

AGENDA
REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
Monday, September 16, 2019 at 9:00 am
State Capitol, Room 303
Helena, MT

ACTION ITEMS

- 0919-1 Timber Sales- Fatwood APPROVED 5-0**
Benefits: Common Schools
Location: Lake County
- 0919-2 Disclaimer of Interest - Snow Shoe Placer Claim APPROVED 5-0**
Benefits: N/A
Location: Lewis and Clark County
- 0919-3 Oil and Gas Lease Sale (September 4, 2019) APPROVED 5-0**
Benefits: Common Schools, Public Land Trust- Nav. Rivers
Location: Richland, Sheridan, and Toole Counties
- 0919-4 Land Banking Parcels: Preliminary Approval for Sale APPROVED 5-0**
A. Powell County: RV Ranch Co.
Benefits: Common Schools
Location: Powell County
B. Powell County: DNRC Nominated
Benefits: Common Schools
Location: Powell County
- 0919-5 Cabin and Homesite Sales: Set Minimum Bid for Sale APPROVED 5-0**
A. Flathead County
Benefits: Montana Tech
Location: Flathead County
B. Missoula County
Benefits: MSU 2nd
Location: Missoula County
C. Sweet Grass County
Benefits: Common Schools
Location: Sweet Grass County
- 0919-6 Cabin and Homesite Sales: Final Approval for Sale Mudd Creek APPROVED 5-0**
Benefits: Public Buildings
Location: Sanders County
- 0919-7 Easements: Standard Grants APPROVED 5-0**
Benefits: Common Schools, Public Lands Trust- Nav. Rivers, School for Deaf & Blind, Veterans Home
Location: Chouteau, Flathead, Gallatin, Granite, Lake, Lewis and Clark, Lincoln, Madison, Musselshell, Ravalli, Rosebud, and Sheridan Counties

PUBLIC COMMENT

0919-1

TIMBER SALES: Fatwood

**Land Board Agenda Item
September 16, 2019**

0919-1 Timber Sale: Fatwood

Location: Lake County
Sections: 28 and 32 T23N, R18W

Trust Beneficiaries: Common Schools

Trust Revenue: \$121,798 (estimated, minimum bid)

Item Summary

Location: The Fatwood timber sale is located approximately 12 air miles southwest of Swan Lake, Montana.

Size and Scope: The sale includes 2 harvest units, 137 acres of tractor logging and 97 acres of skyline.

Volume: The estimated harvest volume is 13,747 tons (2,241 *MMBF*) of saw logs.

Estimated Return: The minimum bid is \$ 8.86 per ton, which would generate approximately \$121,798 for the Common Schools Trust and approximately \$27,219 in Forest Improvement fees.

Prescription: This sale will be harvested using seed tree prescription for both units. These treatments will promote growth of natural regeneration by providing an onsite seed source through retention of seed trees of the sale. Both cutting units will be planted post-harvest.

Road Construction/Maintenance: DNRC is proposing 2.2 miles of new road construction, 0.4 miles of road reclamation, and 11.3 miles of road maintenance. Approximately 3.75 miles of the South Woodward Road will receive a gravel lift.

Access: Access is obtained via the Fatty Creek Road and South Woodward Road systems from MT Highway 83.

Public Comments: Three comments were received in response to the Wood Lion Draft Environmental Impact Statement which covers this timber sale. One comment from a private citizen, one comment from a non-profit group and one comment from Montana Fish Wildlife and Parks. The comments primarily focus on wildlife/fisheries, forest habitat, and alternative selection preference. All issues were analyzed and responded to in the Final Environmental Impact Statement.

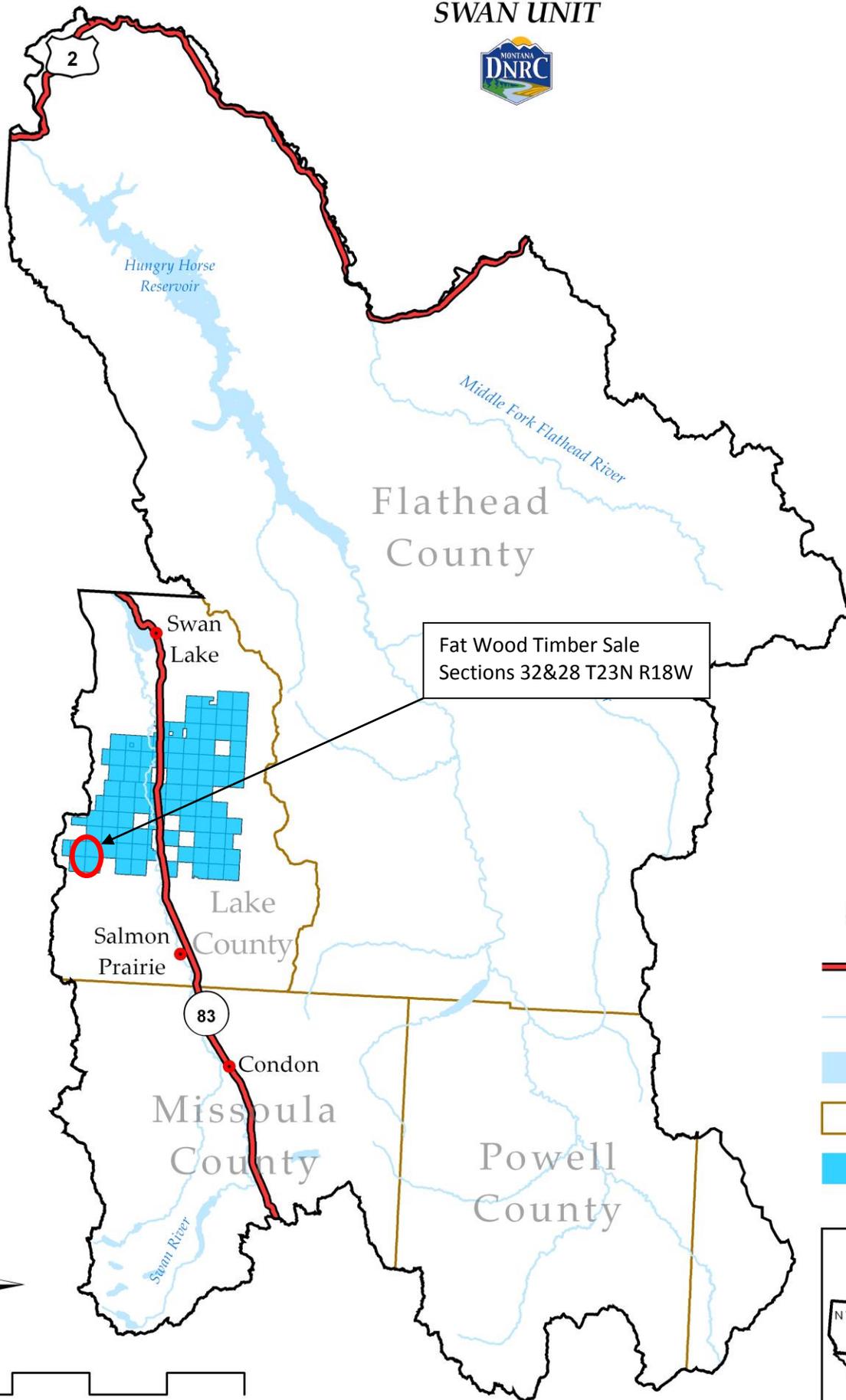
DNRC Recommendation

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

Fatwood Timber Sale VICINITY

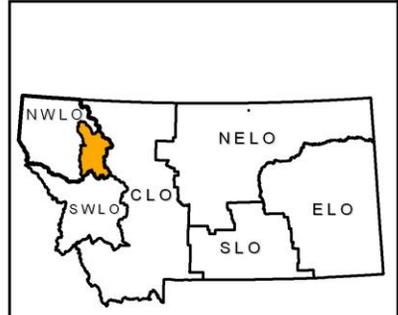
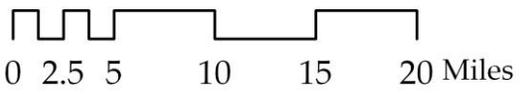
SWAN UNIT

0919-1

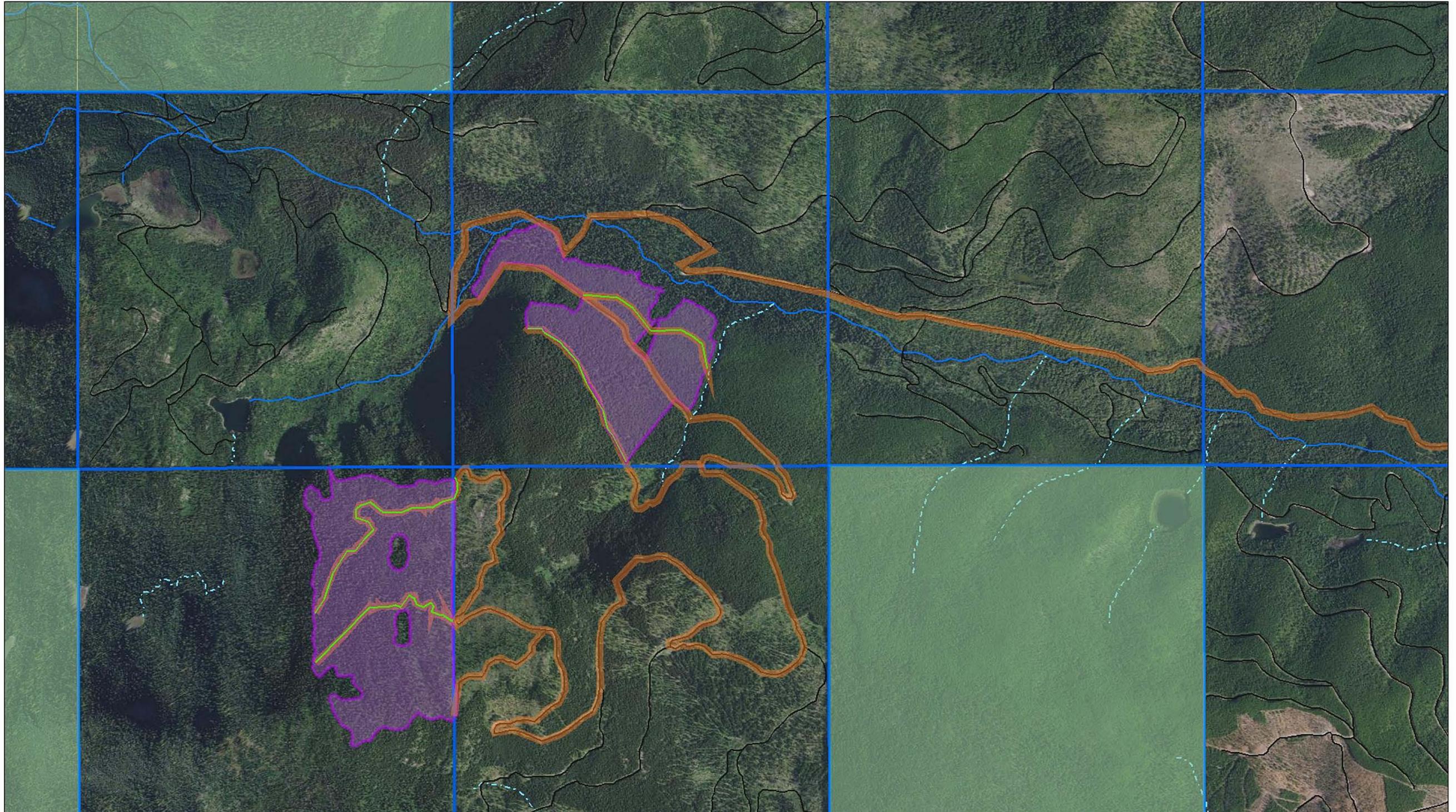


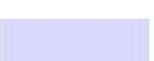
Fat Wood Timber Sale
Sections 32&28 T23N R18W

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



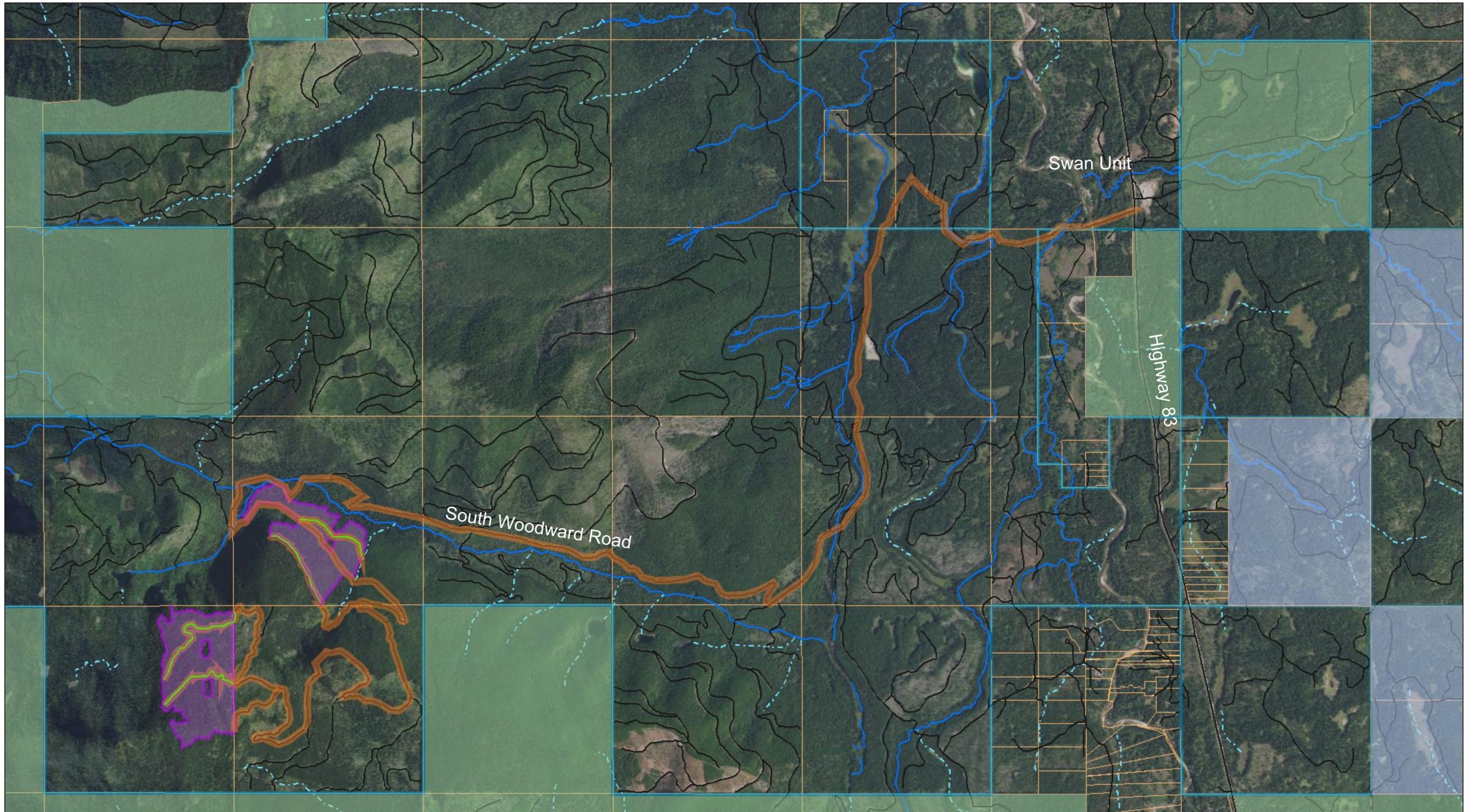
Fatwood Harvest Units

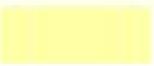


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|---|---------------------|--|------------------------|---|------------|
|  | Existing Road |  | Perennial Stream |  | USFS Land |
|  | New Road |  | Intermittent Stream |  | USFWS Land |
|  | Road Reconstruction |  | Proposed Harvest Units |  | BLM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



Fatwood Haul Route



- | | | | | | |
|---|---------------------|--|------------------------|---|------------|
|  | 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 |



0919-2

DISCLAIMER OF INTEREST -

Snow Shoe Placer Claim

**Land Board Agenda Item
September 16, 2019**

0919-2 Disclaimer of Interest: Snow Shoe Placer Claim

Location: Lewis and Clark County

Trust Benefits: N/A

Trust Revenue: N/A

Item Summary

The Department of Natural Resources and Conservation (DNRC) received a request by Fred Skierka, owner of the Snowshoe Placer Mining Claim, Mineral Survey Number 5378, located in Lewis & Clark County (northeast of Lincoln, MT) for determination if the state had an ownership interest in the subject property (see attached aerial photo, disclaimer of interest, and mineral survey).

DNRC's review determined a "Notice of Location of Placer Claim" was filed on April 4, 1890 for the Snow Shoe Placer unpatented mineral interest. This claim predated the state's acquired interest through Clear List Selection, for Section 4, T14N-R8W, S2 NE4, SE4 that was recorded in 1897. A small portion of the claim overlaps the corner of the state ownership. The patent issued to the state is "subject to any valid interfering rights which may have existed at the date of selection".

DNRC prepared the attached disclaimer of interest to clarify the state's ownership position regarding the subject parcel.

Impact to the State

Issuance of the disclaimer affirms and documents no state ownership interest (surface or subsurface) in the Snowshoe Placer Mining Claim referenced herein.

DNRC Recommendation

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

DISCLAIMER OF INTEREST FROM THE STATE OF MONTANA

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

The Snowshoe Placer Mining Claim, Mineral Survey Number 5378, recorded on February 3, 1900, in Book 48, Page 216, Records of Lewis and Clark County.

Copies of which are attached hereto.

IN TESTIMONY WHEREOF the State of Montana has caused these presents to be executed by the Governor and to be attested by the Secretary of State and countersigned by the Director of the Montana Department of Natural Resources and Conservation, and the Great Seal of the State and the Seal of the State Board of Land Commissioners to be hereunto affixed this _____ day of _____, 2019.

(GREAT SEAL OF
THE STATE OF MONTANA)

STEVE BULLOCK
Governor of the State of Montana

ATTEST:

COREY STAPLETON
Secretary of State

Countersigned by:

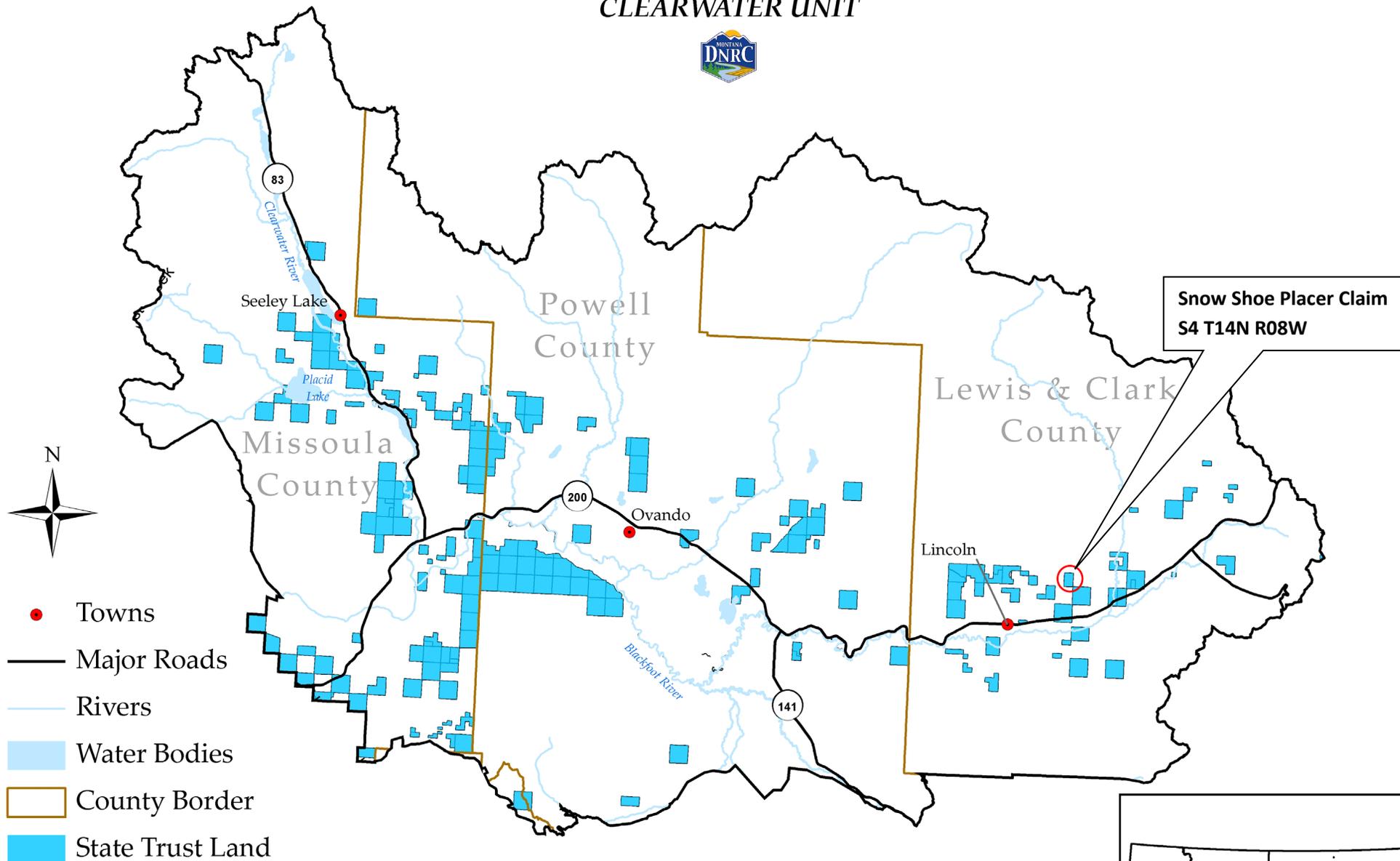
(GREAT SEAL OF
THE STATE BOARD
OF LAND COMMISSIONERS)

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

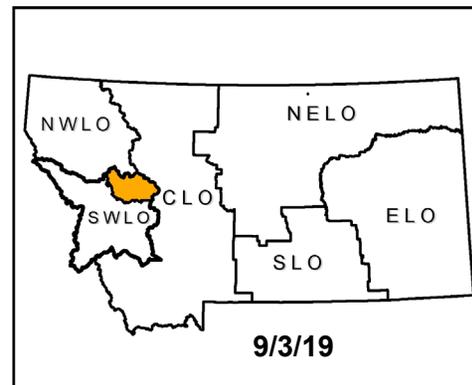
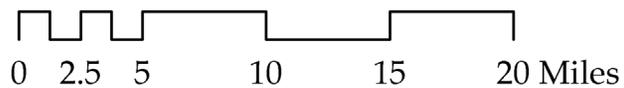
SNOW SHOE PLACER CLAIM VICINITY MAP

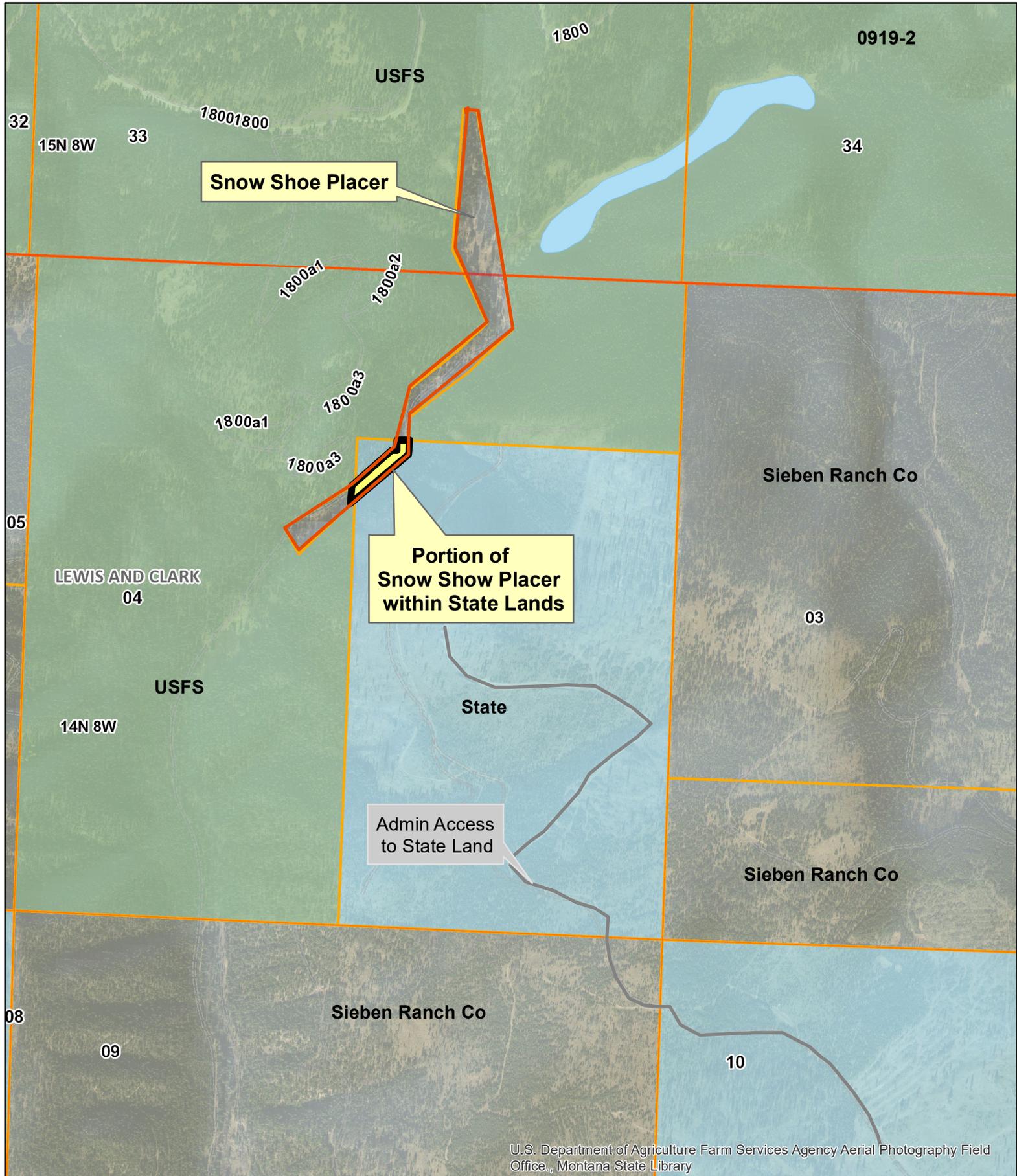
CLEARWATER UNIT

0919-2



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





U.S. Department of Agriculture Farm Services Agency Aerial Photography Field Office., Montana State Library

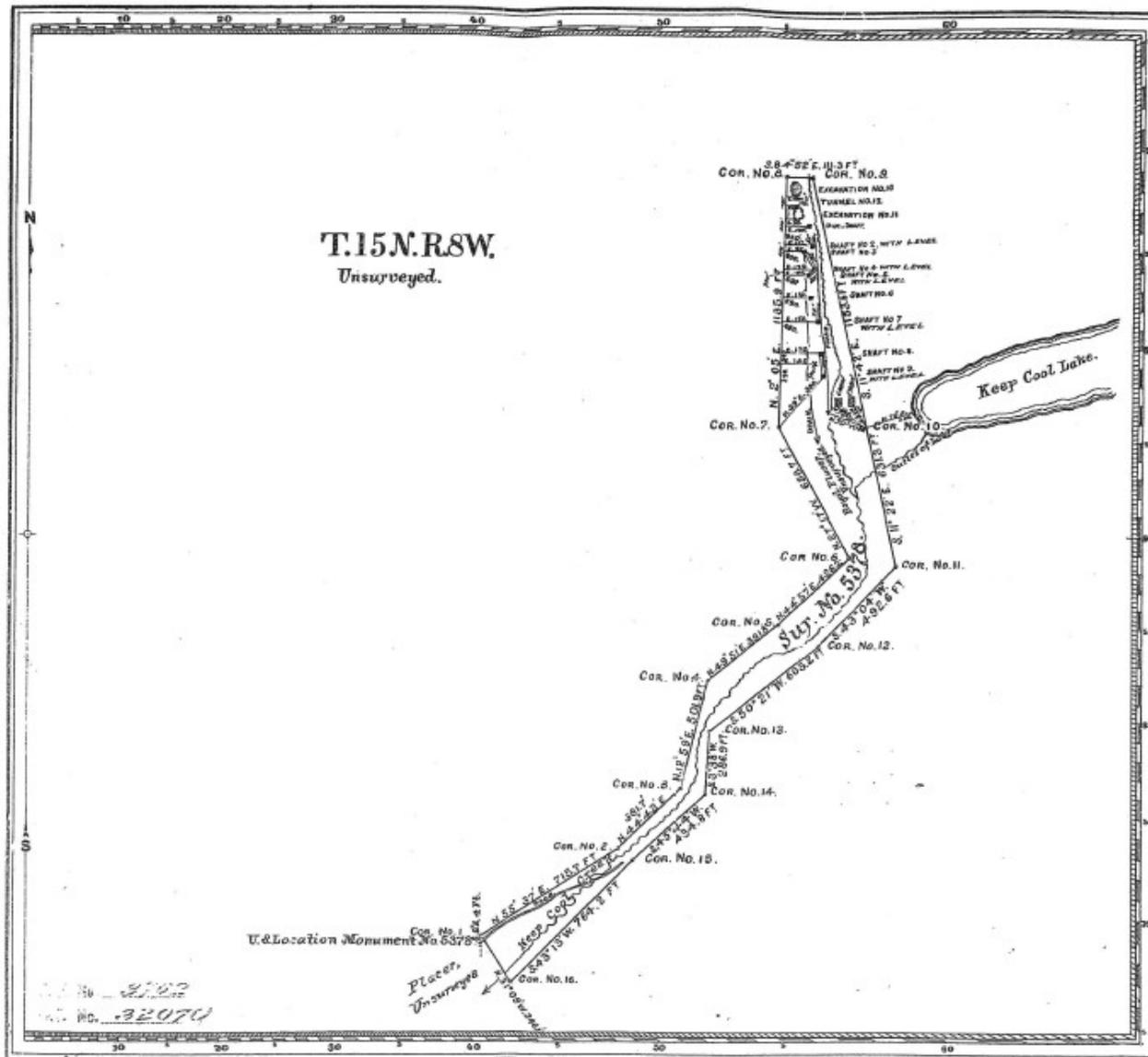


Location: Snow Shoe Placer Mine Site
 in Lewis and Clark County
 Located in Sec. 4, T14N, R08W
 Date: August 30, 2019



Snow Shoe Placer Mineral Survey - Recorded 1898 in Deer Lodge County

(4-675)



Claim Located, *Surveyed* October 26 1897.

Mineral Survey No. 5378.

Lot No. Helena Land District.

PLAT
OF THE CLAIM OF
Black Bear Placer Mining Co.
KNOWN AS THE
Snow Shoe Placer.

IN *Unorganized MINING DISTRICT,*
Deer Lodge CO., MONTANA.
Containing an Area of 18.73 Acres.
Scale of 400 feet to the inch.
Variation 20° 30' East

SUBMITTED July 9 1898 BY
Albert S. Prattie
U.S. Deputy Mineral Surveyor.

The Original Field Notes of the Survey of the Mining Claim of
Black Bear Placer Mining Co.
known as the
Snow Shoe Placer

from which this plat has been made under my direction, have been examined and approved, and are on file in this office, and I hereby certify that they furnish such an accurate description of said Mining Claim as will, if incorporated into a patent, serve fully to identify the premises, and that such reference is made therein to natural objects or permanent monuments as will perpetuate and fix the locus thereof.

I further certify that Five Hundred Dollars worth of labor has been expended or improvements made upon said Mining Claim by claimant or his grantors, and that said improvements consist of three shafts, eight levels, five levels, two excavations, tunnel, drain, frame race and buildings valued at \$6130.00

that the location of said improvements is correctly shown upon this plat, and that no portion of said labor or improvements has been included in the estimate of expenditures upon any other claim.

And I further certify that this is a correct plat of said Mining Claim made in conformity with said original field notes of the survey thereof, and the same is hereby approved.

U.S. Surveyor General's Office. *E. M. Prattie*
Helena, Montana. U.S. Surveyor General for
Aug. 18th 1898 Montana

5378
N

5378



Snow Shoe Mineral Placer Survey—Recorded 1898 in Deer Lodge County
Location Site on State Land: Sec. 4 T14N, R08W & on USFS Sec. 33 T15N R08W
Lewis & Clark County



0919-3

OIL AND GAS LEASE SALE
(September 4, 2019)

**Land Board Agenda Item
September 16, 2019**

0919-3 Oil and Gas Lease Sale (September 4, 2019)

Location: Richland, Sheridan, Toole Counties

Trust Benefits: Common Schools, Public Land Trust – Navigable Rivers

Trust Revenue: \$27,495.94

Item Summary

The Department of Natural Resources and Conservation (DNRC) held an oil and gas lease sale on September 4, 2019, in the Montana Room at the Montana DNRC building. A total of eighteen tracts were offered for lease. Eighteen tracts were leased for a total of \$27,495.94. The eighteen tracts that were sold covered a total of 6,612.40 acres. The average bid per acre was \$4.16.

The high competitive bid for the September 4, 2019 sale was \$15.00 per acre and the largest total bid was \$9,600.00 for Tract 5 in Sheridan County.

DNRC Recommendation

The director requests Land Board approval to issue the leases from the September 4, 2019 oil and gas lease sale.

State of Montana
Oil & Gas Lease Sale - September 4, 2019
Lease Sale Results

The following described lands were offered for oil and gas leasing through oral competitive bidding in the Department of Natural Resources and Conservation Montana Room, 1539 Eleventh Avenue, Helena, Montana, beginning at 9:00 am, September 4, 2019.

Tract	Stipulations	Twp	Rng	Sec	Description	Acres	Bid/Acre	Total Bid	Lessee
Richland									
1	1, 2, 3, 4, 5, 6, 11, 12	27.N	56.E	4	MISSOURI RIVERBED AND RELATED ACREAGE	138.00	\$1.75	\$241.50	KRAKEN OIL & GAS II LLC
2	1, 2, 3, 4, 5, 6, 11, 12	27.N	56.E	5	MISSOURI RIVERBED AND RELATED ACREAGE	150.00	\$1.75	\$262.50	KRAKEN OIL & GAS II LLC
3	1, 2, 3, 4, 5, 6, 11, 12	27.N	56.E	8	MISSOURI RIVERBED AND RELATED ACREAGE	165.00	\$1.75	\$288.75	KRAKEN OIL & GAS II LLC
4	1, 2, 3, 4, 5, 6, 8, 11, 12	27.N	56.E	13	LOT 8, MISSOURI RIVERBED AND RELATED ACREAGE	127.00	\$1.75	\$222.25	KRAKEN OIL & GAS II LLC
Sheridan									
5	1, 2, 3, 4, 5, 6, 7, 15	31.N	57.E	36	ALL	640.00	\$15.00	\$9,600.00	STEWART GEOLOGICAL, INC.
6	1, 2, 3, 4, 5, 6, 15	32.N	57.E	16	N2NE4	* 80.00	\$1.50	\$120.00	MONKOTA PETROLEUM CORPORATION
7	1, 2, 3, 4, 5, 6, 9, 10, 15	32.N	59.E	16	LOTS 1, 2, 3, 4, W2	485.88	\$7.00	\$3,401.16	MONKOTA PETROLEUM CORPORATION
8	1, 2, 3, 4, 5, 6, 15	35.N	57.E	16	ALL	* 640.00	\$1.50	\$960.00	MONKOTA PETROLEUM CORPORATION
9	1, 2, 3, 4, 5, 6, 15	35.N	57.E	36	ALL	* 640.00	\$1.50	\$960.00	MONKOTA PETROLEUM CORPORATION
10	1, 2, 3, 4, 5, 6, 7, 10, 14, 15	35.N	58.E	36	LOTS 1-12, W2	* 866.52	\$1.50	\$1,299.78	MONKOTA PETROLEUM CORPORATION
11	1, 2, 3, 4, 5, 6, 9, 15	36.N	57.E	16	ALL	640.00	\$11.00	\$7,040.00	MONKOTA PETROLEUM CORPORATION
Toole									
12	1, 2, 3, 4, 5, 6	37.N	4.W	5	W2SE4, S2SW4	160.00	\$1.50	\$240.00	PETRO-SENTINEL LLC
13	1, 2, 3, 4, 5, 6	37.N	4.W	6	SE4SE4	40.00	\$2.50	\$100.00	PETRO-SENTINEL LLC
14	1, 2, 3, 4, 5, 6, 13	37.N	4.W	8	NE4	160.00	\$1.50	\$240.00	PETRO-SENTINEL LLC
15	1, 2, 3, 4, 5, 6	37.N	4.W	14	S2SW4	* 80.00	\$1.50	\$120.00	PETRO-SENTINEL LLC
16	1, 2, 3, 4, 5, 6	37.N	4.W	23	E2	* 320.00	\$1.50	\$480.00	PETRO-SENTINEL LLC
17	1, 2, 3, 4, 5, 6	37.N	4.W	24	ALL	* 640.00	\$1.50	\$960.00	PETRO-SENTINEL LLC
18	1, 2, 3, 4, 5, 6	37.N	4.W	25	ALL	640.00	\$1.50	\$960.00	PETRO-SENTINEL LLC

* Part or all of tract is not state-owned surface

Summary by Lessor

	Total Acres	Total Tracts
Dept. of Natural Resources and Conservation	6,612.40	18

Oil and Gas Lease Sale Summary

Total Tracts	18
Total Acres	6,612.40
Total Bid Revenue	\$27,495.94
Average Bid Per Acre	\$4.16

State of Montana
Oil & Gas Lease Sale - September 4, 2019
Stipulations

- 1 Lessee shall notify and obtain approval from the Department's Trust Land Management Division (TLMD) prior to constructing well pads, roads, power lines, and related facilities that may require surface disturbance on the tract. Lessee shall comply with any mitigation measures stipulated in TLMD's approval.
- 2 Prior to the drilling of any well on or into the lease premises, lessee shall send one copy of the well prognosis, including Form 22 "Application for Permit" to the Department's Trust Land Management Division (TLMD). After a well is drilled and completed, lessee shall send one copy of all logs run, Form 4A "Completion Report", and geologic report to TLMD. A copy of Form 2 "Sundry Notice and Report of Wells" or other appropriate Board of Oil and Gas Conservation form shall be sent to TLMD whenever any subsequent change in well status or operator is intended or has occurred. Lessee shall also notify and obtain approval from the TLMD prior to plugging a well on the lease premises.

Issuance of this lease in no way commits the Land Board to approval of coal bed methane production on this lease. Any coal bed methane extraction wells would require subsequent review and approval by the board.
- 3 The TLMD will complete an initial review for cultural resources and, where applicable, paleontological resources of the area intended for disturbance and may require a resources inventory. Based on the results of the inventory, the TLMD may restrict surface activity for the purpose of protecting significant resources located on the lease premises.
- 4 The lessee shall be responsible for controlling any noxious weeds introduced by lessee's activity on State-owned land and shall prevent or eradicate the spread of those noxious weeds onto land adjoining the lease premises. The lessee's methods of control shall be reviewed and approved by the Department's Unit Office that has jurisdiction for that locale.
- 5 The definitions of "oil" and "gas" provided in 82-1-111, MCA, do not apply to this lease for royalty calculation purposes.
- 6 If the State does not own the surface, the lessee must contact the owner of the surface in writing at least 30 days prior to any surface activity. A copy of the correspondence shall be sent to TLMD.
- 7 The lessee is responsible to pay for all damages, including penalties and charges assessed by the USDA-CFSA on CRP lands, as a result of drilling and production on the tract.
- 8 Unless otherwise approved by the Department in writing, wells and related surface infrastructure, including new road construction, are prohibited within 1/2 mile of the centerline of a navigable river, lake or reservoir, and within 1/4 mile of direct perennial tributary streams of navigable waterways, on or adjacent to the tract. No surface occupancy is allowed within the bed of a river, stream, lake or reservoir, islands and accretions or abandoned channels.
- 9 Due to the floodplain/wetlands area(s), surface use may be restricted or denied.
- 10 Any activity within 1/8 mile of the river, stream, floodplain, or lake/reservoir on or adjacent to this tract must be approved in writing by the TLMD prior to commencement. No surface occupancy is allowed within the bed of the river and/or stream, abandoned channels, the bed of the lake/reservoir, or on islands and accretions associated with the river, stream, or lake/reservoir.
- 11 This tract contains navigable riverbeds. No surface occupancy is allowed within the bed of the navigable river, abandoned channels, or on islands and accretions. In addition, upon completion of a successful well, where river title is disputed, the lessee will file an interpleader action under Rule 22, M.R.Civ.P. in the Montana District Court, or other court having jurisdiction, in which the leased lands are located for all acreage within the lease in which the title is disputed. The lessee shall name all potential royalty claimants as defendants.
- 12 If the lessee completes a successful oil and/or gas well, and if land title is disputed, the lessee shall fund professional land surveys as needed to determine the location and acreage encompassed by the spacing and/or pooling unit and the state lease acreage within that unit. Surveys shall be conducted by a licensed land surveyor acceptable to the Department, and shall be prepared pursuant to survey requirements provided by the Department.

- 13 This tract has (an) existing well(s) and related facilities. The lessee has 45 days from the effective date of this lease to determine whether or not to assume responsibility from the former lessee for the well(s) and any existing facilities. The lessee may not enter the well(s) until a change of operator has been filed with, and approved by, the Board of Oil and Gas Conservation. The(se) well(s) must be returned to commercial production or plugged and the well site (s) reclaimed within 18 months from the effective date of this lease.
- 14 Due to existing surface uses (such as center pivots, wheel lines, etc.) development on this tract may be restricted.
- 15 If whooping cranes are observed on-site, construction and/or maintenance activities shall be suspended until birds leave the area.

0919-4

LAND BANKING PARCELS:
PRELIMINARY APPROVAL FOR
SALE

A. Powell County: RV Ranch Co.

B. Powell County: DNRC Nominated

**Land Board Agenda Item
September 16, 2019**

**0919-4A Land Banking Parcel: Preliminary Approval for Sale
Powell County: RV Ranch Co.**

Location: Powell County

Trust Benefits: Common Schools

Trust Revenue: Appraisal to be completed after preliminary approval

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting preliminary approval to sell one parcel totaling 125.39 acres nominated for sale in Powell County. The sale was nominated by RV Ranch Co. and is located approximately 5 miles southeast of Elliston, Montana.

Sale #	# of Acres	Legal	Nominator	Trust
1074	125.39±	Government Lots 1,2,3,4 T9N-R6W, Sec. 16 Powell County	RV Ranch Co.	Common Schools

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

This sale parcel is surrounded by private land (RV Ranch Co.) and is not legally accessible by the public. The sale of this parcel would not restrict or eliminate access to adjacent private land.

MEPA scoping has been completed, with no potentially negative issues related to the sale of this parcel identified.

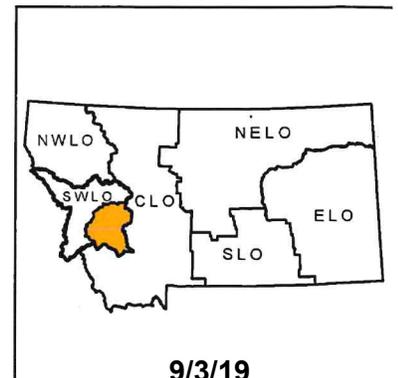
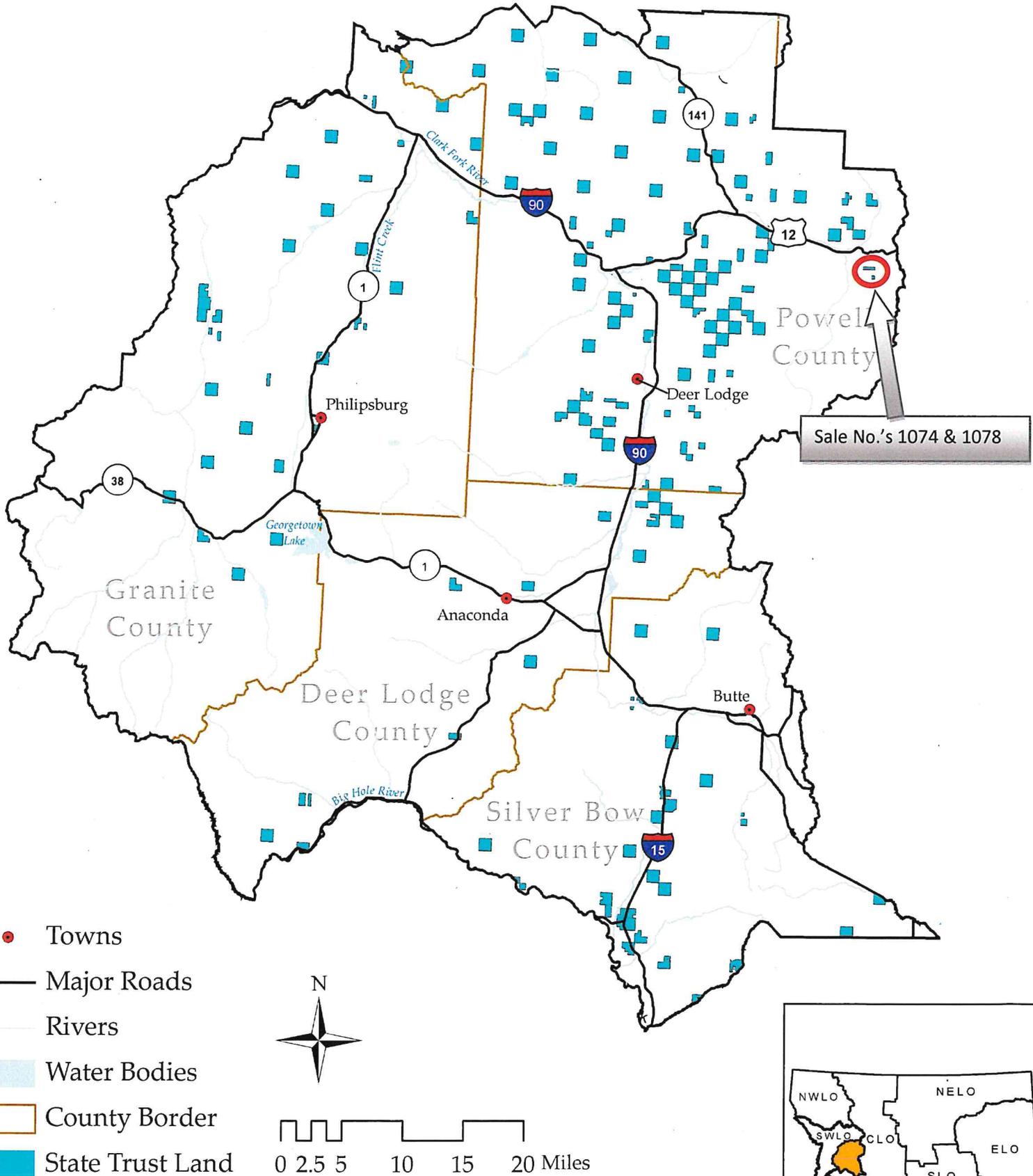
With the Land Board's preliminary approval to sell this parcel, DNRC can continue the due diligence necessary to fully evaluate and process this parcel for sale.

DNRC Recommendation

The director recommends the Land Board grant preliminary approval to sell this parcel.

POWELL COUNTY SALE VICINITY MAP – RV RANCH ANACONDA UNIT

0919-4A





Location: Powell County
 Prepared on: 27 AUGUST 2019
 Prepared By: DNRC REMB Staff

Powell County Sale: RV Ranch Co.
 Sale No. 1074, Common Schools

 Sale # 1074  Montana State Trust Land  Owner Parcels



U.S. Department of Agriculture Farm Services Agency Aerial Photography Field Office, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**Land Board Agenda Item
September 16, 2019**

**0919-4B Land Banking Parcel: Preliminary Approval for Sale
Powell County: DNRC Nominated**

Location: Powell County

Trust Benefits: Common Schools

Trust Revenue: Appraisal to be completed after preliminary approval

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting preliminary approval to sell one parcel totaling 40 acres for sale in Powell County. The sale was nominated by DNRC and is located approximately 5 miles southeast of Elliston, Montana. (This parcel is classified as Forest).

Sale #	# of Acres	Legal	Nominator	Trust
1078	40±	SE4SE4 T9N-R6W, Sec. 16 Powell County	DNRC	Common Schools

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

This sale parcel is surrounded by private land (RV Ranch Co. and Kent Sports Holding LP) and is not legally accessible by the public. The sale of this parcel would not restrict or eliminate access to adjacent private land.

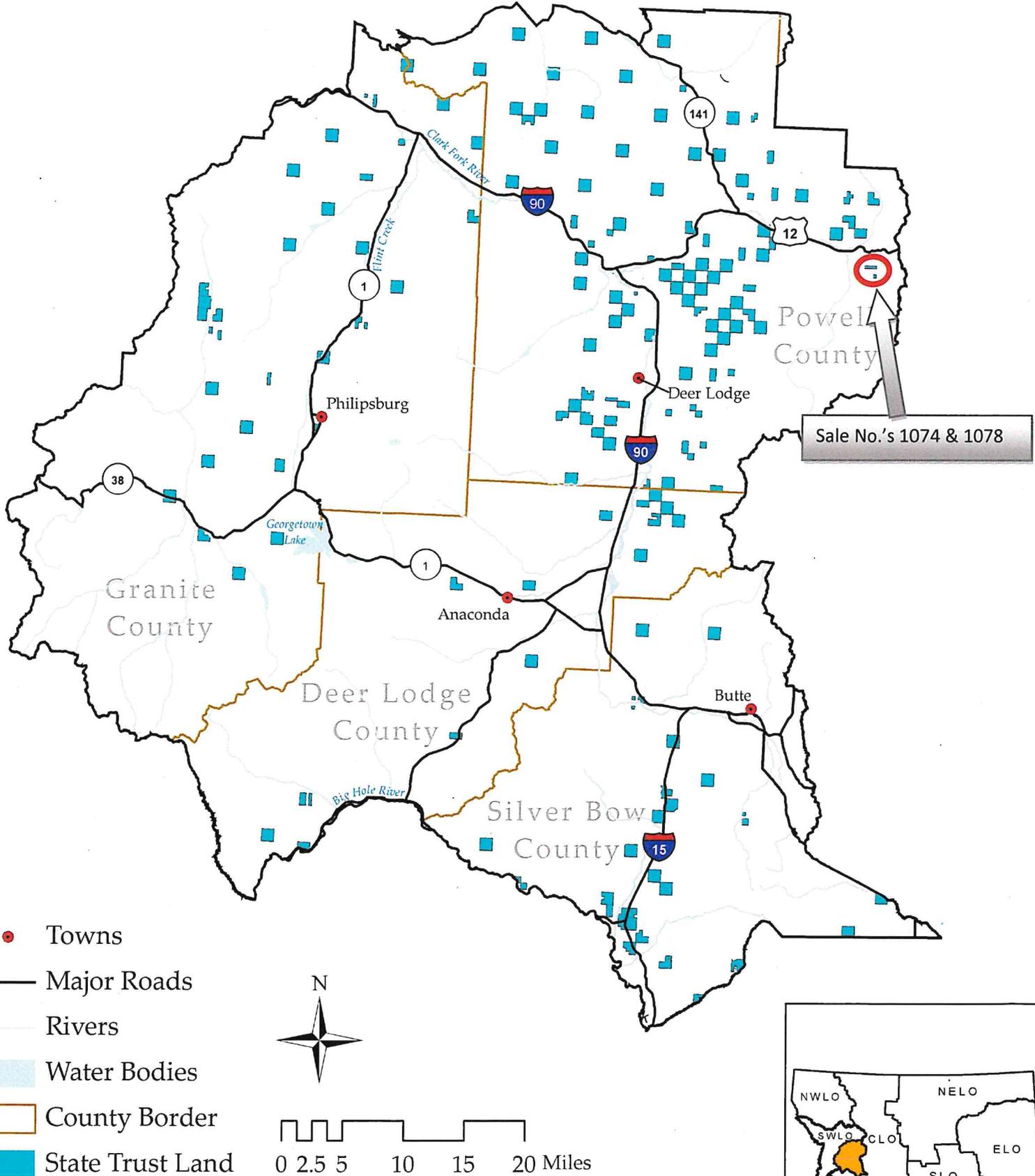
MEPA scoping has been completed, with no potentially negative issues related to the sale of this parcel identified.

With the Land Board's preliminary approval to sell this parcel, DNRC can continue the due diligence necessary to fully evaluate and process this parcel for sale.

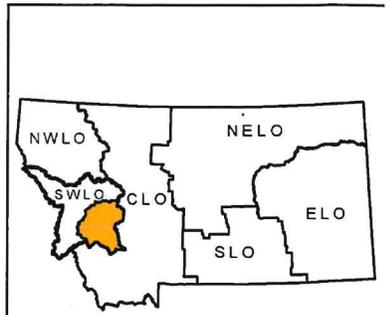
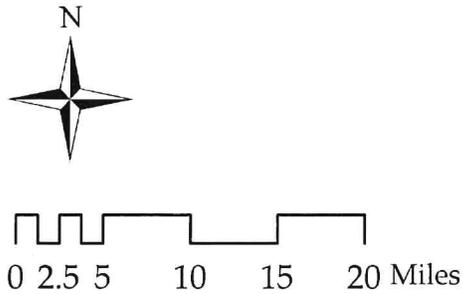
DNRC Recommendation

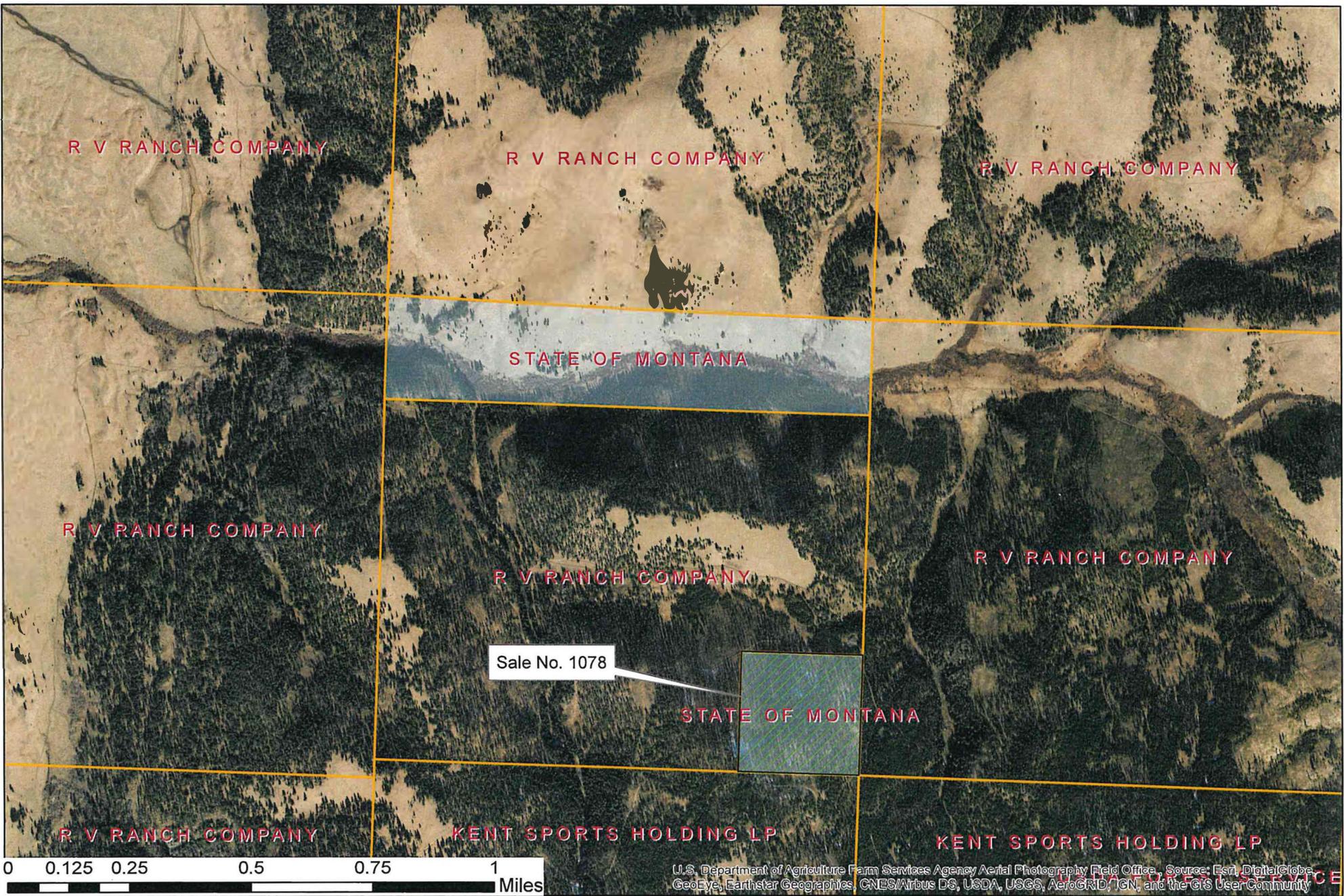
The director recommends the Land Board grant preliminary approval to sell this parcel.

POWELL COUNTY SALE VICINITY MAP – RV RANCH ANACONDA UNIT 0919-4B



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





Location: Powell County
 Prepared on: 27 AUGUST 2019
 Prepared By: DNRC REMB Staff

Powell County Sale: DNRC
 Sale No. 1078, Common Schools

 Sale # 1078  Montana State Trust Land  Owner Parcels



0919-5

CABIN AND HOMESITE SALES:
SET MINIMUM BID FOR SALE

- A. Flathead County
- B. Missoula County
- C. Sweet Grass County

**Land Board Agenda Item
September 16, 2019**

0919-5A Cabin and Home Sites: Set Minimum Bid for Sale

Location: Flathead County
Trust Benefits: Montana Tech
Trust Revenue: \$5,430,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting to set the minimum bid for 18 cabin sites nominated for sale in Flathead County. These sales were nominated by DNRC and the lessees in conjunction with the Cabin and Home Site Sale Program.

Sale No.	Acres	Legal Description	Nominator	Trust
949	1.376±	Lot 3, Rogers Lake T27N-R23W, Sec. 30	DNRC	Montana Tech
950	1.654±	Lot 5, Rogers Lake T27N-R23W, Sec. 30	DNRC	Montana Tech
953	1.245±	Lot 10, Rogers Lake T27N-R23W, Sec. 30	Jeremy Thompson	Montana Tech
801	1.866±	Lot 31, Echo Lake T27N-19W, Sec. 5	DNRC	Montana Tech
976	1.124±	Lot 8, Echo Lake T27N-19W, Sec. 5	Richard D. & Deborah Ellen Northcott	Montana Tech
977	4.537±	Lot 25, Echo Lake T27N-19W, Sec. 5	Kevin & Jeannette Zemp	Montana Tech
978	1.434±	Lot 28, Echo Lake T27N-19W, Sec. 5	Leisha & Ronald Cook	Montana Tech
979	1.471±	Lot 35, Echo Lake T27N-19W, Sec. 5	Ryan James	Montana Tech
980	1.485±	Lot 36, Echo Lake T27N-19W, Sec. 5	Randall Fitzner	Montana Tech
981	0.327±	Lot 3, Echo Lake T27N-19W, Sec. 5	DNRC	Montana Tech
982	1.124±	Lot 17, Echo Lake T27N-19W, Sec. 5	DNRC	Montana Tech
983	2.361±	Lot 31, Echo Lake T27N-19W, Sec. 5	Steve & Jennifer Burrough	Montana Tech
984	2.238±	Lot 4, Beaver Lake T31N-R22W, Sec. 20	Lonnie & Catherine Collinsworth	Montana Tech
985	1.802±	Lot 5, Beaver Lake T31N-R22W, Sec. 20	Barnes Revocable Trusts	Montana Tech
986	2.41±	Lot 7, Beaver Lake T31N-R22W, Sec. 20	John Ulitsch	Montana Tech
987	2.011±	Lot 10, Beaver Lake T31N-R22W, Sec. 20	Dennis Theissen, et al.	Montana Tech

988	1.296±	Lot 11A, Beaver Lake T31N-R22W, Sec. 20	Ginger Theissen & Nicolette R. Ward	Montana Tech
989	1.235±	Lot 13, Beaver Lake T31N-R22W, Sec. 20	Felicia & Dave Hutchison	Montana Tech

The parcels are currently leased as cabin sites and produce an average income for residential leases statewide. The parcels will be sold with the access that is currently provided under their lease agreements and can be conveyed by DNRC.

Economic Analysis:

Short term – The average rates of return on these sale parcels are as follows. The parcels will continue to receive these returns if they remain in state ownership.

Sale No.	Rate of Return	Sale No.	Rate of Return
949	0.000%	981	0.000%
950	0.000%	982	0.000%
953	7.682%	983	4.342%
801	0.000%	984	3.075%
976	2.681%	985	5.264%
977	4.215%	986	2.882%
978	1.569%	987	2.040%
979	1.780%	988	2.449%
980	2.209%	989	3.481%

Long term – The funds from the sale of these parcels 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 each of the proposed sales. Home sites typically contain numerous structures and the ground surfaces within most home sites have been variously disturbed over the course of many years of occupation and development. These sales will have no effect to state-owned heritage properties.

Appraised Values of Land and Improvements:

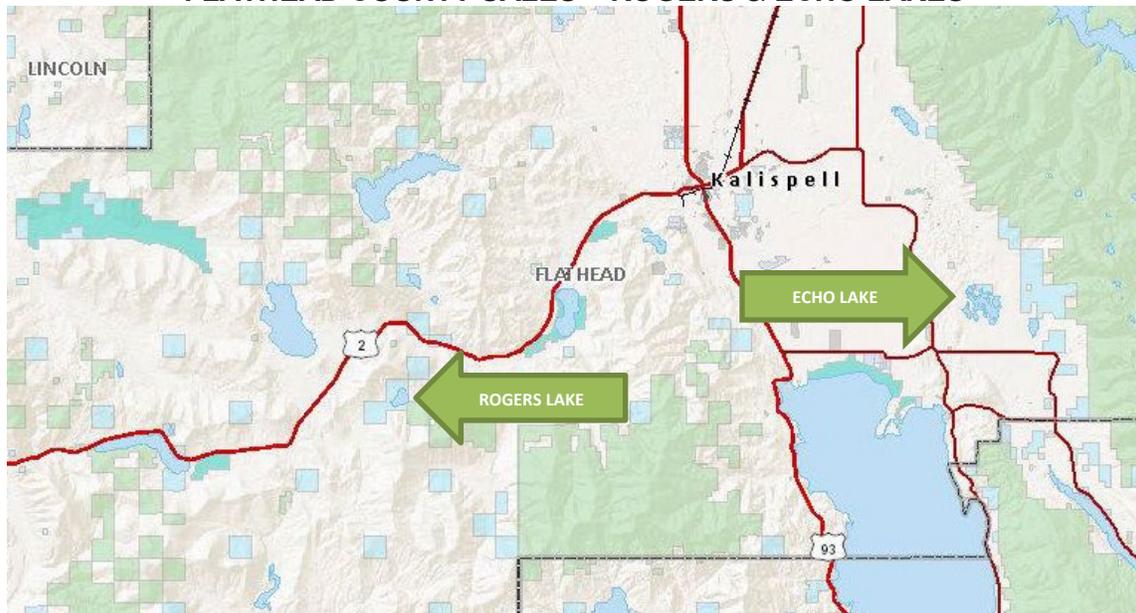
Sale Nos.	Appraised Land Value	Appraised Improvements Value
949	\$342,000	\$0
950	\$371,000**	<i>see below</i>
953	\$92,000	\$151,000
801	\$500,000**	<i>see below</i>
976	\$394,000	\$284,000
977	\$408,000	\$55,000
978	\$359,000	\$65,000
979	\$380,000	\$80,000
980	\$344,000	\$111,000
981	\$405,000**	<i>see below</i>
982	\$331,000	\$0
983	\$247,000	\$93,000
984	\$202,000	\$0
985	\$198,000	\$85,000
986	\$220,000	\$0
987	\$240,000	\$143,000
988	\$222,000	\$115,000
989	\$175,000	\$211,000

**Sale Nos. 950, 801, and 981 currently have improvements valued at \$35,000, \$46,000, and \$38,000, respectively. DNRC owns these improvements, as per 77-2-314, MCA. As such, the appraised improvements values have been included in the appraised land values.

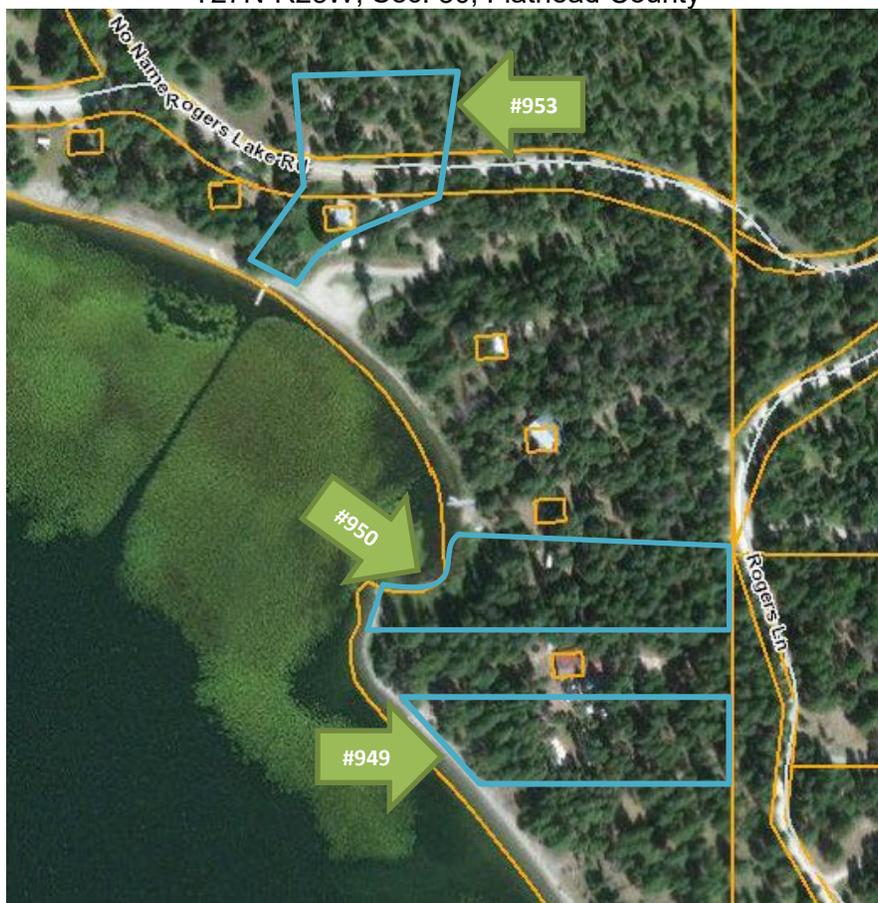
DNRC Recommendation

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

FLATHEAD COUNTY SALES – ROGERS & ECHO LAKES



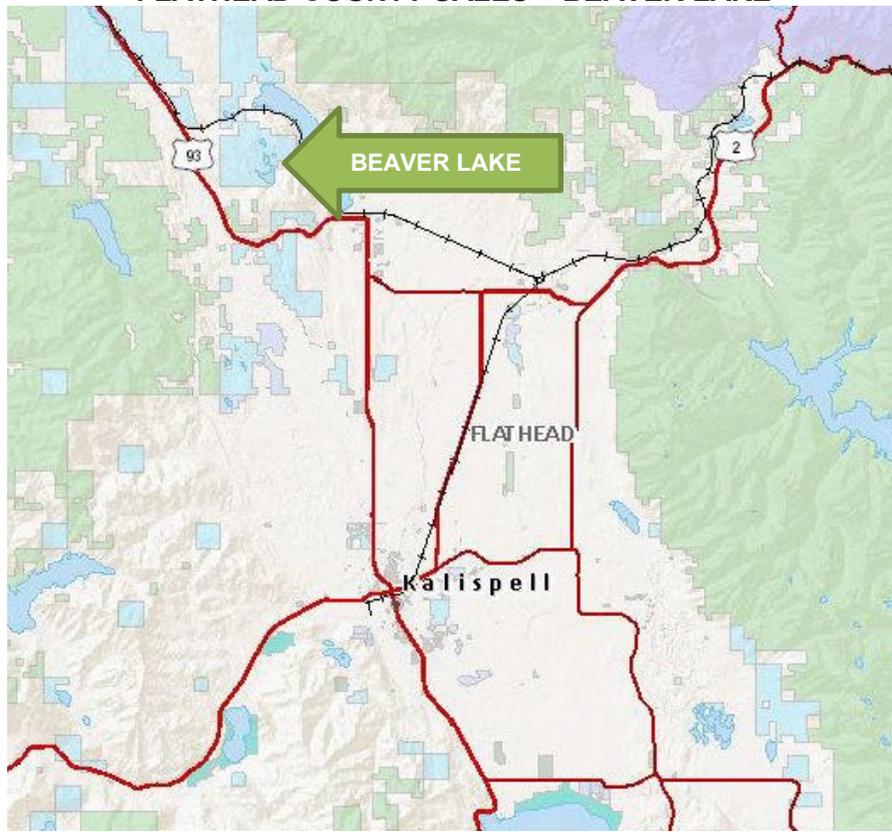
Rogers Lake
T27N-R23W, Sec. 30, Flathead County



Echo Lake
T27N-19W, Sec. 5, Flathead County



FLATHEAD COUNTY SALES – BEAVER LAKE



Beaver Lake
T31N-R22W, Sec. 20, Flathead County



**Land Board Agenda Item
September 16, 2019**

0919-5B Cabin and Home Sites: Set Minimum Bid for Sale

Location: Missoula County
Trust Benefits: MSU 2nd
Trust Revenue: \$539,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting to set the minimum bid for a cabin site nominated for sale in Missoula County. This sale was nominated by the lessee in conjunction with the Cabin and Home Site Sale Program.

Sale No.	Acres	Legal Description	Nominator	Trust
996	0.951±	Lot 2, Placid Lake West, COS 5049, Section 30, T16N-R15W	Nick Natalie-Lopuch	MSU 2 nd

The 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 under the existing lease agreement and can be conveyed by DNRC.

Economic Analysis:

Short term – The average rate of return on this sale parcel is 2.052%. The parcel will continue to receive this return if it remains in state ownership.

Long term – The funds from the sale of this parcel would be combined with other sale funds to purchase replacement lands through DNRC's Land Banking program. Lands purchased are required to have an equal or greater rate of return than the combined lands that generated the sale funds used for the purchase. To date, the average annual rate of return on acquisitions has been 2.62% on acquisitions with income generated from annual lease payments.

Cultural/Paleontological Resources:

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

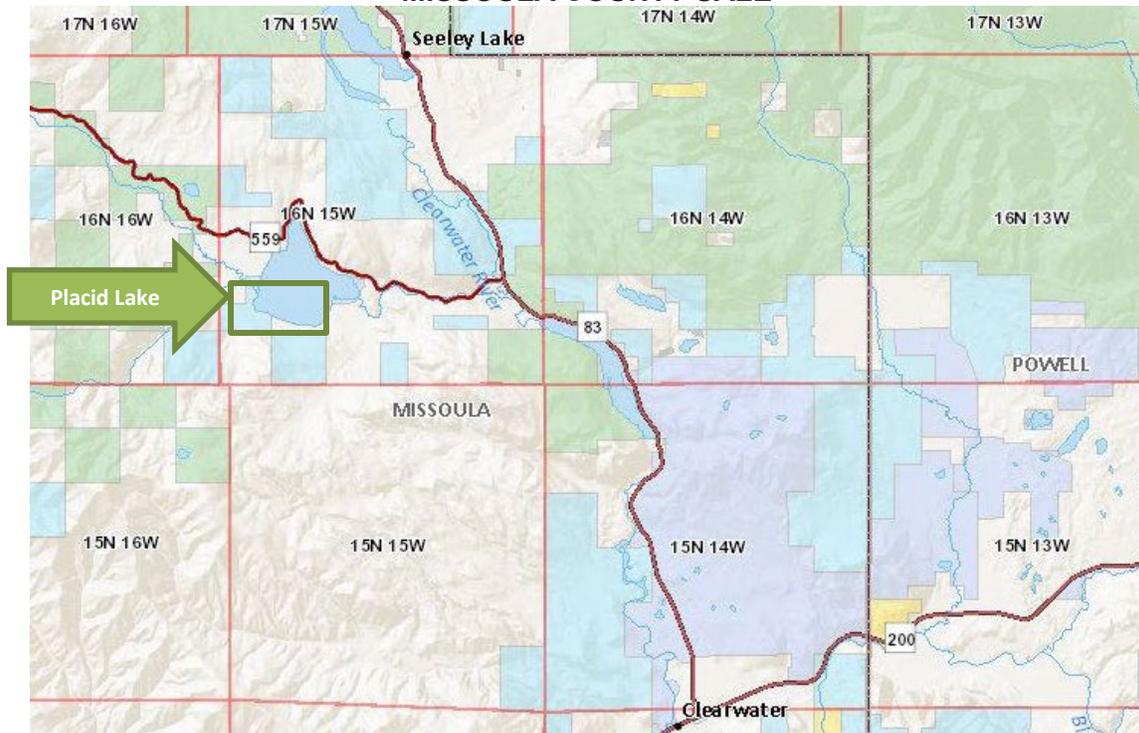
Appraised Values of Land and Improvements:

Sale Nos.	Appraised Land Value	Appraised Improvements Value
996	\$539,000	\$61,000

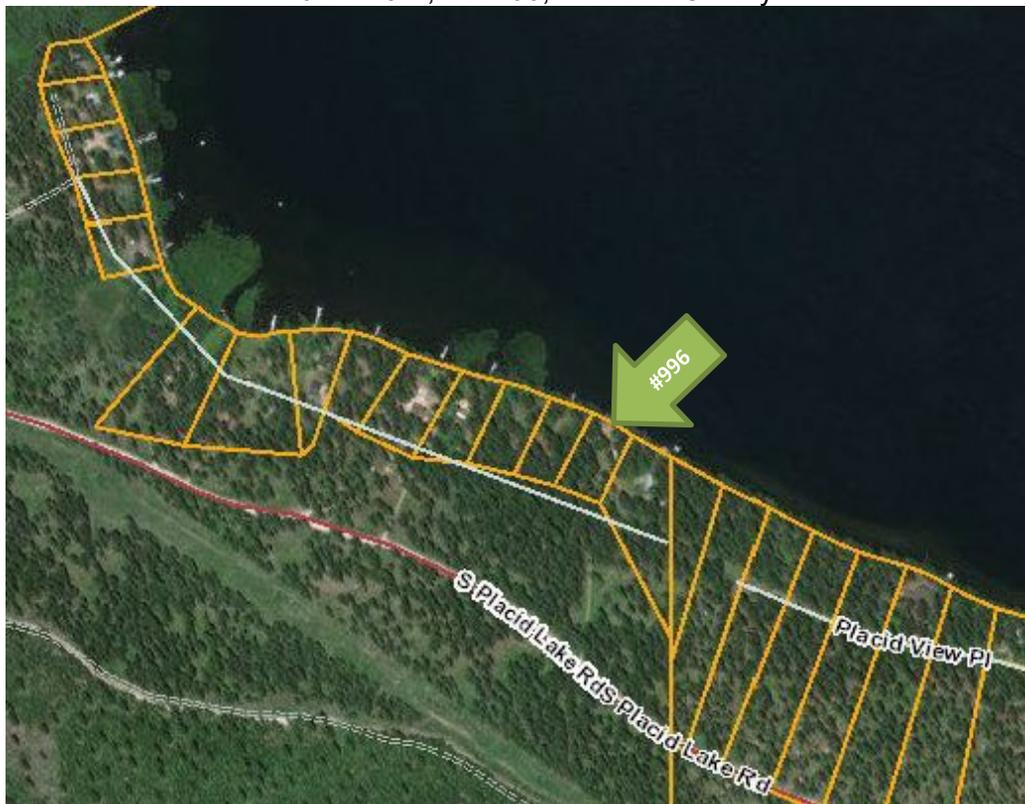
DNRC Recommendation

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

MISSOULA COUNTY SALE



Placid Lake West T16N-R15W, Sec. 30, Missoula County



**Land Board Agenda Item
September 16, 2019**

0919-5C Cabin and Home Sites: Set Minimum Bid for Sale

Location: Sweet Grass County
Trust Benefits: Common Schools
Trust Revenue: \$63,500

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting to set the minimum bid for a cabin site nominated for sale in Sweet Grass County. The sale was nominated by the lessee in conjunction with the Cabin and Home Site Sale Program.

Sale No.	Acres	Legal Description	Nominator	Trust
946	4.22±	Tract 1, COS 158543, T1N-R15E, Sec. 29	Howard Roberts	Common Schools

The 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 under the existing lease agreements and can be conveyed by DNRC.

Economic Analysis:

Short term – The average rate of return on this sale parcels is 0.507%. The parcel will continue to receive this return if it remains in state ownership.

Long term – The funds from the sale of this parcel would be combined with other sale funds to purchase replacement lands through DNRC's Land Banking program. Lands purchased are required to have an equal or greater rate of return than the combined lands that generated the sale funds used for the purchase. To date, the average annual rate of return on acquisitions has been 2.62% on acquisitions with income generated from annual lease payments.

Cultural/Paleontological Resources:

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

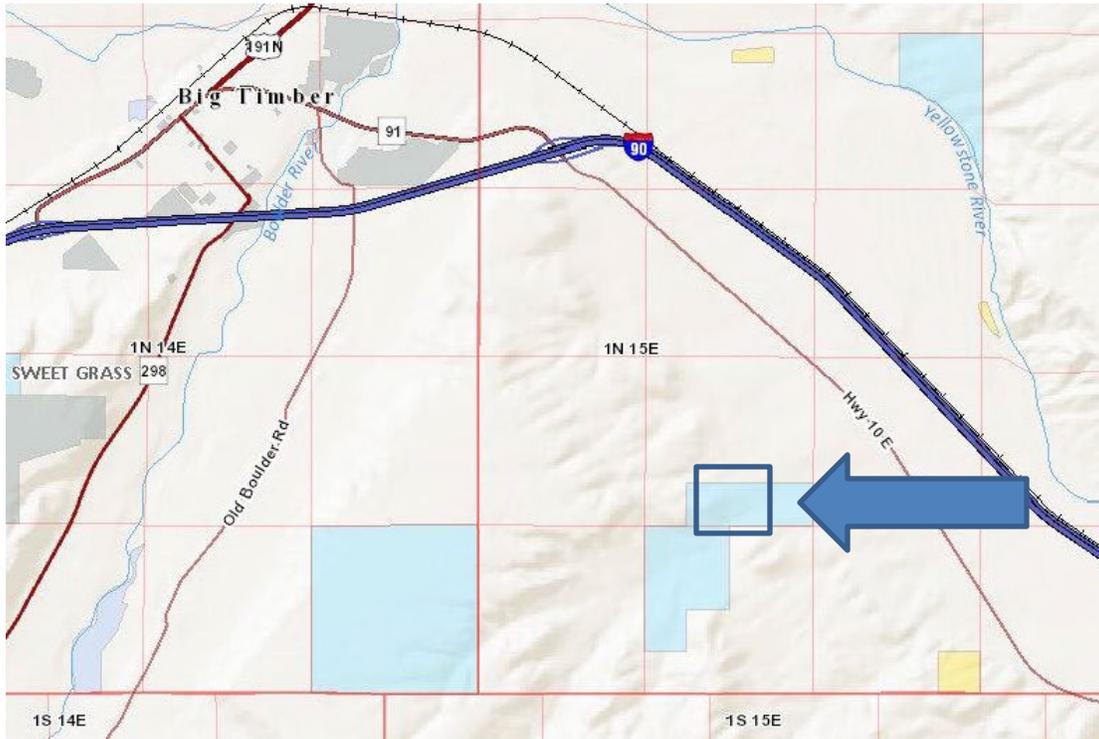
Appraised Values of Land and Improvements:

Sale No.	Appraised Land Value	Appraised Improvements Value
946	\$63,500	\$76,000

DNRC Recommendation

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

SWEET GRASS COUNTY SALE
Tract 1, COS 158543, T1N-R15E, Sec. 29, Sweet Grass County



0919-6

CABIN AND HOMESITE SALES:
FINAL APPROVAL FOR SALE

Mudd Creek

**Land Board Agenda Item
September 16, 2019**

0919-6 Cabin and Home Sites: Final Approval for Sale

Location: Sanders County
Trust Benefits: Public Buildings
Trust Revenue: \$80,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting final approval for sale of two cabin sites nominated for sale in Sanders County. Sale Nos. 956 and 957 were both nominated by their lessees for the Cabin and Home Site Sale Program.

Sale Nos.	Acres	Legal Description	Nominator	Trust
956	2.24±	Lot 6, Mudd Creek, COS 3534, Section 12, T22N-R27W	Randy & Marcia Johnson	Public Buildings
957	2.42±	Lot 19, Mudd Creek, COS 3533, Section 12, T22N-R27W	Charles A. Bishop Irrevocable Residuary Trust	Public Buildings

Both sales are currently leased as cabin sites and produce an average income for residential leases statewide.

The parcels will be sold with the access currently provided under their lease agreements.

Economic Analysis

Short term – The average rates of return for the sale parcels are as follows:

Sale No.	Rate of Return
956	2.035%
957	2.292%

Long term – The funds from the sale of these parcels 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 sales. Home sites typically contain numerous structures, and the ground surfaces within most home sites have been variously disturbed over the course of many years of occupation and development. These sales will have no effect to state-owned heritage properties.

Background

These sales were granted preliminary approval in March 2018 to proceed through the Cabin and Home Site Sale Program. In July 2019, the Land Board set the minimum bid for the land and the maximum value of compensation for the improvements for both sales.

Sale Nos.	Minimum Bid for the Land	Maximum Value of Compensation for the Improvements
956	\$38,000	\$79,000
957	\$42,000	\$79,000

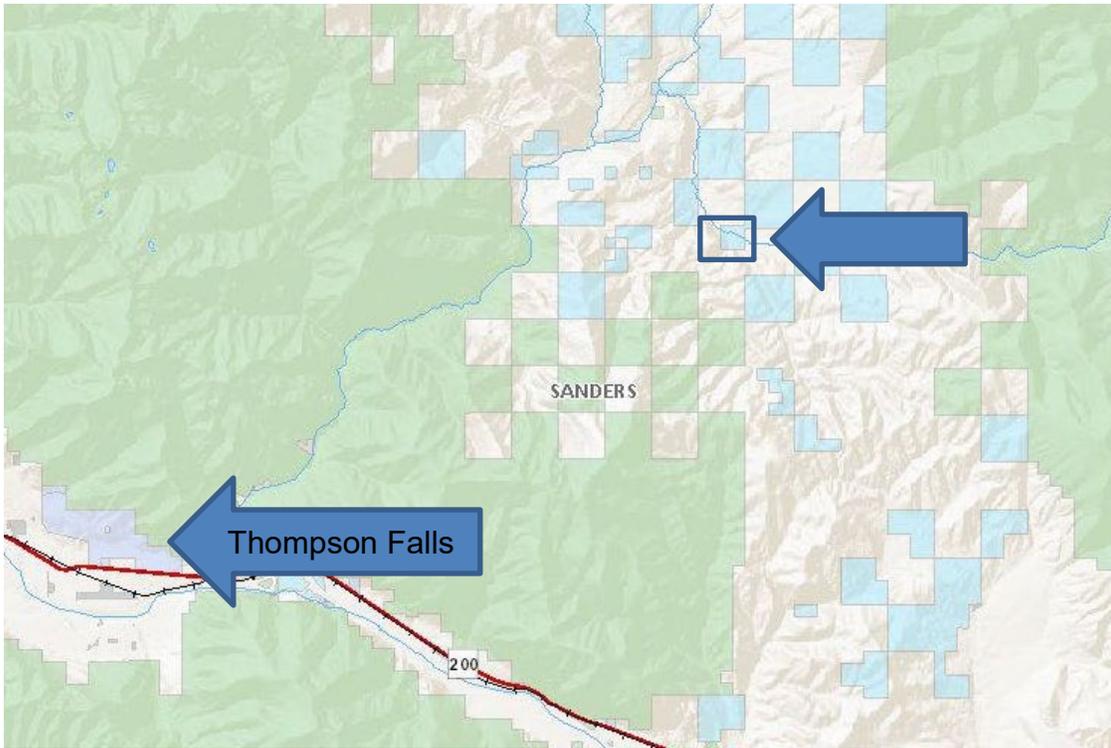
Sale Price

These sales sold at public auction on August 30, 2019. There was one bidder for each sale who was the current lessee. The parcels sold for the minimum bid amounts listed above.

DNRC Recommendation

The director recommends the Land Board grant final approval for the sale of these cabin sites at the values shown above. The sales will close within 30 days of final approval by the Land Board.

SANDERS COUNTY SALES



Mudd Creek

Mudd Creek, T22N-R27W, Sec. 12, Sanders County



0919-7

EASEMENTS

Standard Grants

**Land Board Agenda Item
September 16, 2019**

0919-7 Easements

Location: Chouteau, Flathead, Gallatin, Granite, Lake, Lewis and Clark, Lincoln, Madison, Musselshell, Ravalli, Rosebud, Sheridan

Trust Benefits: Common Schools, Public Land Trust – Nav. Rivers, School for Deaf and Blind, Veterans Home

Trust Revenue: Common Schools = \$123,405
Public Land Trust = \$26,008
School for Deaf and Blind = \$20,885
Veterans Home = \$3,450

Item Table of Contents

Applicant	Right-of-Way Purpose	Term	Page(s)
Department of Natural Resources and Conservation State Water Projects Bureau	Irrigation canal known as the Allendale Canal	Permanent	2-3
Flathead Electric Cooperative	Historic Overhead and Buried Electric Lines	Permanent	4-59
NorthWestern Energy	Historic Overhead Electric Lines & Buried Pipelines	Permanent	60-75
Ravalli County Electric Cooperative	Overhead Electrical Distribution Line	Permanent	76-77
Montana Department of Transportation	Highway and Bridge Construction and Maintenance	Permanent	78-80
Sheridan County	Public County Road	Permanent	81-84

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Department of Natural Resources and Conservation State Water Projects Bureau PO Box 201601 Helena, MT 59620-1601
Application No.:	96 (Amended)
R/W Purpose:	an irrigation canal known as the Allendale Canal Lessee
Agreement:	ok
Acreage:	8.69 (7.98 existing; 0.71 new)
Compensation:	\$639.00
Legal Description:	a tract in the E2E2, Sec. 16, Twp. 9N, Rge. 13W, Granite County
Trust Beneficiary:	Common Schools

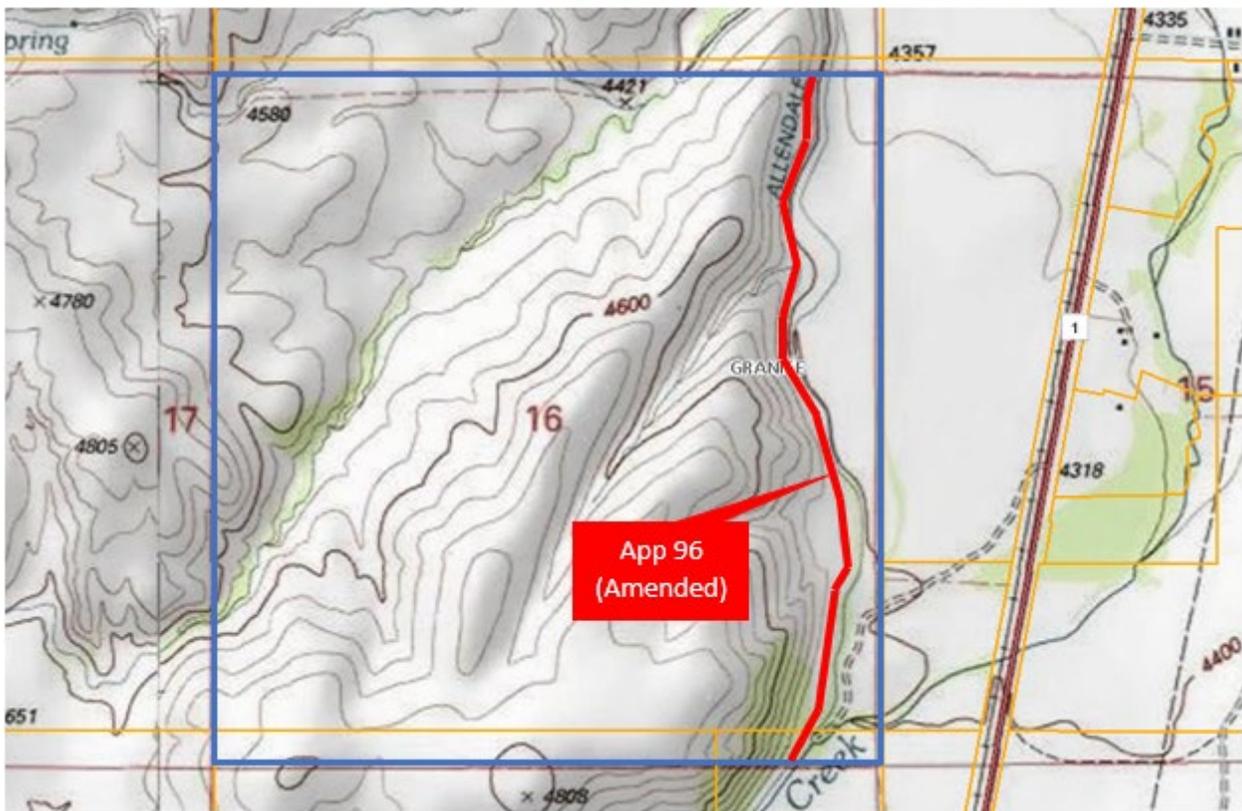
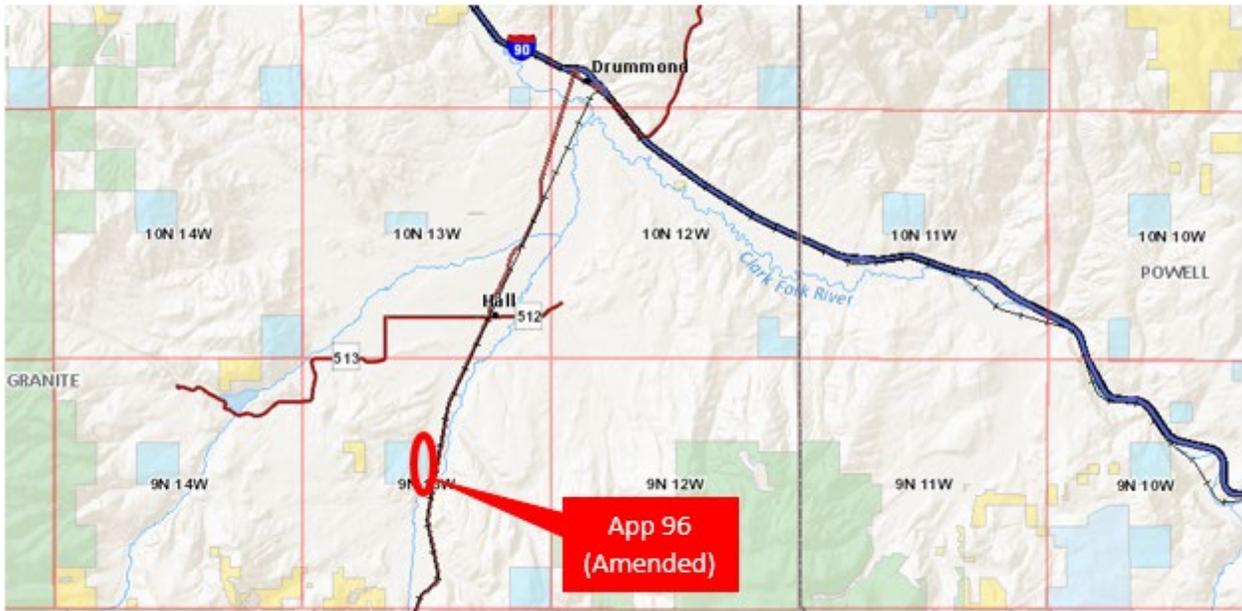
Item Summary

The Department of Natural Resources and Conservation (DNRC's) Water Resources Division is proposing to amend an existing easement issued in 1912 to Nathan Allen. The State Water Projects Bureau assumed ownership of the original canal during the 1930's, with operations and maintenance conducted by the Flint Creek Water Users Association. This project is in response to restoration actions being implemented in the Upper Clark Fork River Basin by the Montana Natural Resource Damage Program. During proposal identification and review, the canal footprint has been determined to be slightly outside of the original easement grant and as part of the restoration objectives, additional structure work was deemed necessary. The proposed improvements include replacing the canal's diversion and intake structure, installing a vertical plate fish screen and associated fish bypass and install a low flow channel return to Flint Creek. These improvements will effectively and safely screen fish from entrainment in the canal during irrigation season and help preserve trout populations and other native fish in Flint Creek. In addition, a 10-foot flume to measure water flowrate in the canal will also be installed. Scoping of the project by Water Projects occurred with 5 comments received; one objecting to the project and the remainder providing basic comments or questions. The Decision Notice was published in October 2018 to proceed with the project as proposed.

DNRC Recommendation

The director recommends approval of the the right of way amendment.

R/W Application 96 (Amended)



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Flathead Electric Cooperative 2510 US Hwy 2 East Kalispell, MT 59901
Application No.:	16233
R/W Purpose:	an overhead 12.5kV electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	0.10
Compensation:	\$4,118.00
Legal Description:	8-foot strip through SW4SW4, Sec. 36, Twp. 29N, Rge. 22W, Flathead County
Trust Beneficiary:	Common Schools

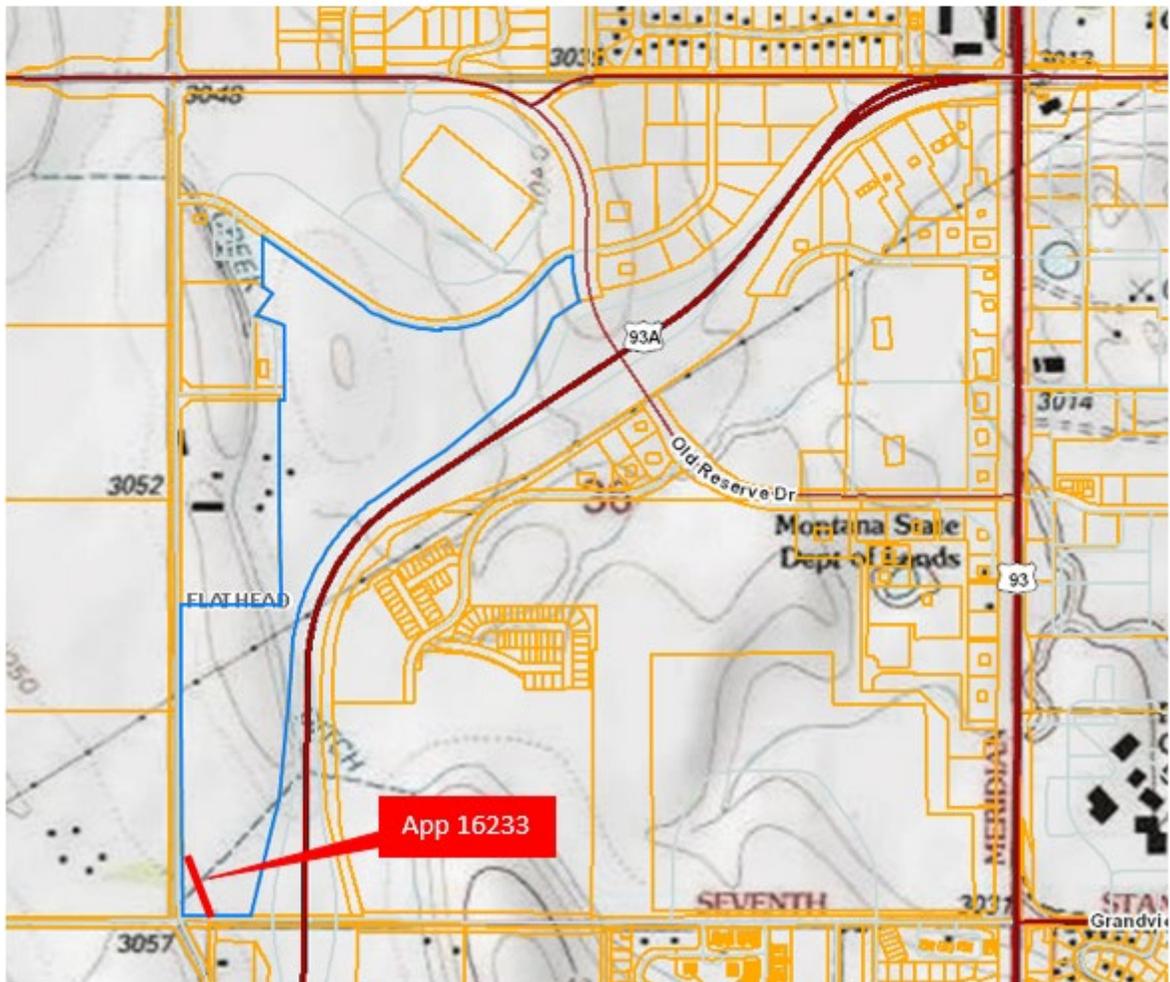
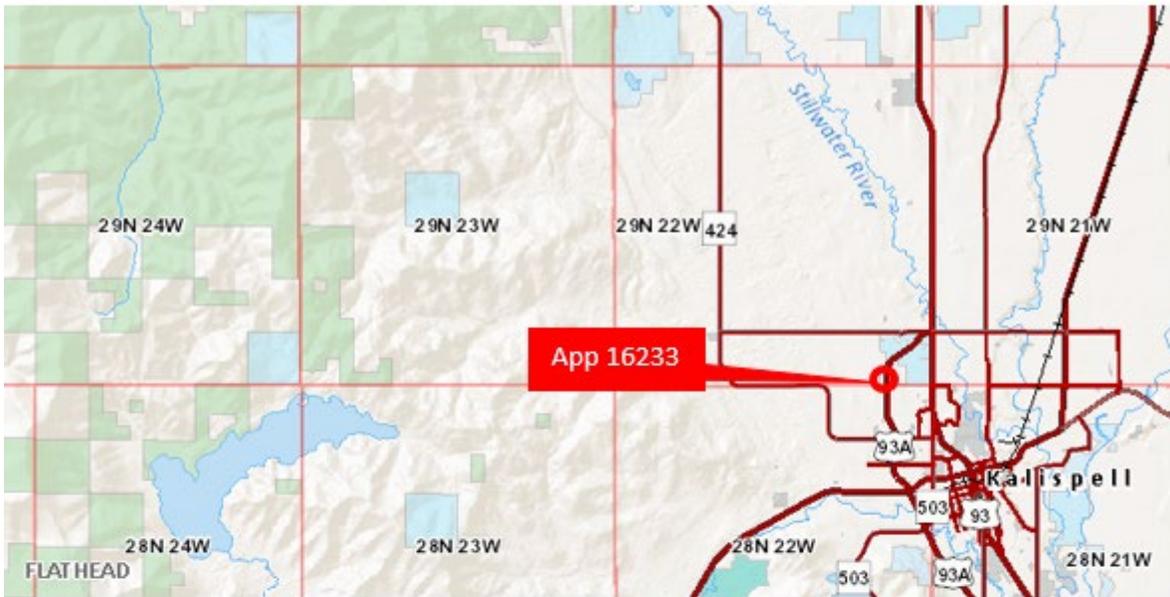
Item Summary

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

DNRC Recommendation

The director recommends approval of the historic rights of way for Flathead Electric Cooperative.

R/W Application 16233



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16234
R/W Purpose: an overhead 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.18
Compensation: \$720.00
Legal Description: 8-foot strip through NW4NE4, Sec. 16, Twp. 30N, Rge. 31W,
Lincoln County
Trust Beneficiary: Common Schools

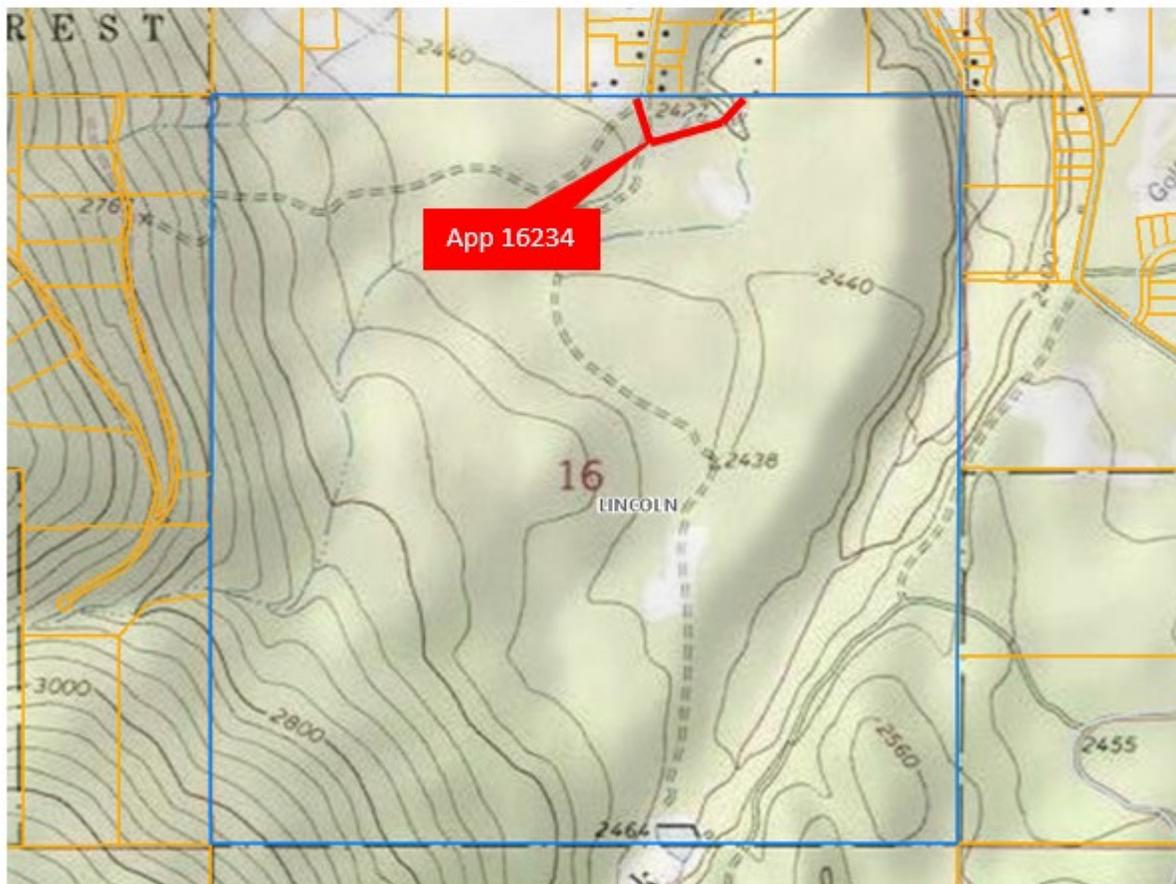
Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16234



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16235
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.07
Compensation: \$840.00
Legal Description: 8-foot strip across the Kootenai River in SW4SW4, Sec. 34,
Twp. 31N, Rge. 31W, Lincoln County
Trust Beneficiary: Public Land Trust - Nav. River

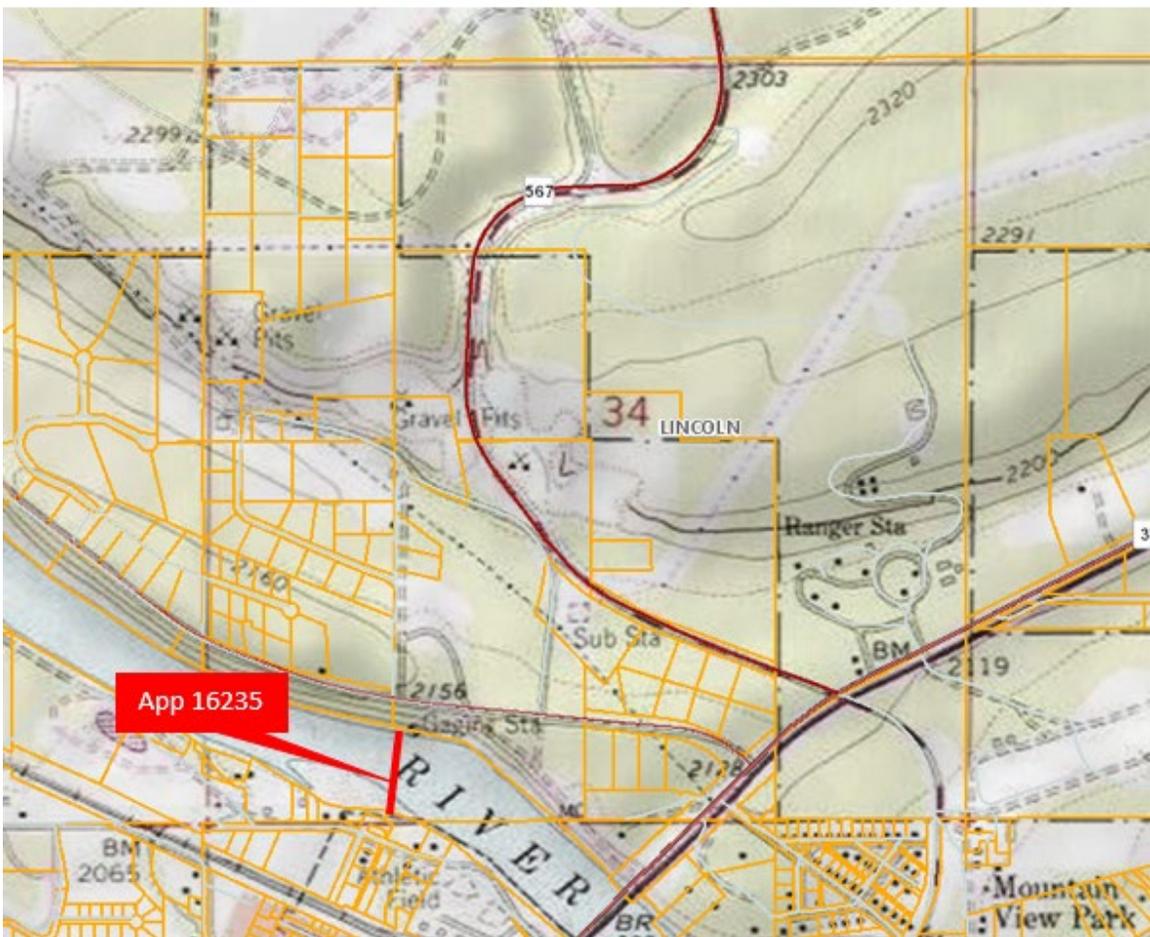
Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16235



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16237
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.10
Compensation: \$1,200.00
Legal Description: 8-foot strip across the Kootenai River in N2NW4, Sec. 3,
Twp. 30N, Rge. 31W, Lincoln County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16237



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16286
R/W Purpose: an overhead 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$120.00
Legal Description: one-foot strip across the Swan River in NW4SW4, Sec. 22,
Twp. 27N, Rge. 19W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16286



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16287
R/W Purpose: an overhead 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$120.00
Legal Description: one-foot strip across the Swan River in NW4NW4, Sec. 35,
Twp. 27N, Rge. 19W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

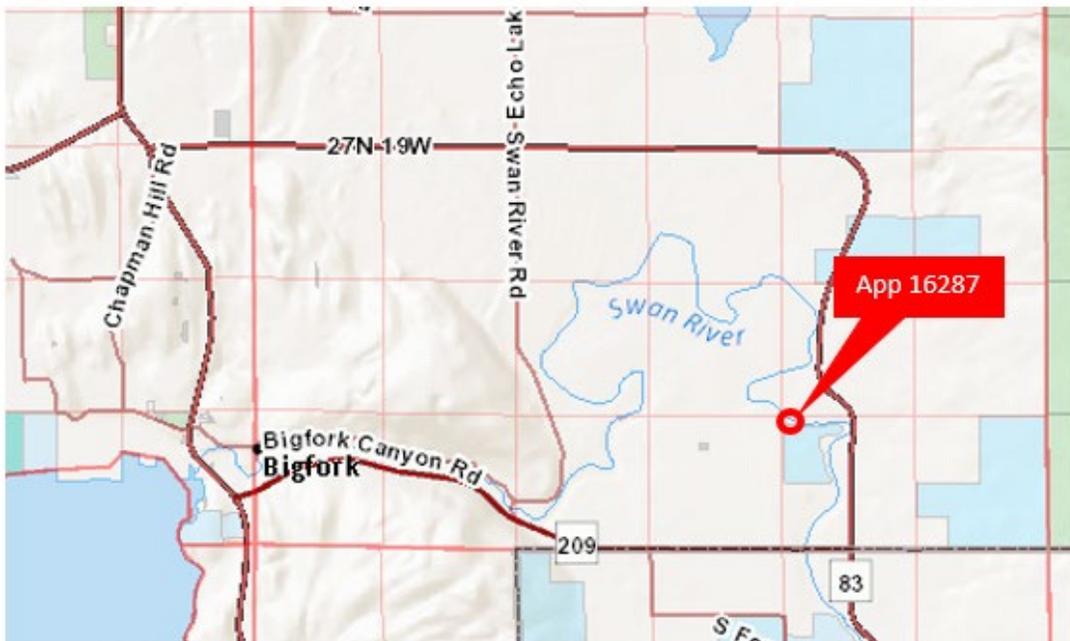
Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16287



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
 2510 US Hwy 2 East
 Kalispell, MT 59901

Application No.: 16288
 R/W Purpose: two buried and two overhead 7.2kV electric distribution lines
 Lessee Agreement: N/A (Historic)
 Acreage: 0.24
 Compensation: \$5,400.00
 Legal Description: one-foot strip beneath Swan Lake adjoining Gov. Lots 3 and 6
 and three 8-foot strips through N2NE4, Sec. 24, Twp. 26N,
 Rge. 19W, Lake County
 Trust Beneficiary: Public Land Trust - Nav. River and School for Deaf and Blind

Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16288



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16289
R/W Purpose: a buried 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.07
Compensation: \$840.00
Legal Description: one-foot strip beneath Swan Lake in NE4SW4, NW4SE4, W2NE4
Sec. 30, Twp. 26N, Rge. 18W, Lake County
Trust Beneficiary: Public Land Trust - Nav. River

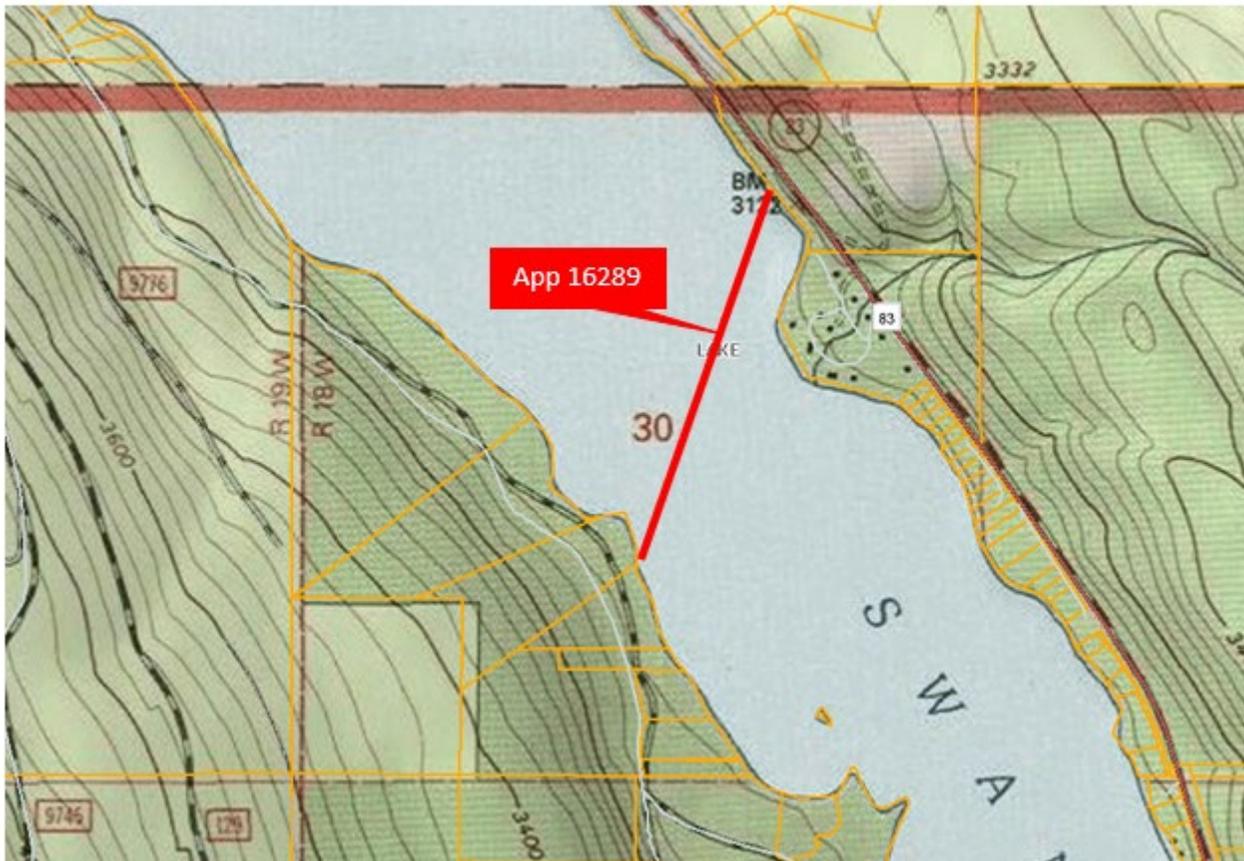
Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16289



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16290
R/W Purpose: a buried 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.06
Compensation: \$720.00
Legal Description: one-foot strip beneath Swan Lake in NW4SW4, S2NW4, Sec. 32,
Twp. 26N, Rge. 18W, Lake County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16290



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16291
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.04
Compensation: \$480.00
Legal Description: 8-foot strip across the Swan River in NW4NW4, Sec. 2, Twp. 26N,
Rge. 19W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16291



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16292
R/W Purpose: a buried 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$120.00
Legal Description: one-foot strip across the Swan River in SE4NW4, Sec. 11,
Twp. 26N, Rge. 19W, Lake County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16292



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16293
R/W Purpose: an overhead 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$120.00
Legal Description: one-foot strip across the Swan River in E2SE4, Sec. 32,
Twp. 27N, Rge. 19W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

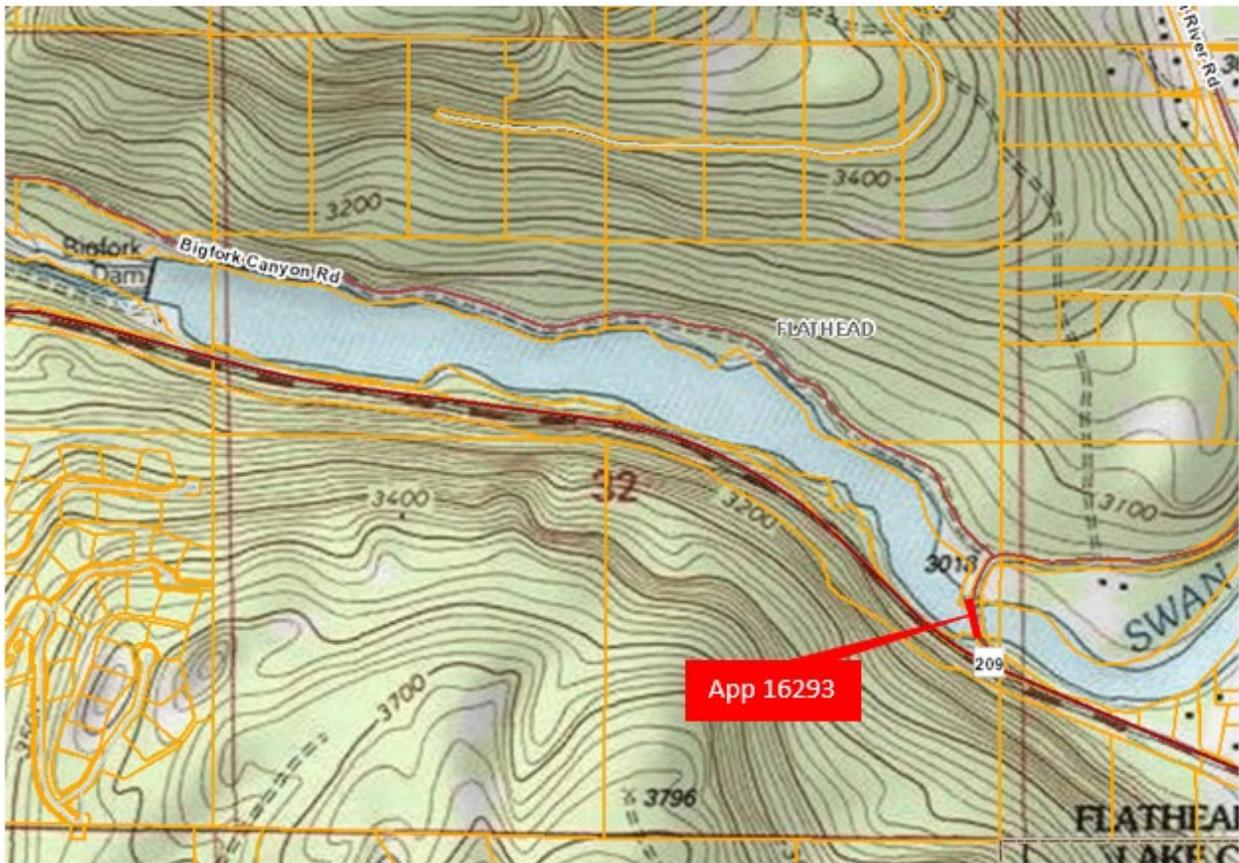
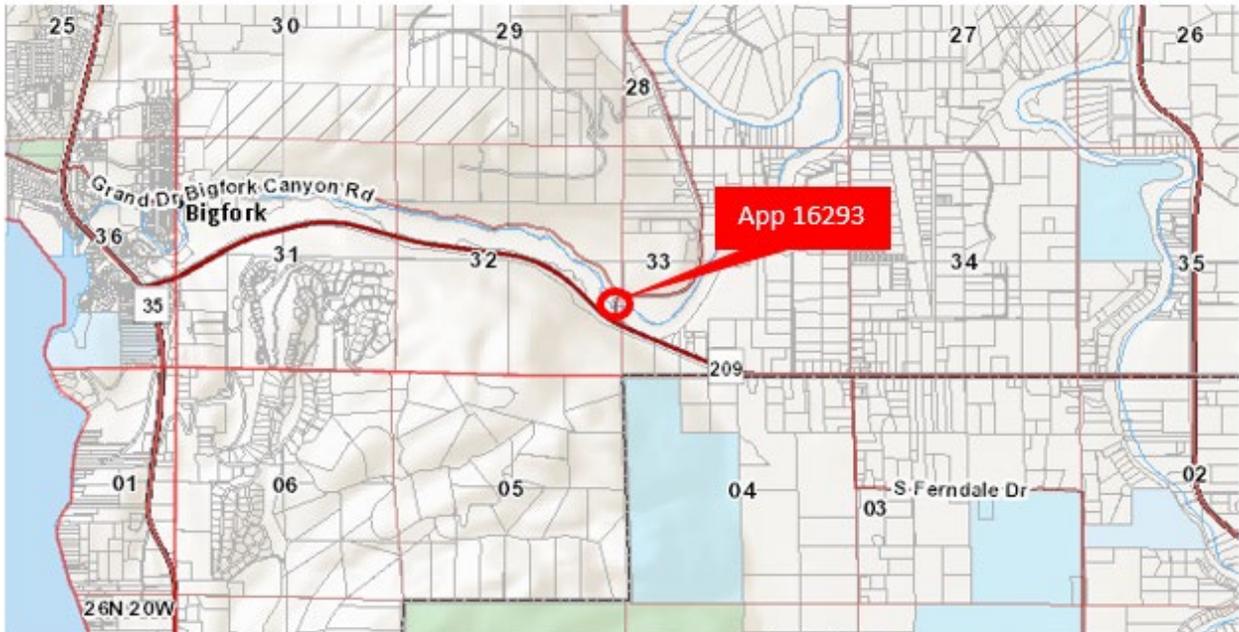
Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16293



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16294
R/W Purpose: seven overhead and three buried 120/240kV electric distribution
lines

Lessee Agreement: N/A (Historic)
Acreage: 0.23
Compensation: \$3,450.00
Legal Description: 8-foot strips through S2SW4, Sec. 18, Twp. 30N, Rge. 20W,
Flathead County
Trust Beneficiary: Veterans Home

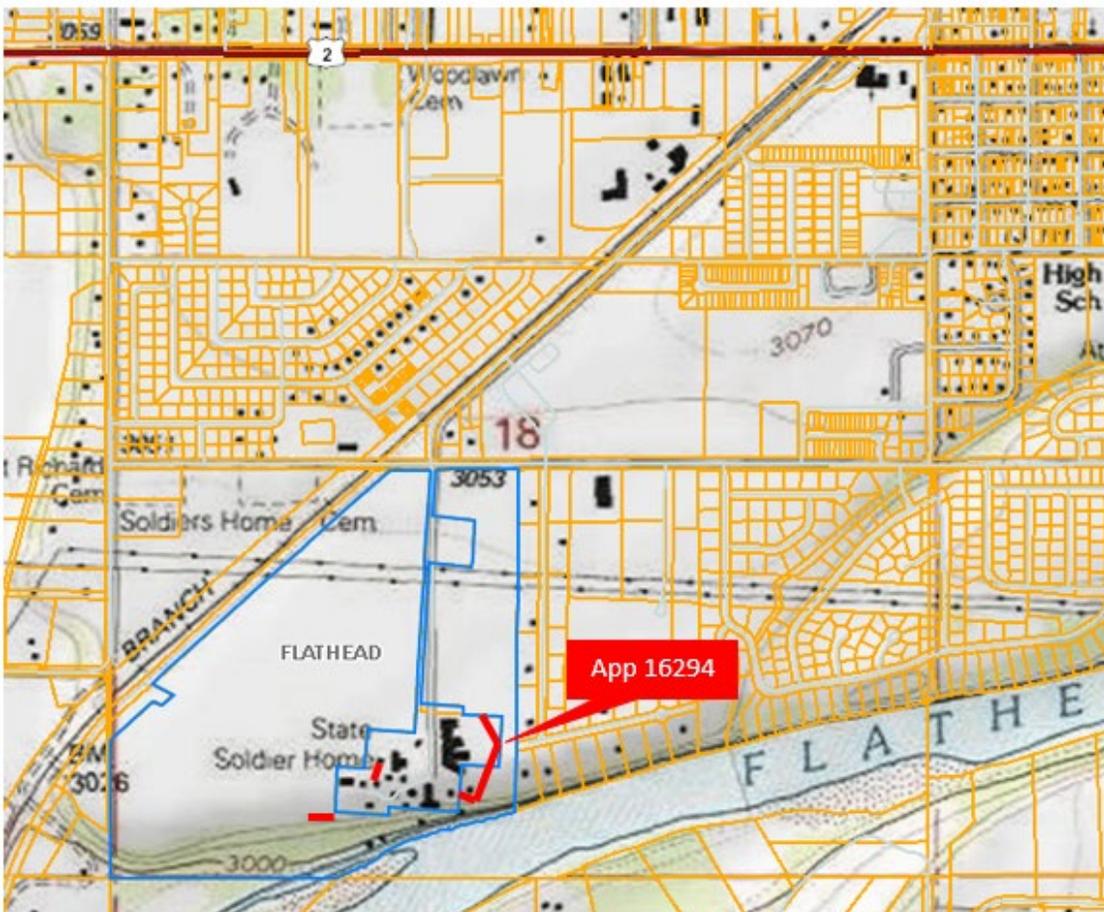
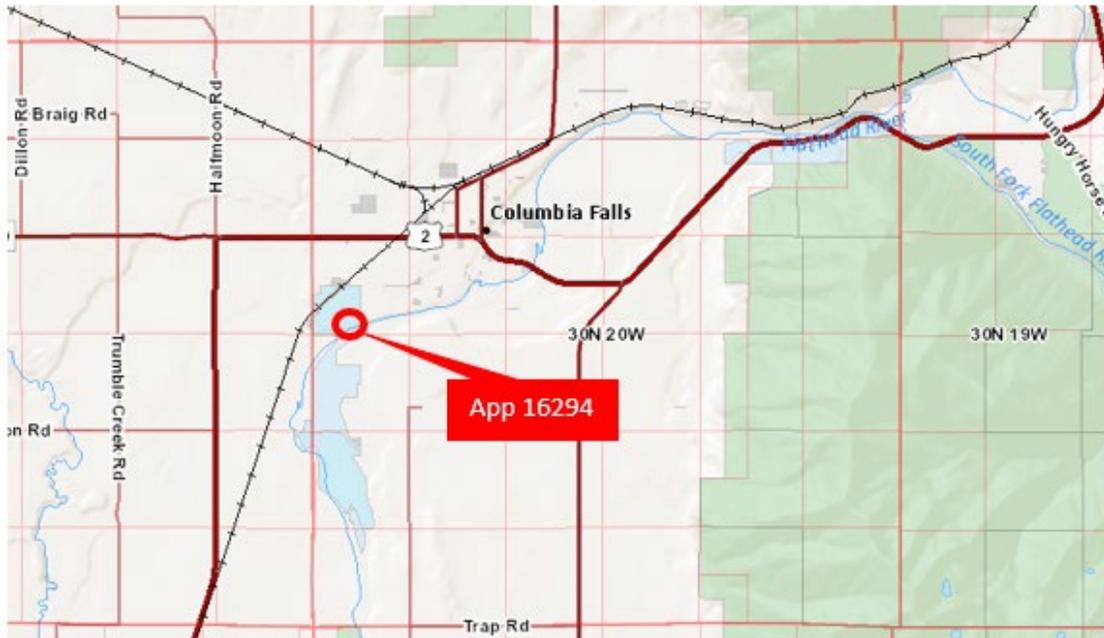
Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16294



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16295
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.05
Compensation: \$600.00
Legal Description: 8-foot strip across the Flathead River SW4NW4, Sec. 19,
Twp. 30N, Rge. 20W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16296
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.13
Compensation: \$1,560.00
Legal Description: 8-foot strip across the Flathead River in SE4NE4, Sec. 24,
Twp. 30N, Rge. 21W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

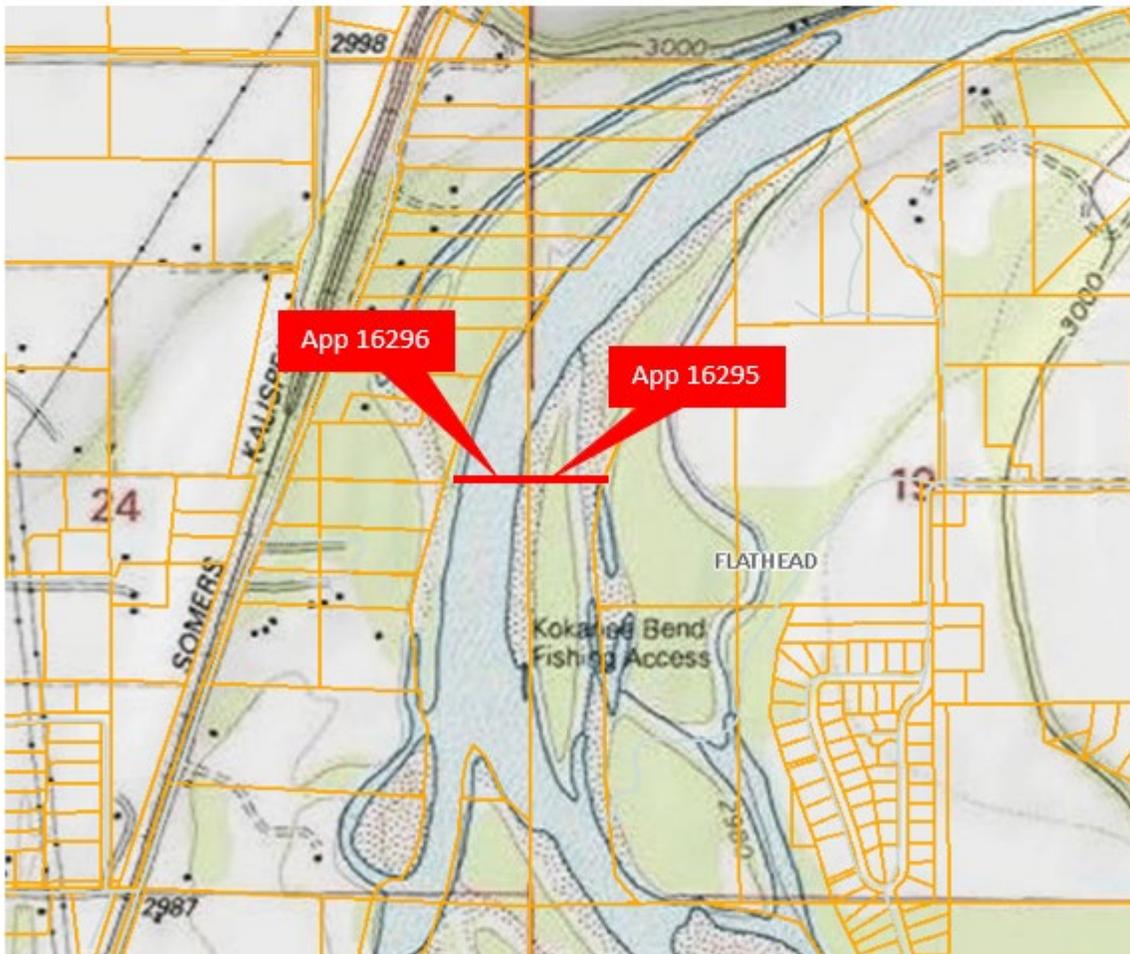
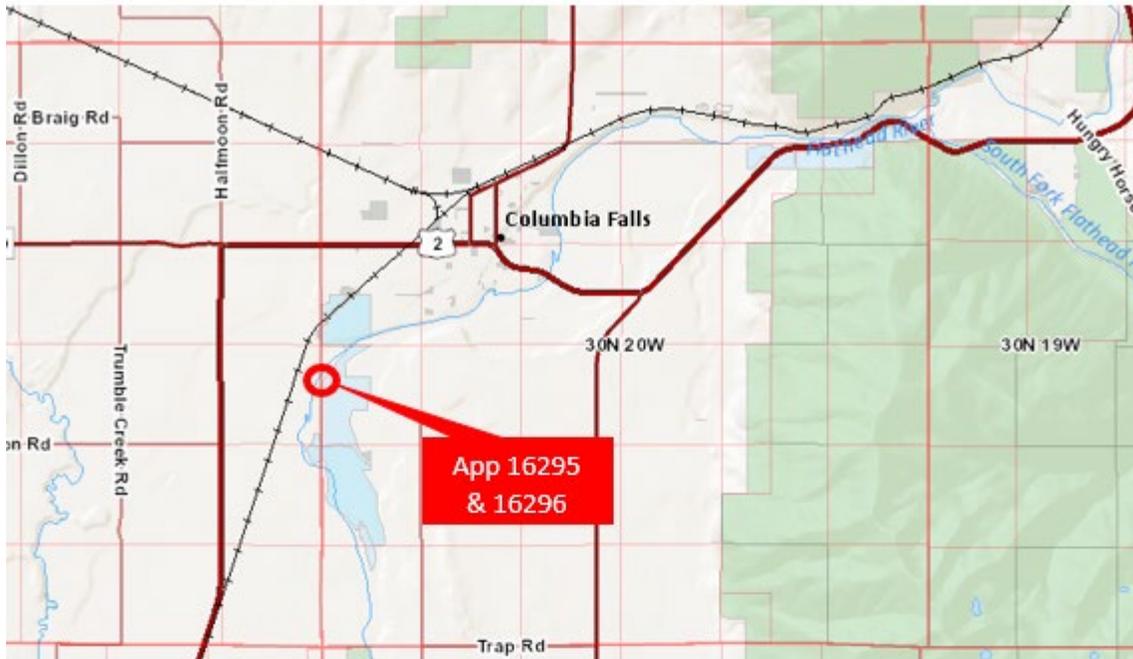
Item Summary

See page 4 for summary

DNRC Recommendation

See page 4 for recommendation.

R/W Application 16295



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16297
R/W Purpose: an overhead 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$100.00
Legal Description: one-foot strip across the Whitefish River in SW4NW4, Sec. 16,
Twp. 30N, Rge. 21W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

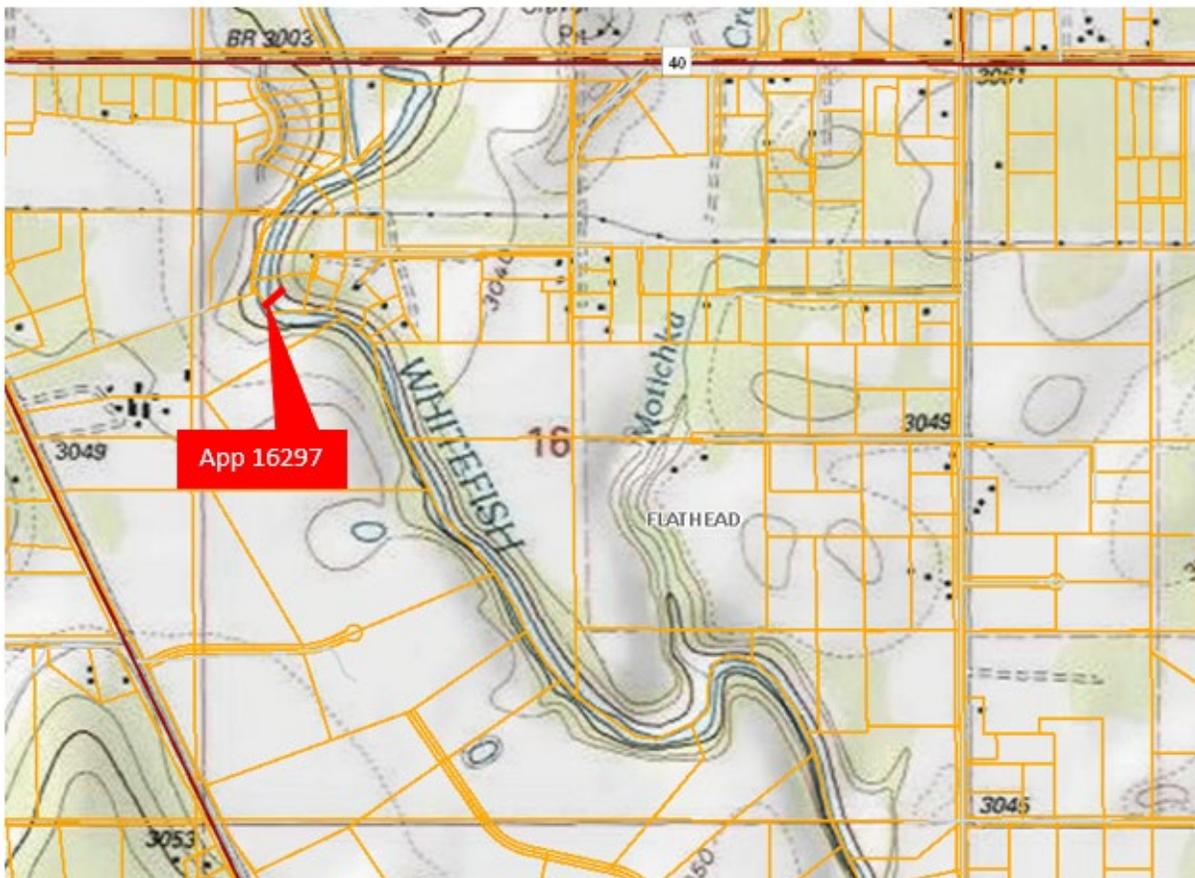
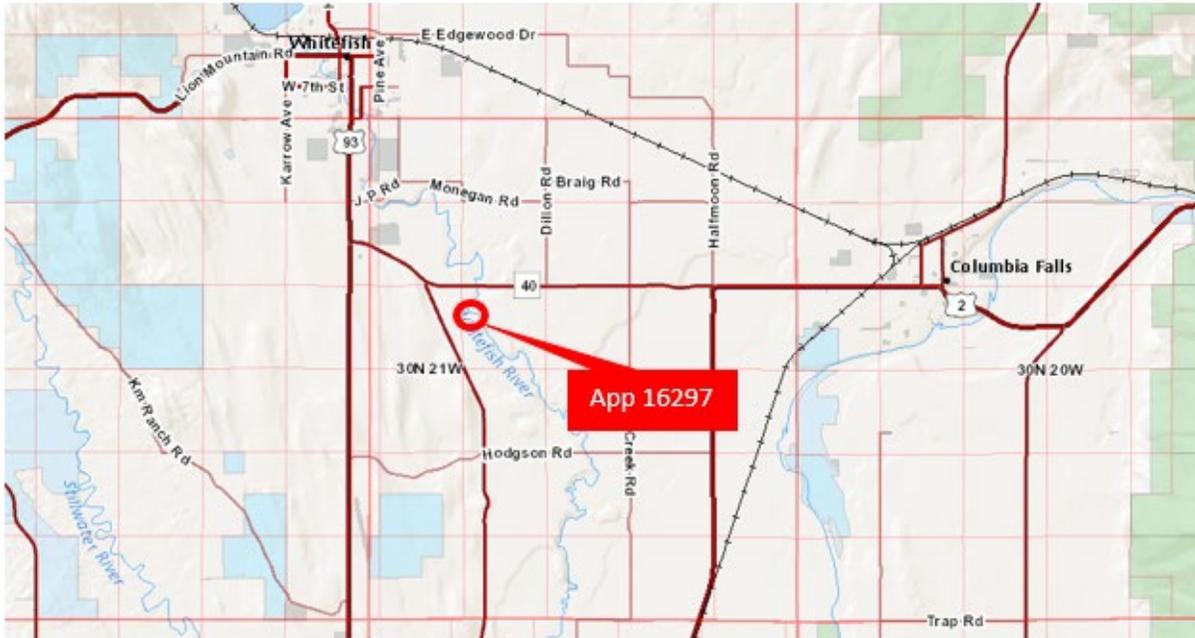
Item Summary

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DNRC Recommendation

See page 4 for recommendation.

R/W Application 16297



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16298
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$120.00
Legal Description: 8-foot strip across the Whitefish River in SE4NE4, Sec. 21,
Twp. 30N, Rge. 21W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

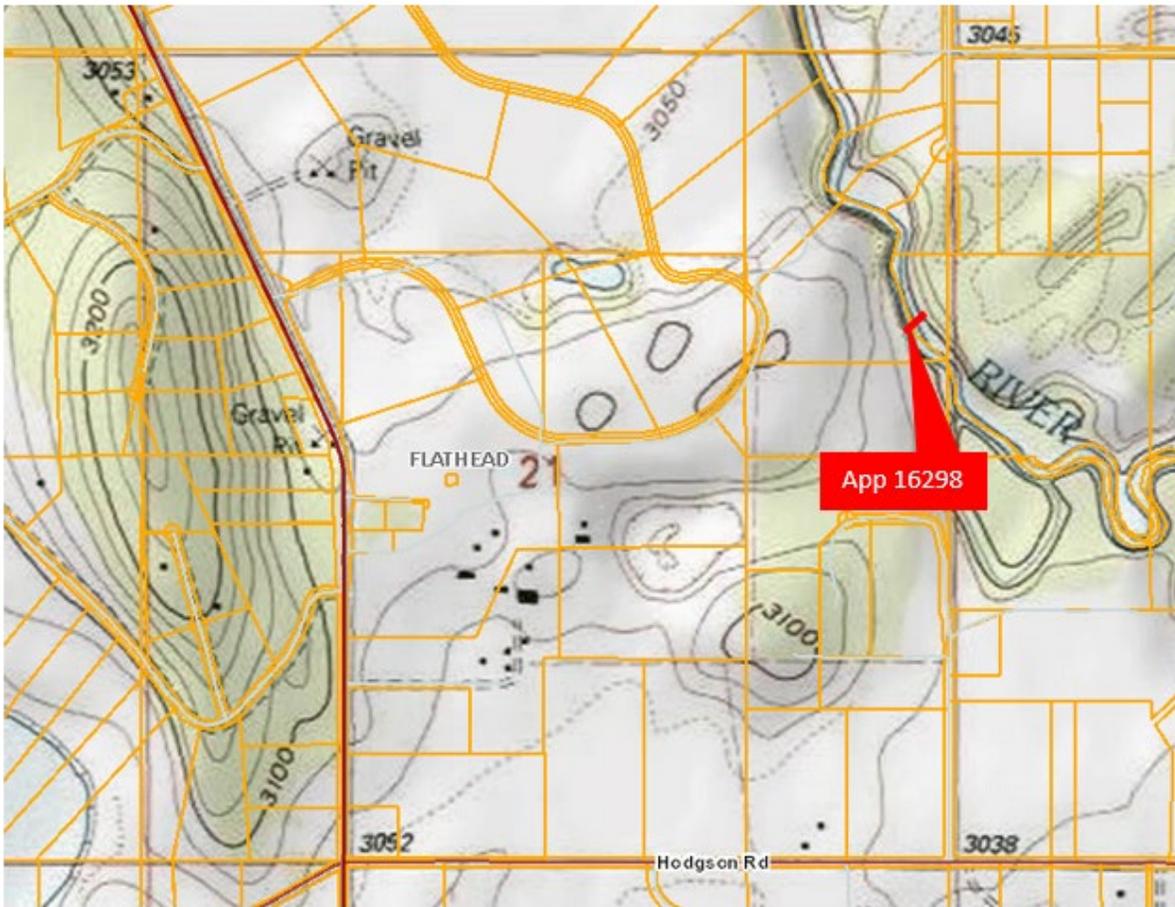
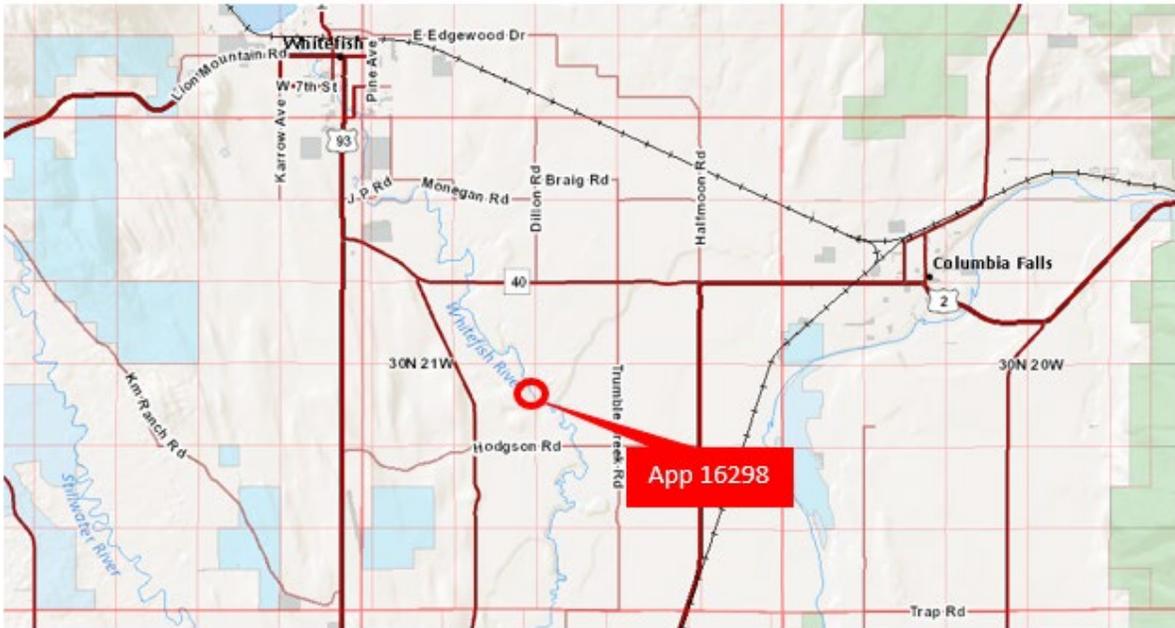
Item Summary

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DNRC Recommendation

See page 4 for recommendation.

R/W Application 16298



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
 2510 US Hwy 2 East
 Kalispell, MT 59901

Application No.: 16299
 R/W Purpose: an overhead 12.5kV electric distribution line and a 7.2kV electric distribution line

Lessee Agreement: N/A (Historic)
 Acreage: 0.01
 Compensation: \$120.00
 Legal Description: 8-foot strip across the Whitefish River in SE4NW4 and a one-foot strip across the Whitefish River in SE4SW4, Sec. 27, Twp. 30N, Rge. 21W, Flathead County

Trust Beneficiary: Public Land Trust - Nav. River

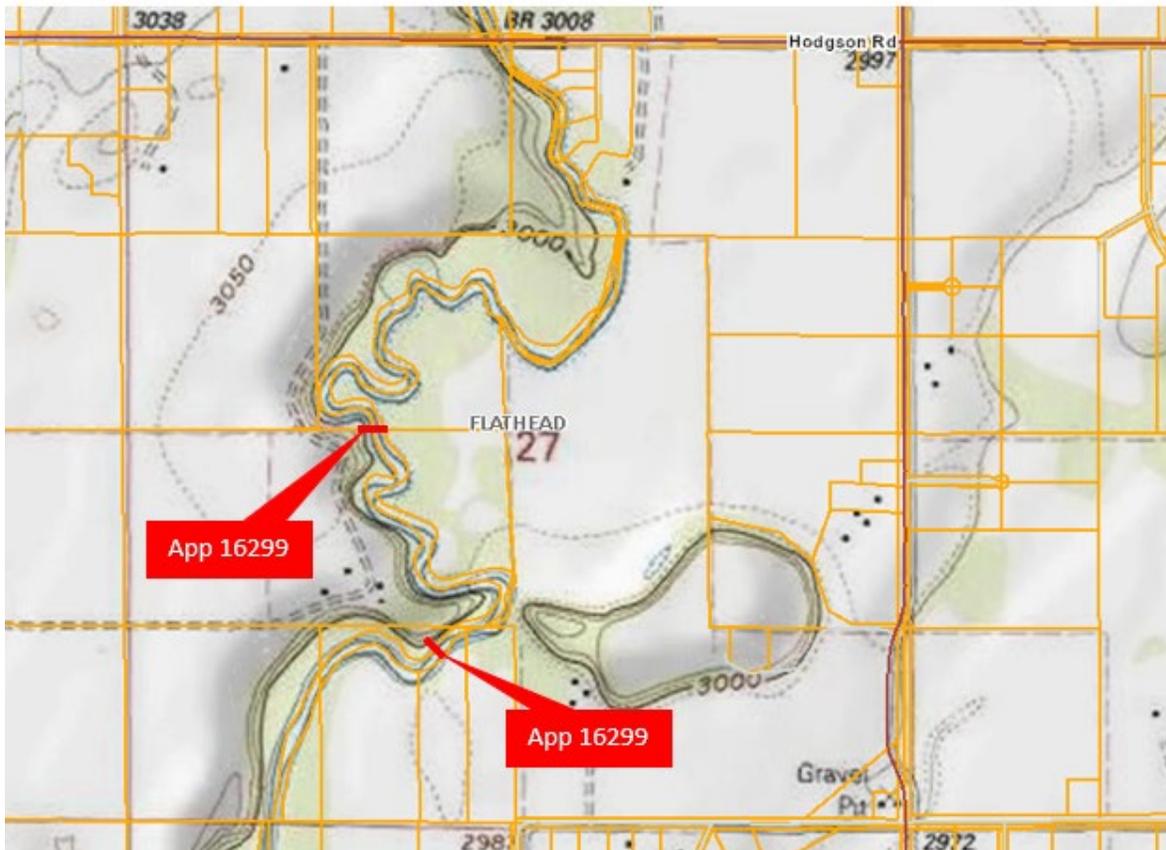
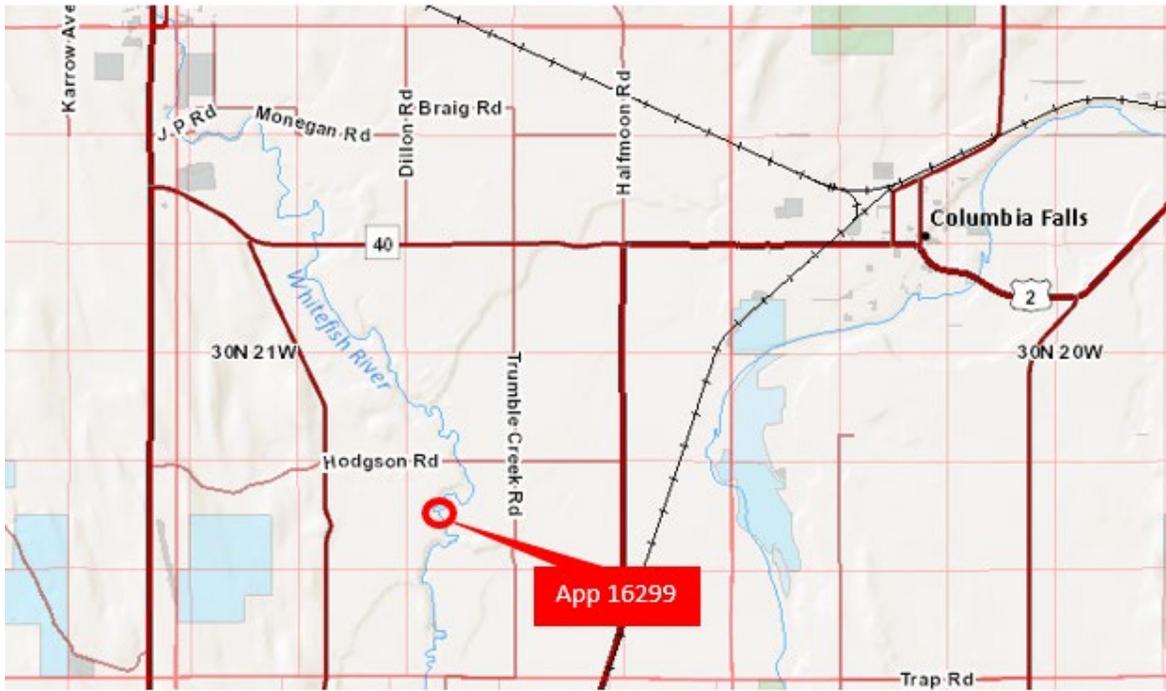
Item Summary

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DNRC Recommendation

See page 4 for recommendation.

R/W Application 16299



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16315
R/W Purpose: an overhead 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.04
Compensation: \$480.00
Legal Description: 8-foot strip across the Swan River in SW4SE4, Sec. 28,
Twp. 27N, Rge. 19W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

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DNRC Recommendation

See page 4 for recommendation.

R/W Application 16315



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16316
R/W Purpose: an overhead 34.5kV transmission line with a 12.5kV electric
distribution feeder

Lessee Agreement: N/A (Historic)
Acreage: 0.02
Compensation: \$240.00
Legal Description: 8-foot strip across the Swan River in NW4NW4, Sec. 31,
Twp. 27N, Rge. 19W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

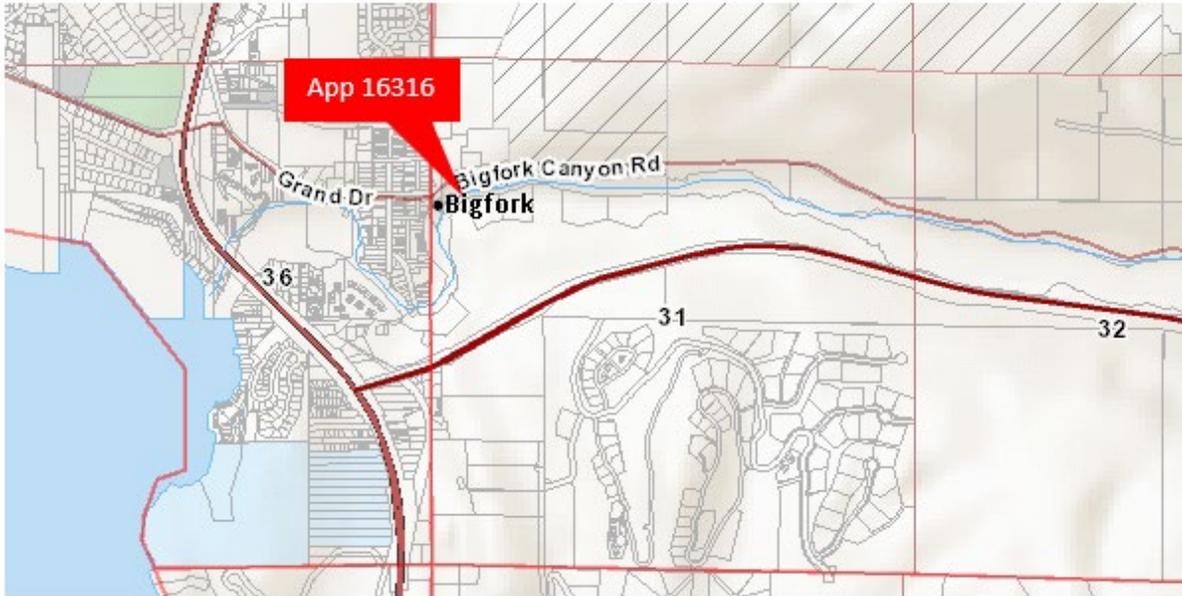
Item Summary

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DNRC Recommendation

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R/W Application 16316



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16317
R/W Purpose: an overhead 34.5kV transmission line and a 12.5kV electric
distribution line

Lessee Agreement: N/A (Historic)
Acreage: 0.30
Compensation: \$3,600.00
Legal Description: 20-foot strip across the Flathead River in SW4SW4, Sec. 23,
Twp. 27N, Rge. 20W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

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DNRC Recommendation

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R/W Application 16317



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16318
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.03
Compensation: \$360.00
Legal Description: 8-foot strip across the Swan River in NE4SE4, Sec. 36,
Twp. 27N, Rge. 20W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

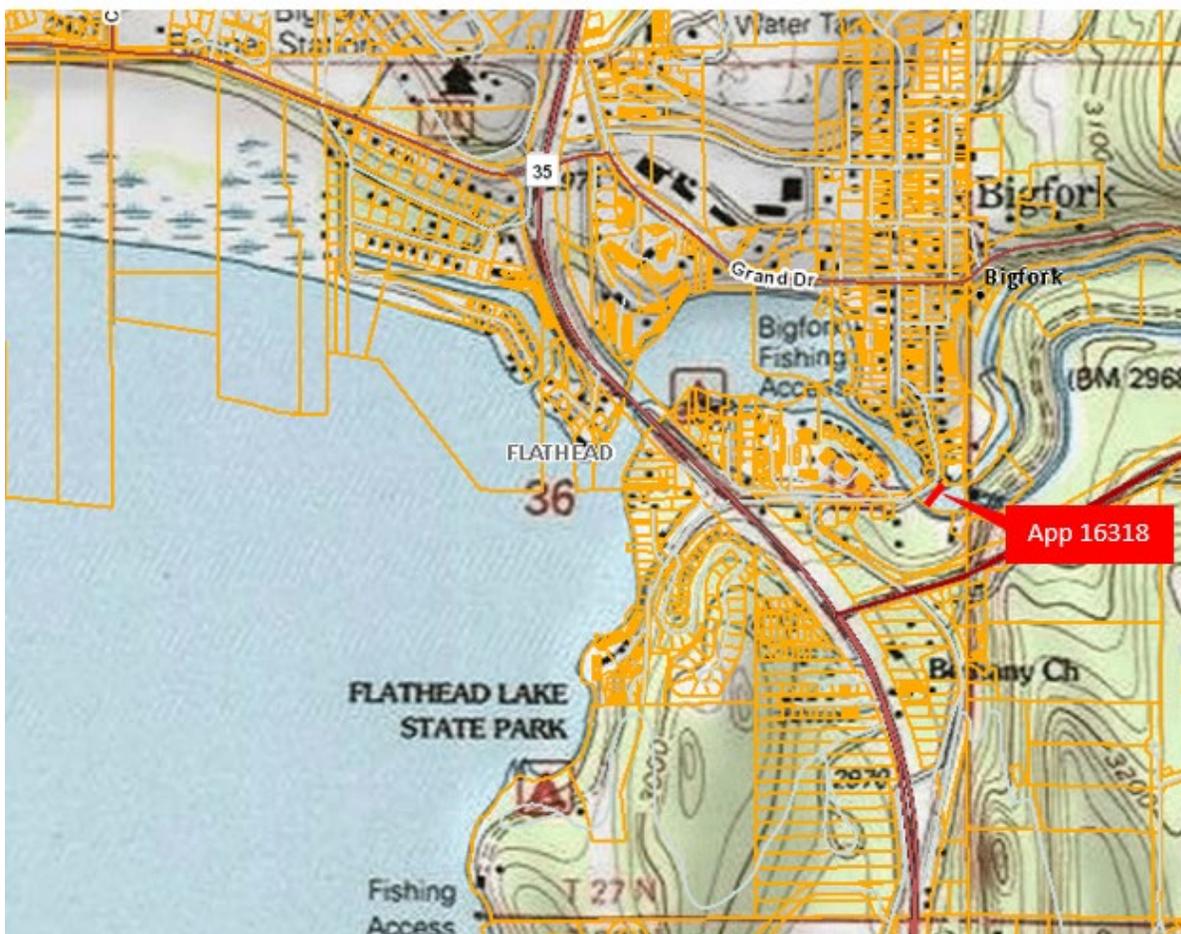
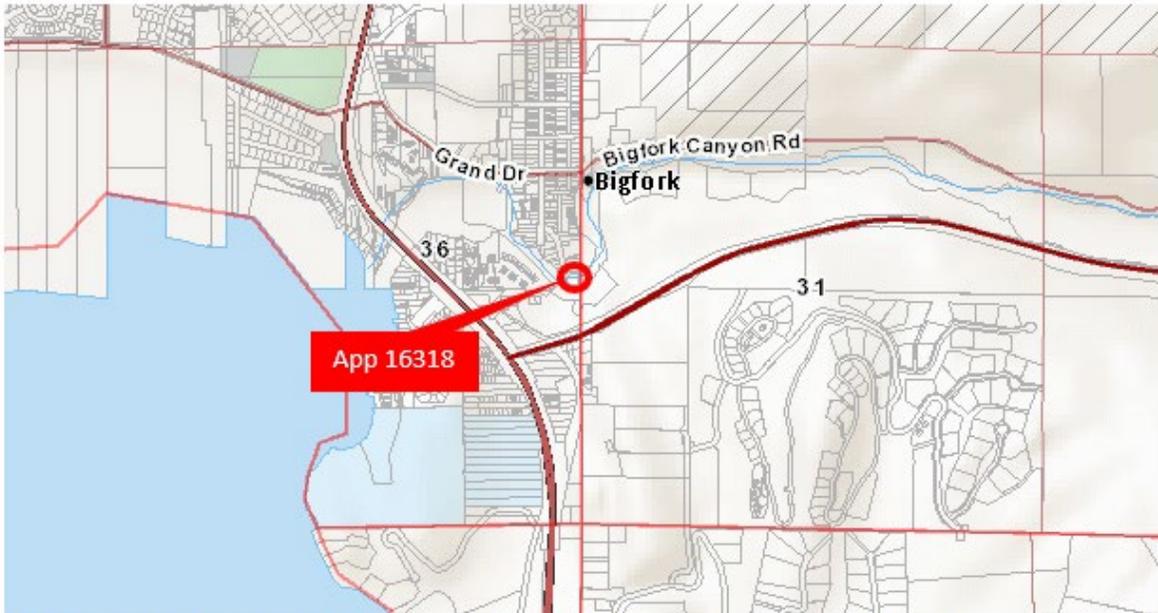
Item Summary

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DNRC Recommendation

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R/W Application 16318



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16319
R/W Purpose: an overhead 34.5kV transmission line with a 12.5kV electric
distribution line

Lessee Agreement: N/A (Historic)
Acreage: 0.27
Compensation: \$3,240.00
Legal Description: 20-foot strip across the Flathead River in NE4NW4, NW4NE4,
Sec. 6, Twp. 29N, Rge. 20W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

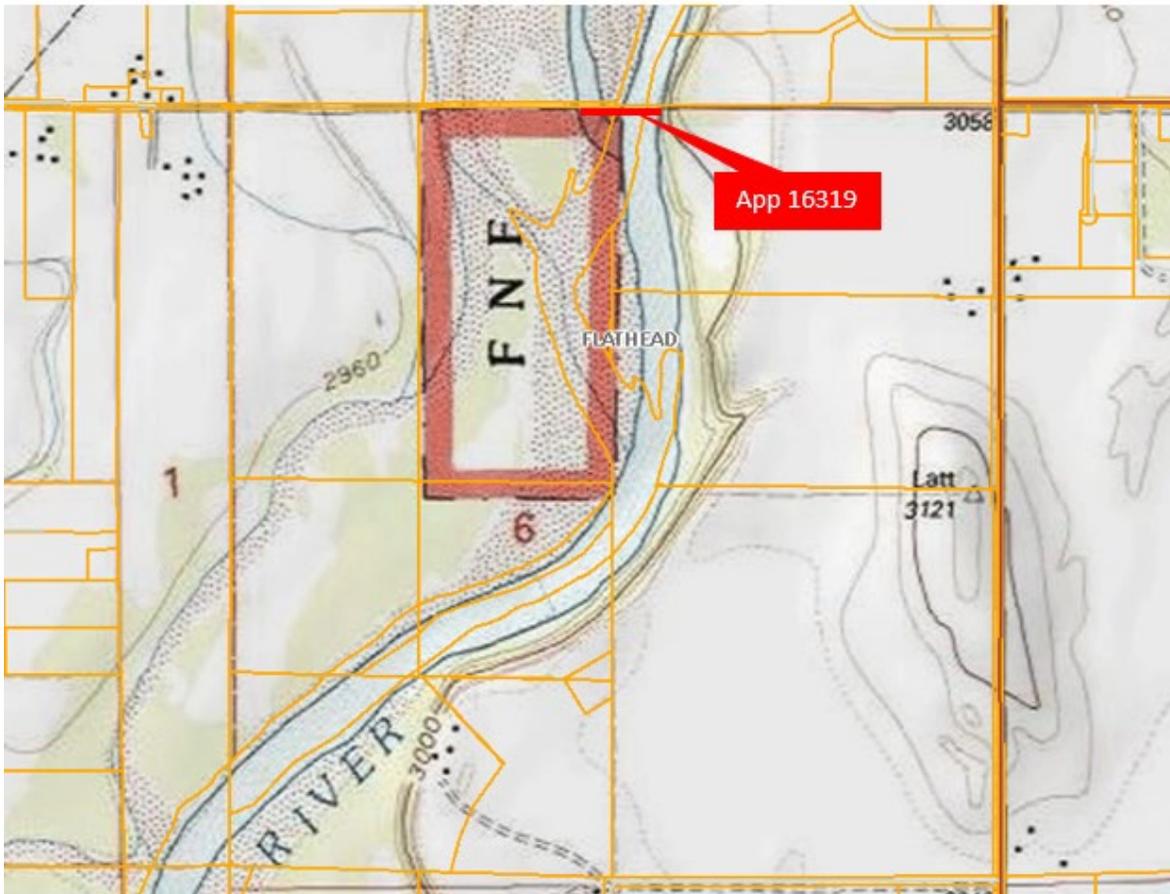
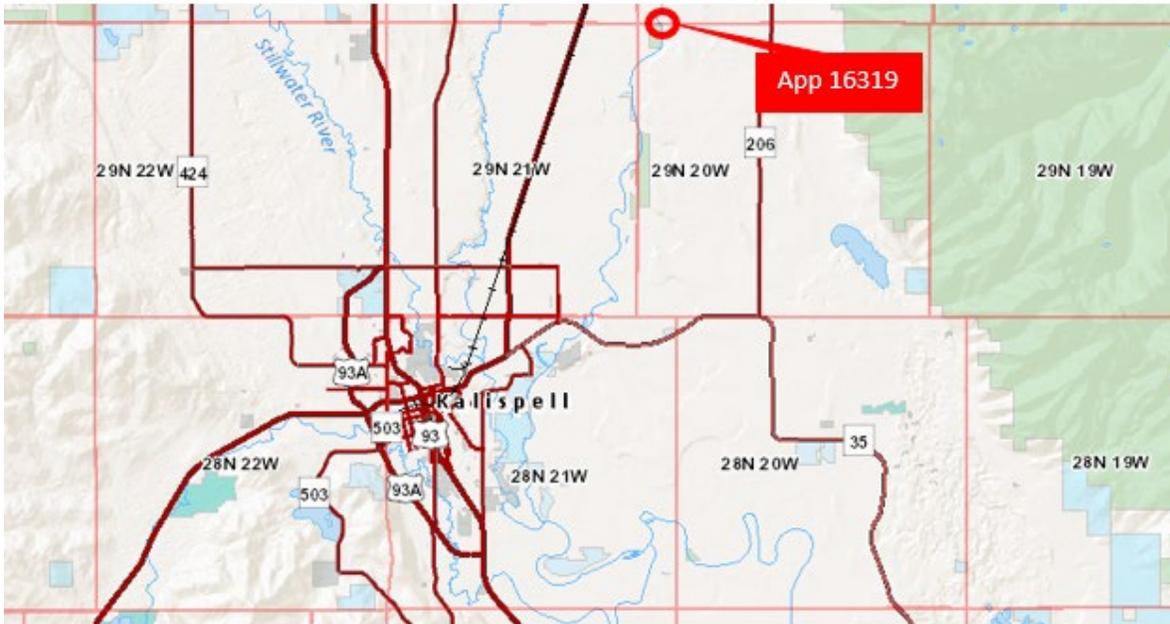
Item Summary

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DNRC Recommendation

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R/W Application 16319



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16320
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.08
Compensation: \$960.00
Legal Description: 8-foot strip across the Flathead River in NW4SE4, Sec. 17,
Twp. 30N, Rge. 20W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

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DNRC Recommendation

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16321
R/W Purpose: an overhead 34.5kV transmission line with a 12.5kV electric
distribution line

Lessee Agreement: N/A (Historic)
Acreage: 0.11
Compensation: \$1,320.00
Legal Description: 10-foot strip across the Flathead River in SE4NW4, Sec. 16,
Twp. 30N, Rge. 20W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

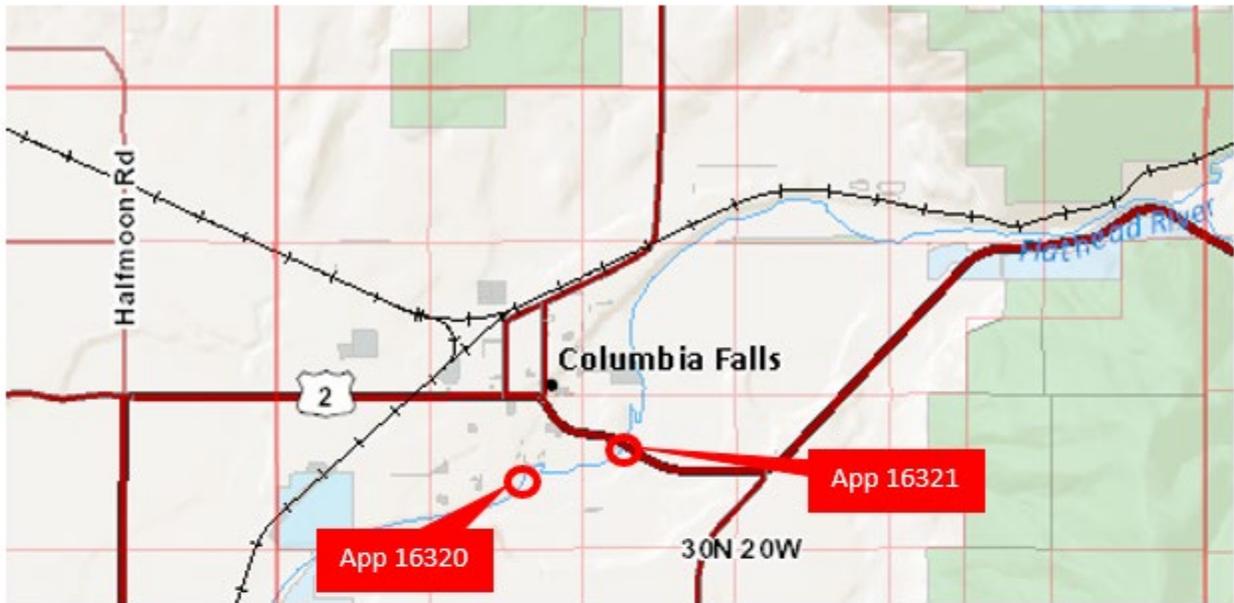
Item Summary

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DNRC Recommendation

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R/W Application 16320 & 16321



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16322
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.16
Compensation: \$1,920.00
Legal Description: 8-foot strip across the Flathead River in SE4SW4, Sec. 2,
Twp. 30N, Rge. 20W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

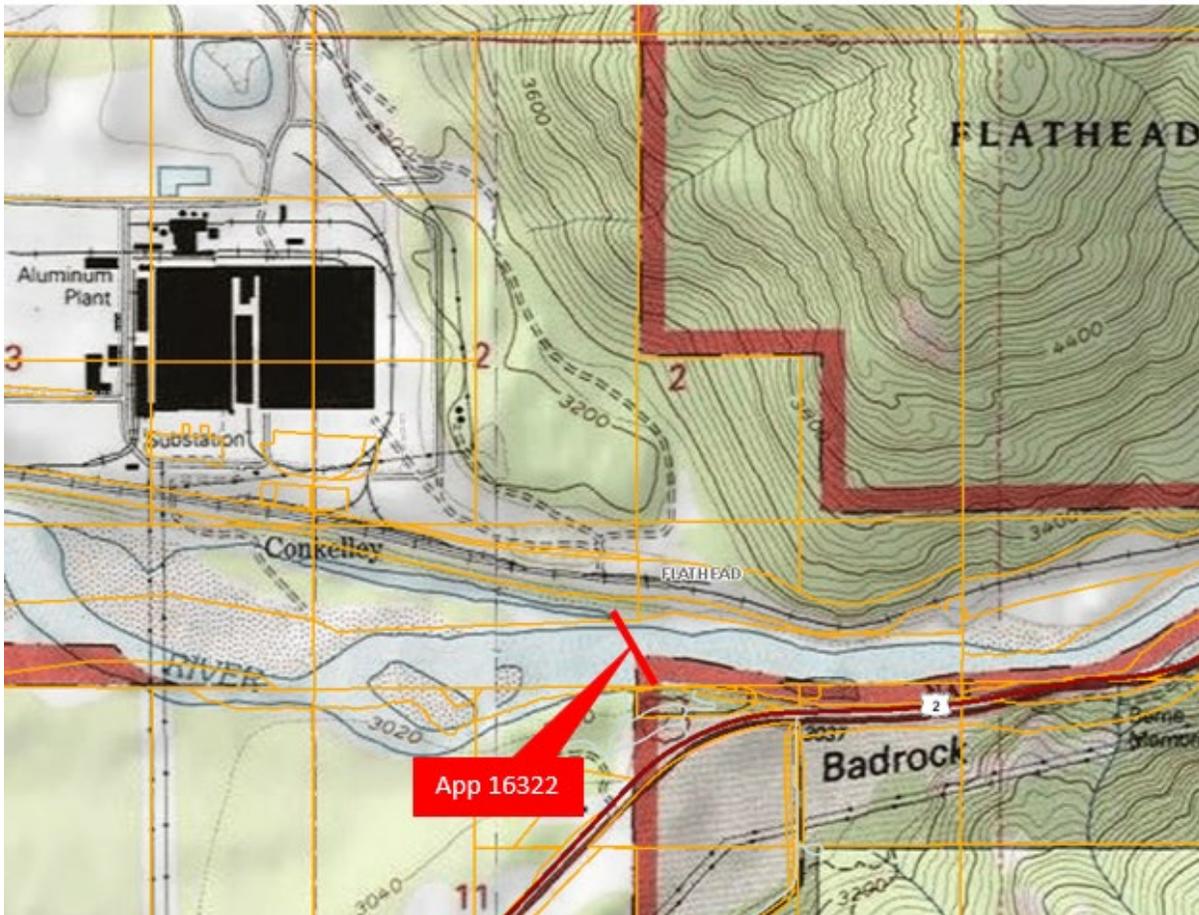
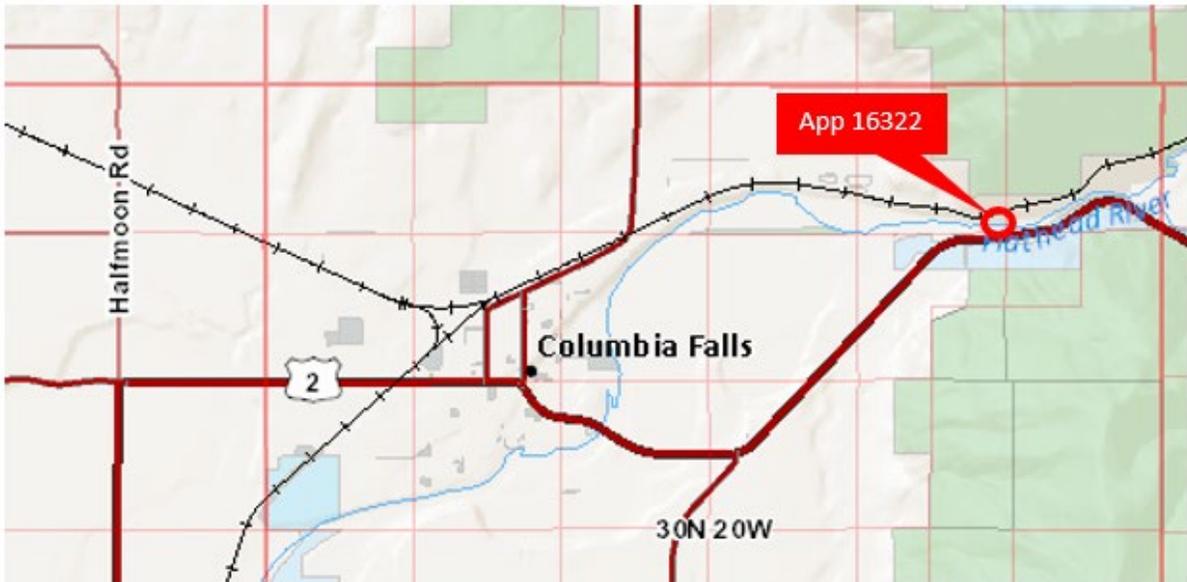
Item Summary

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DNRC Recommendation

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R/W Application 16322



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16323
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$120.00
Legal Description: one-foot strip across the Flathead River in NE4NE4, Sec. 35,
Twp. 32N, Rge. 19W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

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DNRC Recommendation

See page 4 for recommendation.

R/W Application 16323



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16324
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.01
Compensation: \$120.00
Legal Description: one-foot strip across the Flathead River in NE4SW4, Sec. 14,
Twp. 29N, Rge. 16W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

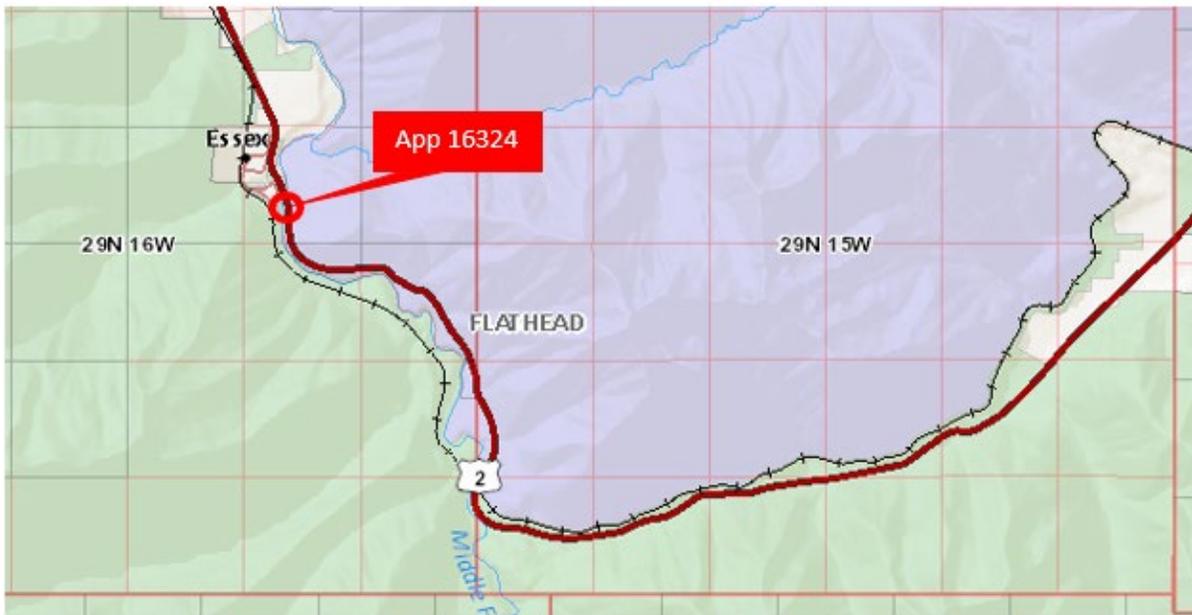
Item Summary

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DNRC Recommendation

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R/W Application 16324



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Flathead Electric Cooperative
2510 US Hwy 2 East
Kalispell, MT 59901

Application No.: 16325
R/W Purpose: an overhead 12.5kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.02
Compensation: \$240.00
Legal Description: 8-foot strip across the Whitefish River in SW4SE4, Sec. 5,
Twp. 30N, Rge. 21W, Flathead County
Trust Beneficiary: Public Land Trust - Nav. River

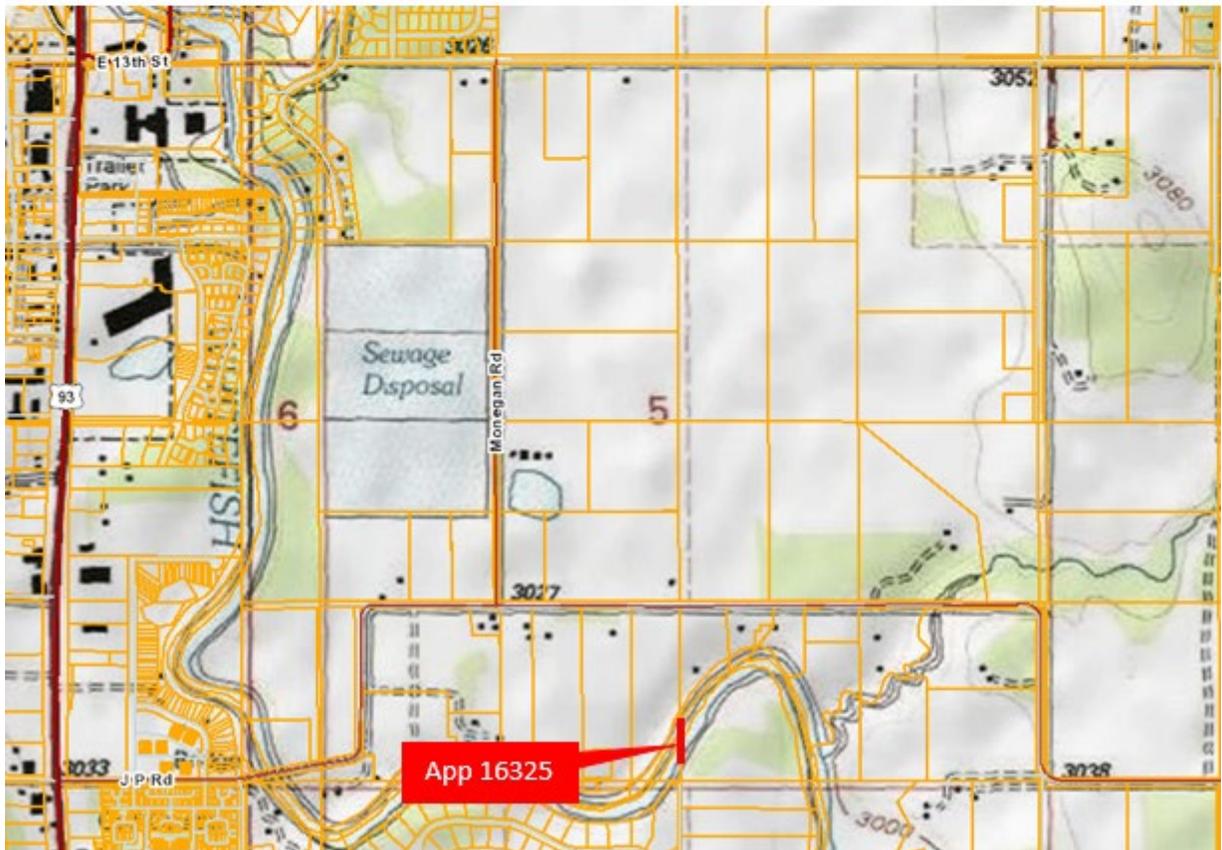
Item Summary

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DNRC Recommendation

See page 4 for recommendation.

R/W Application 16325



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	NorthWestern Energy 11 E. Park Butte, MT 59701
Application No.:	17550
R/W Purpose:	two overhead 24.94 kV electric distribution lines
Lessee Agreement:	N/A (Historic)
Acreage:	4.63
Compensation:	\$16,205.00
Legal Description:	30-foot strip through NW4SE4, SW4NE4 and a 30-foot strip through W2NE4, SE4NE4 & NE4SE4, Sec. 12, Twp. 14N, Rge. 8W, Lewis & Clark County
Trust Beneficiary:	School for the Deaf and Blind

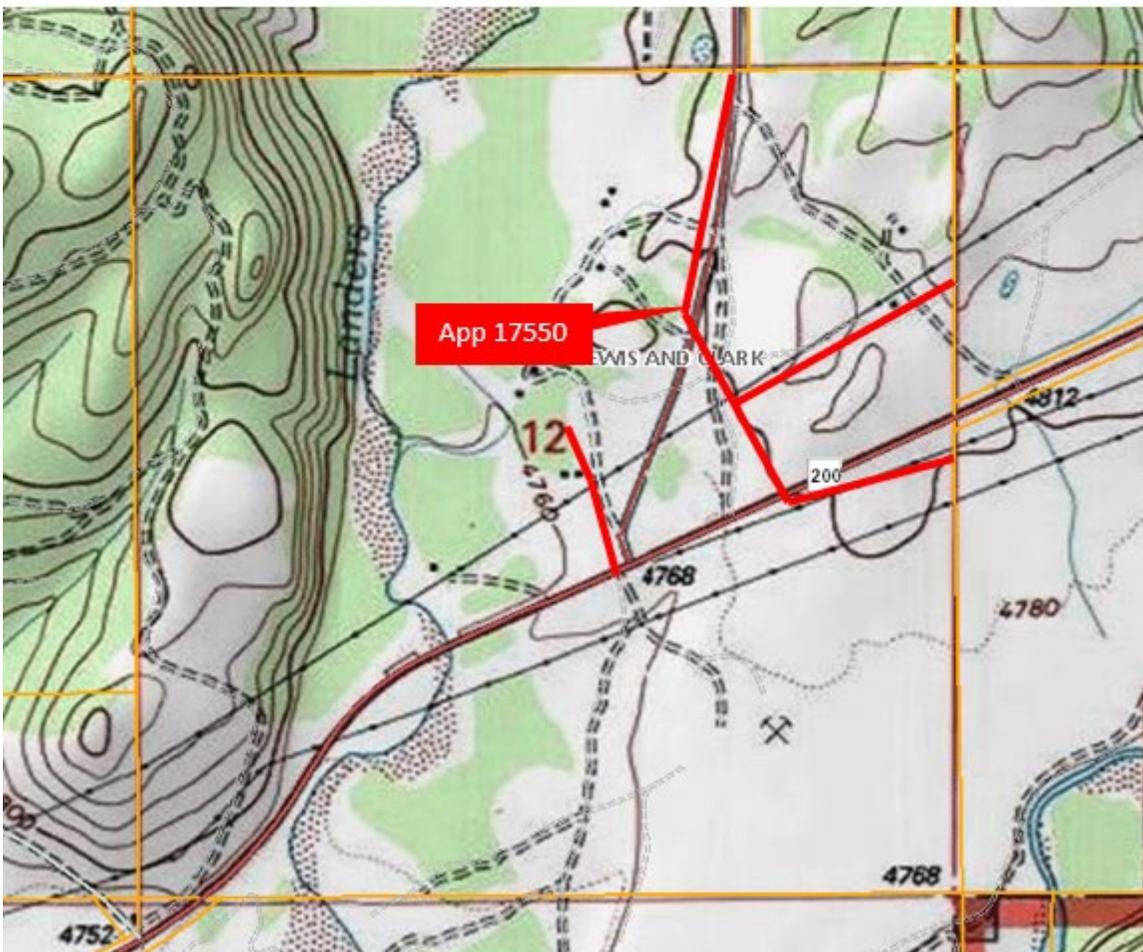
Item Summary

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 the application of these historic rights of way for Northwestern Energy

R/W Application 17550



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18342
R/W Purpose: an overhead and two buried 12.47 kV electric distribution lines
Lessee Agreement: N/A (Historic)
Acreage: 5.27
Compensation: \$105,400.00
Legal Description: 30-foot strip through NW4NE4, NE4SW4 and 30-foot strip through S2SW4 and E2SW4, S2SE4, Sec. 36, Twp. 1N, Rge. 4E, Gallatin County

Trust Beneficiary: Common Schools

Item Summary

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DNRC Recommendation

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R/W Application 18342



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18494
R/W Purpose: an overhead 7.2kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.87
Compensation: \$1,044.00
Legal Description: 30-foot strip through Gov. Lots 6 and 7, Sec. 16, Twp. 12S,
Rge. 2E, Madison County
Trust Beneficiary: Common Schools

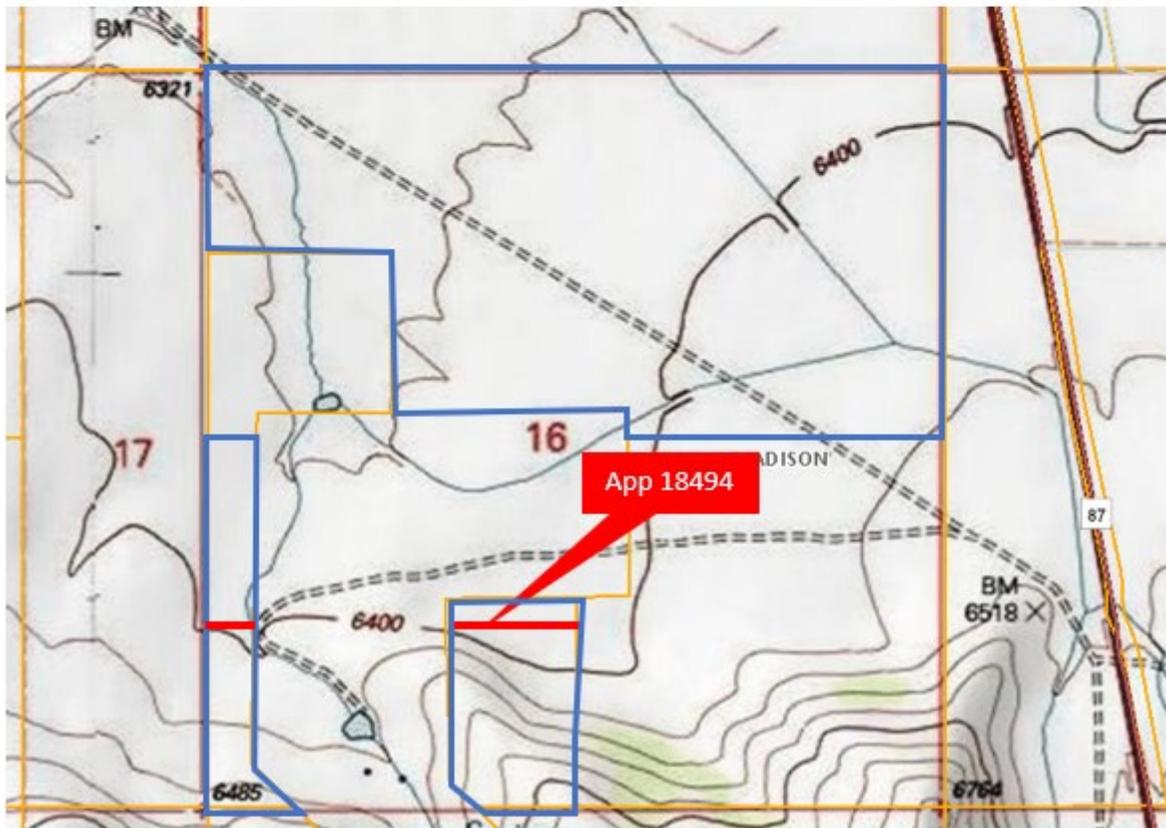
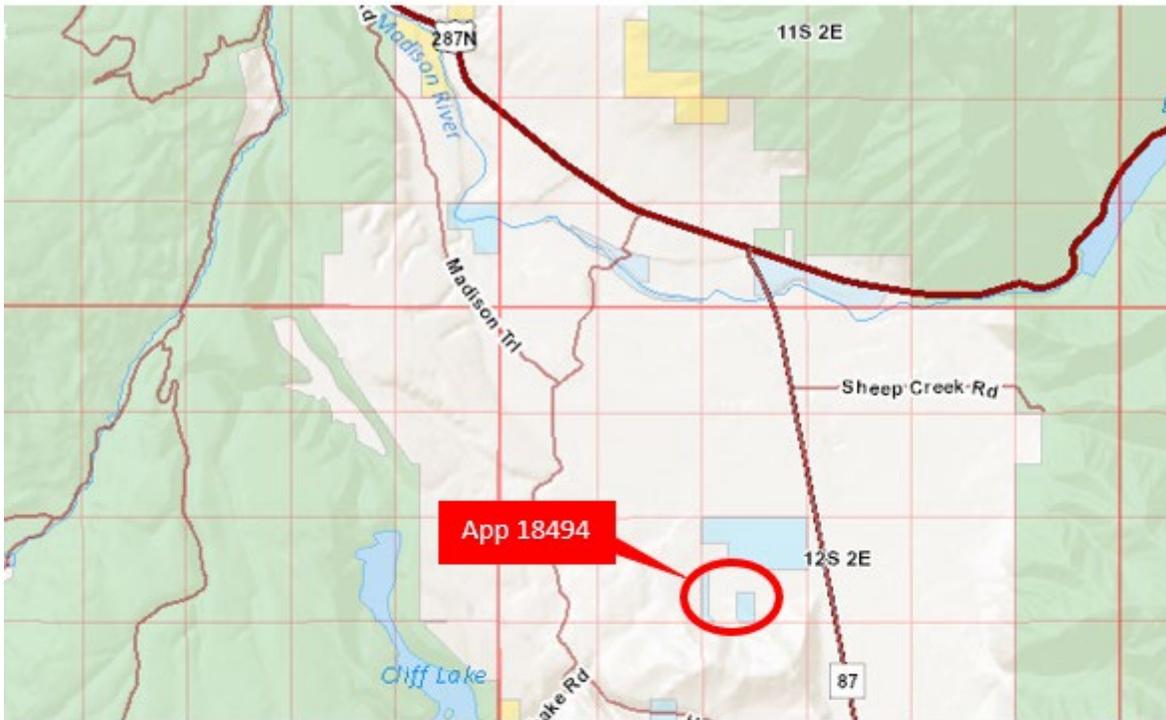
Item Summary

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DNRC Recommendation

See page 60 for recommendation.

R/W Application 18494



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18517
R/W Purpose: a buried 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.20
Compensation: \$137.00
Legal Description: 30-foot strip through NE4NE4, Sec. 16, Twp. 1N, Rge. 40E,
Rosebud County
Trust Beneficiary: Common Schools

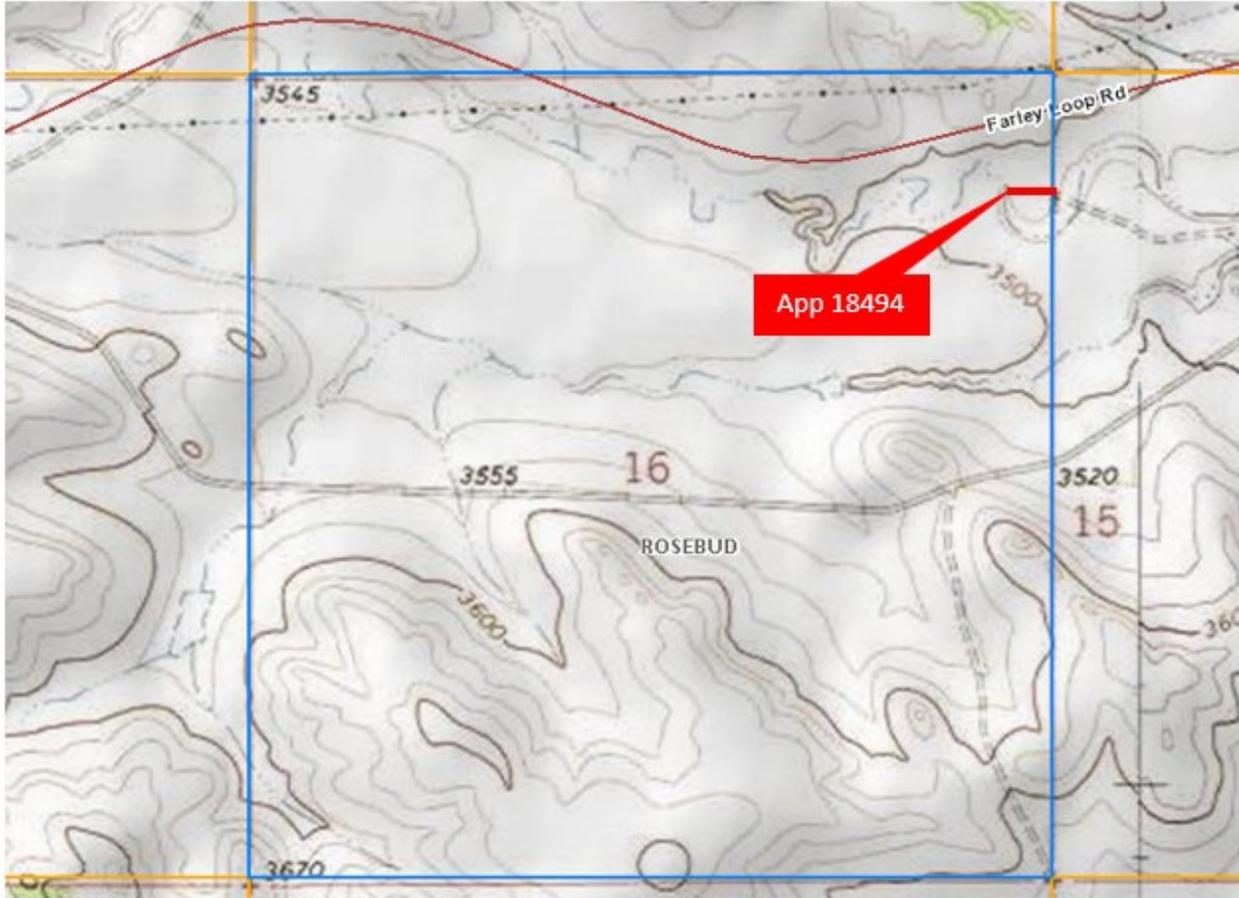
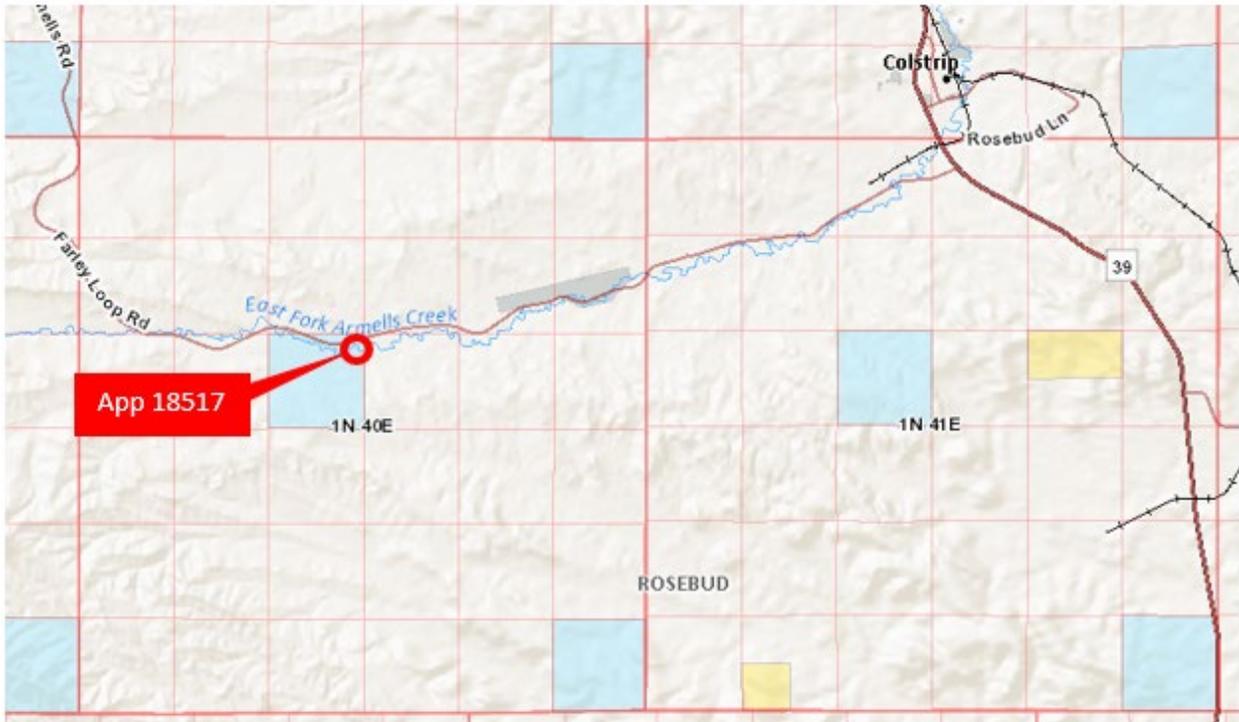
Item Summary

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DNRC Recommendation

See page 60 for recommendation.

R/W Application 18517



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18635
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 0.28
Compensation: \$168.00
Legal Description: 30-foot strip through SE4NE4, NE4SE4, Sec. 27, Twp. 22N,
Rge. 11E, Chouteau County
Trust Beneficiary: Common Schools

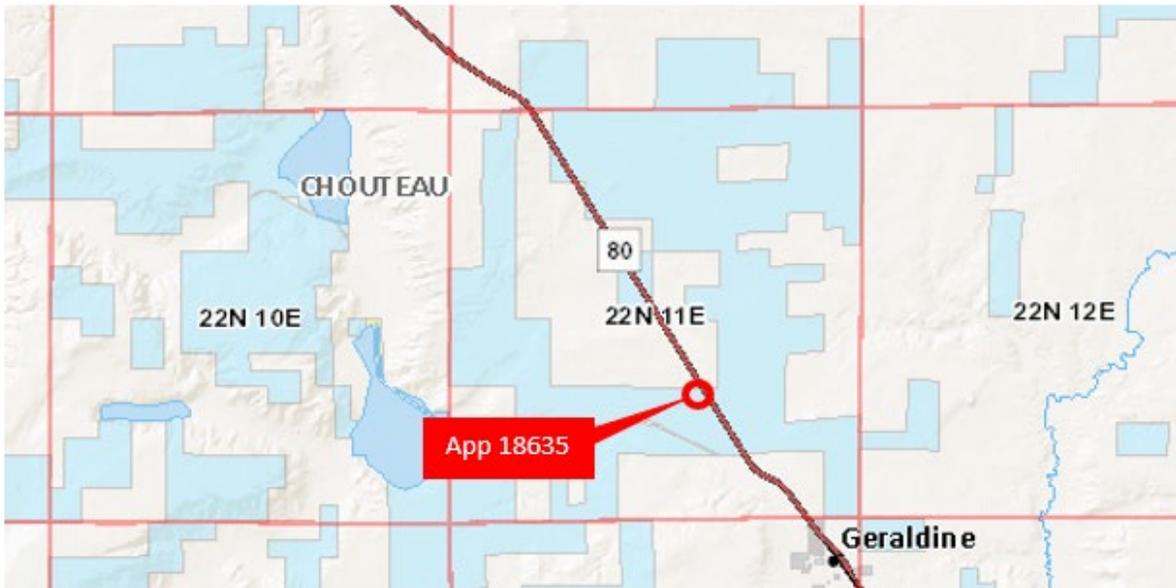
Item Summary

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DNRC Recommendation

See page 60 for recommendation.

R/W Application 18635



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18636
R/W Purpose: two overhead 12.47 kV electric distribution lines
Lessee Agreement: N/A (Historic)
Acreage: 2.79
Compensation: \$1,116.00
Legal Description: a 30-foot strip through SE4SW4 and a 30-foot strip through
NE4NW4, W2NE4, N2SE4, Sec. 36, Twp. 11N, Rge. 31E,
Rosebud County

Trust Beneficiary: Common Schools

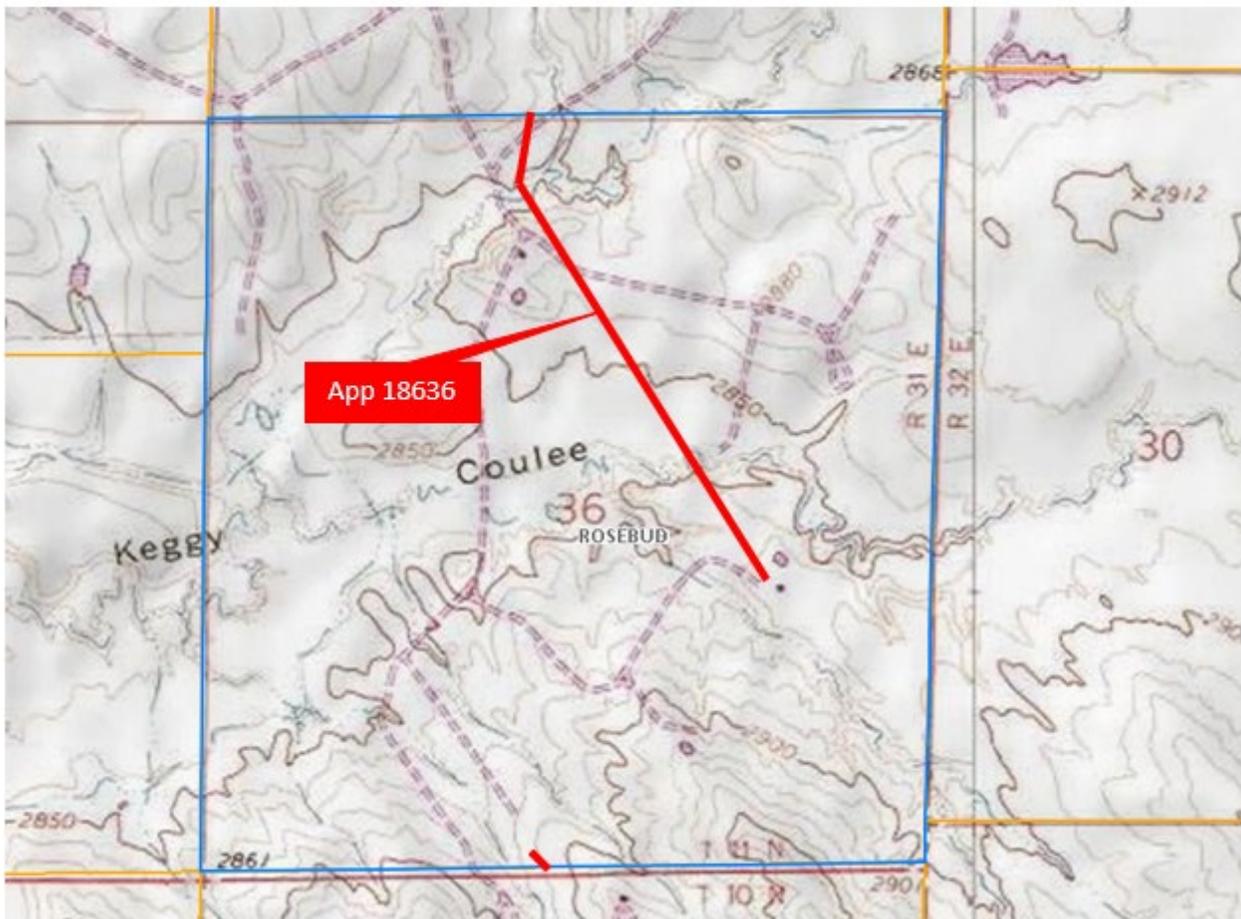
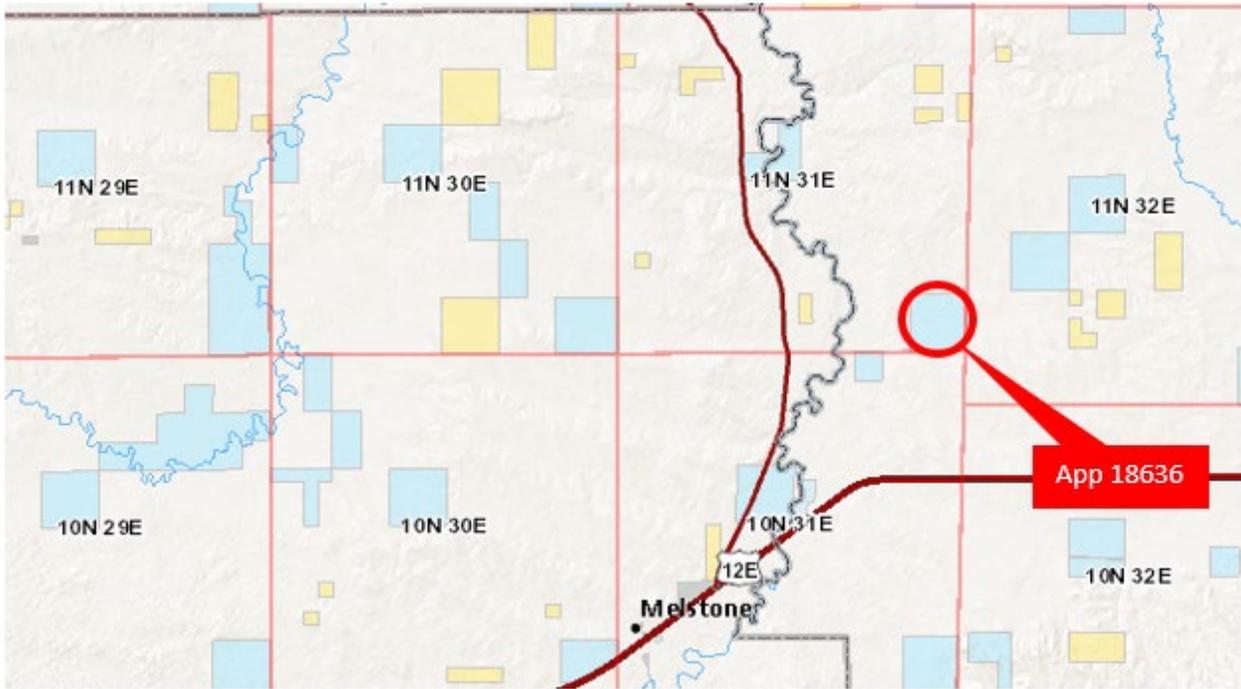
Item Summary

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DNRC Recommendation

See page 60 for recommendation.

R/W Application 18636



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18637
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 3.29
Compensation: \$2,632.00
Legal Description: 30-foot strip through N2SW4, SE4SW4, S2SE4, Sec. 32,
Twp. 9N, Rge. 12E, Wheatland County
Trust Beneficiary: School for the Deaf and Blind

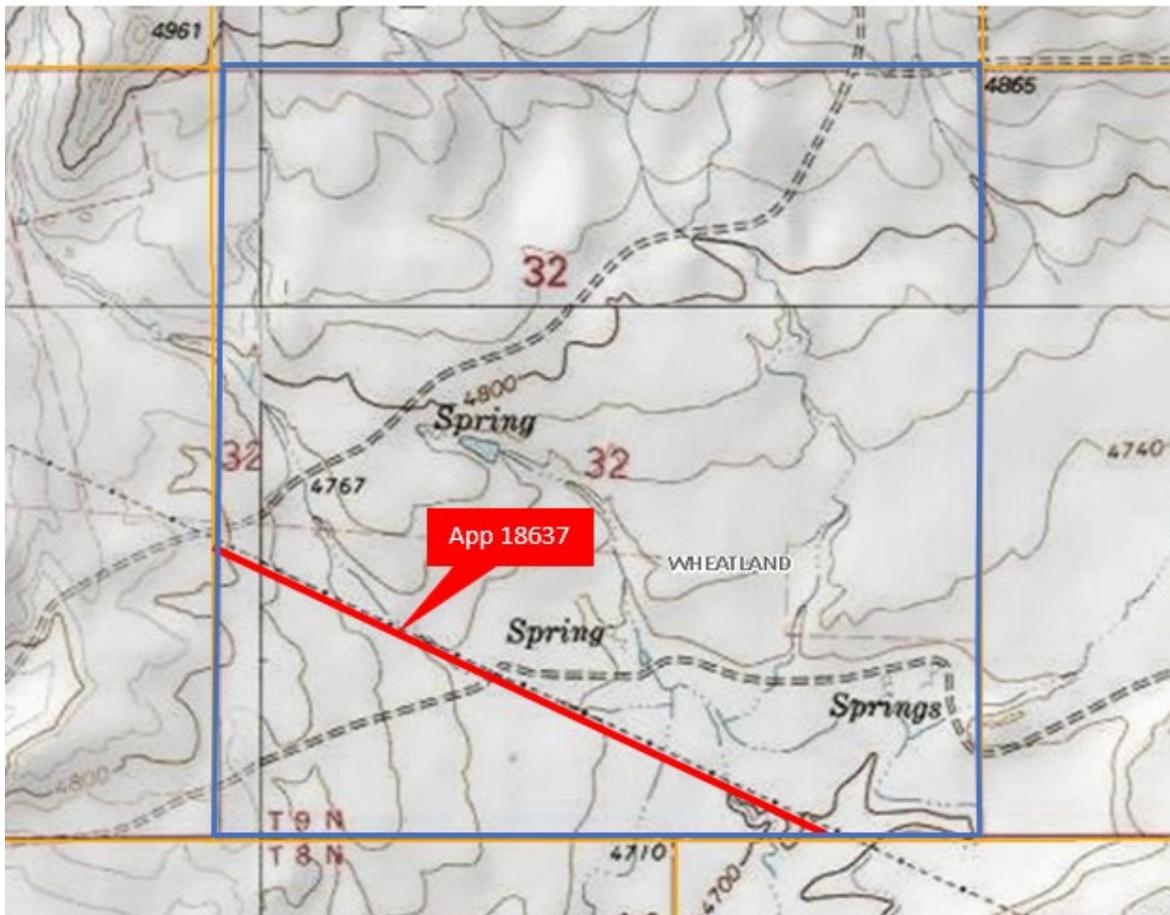
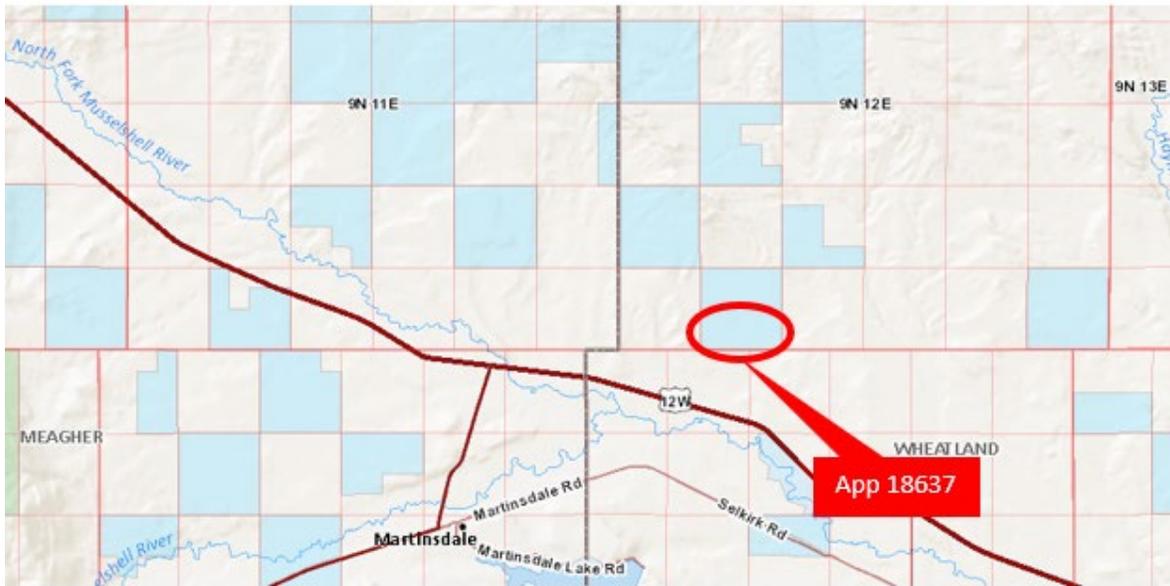
Item Summary

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DNRC Recommendation

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R/W Application 18637



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 18638
R/W Purpose: an overhead 12.47 kV electric distribution line
Lessee Agreement: N/A (Historic)
Acreage: 1.90
Compensation: \$1,520.00
Legal Description: 30-foot strip through SE4NE4, N2SE4, Sec. 36, Twp. 10N,
Rge. 30E, Musselshell County
Trust Beneficiary: Common Schools

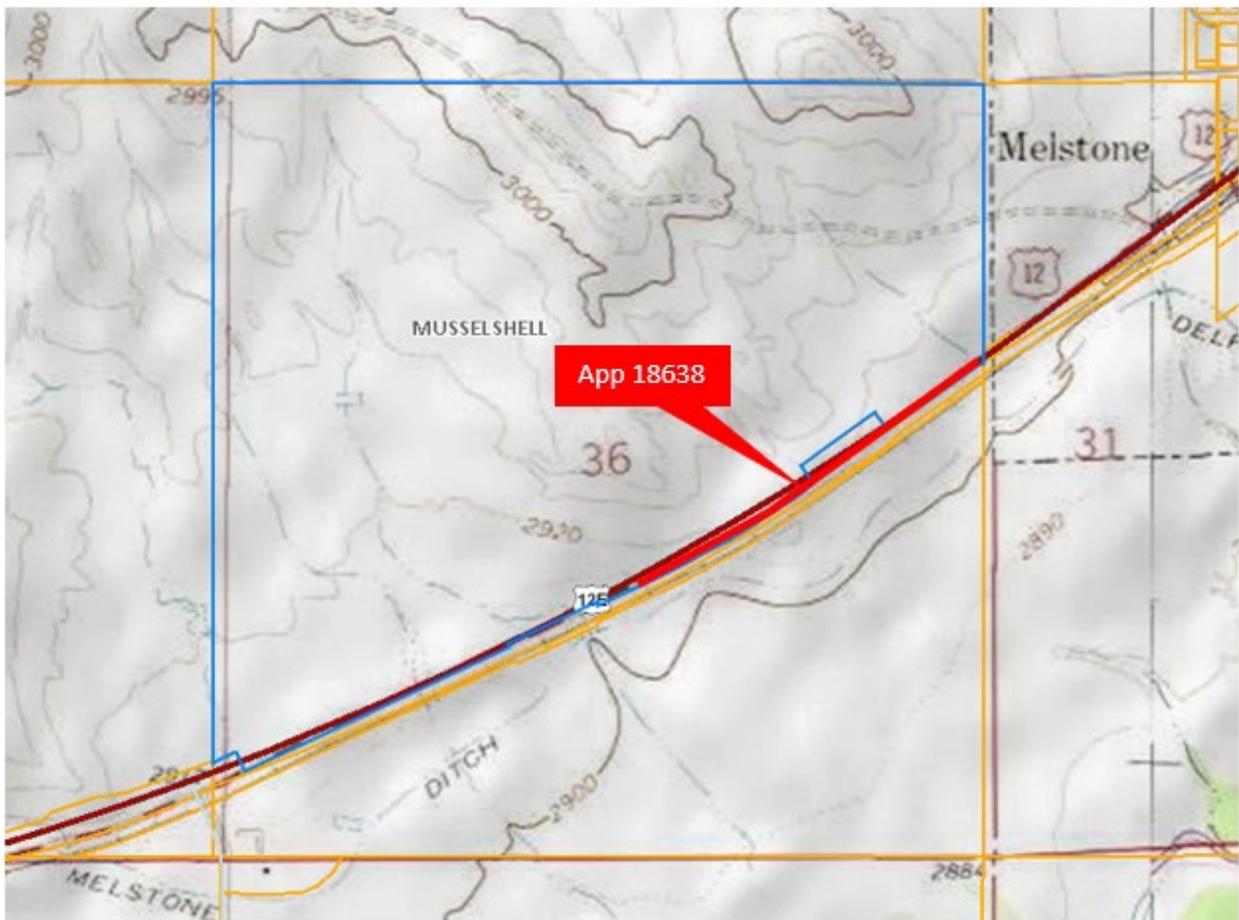
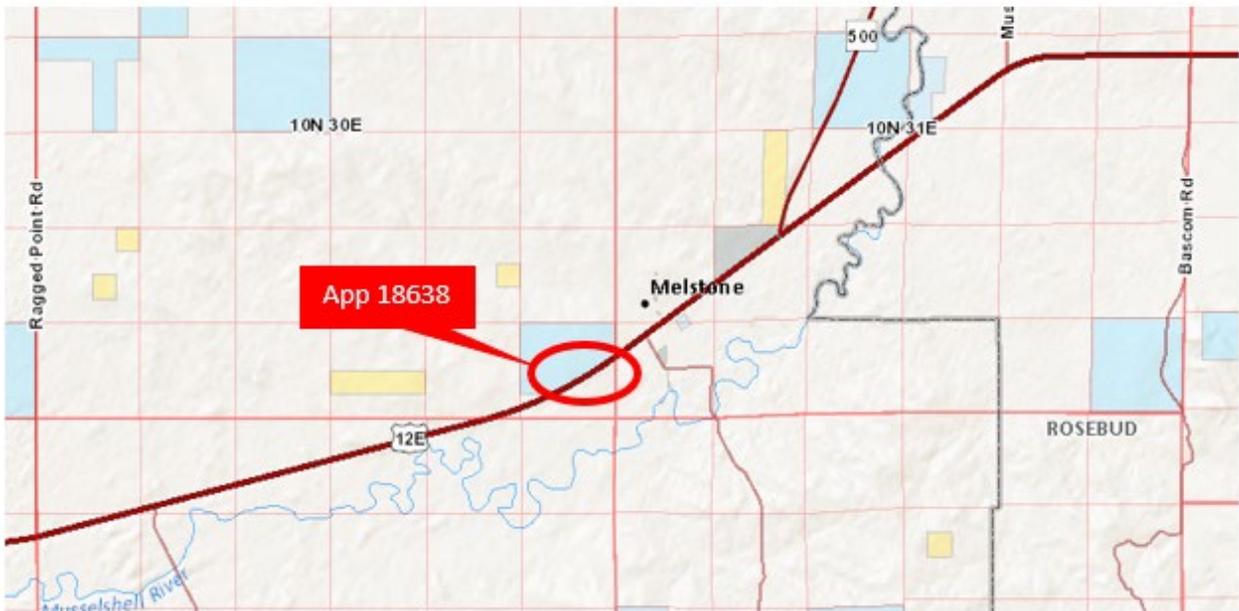
Item Summary

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DNRC Recommendation

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R/W Application 18638



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Ravalli County Electric Cooperative PO Box 190 Corvallis, MT 59828-0190
Application No.:	18785
R/W Purpose:	an overhead 7.2kV electric distribution line
Lessee Agreement:	N/A (navigable river)
Acreage:	0.09
Compensation:	\$632.00
Legal Description:	20-foot strip across the Bitterroot River in SW4SE4, Sec. 12, Twp. 10N, Rge. 20W, Ravalli County
Trust Beneficiary:	Public Land Trust - Nav. River

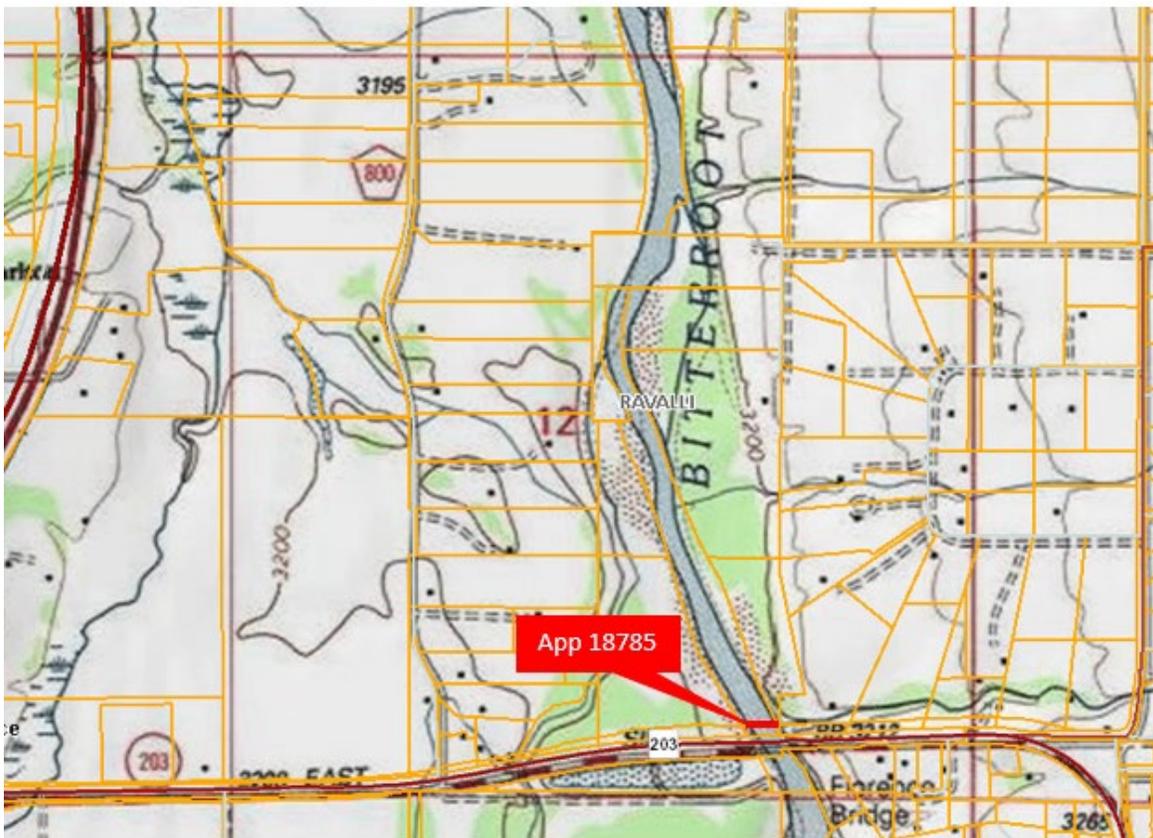
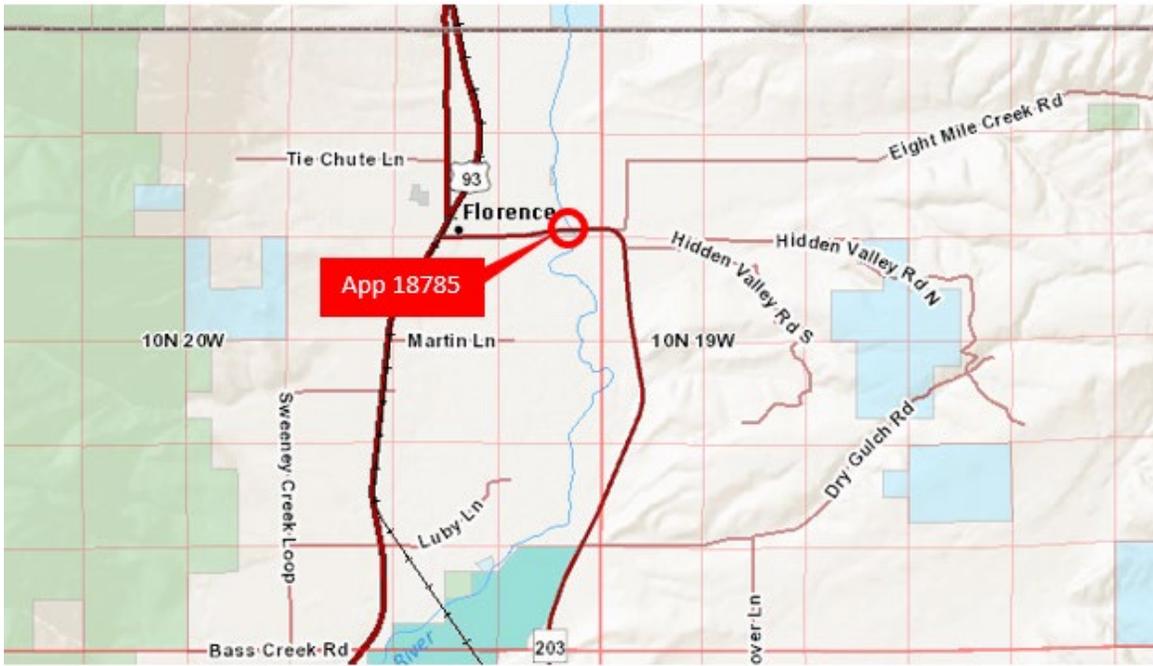
Item Summary

Ravalli Electric Coop is requesting an easement for an electric distribution line across the Bitterroot River near Florence Montana. In the past two high-water seasons the Bitterroot River has been at flood stage, causing washouts of existing overhead powerlines. The proposal with this easement is to relocate the powerline to a more stable section of the river, near the north side of the Florence/Eastside Highway bridge. This relocation will provide protection of the line in the event of future high-water events. Alternate routes were explored, however the stability of the narrower river channel and more controlled water flow at this location would provide stability and easier access for maintenance.

DNRC Recommendation

The director recommends approval of the easement request by Ravalli Electric Coop.

R/W Application 18785



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Montana Department of Transportation
 PO Box 201001
 Helena, MT 59620-1001

Application No.: 18787
 R/W Purpose: highway bridge construction and maintenance, including
 occupancy by public utilities as defined in §69-4-101 MCA

Lessee Agreement: N/A (navigable river)
 Acreage: 1.09
 Compensation: \$4,996.00
 Legal Description: a tract lying between Gov. Lots 8 & 5, Sec. 7,
 Twp. 1N, Rge. 27E, Yellowstone County
 Trust Beneficiary: Public Land Trust - Nav. River

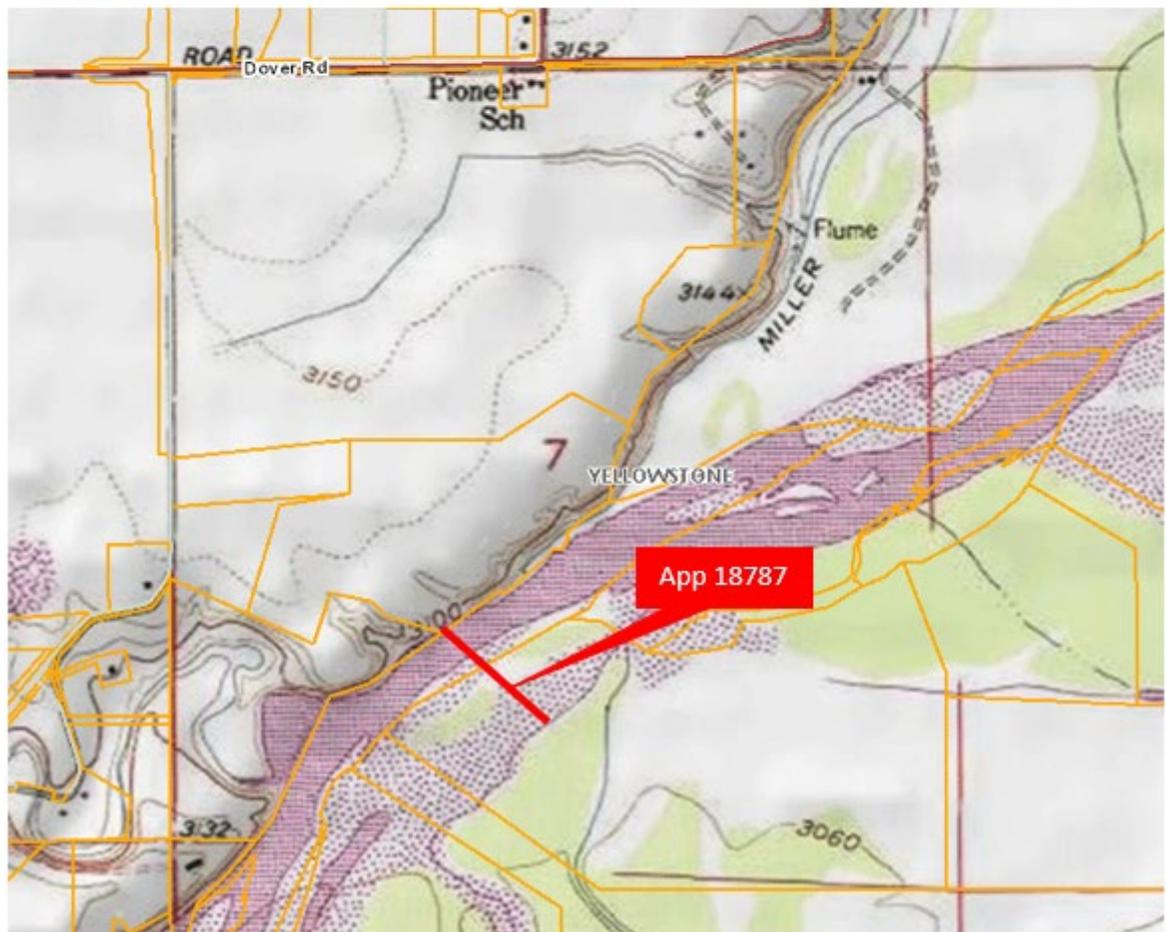
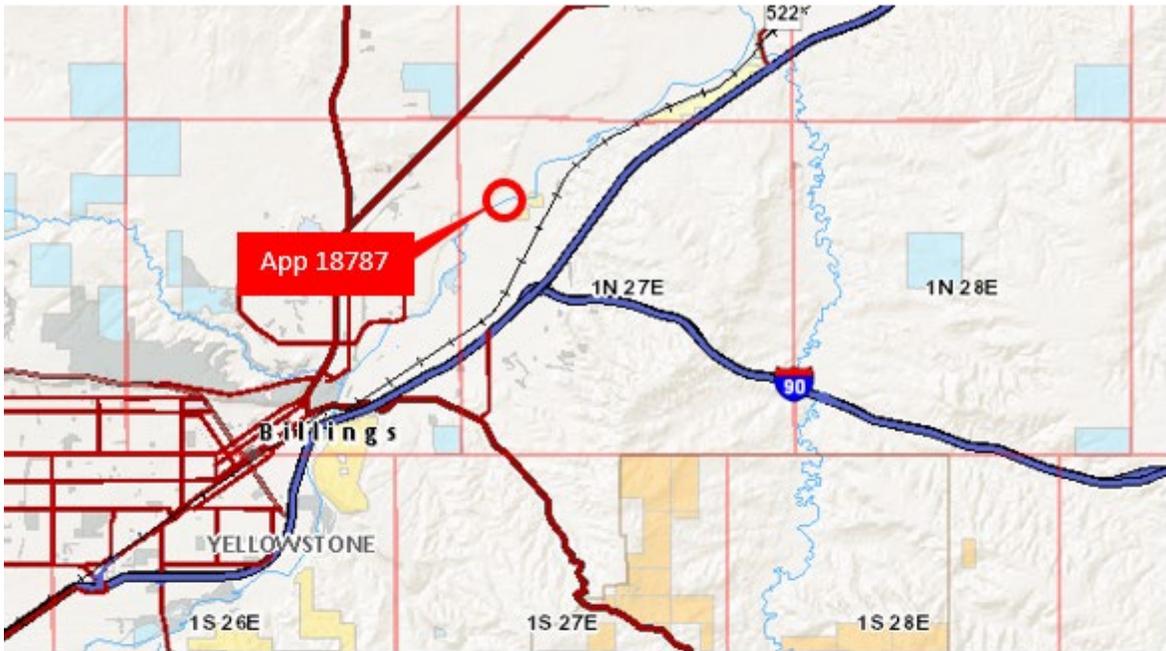
Item Summary

This application for a river bridge crossing of the Yellowstone River is part of the Billings Bypass project. The project has been studied for over a decade and over time the scope has changed with the main objective now being to provide access from I-90/I-94 directly to US Highway 87 North. This new bridge will also provide an additional route between Lockwood and the Billings Heights area. The overall purpose of the proposed bypass project is to improve traffic flow, reduce congestion and improve the safety and drivability of the roadway for the traveling public.

DNRC Recommendation

The director recommends approval of this easement request by MDT.

R/W Application 18787



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

Application No.: 18791
R/W Purpose: highway construction and maintenance, including occupancy by public utilities as defined in §69-4-101 MCA

Lessee Agreement: ok
Acreage: 15.45
Compensation: \$8,343.00
Legal Description: a tract in the N2SW4, S2NW4, W2NE4, NE4NE4, Sec. 36, Twp. 36N, Rge. 57E, Sheridan County
Trust Beneficiary: Common Schools

Item Summary

Montana Department of Transportation (MDT) is proposing to reconstruct a section of Montana Highway 5, starting approximately 8 miles west of the Town of Westby and continuing east to the North Dakota state line. The scope of the project involves widening the surface, installation of new culverts and other drainage features, sloping of shoulders, new signage and pavement markings to improve the safety and drivability of the roadway.

DNRC Recommendation

The director recommends approval of this easement request by MDT.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Sheridan County 100 W. Laurel Ave. Plentywood, MT 59254-1699
Application No.:	18792
R/W Purpose:	public county road
Lessee Agreement:	ok
Acreage:	0.05
Compensation:	\$100.00
Legal Description:	a tract in the NW4SW4, Sec. 36, Twp. 36N, Rge. 57E, Sheridan County
Trust Beneficiary:	Common Schools

Item Summary

As part of Montana Department of Transportation (MDT's) proposed project from Westby to the North Dakota state line, two County roads will be impacted. Cherry Creek Road, located in Section 36, Twp. 36N, Rge. 57E and McElroy Road, located in Section 36, Twp. 36N, Rge. 58E. Pursuant to the project MDT is acquiring additional easement to be issued in the name of Sheridan County to accommodate the approaches from Highway 5 onto these two roads. Of note is that Sheridan County has not obtained legal easements for either Cherry Creek Road or McElroy Road. So as to allow the reconstruction of Highway 5 to progress the Department recommends the easement issued in the name of the County contain a stipulation that should Sheridan County not acquire a legal easement for the remainder of Cherry Creek Road within a 5-year period, this easement will be terminated.

DNRC Recommendation

The director recommends approval of this easement requests by MDT in the name of Sheridan County.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Sheridan County
100 W. Laurel Ave.
Plentywood, MT 59254-1699

Application No.: 18793
R/W Purpose: public county road
Lessee Agreement: ok
Acreage: 0.02
Compensation: \$100.00
Legal Description: a tract in the SE4SE4, Sec. 16, Twp. 36N, Rge. 58E,
Sheridan County
Trust Beneficiary: Common Schools

Item Summary

See page 81 for summary

DNRC Recommendation

See page 81 for recommendation.

R/W Application 18791, 18792 & 18793

