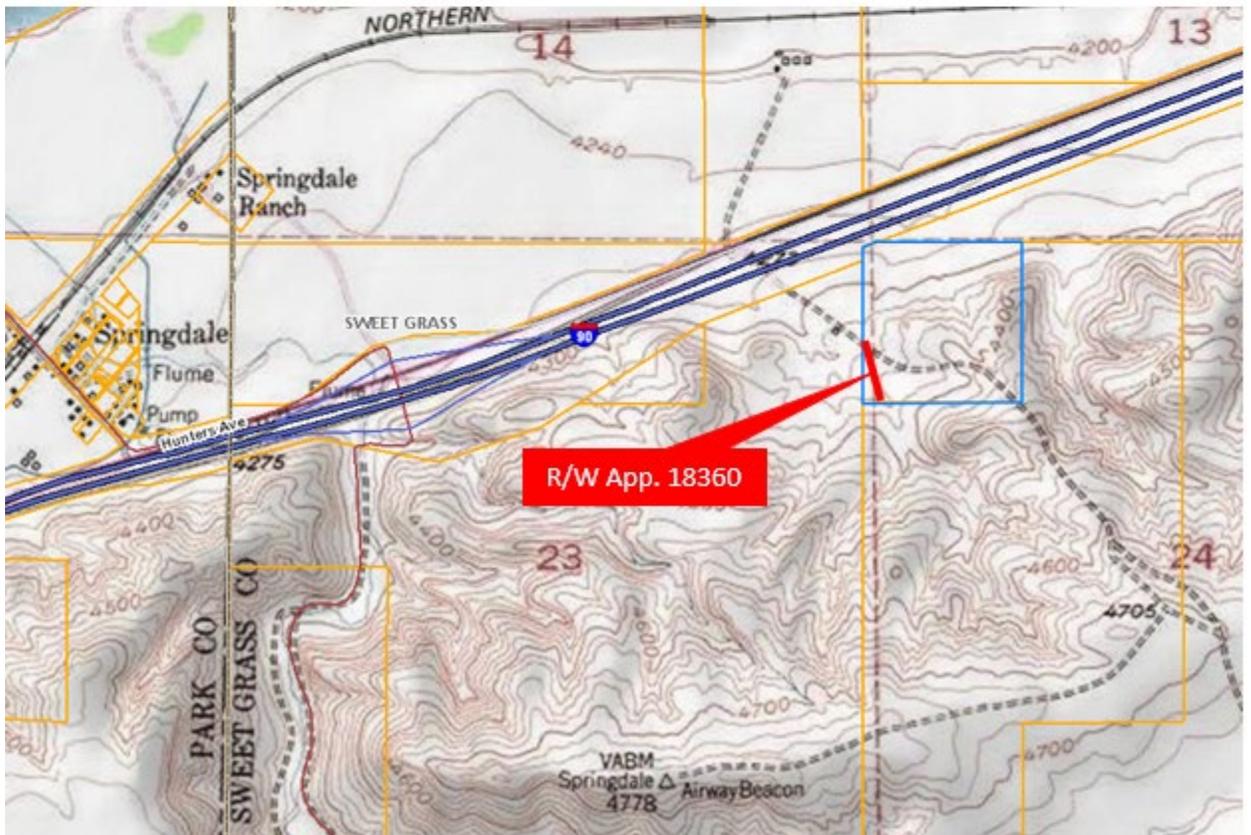
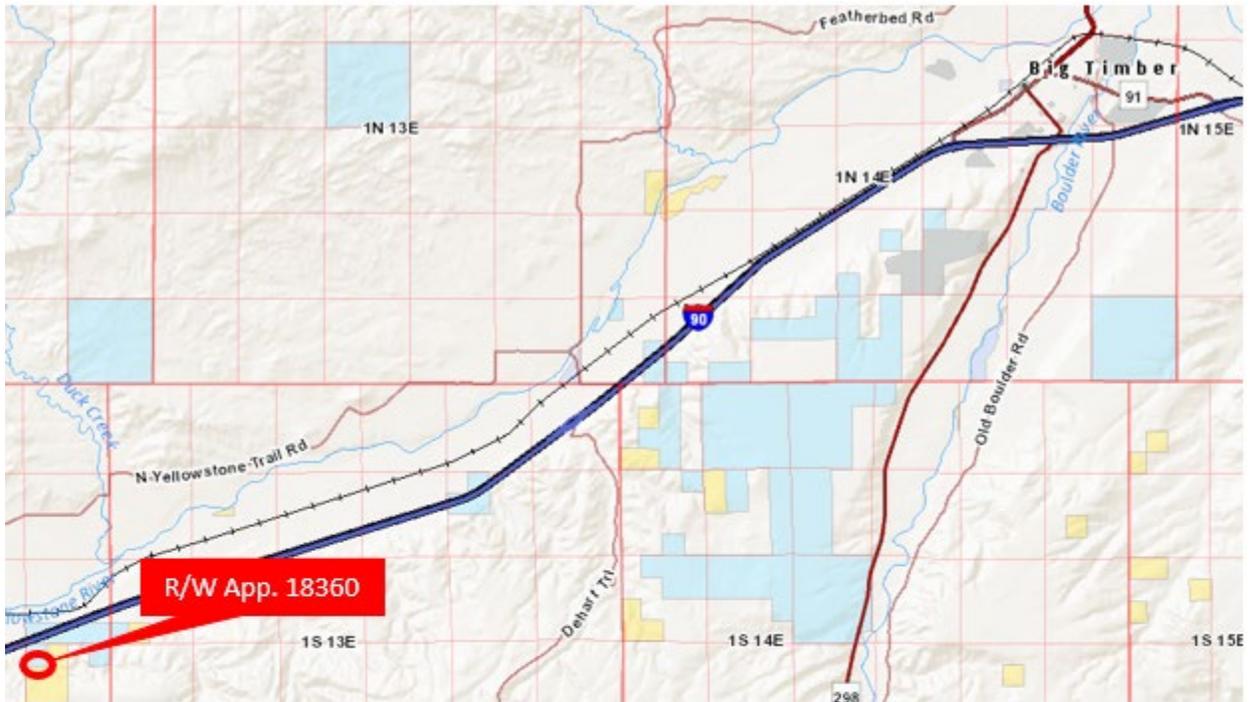
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18360



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18361
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.02
Compensation: \$395.00
Legal Description: 10-foot strip across the Gallatin River in SE4SE4, Sec. 7, Twp. 4S,
Rge. 4E, Gallatin County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18362
R/W Purpose: an overhead 7.2 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.03
Compensation: \$591.00
Legal Description: 10-foot strip across the Gallatin River in NE4NW4, NW4NE4, Sec. 8, Twp. 4S, Rge. 4E, Gallatin County
Trust Beneficiary: Public Land Trust - Nav. River

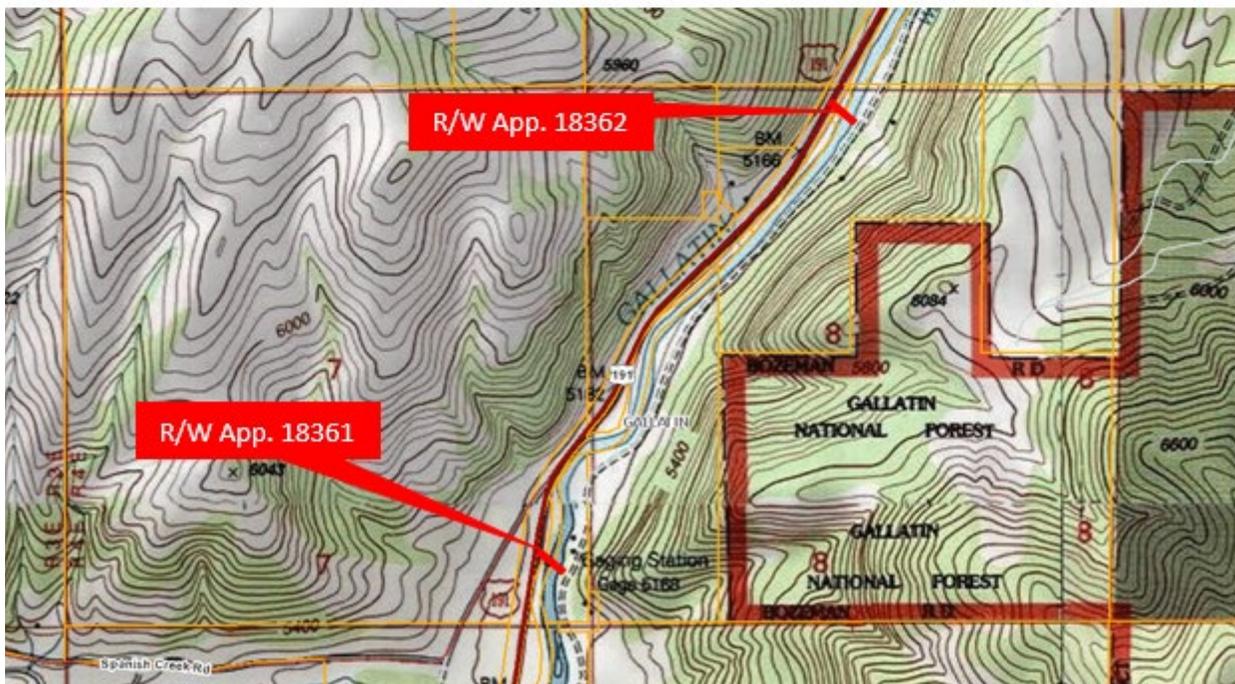
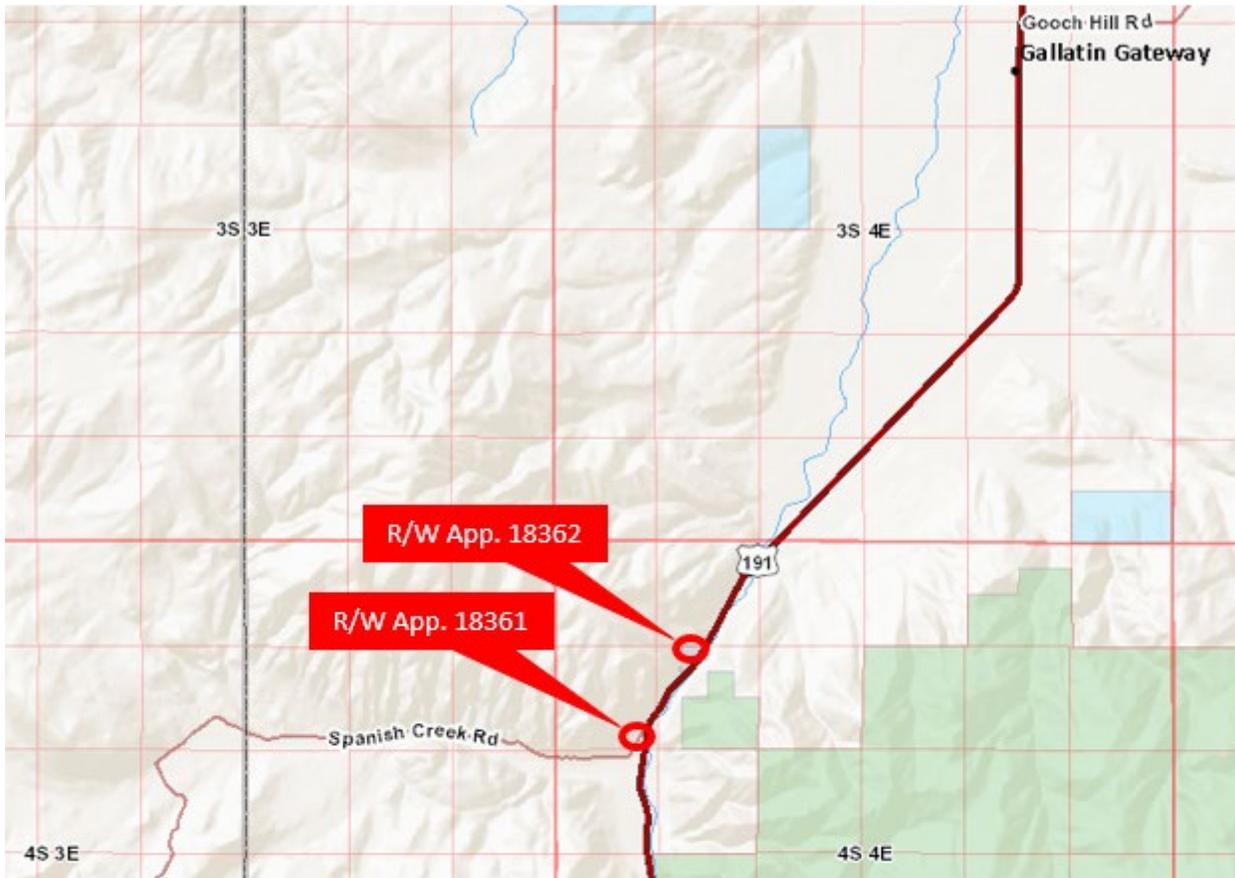
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18361 & 18362



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18363
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 1.32
Compensation: \$1,056.00
Legal Description: 30-foot strip through the NE4NE4, Sec. 10, Twp. 1S, Rge. 1E,
Gallatin County
Trust Beneficiary: Capitol Buildings

Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18364
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 3.34
Compensation: \$2,672.00
Legal Description: 30-foot strip through the W2W2, Sec. 12,
Twp. 1S, Rge. 1E, Gallatin County
Trust Beneficiary: Capitol Buildings

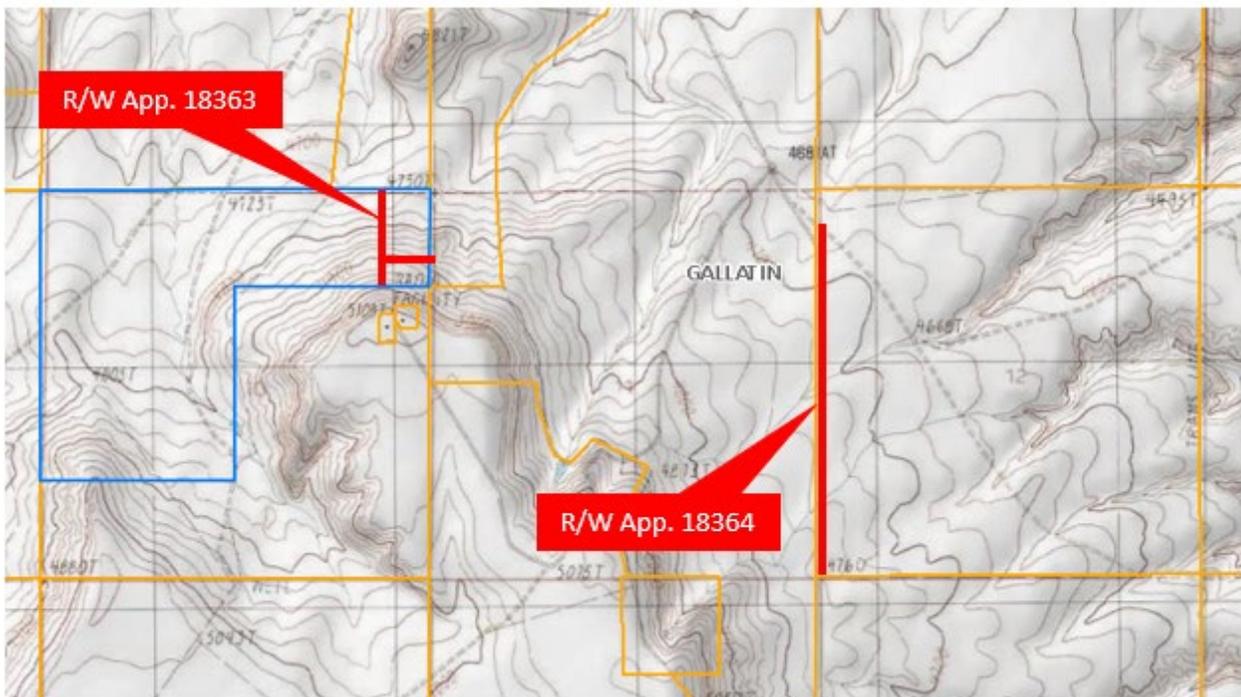
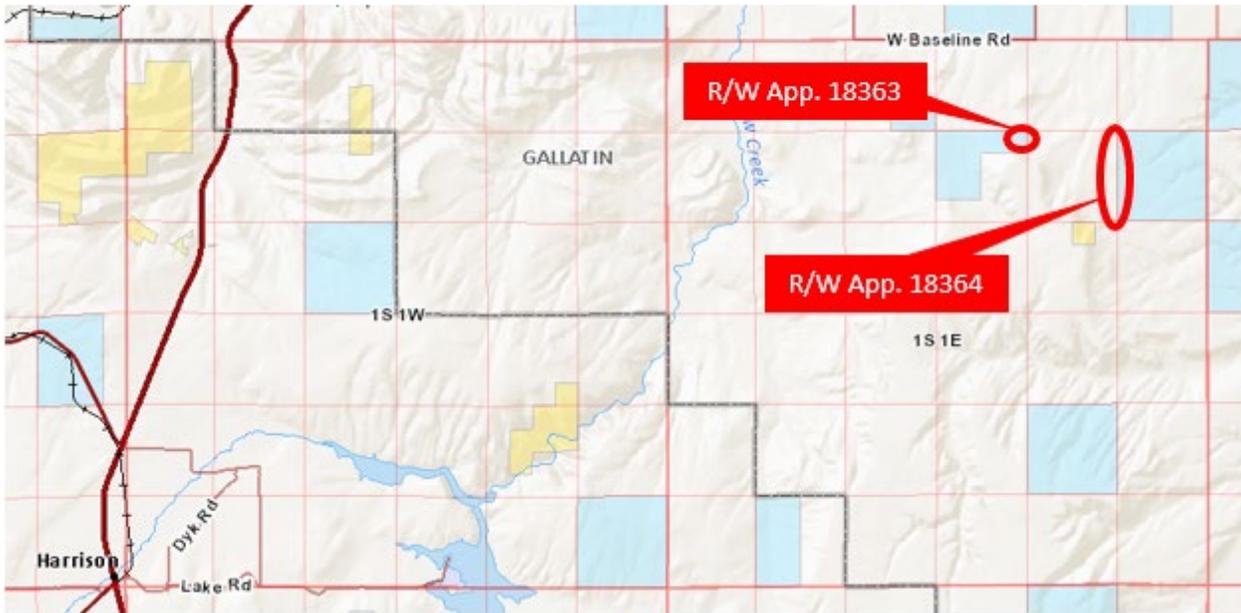
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18363 & 18364



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18365
R/W Purpose: an overhead 50 kV transmission line with a 12.47 kV electric
distribution line underbuilt

Lessee Agreement: N/A (Historic)
Acreage: 0.07
Compensation: \$1,246.00
Legal Description: 30-foot strip across the Gallatin River in NW4NW4, Sec. 22,
Twp. 1S, Rge. 4E, Gallatin County
Trust Beneficiary: Public Land Trust - Nav. River

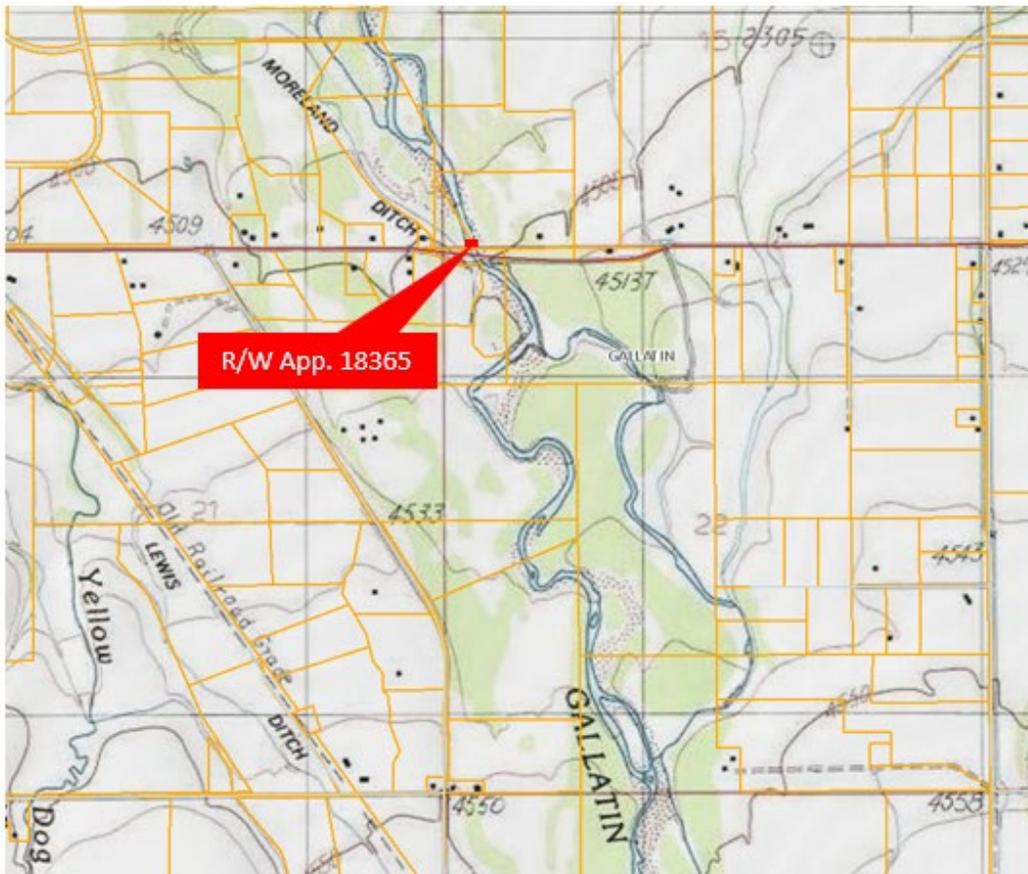
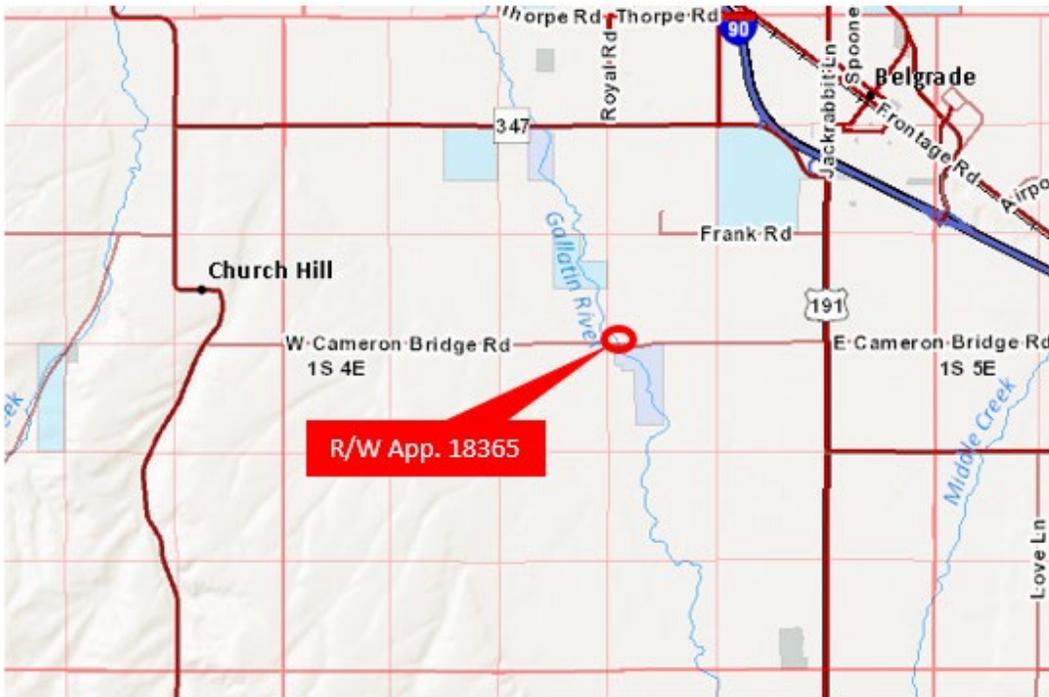
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18365



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18370
R/W Purpose: a buried 2" natural gas pipeline
Lessee Agreement: N/A (Historic)
Acreage: 0.78
Compensation: \$780.00
Legal Description: 20-foot strip through the NW4NE4, E2NE4, Sec. 8, Twp. 1S,
Rge. 4E, Gallatin County
Trust Beneficiary: University of Montana

Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18371
R/W Purpose: a buried 2" natural gas pipeline
Lessee Agreement: N/A (Historic)
Acreage: 0.06
Compensation: \$1,203.00
Legal Description: 20-foot strip across the Gallatin River in SE4SW4, Sec. 4,
Twp. 1S, Rge. 4E, Gallatin County
Trust Beneficiary: Public Land Trust - Nav. River

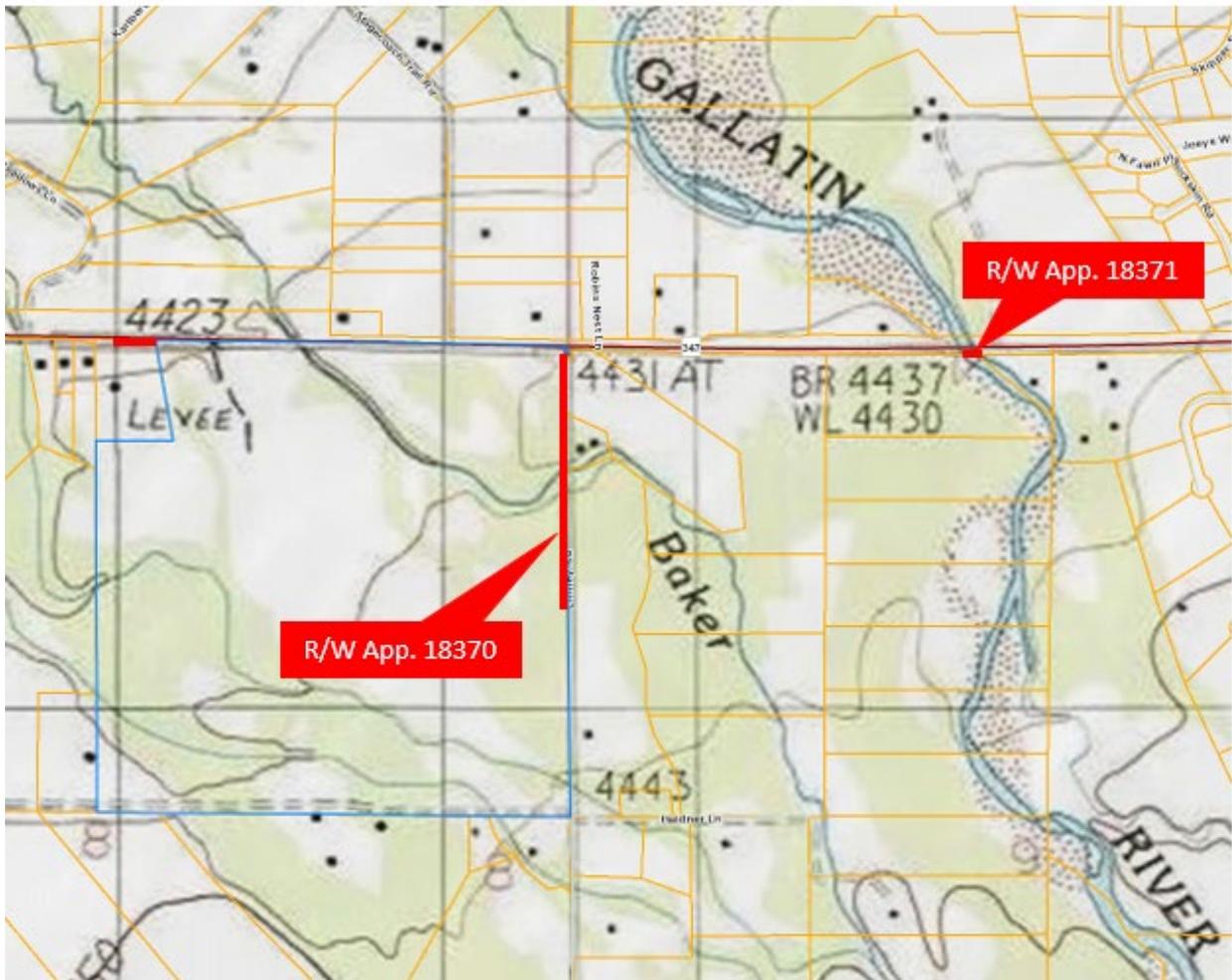
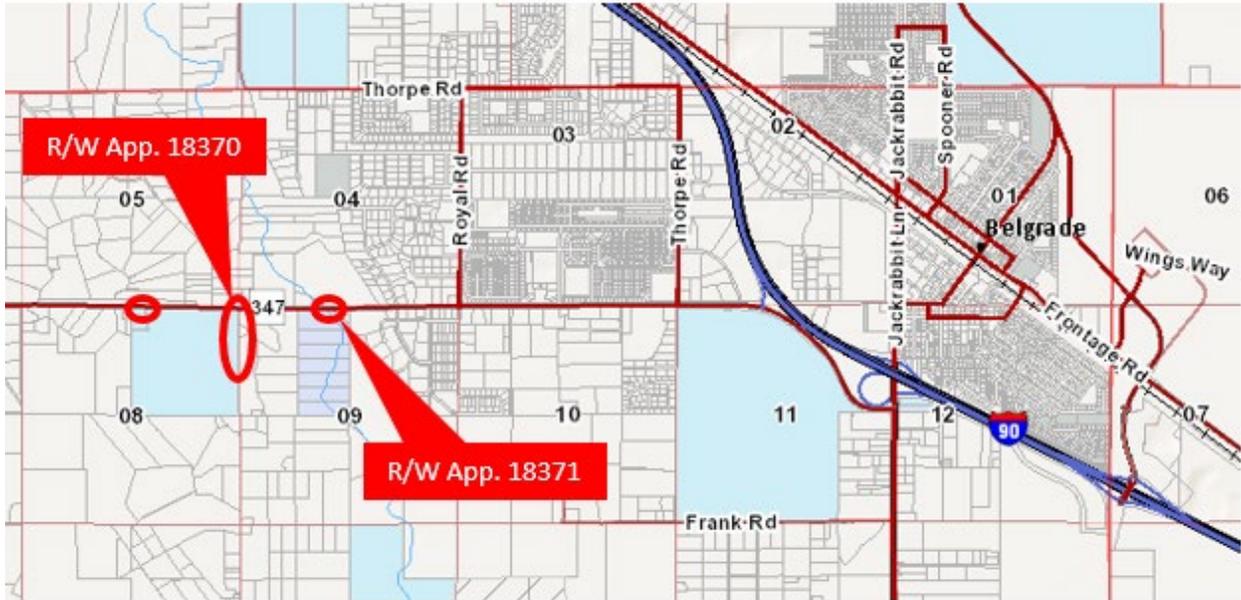
Item Summary

See page 1 for Summary

DNRC Recommendation

See page 1 for Recommendation

R/W Application 18370



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	NorthWestern Energy 11 E. Park Butte, MT 59701
Application No.:	18657
R/W Purpose:	an overhead 161 kV transmission line
Lessee Agreement:	N/A (Navigable River)
Acreage:	0.30
Compensation:	\$2,694.00
Legal Description:	60-foot strip across the Clark Fork River in Gov. Lot 2, Sec. 19, Twp. 13N, Rge. 19W, Missoula County
Trust Beneficiary:	Public Land Trust - Nav. River

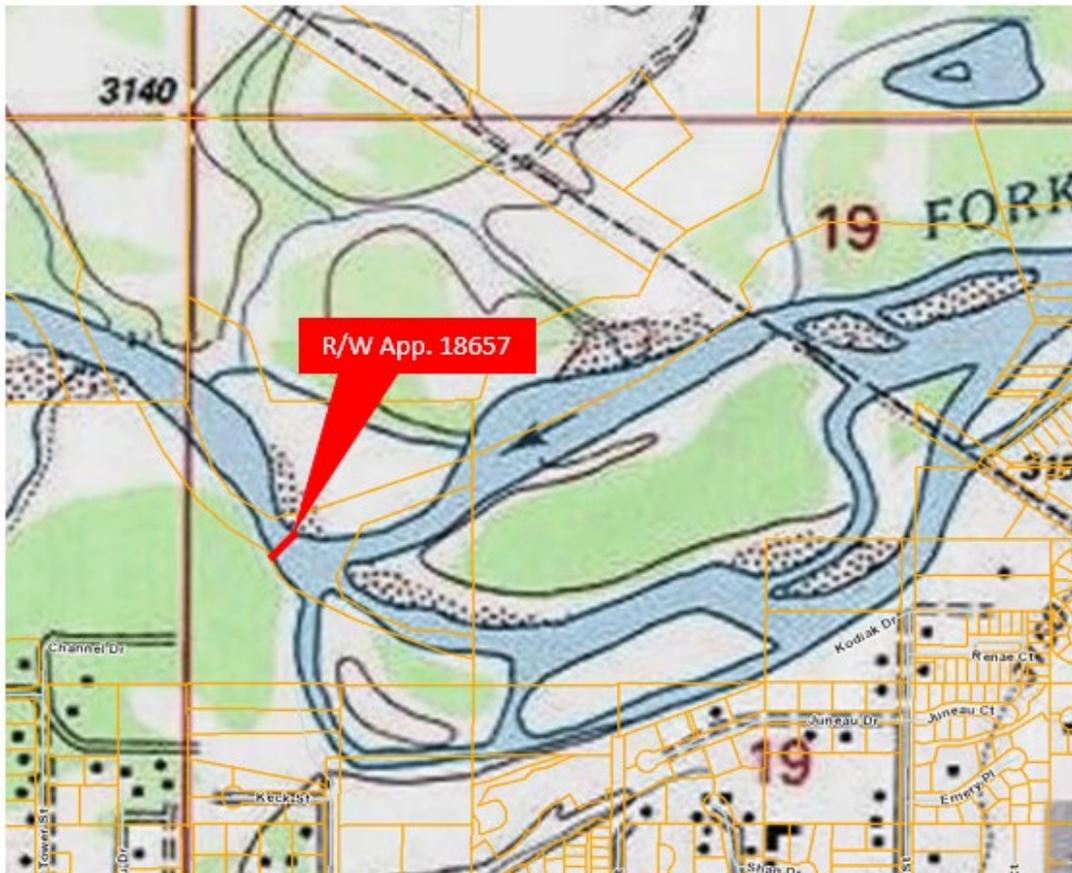
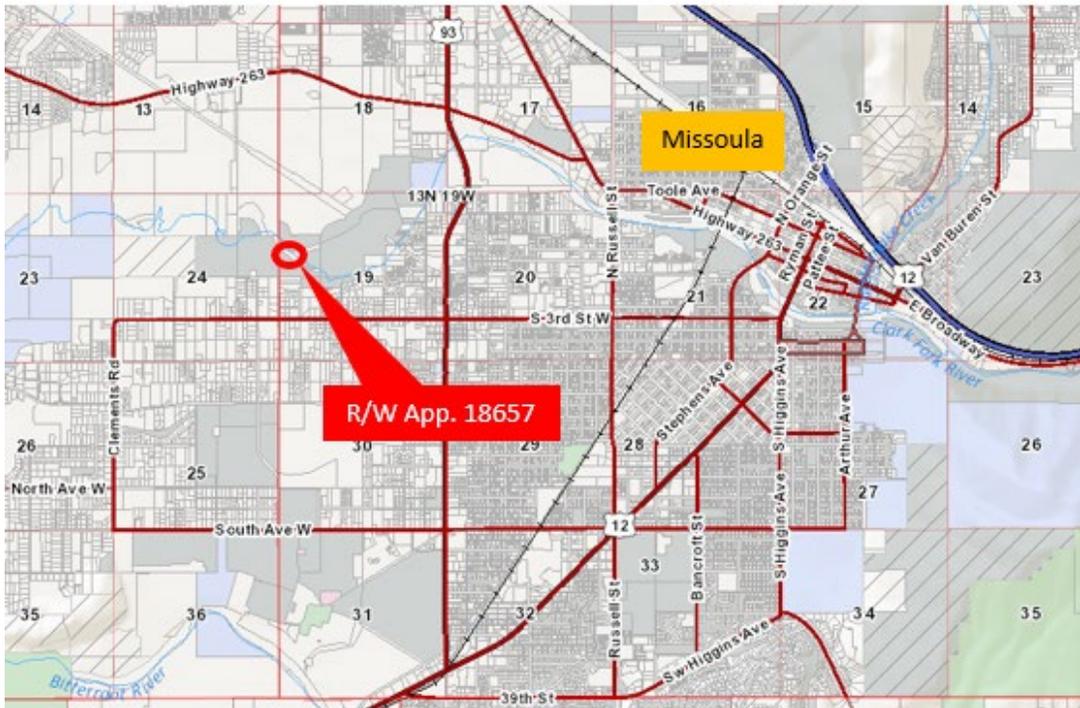
Item Summary

NorthWestern Energy is proposing to relocate and install a new overhead transmission line over the Clark Fork River. This transmission line is a critical element to the electric grid supplying western Montana with electricity. The spring flooding of 2018 caused extensive structural damage to the existing transmission system in this area which resulted in a need to redesign and relocate the transmission facilities across the river. In a collaborative effort, all adjoining landowners and permitting agencies determined the relocation was the best route to provide a more reliable system and decrease the potential for additional structural damage. Upon installation of this new line the existing line will be decommissioned, and the existing structures removed, and the corridor reclaimed.

DNRC Recommendation

The director recommends approval of this application for NorthWestern Energy.

R/W Application 18657



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Sheridan County
 100 West Laurel
 Plentywood, MT 59254

Application No.: 18662
 R/W Purpose: a public county road known as Ueland Road
 Lessee Agreement: N/A (Historic)
 Acreage: 3.64
 Compensation: \$2,402.00
 Legal Description: 30-foot strip through the N2N2, Sec. 16, Twp. 37N, Rge. 57E,
 Sheridan County
 Trust Beneficiary: Common Schools

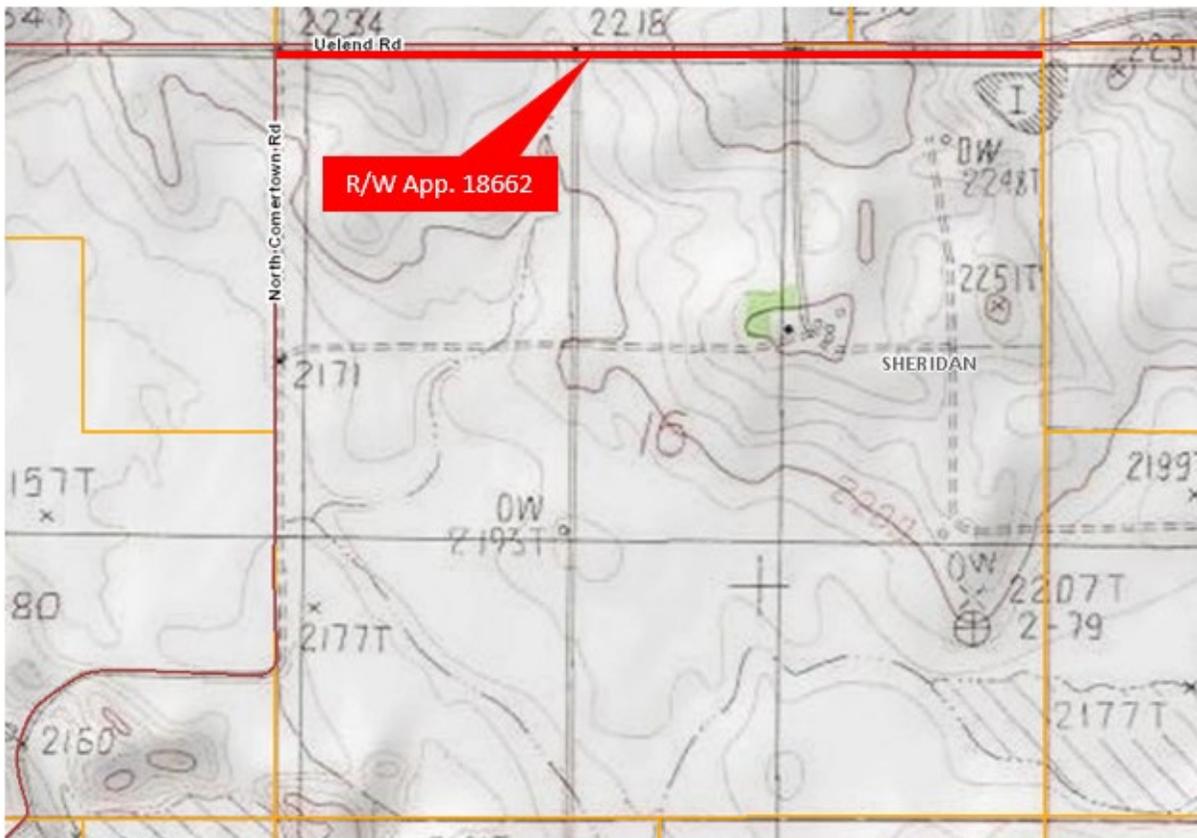
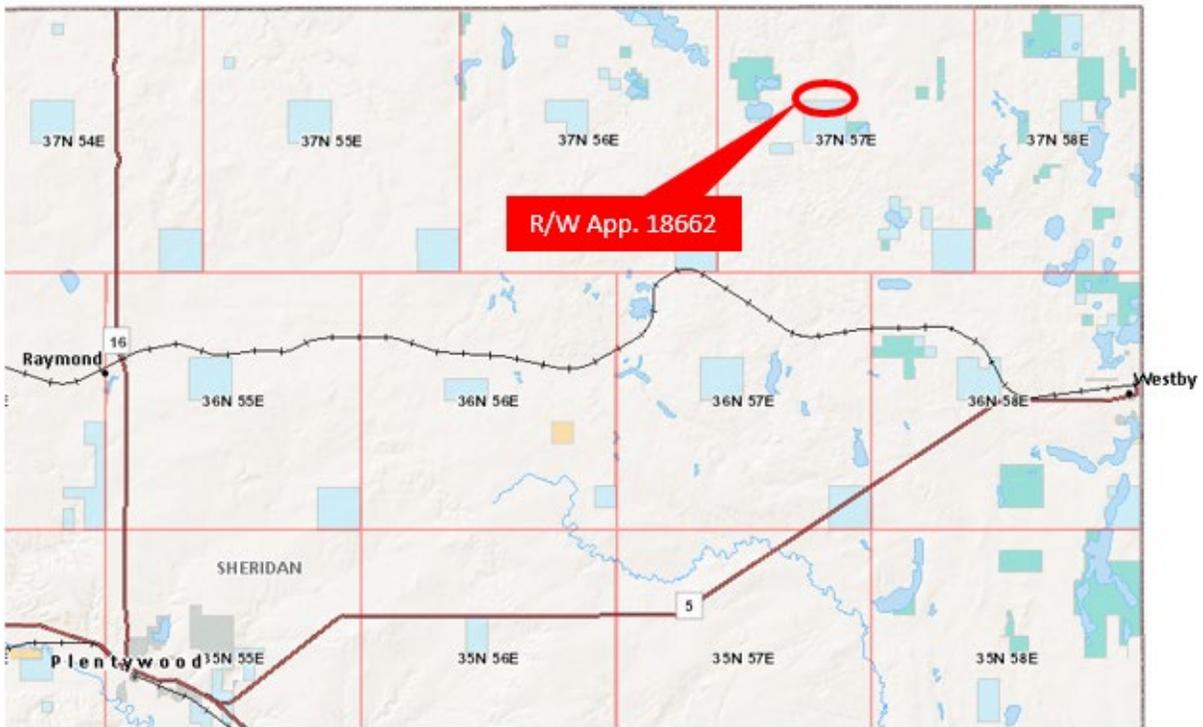
Item Summary

Sheridan 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.

R/W Application 18662



APPLICANTS AND RIGHTS OF WAY INFORMATION

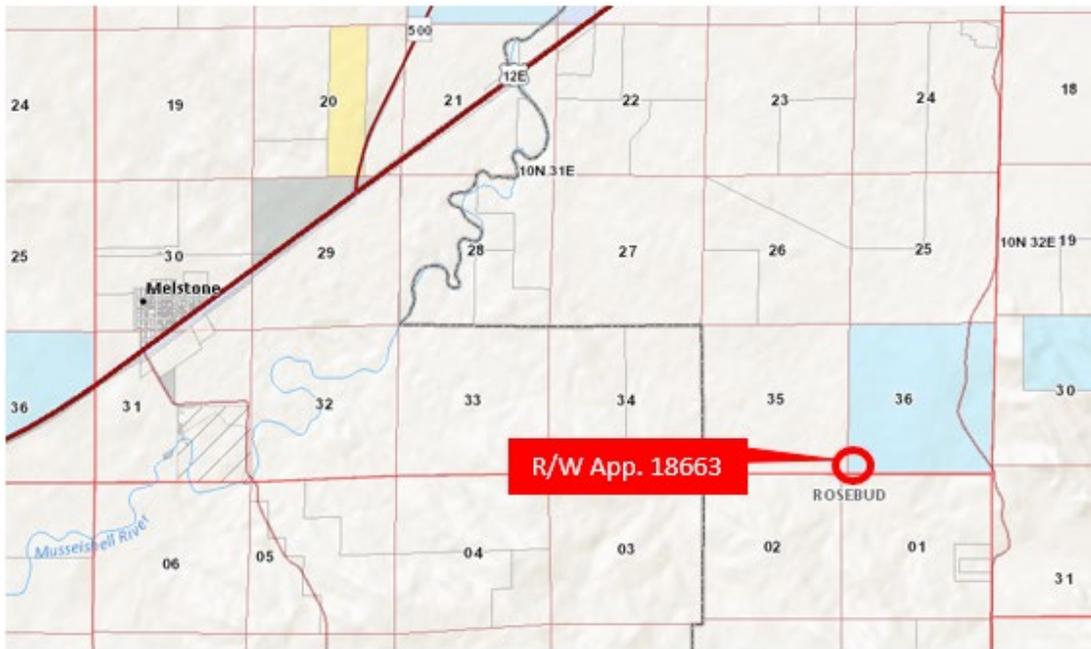
Applicant:	Mid-Rivers Telephone Cooperative P O Box 280 Circle, MT 59215
Application No.:	18663
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	ok
Acreage:	0.47
Compensation:	\$188.00
Legal Description:	16-foot strip through SW4SW4 and a 16-foot strip through the SE4SE4, Sec. 36, Twp. 10N, Rge. 31E, Rosebud County
Trust Beneficiary:	Common Schools

Mid-Rivers Telephone Cooperative is requesting an easement for installation of a fiber optic cable in the Melstone exchange area. The project proposal consists of replacing the aging, existing copper cables with new fiber optic cables, primarily along existing roads and two-track trails. Minimal impacts are expected from the installation. The majority of the proposal falls within the sage grouse general habitat, however the State Land to be impacted is not within 2 miles of an active lek and no special stipulations per the Executive Orders are necessary.

DNRC Recommendation

The director recommends approval of this easement request by Mid-Rivers Telephone.

R/W Application 18663



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative P O Box 280 Circle, MT 59215
Application No.:	18664
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	N/A (Navigable River)
Acreage:	0.19
Compensation:	\$100.00
Legal Description:	16-foot strip across the Yellowstone River in the SE4SE4, Sec. 10 Twp. 12N, Rge. 51E, Prairie County
Trust Beneficiary:	Public Land Trust - Nav. River

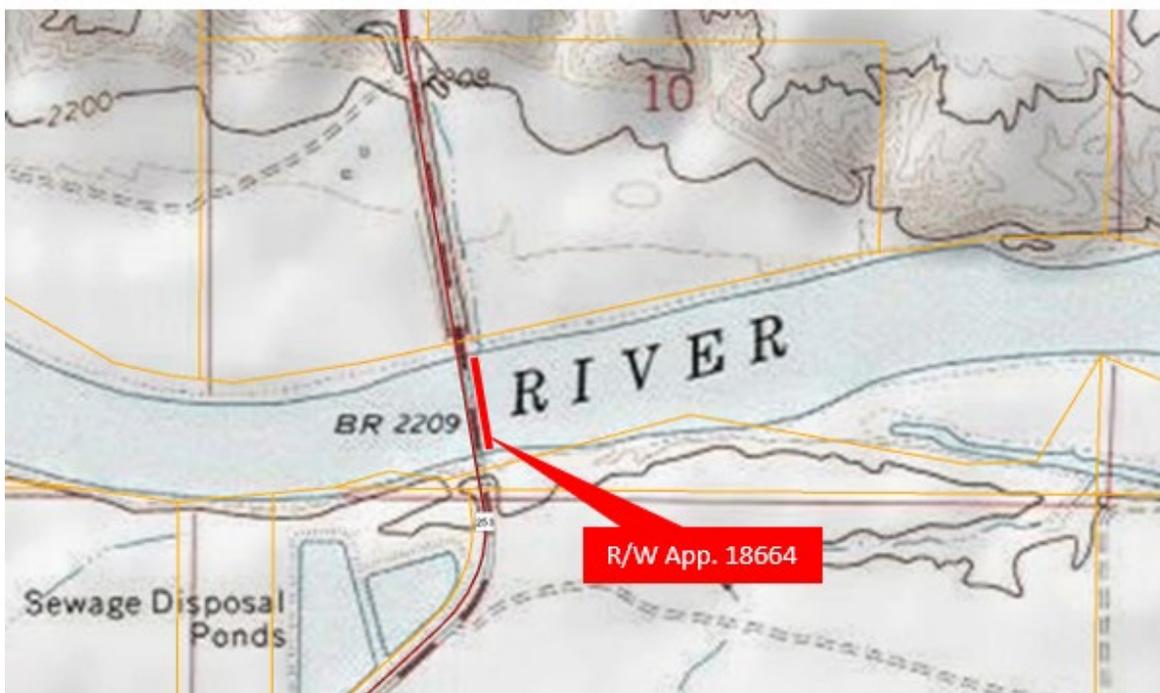
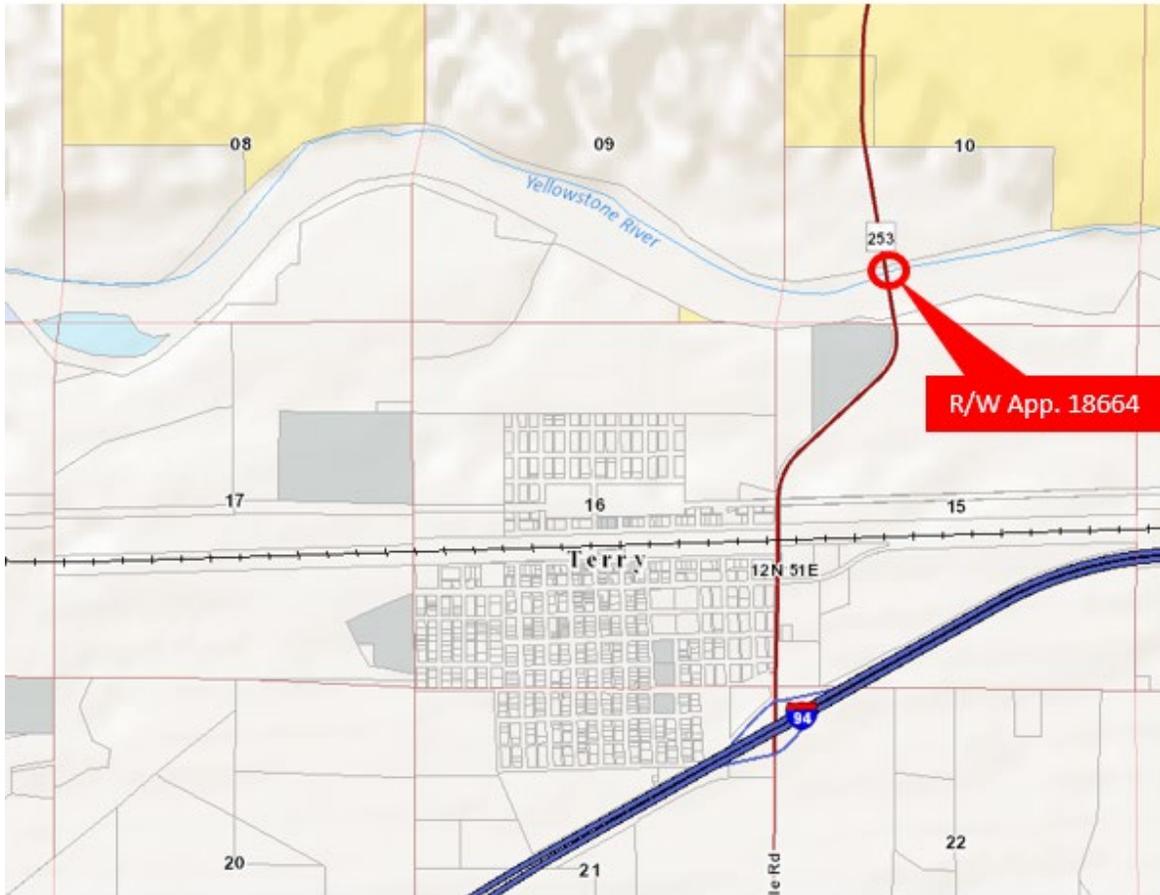
Item Summary

Mid-Rivers Telephone Cooperative is proposing to construct a new fiber optic cable for the purpose of creating a communications link between the outlying areas of Prairie County. The cable will be installed under the Yellowstone River using the directional bore method and is adjacent to the Highway 254 bridge. Minimal impacts are expected.

DNRC Recommendation

The director recommends approval of the application for Mid-Rivers Telephone Coop.

R/W Application 18664



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: OneOK Rockies Midstream, LLC
 896 25th Street SE
 Sidney, MT 59270

Application No.: 18665
 R/W Purpose: a buried 4" natural gas pipeline
 Lessee Agreement: ok
 Acreage: 0.69
 Compensation: \$6,381.00
 Legal Description: 20-foot strip through SW4NW4 and SE4NW4, Sec. 16, Twp. 23N,
 Rge. 54E, Richland County
 Trust Beneficiary: Common Schools

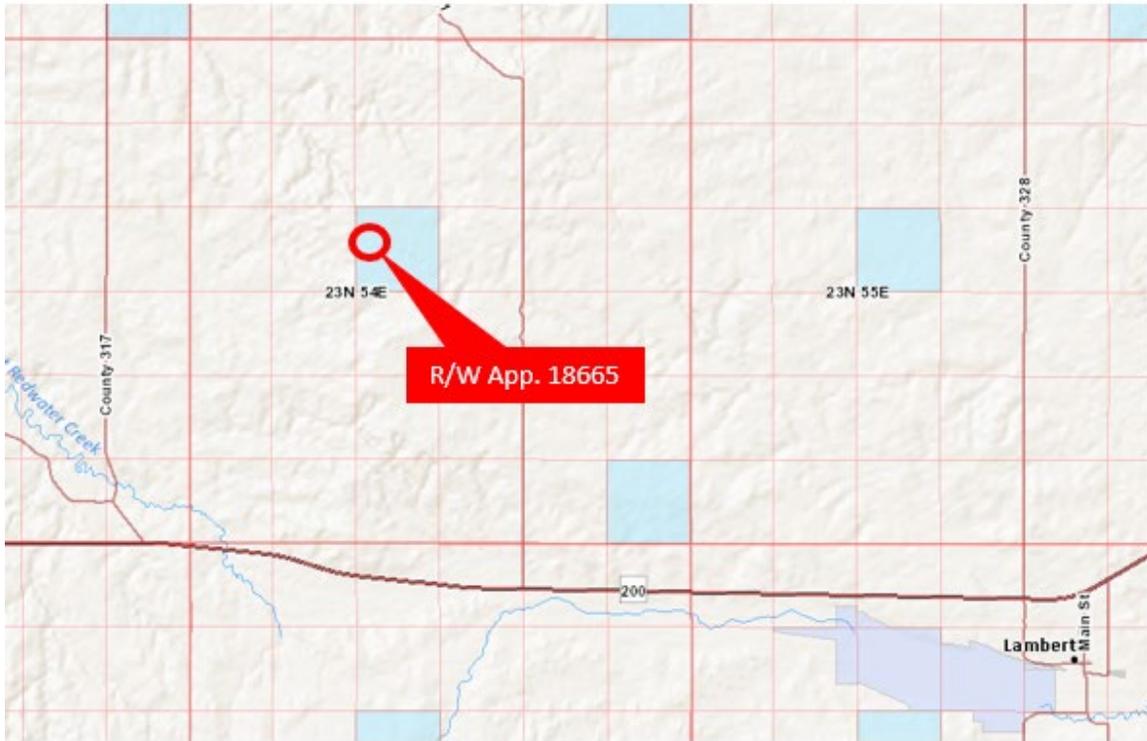
Item Summary

OneOk Rockies Midstream, LLC has made application for multiple 4" natural gas pipelines. The pipelines were previously authorized and installed under a Land Use License issued in 2008. The applications are to convert the License to 30-year term easements. OneOk Rockies Midstream, LLC has agreed to compensation in the amount of \$70/rod which is consistent with other installations in the area.

DNRC Recommendation

The director recommends approval of 30-year term easements to OneOk Rockies Midstream LLC

R/W Application 18665



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: OneOK Rockies Midstream, LLC
896 25th Street SE
Sidney, MT 59270

Application No.: 18666
R/W Purpose: a buried 4" natural gas pipeline
Lessee Agreement: ok
Acreage: 0.55
Compensation: \$5,106.00
Legal Description: 20-foot strip through NE4NE4, Sec. 16, Twp. 25N, Rge. 54E,
Richland County
Trust Beneficiary: Common Schools

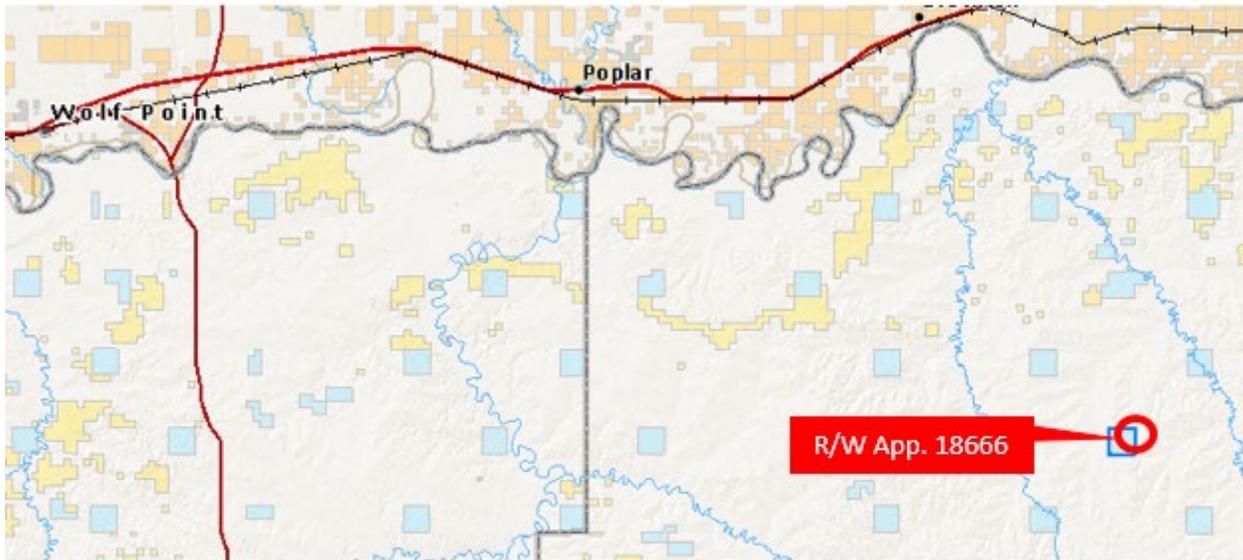
Item Summary

See summary on page 44

DNRC Recommendation

See recommendation on page 44

R/W Application 18666



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
 5320 Legacy Drive
 Plano, TX 75024

Application No.: 18667
 R/W Purpose: a buried 16" CO² pipeline
 Lessee Agreement: ok
 Acreage: 1.08
 Compensation: \$2,672.00
 Legal Description: 50-foot strip through NW4SE4, Sec. 24, Twp. 7N, Rge. 60E,
 Fallon County
 Trust Beneficiary: Common Schools

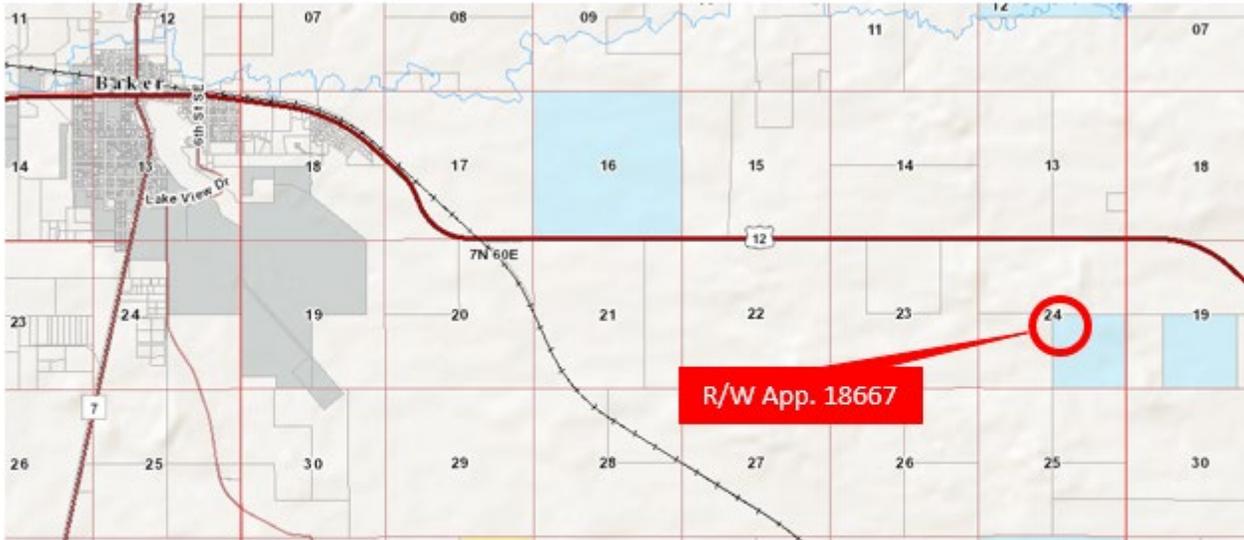
Item Summary

Denbury Green Montana is proposing to construct a a 16" carbon dioxide pipeline from the Belle Creek facility in Powder River County to the Denbury East Lookout Butte facility in Fallon County. Use of CO² aids in enhanced oil recovery and this proposed facility will be used primarily in the Cedar Creek Anticline. The pipeline will be installed for a distance of 105 miles with 93 of those miles being constructed parallel to two existing pipelines operated by Bison Pipeline and OneOk Pipeline. Minimal impacts are expected on State Trust Land. Throughout the planning phases Denbury held several public meetings, including regular meetings with the Commissioners of the affected Counties. In addition, Denbury jointly held public scoping meetings with BLM, including conducting tribal consultations. The BLM has issued a record of decision approving the pipeline on federal lands. Upon receipt of applications crossing State Trust Land the DNRC sent scoping letters to stakeholders and interested parties along the proposed route. One comment was received from the Dept. of Transportation regarding highway crossings. The project also entered into consultation with the sage grouse program. The proposal traverses both core area and general habitat and was reviewed by MSGOT in September 2018. Denbury has secured mitigation efforts on their own accord which results in land preservation and restoration, including securing a perpetual conservation easement on approximately 4,400 acres of private land to be held by Montana Land Reliance near general habitat lands with four known sage grouse leks located within 3 miles of the property. Additionally, Denbury has worked with BLM and the holder of federal leases in the Hammond Field in Carter County to secure an agreement to permanently plug and abandon 17 gas wells and reclaim those lease areas. The holder of the federal leases has agreed to relinquish the leases which will significantly improve the loss of habitat.

DNRC Recommendation

The director recommends approval of the Denbury Green Pipeline-Montana easement requests for a term of 30-years.

R/W Application 18667



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18668
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 2.00
Compensation: \$4,918.00
Legal Description: 50-foot strip through N2NW4, Sec. 16, Twp. 6N, Rge. 60E,
Fallon County
Trust Beneficiary: Common Schools

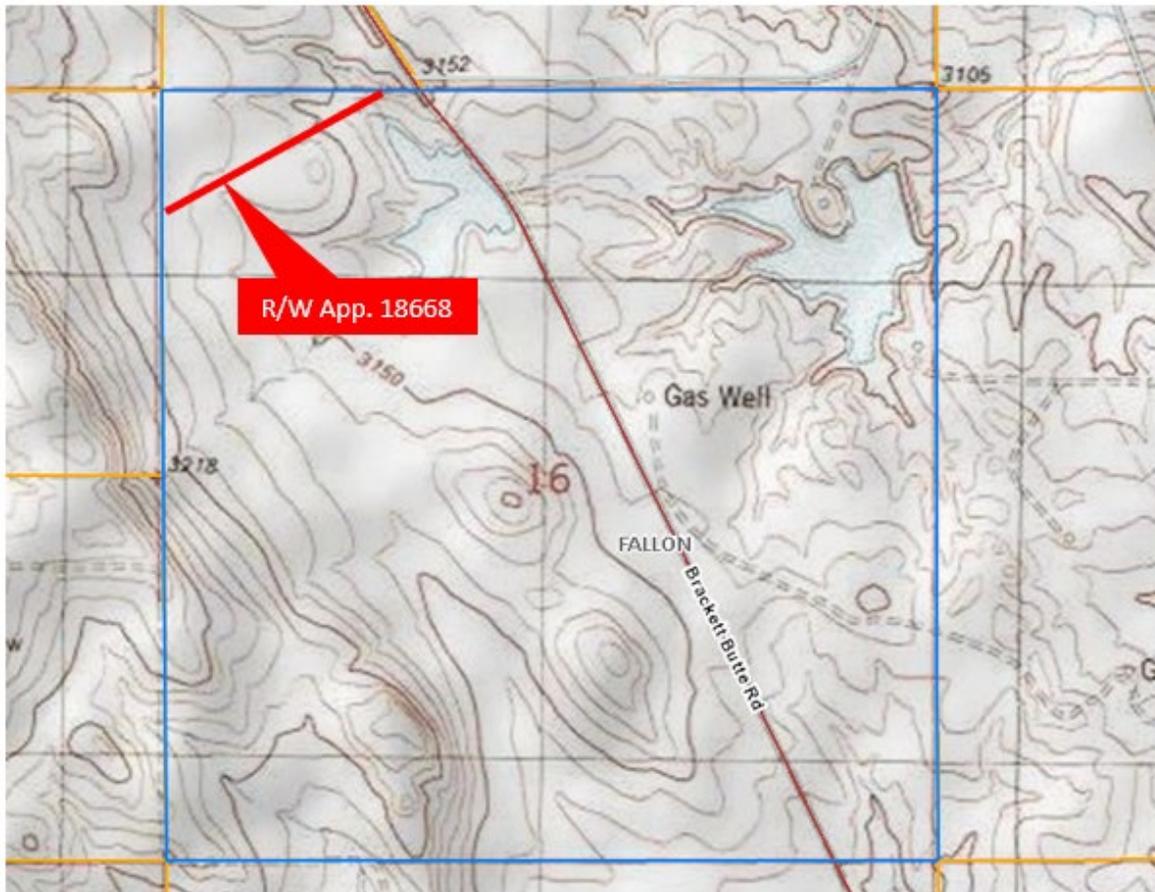
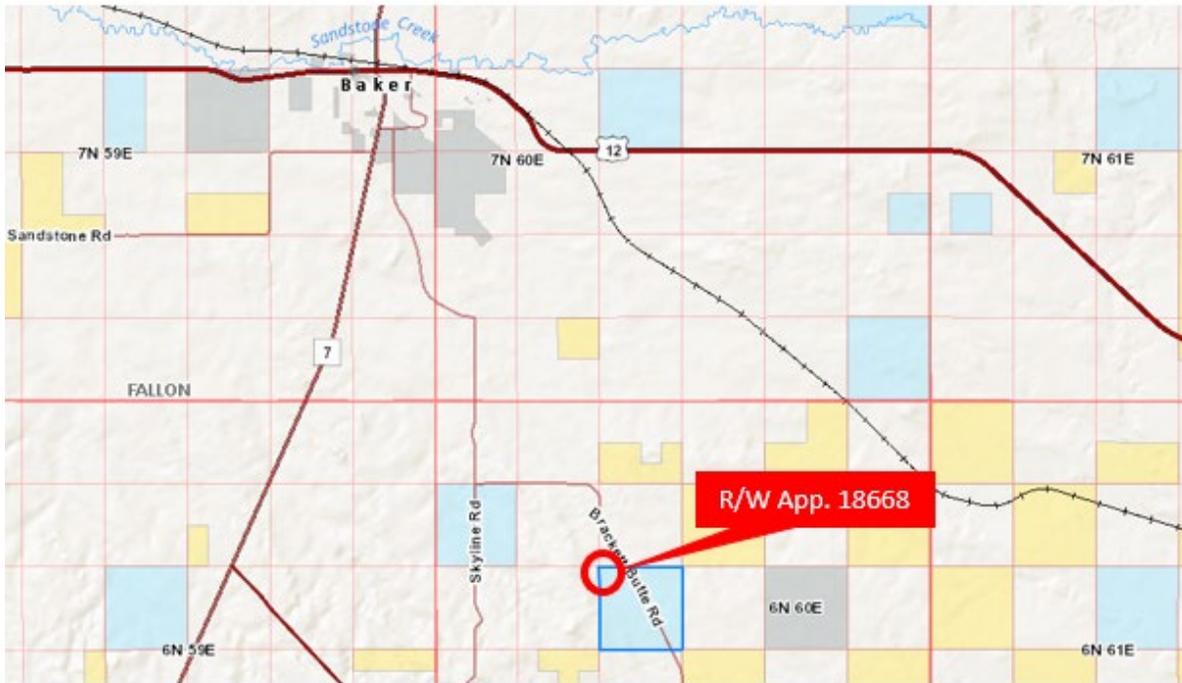
Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18668



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18669
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 3.03
Compensation: \$7,496.00
Legal Description: 50-foot strip through W2SW4, Sec. 35, Twp. 4N, Rge. 60E,
Fallon County
Trust Beneficiary: Common Schools

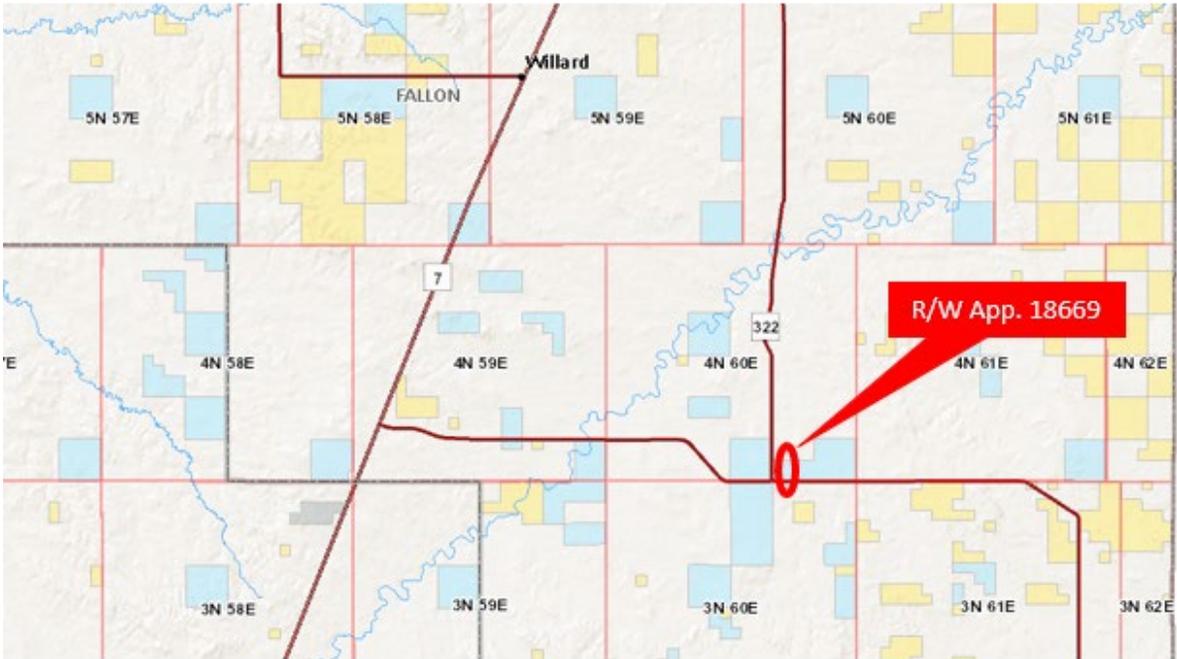
Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18669



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18670
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 5.05
Compensation: \$12,503.00
Legal Description: 50-foot strip through SE4NE4, N2SE4, SW4SE4, Sec. 36,
Twp. 2S, Rge. 58E, Carter County
Trust Beneficiary: Common Schools

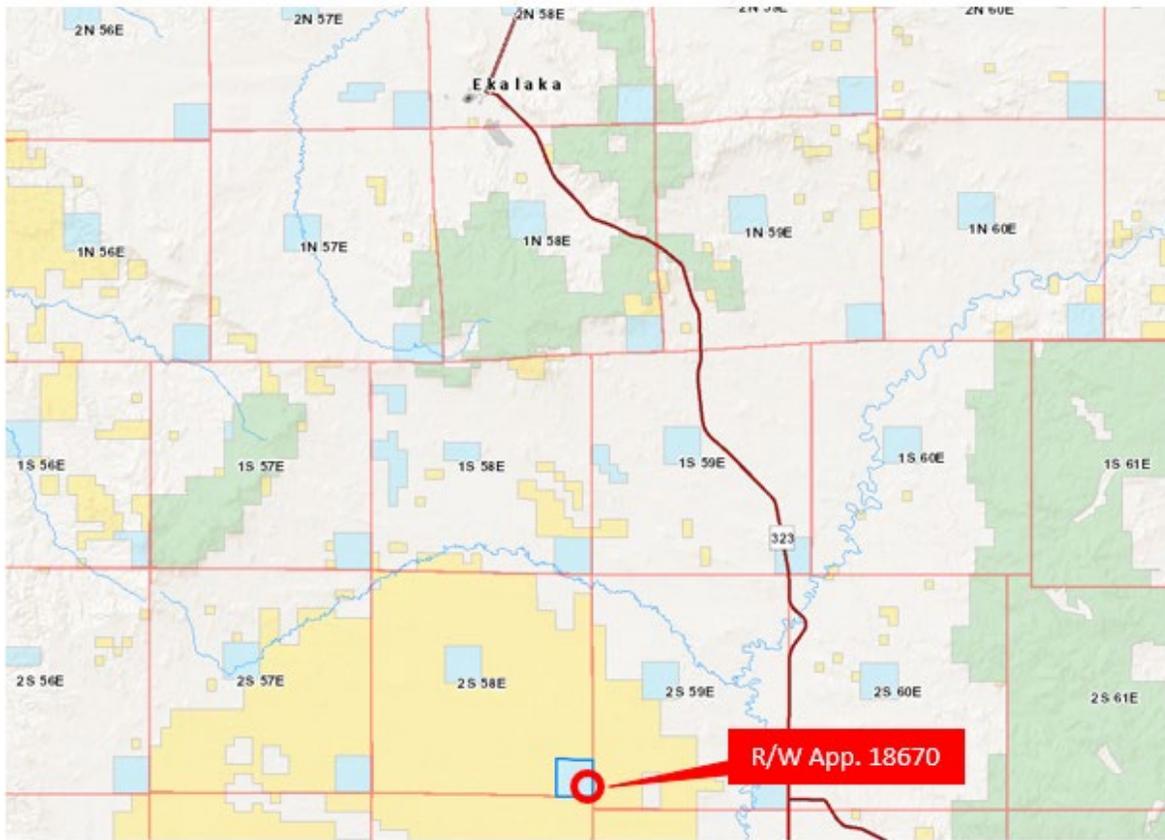
Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18670



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18671
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 7.60
Compensation: \$18,808.00
Legal Description: 50-foot strip through E2NE4, N2SE4, SW4SE4, SE4SW4, Sec.
16,
Twp. 2S, Rge. 59E, Carter County
Trust Beneficiary: Common Schools

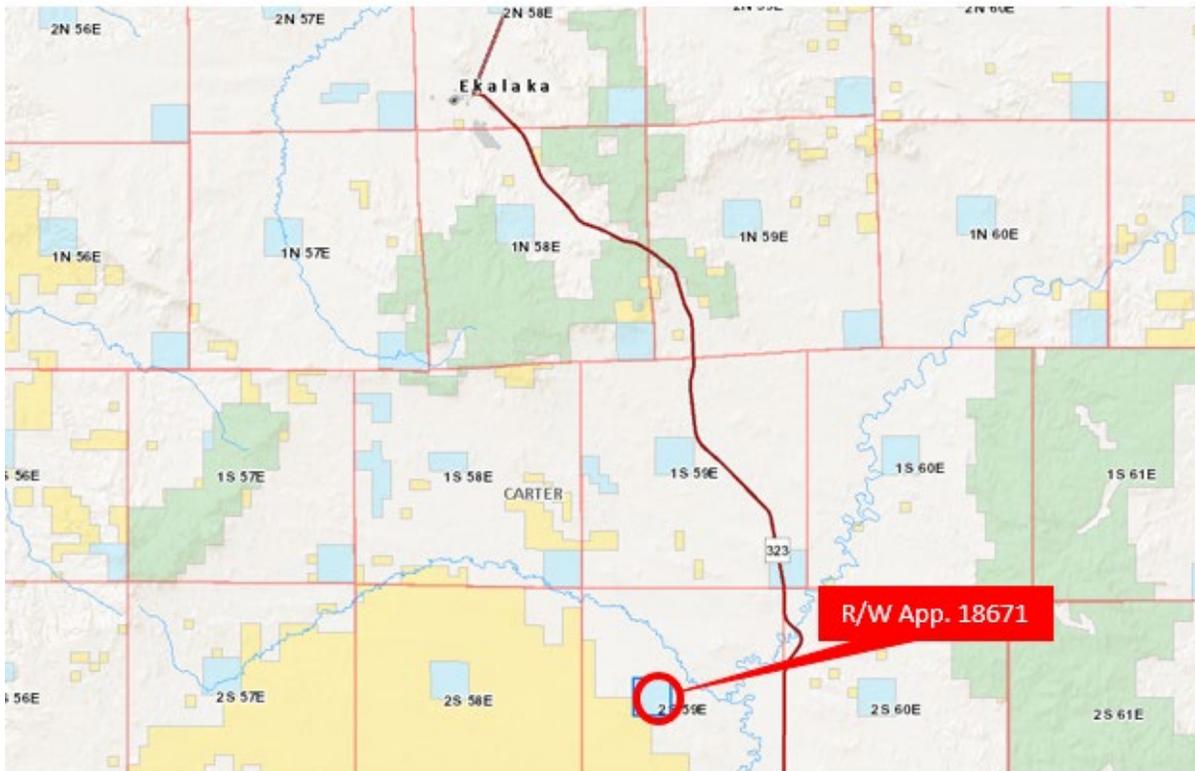
Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18671



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18672
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 4.29
Compensation: \$10,618.00
Legal Description: 50-foot strip through Gov. Lots 2 and 3, W2SE4, Sec. 25, Twp. 5S,
Trust Beneficiary: Rge. 56E, Carter County
Common Schools and Montana Tech

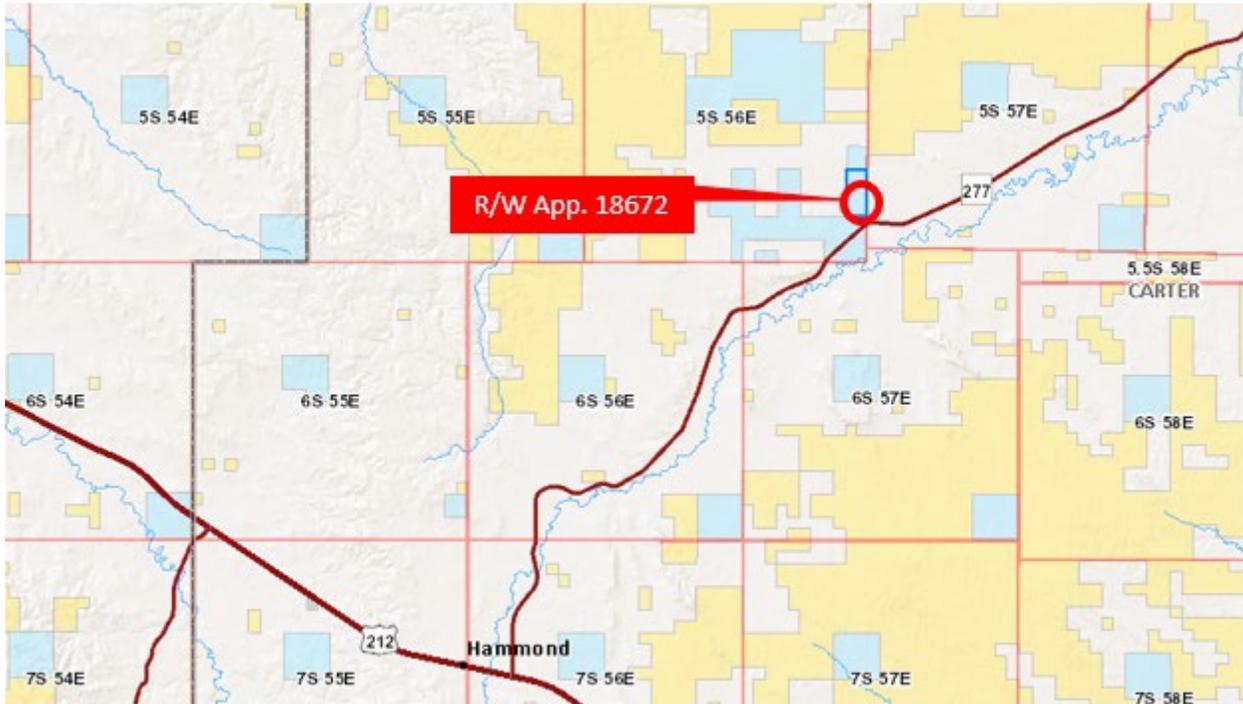
Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18672



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18673
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 6.42
Compensation: \$15,888.00
Legal Description: 50-foot strip through E2NW4, W2SW4, Sec. 36, Twp. 5S,
Rge. 56E, Carter County
Trust Beneficiary: Common Schools

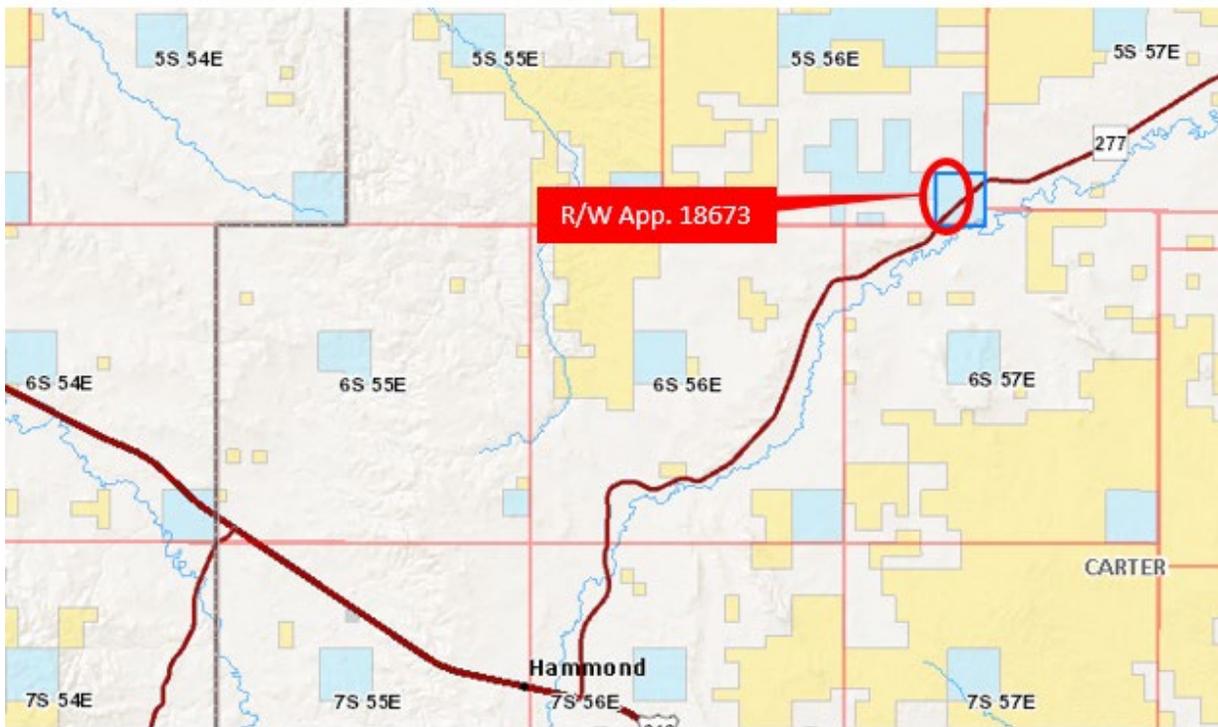
Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18673



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18674
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 6.11
Compensation: \$15,128.00
Legal Description: 50-foot strip through E2NE4, NE4SE4, W2SE4, Sec. 16, Twp. 7S,
Rge. 56E, Carter County
Trust Beneficiary: Common Schools

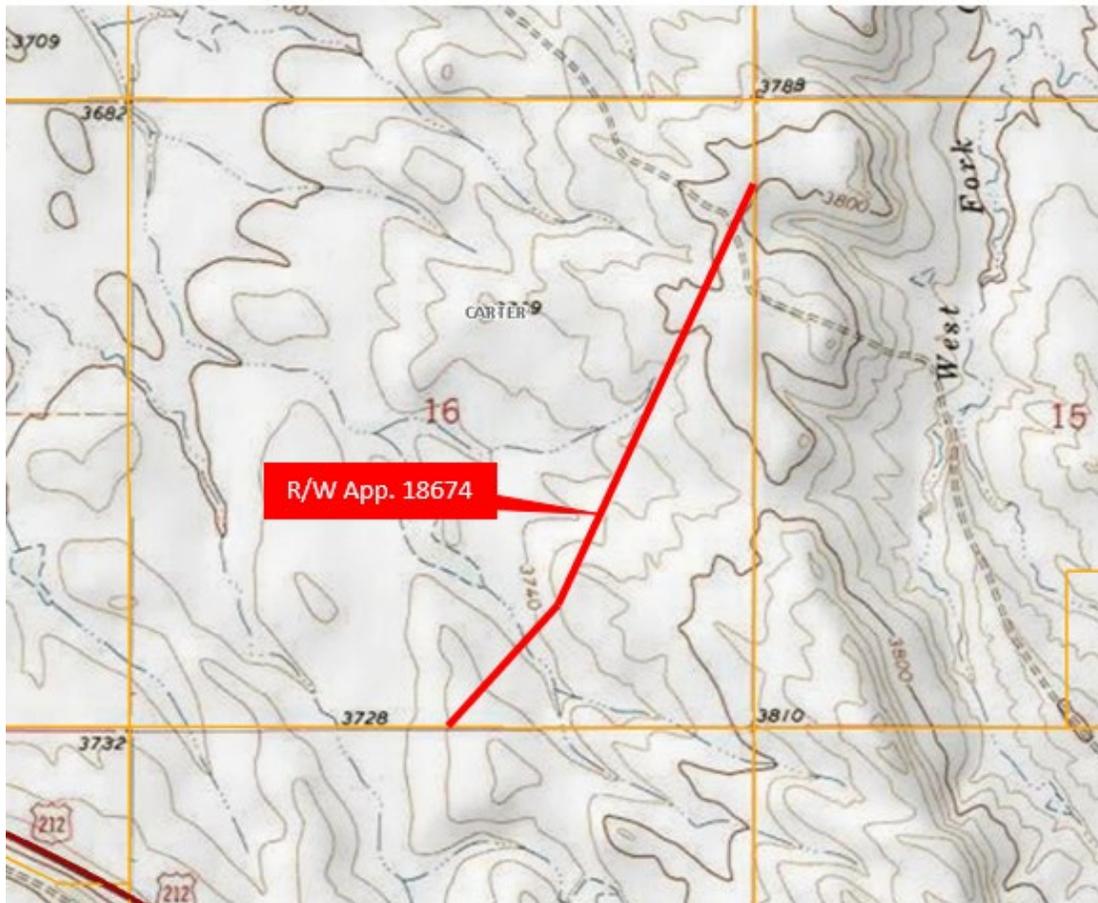
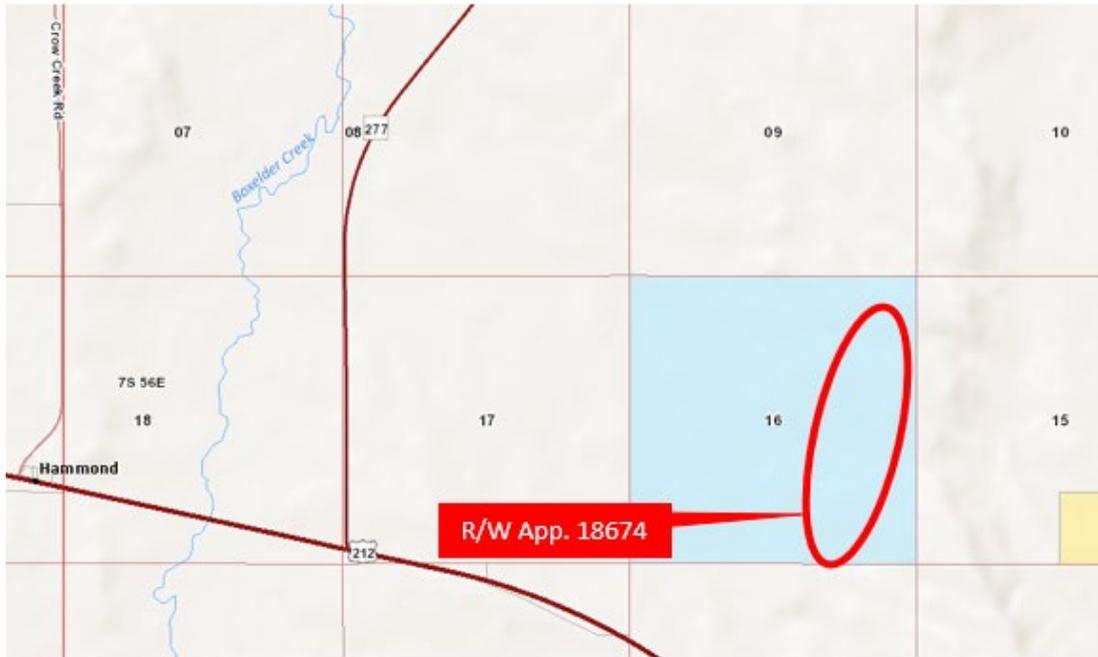
Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18674



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Denbury Green Pipeline - Montana, LLC
5320 Legacy Drive
Plano, TX 75024

Application No.: 18675
R/W Purpose: a buried 16" CO² pipeline
Lessee Agreement: ok
Acreage: 2.60
Compensation: \$6,432.00
Legal Description: 50-foot strip through NE4NW4, W2NW4, Sec. 36, Twp. 8S,
Rge. 55E, Carter County
Trust Beneficiary: Common Schools

Item Summary

See page 48 for Summary.

DNRC Recommendation

See page 48 for Recommendation.

R/W Application 18675

