AGENDA
REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
April 18, 2022, at 9:00 a.m.
State Capitol, Room 303
Helena, MT

ACTION ITEMS

0422-1  Timber Sale: Snow Tepee  APPROVED 5-0
Benefits: Common Schools
Location: Madison County

0422-2  Cabin and Home Site Sales: Preliminary Approval for Sale  OPPPOSED
Benefits: Common Schools, Montana Tech, MSU 2nd Grant, Pine Hills School, Public
Buildings, Deaf and Blind School.
Location: Flathead, Missoula, and Sanders Counties

0422-3  Easements: Standard Grants  APPROVED 5-0
Benefits: Common Schools and Public Land Trust
Location: Big Horn, Gallatin, Lake, Madison, Musselshell, Sweetgrass and Yellowstone
Counties

PUBLIC COMMENT
0422-1

TIMBER SALE:

Snow Tepee
Land Board Agenda Item
April 18th, 2022

0422-1 Timber Sale: Snow Tepee

Location: Madison County
  Sections 1, 2, 3, 4, 10 & 11 T13S R1W

Trust Beneficiaries: Common Schools

Trust Revenue: $61,892 (estimated, minimum bid)

Item Summary

Location: The Snow Tepee Timber Sale is located approximately 29 miles west of West Yellowstone, MT, in the north Centennial Valley of Madison County.

Size and Scope: The sale includes 17 harvest units (279 acres) of tractor logging.

Volume: The estimated harvest volume is 11,722 tons (1.4 MMBF) of sawlogs.

Estimated Return: The minimum bid is $5.28 per ton, which would generate approximately $61,892 for the Common Schools Trust and approximately $12,894 in Forest Improvement fees.

Prescription: The Snow Tepee Timber Sale would utilize individual tree selection, seed tree, clear cut, and overstory removal harvest prescriptions designed to enhance forest resilience, increase future forest productivity, and reduce the likelihood of uncharacteristically severe wildfire.

Road Construction/Maintenance: In conjunction with the Snow Tepee Timber Sale, the Department of Natural Resources and Conservation (DNRC) is proposing 15.6 miles of road maintenance.

Access: Access is obtained through legal agreement with Lee Martinell Company.

Public Comments: A total of four public comments were received. Montana Fish, Wildlife and Parks (MT FWP) first inquired about the location of the proposed project in relation to previous projects, which the DNRC clarified. MT FWP additionally commented that they had no further concerns regarding the project. The Nature Conservancy inquired about the species composition of the timber stands and about the retention of a portion of large diameter trees and snags. The DNRC clarified the stand’s composition and explained the minimum tree and snag retention requirements according to Montana’s Administrative Rules for Forest Management. Lastly, Northern Cheyenne Tribe Tribal Historic Preservation Officer requested a Class I or Class III archaeological report and was provided with Cultural Resource Reports and a Class I report conducted by the DNRC staff archaeologist, neither of which identified any cultural or paleontological resources in the area.

DNRC Recommendation
The DNRC recommends the Land Board direct DNRC to sell the Snow Tepee Timber Sale.
## 0422-2  Cabin and Home Site Sales: Preliminary Approval for Sale

**Location:** Flathead, Missoula, Sanders Counties  
**Trust Benefits:** Common Schools, Montana Tech, MSU 2nd, Pine Hills School, Public Buildings, Deaf and Blind School  
**Trust Revenue:** appraisal to be completed after preliminary approval

### Item Summary

The Department of Natural Resources and Conservation (DNRC) is requesting preliminary approval of 33 cabin and home sites nominated for sale in Flathead, Missoula, and Sanders Counties. These sales were nominated by the lessees and DNRC in conjunction with the 2022-2023 Cabin and Home Site Sales Program.

<table>
<thead>
<tr>
<th>Sale Number</th>
<th># of Acres</th>
<th>Legal</th>
<th>Nominator</th>
<th>Trust</th>
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<tbody>
<tr>
<td><strong>Flathead County</strong></td>
<td></td>
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</tbody>
</table>
| 2027 | 0.658± | Lot 22, Echo Lake, COS 18885  
T27N-R19W, Section 5 | Cole & Jackie Barnett | Montana Tech |
| 2028 | 0.611± | Lot 15, Echo Lake, COS 18885  
T27N-R19W, Section 5 | Robert & Shelly Chollak | Montana Tech |
| 2029 | 1.11± | Lot 27, Echo Lake, COS 18885  
T27N-R19W, Section 5 | Jason & Brigetta Schwaiger; Bradley & Amy Ridgeway | Montana Tech |
| 2030 | 0.851± | Lot 16, Echo Lake, COS 18885  
T27N-R19W, Section 5 | DNRC | Montana Tech |
| 2031 | 1.311± | Lot 24, McGregor Lake, COS  
19909 26N 25W 16 | Thomas & Barbara Armentrout | Common Schools |
| 2034 | 1.053± | Lot 23, Olney Townsite, COS  
21331 32N 23W 7 | Nathan & Patti Conkle | Deaf & Blind |
| **Missoula County** | | | | |
| 2002 | 1.142± | Lot 62, Clearwater River East Shore Inland, COS 6114  
T16N-R15W, Section 10 | Stuart Cebulski | Montana State University |
| 2003 | 1.098± | Lot 56, Clearwater River East Shore Inland, COS 6114  
T16N-R15W, Section 10 | Peter Giese | Montana State University |
| 2004 | 1.58± | Lot 28, Clearwater River East Shore Inland, COS 6114  
T16N-R15W, Section 10 | Rhonda Tabish; Lindsay & Brandon Hartwell | Montana State University |
| 2005 | 1.776± | Lot 38, Clearwater River East Shore Inland, COS 6114  
T16N-R15W, Section 10 | Brooke & Joshua Thorson | Montana State University |
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<th>Year</th>
<th>Value ±</th>
<th>Lot Description</th>
<th>Names</th>
<th>School</th>
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<tr>
<td>2006</td>
<td>1.051</td>
<td>Lot 17, Clearwater River West Shore, COS 5310 T16N-R15W, Section 10</td>
<td>John &amp; Sheila Devins</td>
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<td>2007</td>
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<td>Cindi &amp; Robert Magray</td>
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<td>2008</td>
<td>0.858</td>
<td>Lot 27, Elbow Lake T15N-R14W, Section 20</td>
<td>Curtis Anderson</td>
<td>Pine Hills School</td>
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<td>2009</td>
<td>0.84</td>
<td>Lot 25, Elbow Lake, COS 4921 T15N-R14W, Section 20</td>
<td>Dustin &amp; Marisa Anderson</td>
<td>Pine Hills School</td>
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<td>2010</td>
<td>2.17</td>
<td>Lot 7, Elbow Lake, COS 4921 T15N-R14W, Section 20</td>
<td>Boehmler Lake Cabin, LLC</td>
<td>Pine Hills School</td>
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<td>2011</td>
<td>1.07</td>
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<td>Brad Clevenger and Linda Ritchey</td>
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<td>2012</td>
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<td>Heather Hair</td>
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<td>2013</td>
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<td>Larry &amp; Pauline Tomsich</td>
<td>Pine Hills School</td>
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<td>2014</td>
<td>0.565</td>
<td>Lot 2B, Morrell Creek T17N-R15W, Section 36</td>
<td>Patrick &amp; Katherine Delhomme</td>
<td>Common Schools</td>
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<td>2015</td>
<td>1.723</td>
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<td>Angela &amp; Ken Miller</td>
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<td>Freda &amp; Wade Rathbun</td>
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<td>2017</td>
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<td>Laurel &amp; Paul Daniels; Patricia Boyd</td>
<td>Montana State University</td>
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<td>2018</td>
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<td>Tom &amp; Wendy Downey</td>
<td>Montana State University</td>
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<td>2019</td>
<td>1.135</td>
<td>Lot 31, Seeley Lake Outlet East, COS 4875 T16N-R15W, Section 4</td>
<td>Greg Barringer</td>
<td>Montana State University</td>
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<td>2020</td>
<td>1.448</td>
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<td>Toby Bedard</td>
<td>Montana State University</td>
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<td>2021</td>
<td>1.58</td>
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<td>Cannon Investments</td>
<td>Montana State University</td>
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<td>2022</td>
<td>0.861</td>
<td>Lot 9, Seeley Outlet West, COS 5140 T16N-R15W, Section 4</td>
<td>D.P.B. IV &amp; A.S.B. Buckley Living Trust</td>
<td>Montana State University</td>
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<tr>
<td>2023</td>
<td>1.166</td>
<td>Lot 16, Seeley Lake Outlet West, COS 5140 T16N-R15W, Section 4</td>
<td>Priyanka &amp; Linda Fernando</td>
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<td>2024</td>
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<td>Patrick Hayes</td>
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<tr>
<td>2025</td>
<td>1.166</td>
<td>Lot 17, Seeley Lake Outlet West, COS 5140 T16N-R15W, Section 4</td>
<td>Courtland &amp; Lydia Perry</td>
<td>Montana State University</td>
</tr>
</tbody>
</table>
These sale parcels are currently leased as cabin or home sites and produce an average income for residential leases statewide.

Preliminary approval allows DNRC to enter these sites in the Cabin/Home Site Sales process, the next step of which is an appraisal by a Montana general certified appraiser in Summer 2022. After appraisal, these sites will be brought to the Land Board again to set the minimum bid for the land and maximum value of any improvements.

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

**DNRC Recommendation**
The DNRC recommends the Land Board grant preliminary approval to sell these cabin and home sites.
Olney, Flathead County

Cabin Site Sales

Sold Lots

Sale Year
- \(\leq 2017\)
- \(\leq 2019\)
- \(\leq 2021\)
- \(\leq 2022\)

Lease Lots

 Lease Status
- Active
- Never Been Leased
- Terminated

Sale Status
- 2020-2021 Sale
- 2022-2023 Sale

Map Created by REMB staff

April 2022

Vista Lupfer

Olney

Olney, Flathead County
Elbow Lake, Missoula County

Cabin Site Sales
Sold Lots
Sale Year
≤2017
≤2019
≤2021
≤2022
Lease Lots
LeaseStatus
Active
Never Been Leased
Terminated
SaleStatus
2020-2021 Sale
2022-2023 Sale

0 0.1 0.2 0.05 Miles
¯

Elbow Lake

Trust Lands Cabin Site Sales
Map Created by REMB staff
March 2022
Morrell Creek, Powell County

Cabin Site Sales

Sold Lots
Sale Year
≤2017
≤2019
≤2021
≤2022

Lease Lots
LeaseStatus
- Active
- Never Been Leased
- Terminated

SaleStatus
2020-2021 Sale
2022-2023 Sale

Lot 1 $25,000
Lot 2A $27,500
Lot 2B $22,500
LOT 4 $25,000
LOT 9 $25,000

Seeley Lake
MT Highway 83
Morrell Creek, Powell County

Trust Lands Cabin Site Sales
Map Created by REMB staff
March 2022
### Cabin Site Sales

#### Sold Lots

<table>
<thead>
<tr>
<th>Sale Year</th>
<th>2020-2021 Sale</th>
<th>2022-2023 Sale</th>
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<tr>
<td>≤2017</td>
<td></td>
<td></td>
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<tr>
<td>≤2019</td>
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<tr>
<td>≤2021</td>
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<tr>
<td>≤2022</td>
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#### Lease Lots

<table>
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<tr>
<th>Lease Status</th>
<th>2020-2021 Sale</th>
<th>2022-2023 Sale</th>
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<tbody>
<tr>
<td>Active</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Never Been Leased</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terminated</td>
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</tbody>
</table>

### Sale Year Legend

- **≤2017**: Sale before 2017
- **≤2019**: Sale before 2019
- **≤2021**: Sale before 2021
- **≤2022**: Sale before 2022

### Lease Status Legend

- **Active**: Lease active
- **Never Been Leased**: Lease never been leased
- **Terminated**: Lease terminated
Cabin Site Sales

Sold Lots

Sale Year
- ≤2017
- ≤2019
- ≤2021
- ≤2022

Lease Lots

Lease Status
- Active
- Never Been Leased
- Terminated

Sale Status
- 2020-2021 Sale
- 2022-2023 Sale

Mudd Creek, Sanders County

Map Created by REMB staff
April 2022

Trust Lands Cabin Site Sales
Map Created by REMB staff
April 2022
0422-3

EASEMENTS:

Standard Grants
Land Board Agenda Item
April 18, 2022

0422-3 Easements

Location: Big Horn, Gallatin, Lake, Madison, Musselshell, Sweet Grass, Yellowstone

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

Trust Revenue: Common Schools = $145,526
Public Land Trust = $4,610

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<th>Right-of-Way Purpose</th>
<th>Term</th>
<th>Page</th>
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<td>Mid-Rivers Telephone Cooperative</td>
<td>Buried Fiber Optic Cable</td>
<td>Permanent</td>
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<td>Lake County</td>
<td>Public County Road</td>
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<td>Triangle Telephone Company</td>
<td>Buried Telecommunications Cable</td>
<td>Permanent</td>
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<td>Mid-Rivers Telephone Cooperative</td>
<td>Buried Fiber Optic Cable</td>
<td>Permanent</td>
<td>36</td>
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<tr>
<td>3 Rivers Telephone Cooperative, Inc</td>
<td>Buried Fiber Optic Cable</td>
<td>Permanent</td>
<td>42</td>
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<tr>
<td>City of Belgrade</td>
<td>Municipal Water &amp; Sewer Lines</td>
<td>Permanent</td>
<td>44</td>
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<tr>
<td>The Crow Tribe of Indians</td>
<td>Municipal Water Line</td>
<td>Permanent</td>
<td>46</td>
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</table>
APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 7492 (Amended)
R/W Purpose: a buried telephonic line, copper communications line and fiber optic cable
Lessee Agreement: ok
Acreage: 0.34
Compensation: $145.00
Legal Description: 16-foot strip through SE4SE4, Sec. 36, Twp. 7N, Rge. 28E, Musselshell County
Trust Beneficiary: Common Schools

Item Summary

Mid-Rivers Telephone Cooperative is proposing to construct approximately 214 miles of buried fiber optic cable in Musselshell and Yellowstone Counties. Four total sections of State Trust land will be impacted. This particular application is an amendment of an existing easement to add a new fiber optic cable into the existing corridor along with an existing telephonic cable and copper communications line. The telephonic and copper telecommunications line will be abandoned in place; thus, the corridor will be encumbered with 3 total lines although two will be inactive. The proposed project will provide upgraded communication facilities to rural Yellowstone and Musselshell Counties. The cable will be installed using a direct trench/static plow method and will be located along existing roadways where ground disturbance has previously occurred. This portion of the overall project is not within Sage Grouse habitat.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative.
APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Lake County
106 Fourth Ave. East
Polson, MT 59860

Application No.: 19127
R/W Purpose: a public county road known as Grant Lane
Lessee Agreement: N/A (Historic)
Acreage: 1.9
Compensation: $15,221
Legal Description: 60-foot strip through Gov. Lot 5
Lake County
Trust Beneficiary: Common Schools

Item Summary
Lake 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 DNRC recommends approval of the application of Lake County.
APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Triangle Telephone Cooperative Association, Inc
2121 US HWY 2 NW
Havre, MT 59501

Application No.: 19222
R/W Purpose: a buried telecommunications line
Lessee Agreement: ok
Acreage: 2.70
Compensation: $8,100.00
Legal Description: 20-foot strip through E2NE4, SW4NE4, W2SE4, SE4SW4,
Sec. 16, Twp. 3S, Rge. 13E, Sweet Grass County
Trust Beneficiary: Common Schools

Item Summary

Triangle Telephone Coop. is proposing to install new telecommunications facilities in the Big Timber Exchange area in Sweet Grass County to provide high speed telecommunication services to rural customers. The cable will be installed using a direct plow method and is located along an existing roadway where ground disturbance has previously occurred. The new telecommunications cable will provide improved service to rural customers and provide future growth capabilities.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Coop.
R/W Applications 19222

App 19222

App 19222
APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 19227
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.86
Compensation: $430.00
Legal Description: 16-foot strip through Gov. Lots 5, 6, & 7, Sec. 6, Twp. 4N, Rge. 27E, Yellowstone County
Trust Beneficiary: Common Schools

Item Summary

Mid-Rivers Telephone Cooperative is proposing to construct approximately 214 miles of buried fiber optic cable in Musselshell and Yellowstone Counties. Four total sections of State Trust land will be impacted.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative.
APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 19228
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.77
Compensation: $385.00
Legal Description: 16-foot strip through E2SE4, Sec. 34, Twp. 5N, Rge. 26E, Musselshell County
Trust Beneficiary: Common Schools

Item Summary

Mid-Rivers Telephone Cooperative is proposing to construct approximately 214 miles of buried fiber optic cable in Musselshell and Yellowstone Counties. Four total sections of State Trust land will be impacted.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative.
APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 19229
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 2.05
Compensation: $1,025.00
Legal Description: 16-foot strip through S2NW4, NE4NW4, N2NE4, Sec. 33, Twp. 6N, Rge. 28E, Yellowstone County
Trust Beneficiary: Common Schools

Item Summary

This application by Mid-Rivers Telephone Cooperative is part of the overall project as described in the Amendment of Application No. 7492 in this agenda. This parcel of State Land is within Sage Grouse habitat and Mid-Rivers Telephone has agreed to a mitigation plan with MSGOT.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative.
APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: 3 Rivers Telephone Cooperative, Inc
PO Box 429
Fairfield, MT 59436-0429

Application No.: 19230
R/W Purpose: a buried fiber optic cable
Lessee Agreement: needed
Acreage: 1.61
Compensation: $3,220.00
Legal Description: 10-foot strip through NE4NE4, W2NE4, NW4SE4, E2SW4, SW4SW4, Sec. 16, Twp. 6S, Rge. 2W, Madison County
Trust Beneficiary: Common Schools

Item Summary

3 Rivers Telephone Cooperative is requesting an easement to install a new fiber optic cable in the Ennis to Virginia City service area. Existing copper cables in the area have reached their useful life, preventing 3 Rivers from fulfilling new service requests and limiting deployment of extended broadband services. The cable will be placed adjacent to a county road and installed through the use of a cable plow. Minimal impacts are expected.

DNRC Recommendation

The DNRC recommends approval of the application of 3 Rivers Telephone Cooperative.
R/W Applications 19230

App 19230

Page 43 of 48
Item Summary

The City of Belgrade is requesting an easement to install a water and a sewer main alongside the section line of State land to accommodate future subdivision development immediately southeast of the State land. The proposed subdivision lands are currently in the process of being annexed into the City of Belgrade. The proposed pipeline diameter may vary from 12” to 24” depending on the proposed development and will connect to existing City infrastructure nearby. The chosen location was coordinated with DNRC Real Estate staff and is the least impacted and most direct and cost-effective route. The installation of these City services may promote development of the affected State Trust Land and benefit commercial leasing and other users of the parcel. The value of the easement was set through a recently completed appraisal of the State Trust land.

DNRC Recommendation

The DNRC recommends approval of this easement request from the City of Belgrade.
APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: The Crow Tribe of Indians
PO Box 129
Crow Agency, MT 59022

Application No.: 19233
R/W Purpose: a 24” municipal water line and fiber optic cable
Lessee Agreement: N/A (Nav. River)
Acreage: 0.20
Compensation: $2,250.00
Legal Description: 50-foot strip under the Big Horn River between Gov. Lots 4 & 7,
Sec. 16, Twp. 6S, Rge. 31E, Big Horn County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

The Crow Tribe of Indians has made application to directionally bore a 24” municipal raw water line and fiber optic cable under the Big Horn River. The pipeline and cable will be bored to a minimum depth of 31 feet under the bed of the river, well below scour depth. The pipeline will convey raw water from an intake structure to be constructed on the north side of the Yellowtail Afterbay in adjacent Section 17 to a water treatment plan on the south side of the river in Section 16. The fiber optic cable will provide communication between the water intake pump station and the water treatment plant. This project is part of the Crow MR&I Water System that will provide potable water to rural residents, existing community systems, and select industrial/facility sites on the Crow Reservation. This system is authorized by Title IV of the Claims Resolution Act 2010, cited as the Crow Tribe Water Rights Settlement Act of 2010.

DNRC Recommendation

The DNRC recommends approval of the easement for The Crow Tribe of Indians.
APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: The Crow Tribe of Indians
PO Box 129
Crow Agency, MT 59022

Application No.: 19234
R/W Purpose: a water intake and pump station
Lessee Agreement: N/A (Nav. River)
Acreage: 0.21
Compensation: $2,360.00
Legal Description: tract in the Big Horn River adjacent to Gov. Lot 1, Sec. 17, Twp. 6S, Rge. 31E, Big Horn County
Trust Beneficiary: Public Land Trust - Nav. River

Item Summary

The Crow Tribe of Indians has made application to directionally bore a 24” municipal raw water line and fiber optic cable under the Big Horn River. The pipeline and cable will be bored to a minimum depth of 31 feet under the bed of the river, well below scour depth. The pipeline will convey raw water from an intake structure to be constructed on the north side of the Yellowtail Afterbay in adjacent Section 17 to a water treatment plan on the south side of the river in Section 16. The fiber optic cable will provide communication between the water intake pump station and the water treatment plant. This project is part of the Crow MR&I Water System that will provide potable water to rural residents, existing community systems, and select industrial/facility sites on the Crow Reservation. This system is authorized by Title IV of the Claims Resolution Act 2010, cited as the Crow Tribe Water Rights Settlement Act of 2010.

DNRC Recommendation

The DNRC recommends approval of the easement for The Crow Tribe of Indians.