

AGENDA
REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
July 18, 2022, at 10:30 a.m.
State Capitol, Room 303
Helena, MT

ACTION ITEMS

- 0722-1 **MT Department of Corrections: Howey Boundary Relocation** **APPROVED 5-0**
Benefits: N/A (non-trust land)
Location: Jefferson County
- 0722-2 **Department of Fish, Wildlife & Parks, Purchase of Property for addition to Mt. Haggin Wildlife Management Area** **POSTPONED 8/2022 , 5-0**
Benefits: N/A (non-trust land)
Location: Deer Lodge County
- 0722-3 **Timber Sale: Flat Schmidt** **APPROVED 5-0**
Benefits: Public Buildings, Common Schools
Location: Powell County
- 0722-4 **Communitization Agreement: Golden Monkey #1H Well** **APPROVED 5-0**
Benefits: Common Schools
Location: Rosebud County
- 0722-5 **Land Banking Parcel: Set Minimum Bid** **APPROVED 5-0**
Benefits: Pine Hills School
Location: Chouteau County
- 0722-6 **Easements** **APPROVED 5-0**
Benefits: Common Schools, Public Land Trust, School for Deaf and Blind
Location: Cascade, Dawson, Flathead, McCone, Missoula, Richland, Wibaux

PUBLIC COMMENT

0722-1

MT DEPARTMENT OF CORRECTIONS

Howey Boundary Relocation

**Land Board Agenda Item
July 18, 2022**

0722-1 MT Department of Corrections – Howey Boundary Relocation

Location: S-399 Whitetail Road, Jefferson County

Trust Benefits: N/A – Non-Trust

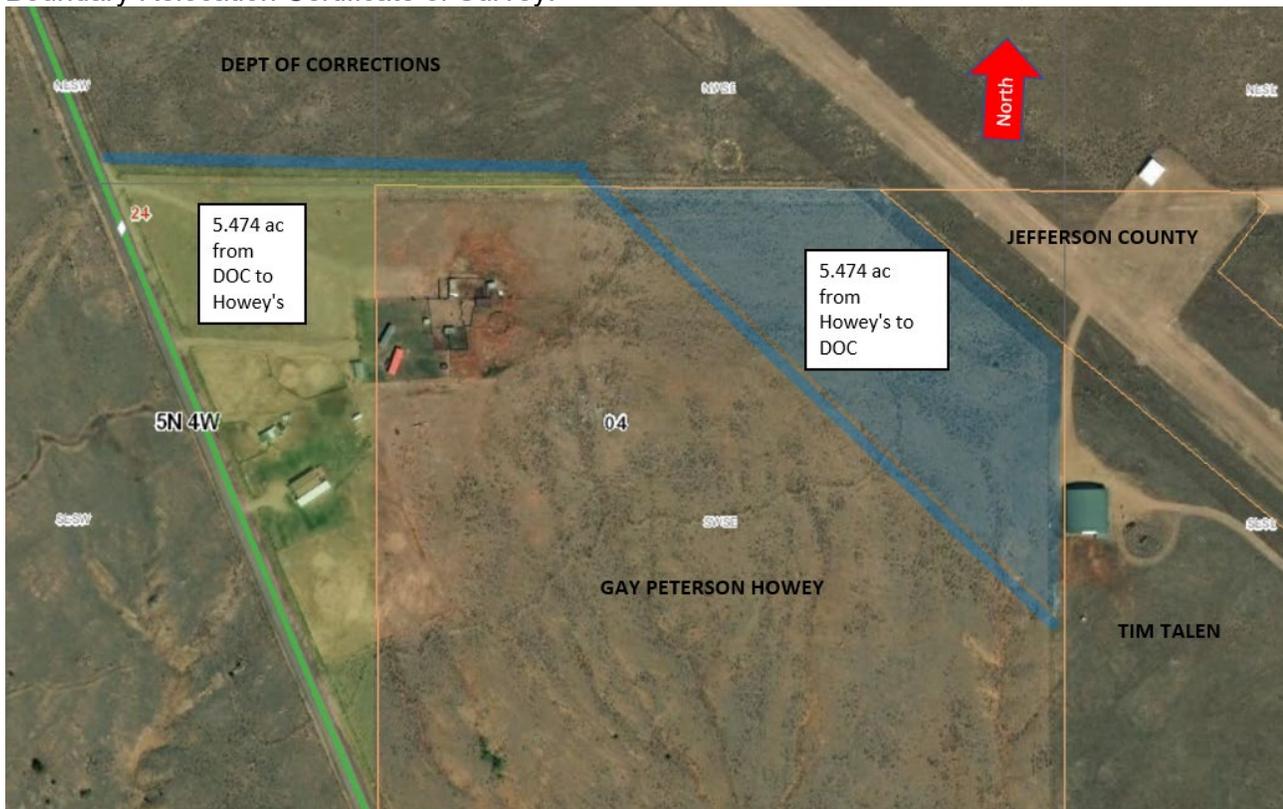
Trust Revenue: N/A

Item Summary

The Department of Corrections (DOC) is seeking approval, pursuant to 77-2-203, MCA, for a boundary relocation to remedy an inadvertent encroachment issue. The property is located at 121 N Whitetail Rd (S-399), south of Boulder, and situated in the SE¼SW¼ of Section 4, Township 5 North, Range 4 West, Jefferson County, Montana.

In the spring of 2018, during right-of-way acquisition activities for the Montana Department of Transportation's (MDT) STPS 399-1(9)10 South of Boulder-South project, it was discovered that improvements owned by Ona Howey, Jae Dee Howey, Gay Howey Peterson, Ina Thompson, (jointly "Howey") which include a residence, outbuildings, and fencing improvements, are situated on land owned by the Department of Corrections. The Howeys mistakenly placed the structures on State land believing it to be their land, which abuts the State land to the east. The highway project was completed in 2021.

In a good faith effort to help the Department of Corrections and the Howeys, MDT has prepared a Certificate of Survey for a Boundary Realignment which would exchange equal areas of land (5.474 acres) between the Department of Corrections and the Howeys as depicted below and in the attached Boundary Relocation Certificate of Survey.



Land Valuation

Appraisals for strip acquisition necessary for the highway project were completed in September of 2018 for both the Department of Corrections and the Howey properties. The conclusion of value was that the tracts had the same highest and best use of grazing land at \$1,200 per acre.

Due to the costs and time involved in contracting an appraisal the Department of Corrections requests the Land Board consider an exchange of property interests for the mutual benefit of the agency and the landowner who would otherwise be displaced from property long thought to be theirs.

Department of Corrections Recommendation

The Department of Corrections makes a motion that the Land Board approve the Boundary Relocation Certificate of Survey for the reasons set forth above. The proposed common boundary relocation would remedy the encroachment issues. The relocation of common boundaries will place all of the Howeys' improvements on their property and will allow the DOC will receive an equal exchange of land that is of equal or greater value.

Attachment: Proposed Subdivision Exception – Boundary Realignment Certificate of Survey

CERTIFICATE OF SURVEY

BOUNDARY RELOCATION BETWEEN TRACT A OF COS 211634, FOLIO 648-B; AND A TRACT OF LAND GREATER THAN 160 ACRES, BK 49 PG 297 LOCATED IN SECTION 4, TOWNSHIP 5 NORTH, RANGE 4 WEST; PRINCIPLE MERIDIAN MONTANA, JEFFERSON COUNTY, MONTANA

CERTIFICATE OF CLERK AND RECORDER

FILED FOR RECORD THIS _____ DAY OF _____ 20____
AT _____ O'CLOCK _____ M.
JEFFERSON COUNTY
CLERK AND RECORDER
BY: _____
DOCUMENT NO. _____

LEGAL DESCRIPTION: TRACT A-1

A TRACT OF LAND LOCATED IN SECTION 4, TOWNSHIP 5 NORTH, RANGE 4 WEST, PRINCIPLE MERIDIAN, MONTANA, JEFFERSON COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 4
THENCE S 87°15'13" E, 165.90' TO THE TRUE POINT OF BEGINNING,
THENCE S 87°15'13" E, 1140.56' ALONG THE SOUTH LINE OF SECTION 4, TO THE E 1/16 CORNER
THENCE N 02°00'08" E, 628.78' ALONG THE EAST 1/16TH LINE
THENCE N 49°00'43" W, 1150.78'
THENCE N 87°34'21" W, 852.59' TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF WHITETAIL ROAD
THENCE S 21°30'00" E, 269.45' ALONG THE EASTERLY RIGHT-OF-WAY OF WHITETAIL ROAD, NEXT 6 COURSES
THENCE S 20°28'20" E, 199.70'
THENCE S 01°11'36" E, 53.53'
THENCE S 22°00'00" E, 150.11'
THENCE S 31°38'53" E, 203.02'
THENCE S 22°00'00" E, 198.12'
THENCE S 22°00'00" E, 407.29'
TO THE POINT OF BEGINNING, CONTAINING 37.332 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: GREATER THAN 160 ACRE TRACT

THIS TRACT IS GREATER THAN 160 ACRES IN SIZE, IS NOT PART OF THIS CERTIFICATE OF SURVEY AND IS THEREFORE EXEMPT FROM THE REQUIREMENT OF PROVIDING A LEGAL DESCRIPTION PURSUANT TO 24.183.1104(1)(f)(iii)(C) A.R.M.

(C) The certificate of survey must contain the following notation: "The area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a reference legal description in any subsequent real property transfer associated with the [certificate of survey or amended plat] on which said area is described, unless said area is included with or excluded from adjoining tracts of record."

CERTIFICATE OF EXEMPTION FROM D.E.Q. REVIEW

TRACT A-1 AND THE D.O.C. LANDS ARE BOTH GREATER THAN 20 ACRES, THEREFORE THEY ARE EXEMPT FROM REVIEW PURSUANT TO 76-4-103, M.C.A.

PURPOSE OF SURVEY & CERTIFICATE OF EXEMPTION:

WE HEREBY CERTIFY THAT THE PURPOSE OF THIS SURVEY IS TO RELOCATE A COMMON BOUNDARY BETWEEN ADJOINING PROPERTIES IN ORDER TO ALLEVIATE ENCROACHMENTS ONTO STATE LAND. THIS SURVEY IS EXEMPT FROM REVIEW PURSUANT TO 76-3-207(1)(a) M.C.A.

TITLE, MT DEPT OF CORRECTIONS _____ PRINT NAME: _____ SIGNATURE: _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME A NOTARY PUBLIC FOR THE STATE OF MONTANA, PERSONALLY APPEARED THE ABOVE NAMES, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF MONTANA
PRINT NAME: _____
RESIDING AT _____
MY COMMISSION EXPIRES _____

OWNER: GAY HOWEY PETERSON

OWNER: INA THOMPSON

OWNER: JAE DARLENE HOWEY

OWNER: ONA HOWEY

ON THIS _____ DAY OF _____, 20____, BEFORE ME A NOTARY PUBLIC FOR THE STATE OF MONTANA, PERSONALLY APPEARED THE ABOVE NAMES, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF MONTANA
PRINT NAME: _____
RESIDING AT _____
MY COMMISSION EXPIRES _____

CERTIFICATE OF LAND SURVEYOR

I, STEPHEN J. EILERS, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MONTANA, DO HEREBY CERTIFY THAT THIS IS A TRUE REPRESENTATION OF A SURVEY MADE UNDER MY DIRECT SUPERVISION.

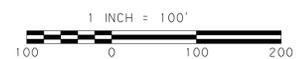
STEPHEN J. EILERS, MONTANA REG. NO. 34822LS _____ DATE



BASIS OF BEARING

STATE PLANE NORTH, NAD83-2011 INTERNATIONAL FEET, BASED ON MDT PROJECT UPN#6097000.

CONVERGENCE: -01°54'35" AT THE S 1/4 OF SEC 4.

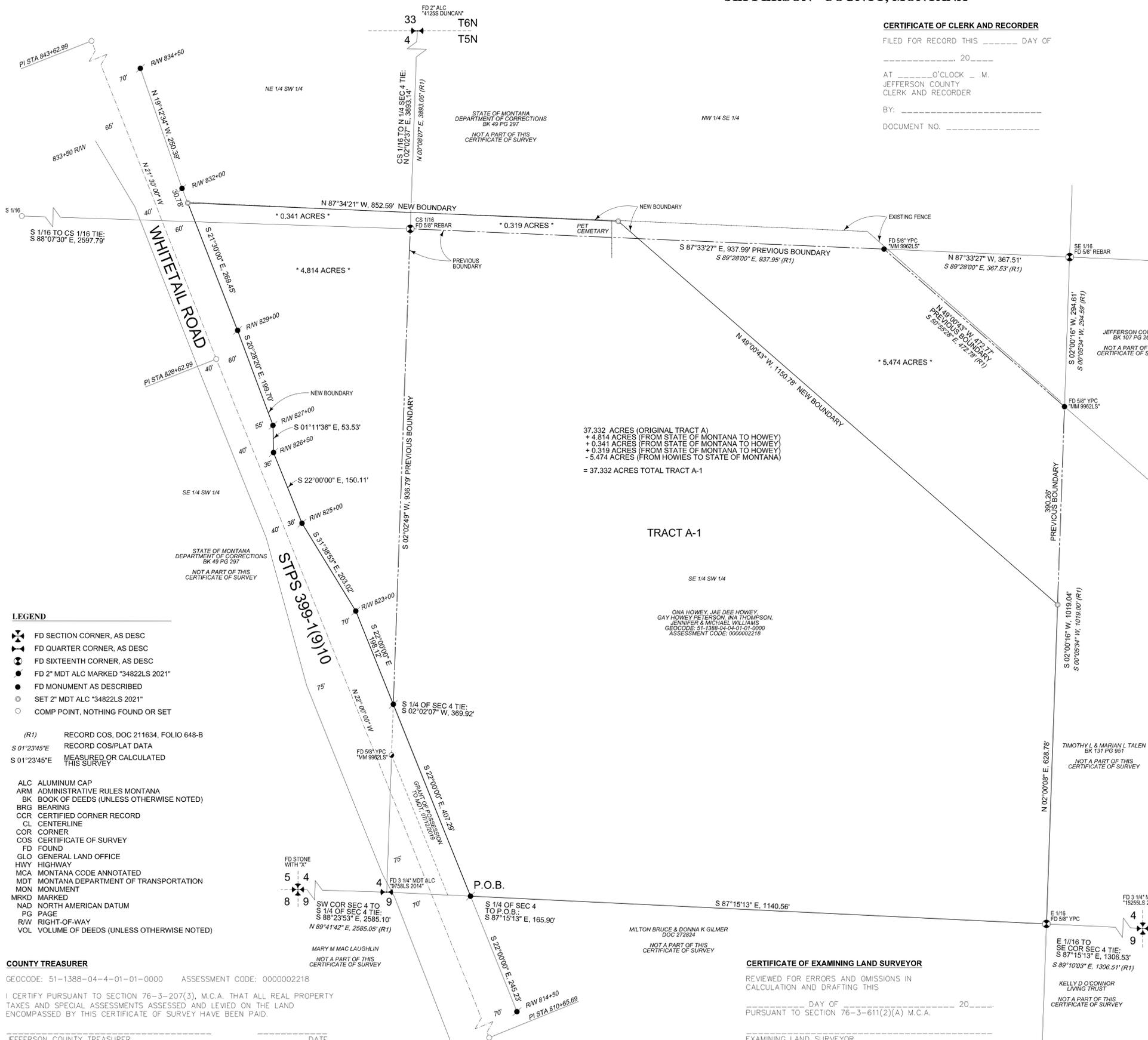


JEFFERSON COUNTY			
1/4	SECTION	TOWNSHIP	RANGE
4	4	5 N	4 W

PREPARED & COMMISSIONED BY:



MONTANA DEPARTMENT OF TRANSPORTATION
PO BOX 3068
BUTTE, MONTANA 59702
(406)494-9645



- LEGEND**
- FD SECTION CORNER, AS DESC
 - FD QUARTER CORNER, AS DESC
 - FD SIXTEENTH CORNER, AS DESC
 - FD 2" MDT ALC MARKED "34822LS 2021"
 - FD MONUMENT AS DESCRIBED
 - SET 2" MDT ALC "34822LS 2021"
 - COMP POINT, NOTHING FOUND OR SET

(R1) RECORD COS, DOC 211634, FOLIO 648-B
S 01°23'45"E RECORD COS/PLAT DATA
S 01°23'45"E MEASURED OR CALCULATED THIS SURVEY

- ALC ALUMINUM CAP
- ARM ADMINISTRATIVE RULES MONTANA
- BK BOOK OF DEEDS (UNLESS OTHERWISE NOTED)
- BRG BEARING
- CCR CERTIFIED CORNER RECORD
- CL CENTERLINE
- COR CORNER
- COS CERTIFICATE OF SURVEY
- FD FOUND
- GLO GENERAL LAND OFFICE
- HWY HIGHWAY
- MCA MONTANA CODE ANNOTATED
- MDT MONTANA DEPARTMENT OF TRANSPORTATION
- MON MONUMENT
- MRKD MARKED
- NAD NORTH AMERICAN DATUM
- PG PAGE
- R/W RIGHT-OF-WAY
- VOL VOLUME OF DEEDS (UNLESS OTHERWISE NOTED)

COUNTY TREASURER

GEOCODE: 51-1388-04-4-01-01-0000 ASSESSMENT CODE: 0000002218

I CERTIFY PURSUANT TO SECTION 76-3-207(3), M.C.A. THAT ALL REAL PROPERTY TAXES AND SPECIAL ASSESSMENTS ASSESSED AND LEVIED ON THE LAND ENCOMPASSED BY THIS CERTIFICATE OF SURVEY HAVE BEEN PAID.

JEFFERSON COUNTY TREASURER _____ DATE _____

37.332 ACRES (ORIGINAL TRACT A)
+ 4.814 ACRES (FROM STATE OF MONTANA TO HOWEY)
+ 0.341 ACRES (FROM STATE OF MONTANA TO HOWEY)
+ 0.319 ACRES (FROM STATE OF MONTANA TO HOWEY)
- 5.474 ACRES (FROM HOWEY TO STATE OF MONTANA)
= 37.332 ACRES TOTAL TRACT A-1

CERTIFICATE OF EXAMINING LAND SURVEYOR

REVIEWED FOR ERRORS AND OMISSIONS IN CALCULATION AND DRAFTING THIS

PURSUANT TO SECTION 76-3-611(2)(A) M.C.A.

EXAMINING LAND SURVEYOR _____

REG. NO. _____

0722-2

DEPARTMENT OF FISH, WILDLIFE & PARKS

Purchase of Property for addition to Mt. Haggin
Wildlife Management Area

**Land Board Agenda Item
July 18, 2022**

0722-2 Department of Fish, Wildlife & Parks, Purchase of Property for addition to Mt. Haggin Wildlife Management Area

Location: Deer Lodge County, Sections 19 & 30, T4N, R10W
Trust Benefits: N/A (non-trust land)
Trust Revenue: N/A

Item Summary: Department of Fish, Wildlife and Parks (FWP) proposes to purchase a fee simple interest in an approximately 829-acre property for an addition to the Mt. Haggin Wildlife Management Area (WMA) in Deer Lodge County, Montana (“Willow Creek Addition”). The parcel is accessed from Highway 569 and is 3-4 miles S-SE of Anaconda (see attached map). The landowners, Roger and Gayle Burnett, wish to sell this parcel to FWP at the appraised value of \$2,590,000.00 to increase access and opportunities at the WMA for public hunting, fishing and recreation for neighboring residents, Deer Lodge County residents and visiting recreationists to enjoy.

The property provides habitat and potential opportunity for hunters to harvest elk, mule deer, pronghorn and ruffed grouse. Acquisition of this property would increase cohesive management of Mt. Haggin WMA, especially in terms of fire management, and would increase public access to land already managed for fisheries, wildlife and recreational opportunities. It contains one mile of Willow Creek where recent data has confirmed the presence of pure strain westslope cutthroat trout and a potential bull trout reintroduction site.

The property is bordered on the north by a subdivision, and further subdivision to the northeast and east of this property is possible. The landowners are highly motivated to sell this site to FWP to add to the WMA. If FWP does not purchase it, the property will likely be quickly sold and possibly subdivided.

Currently, this property contains three structures, but the landowners would donate these structures to FWP. Therefore, the property was appraised without the value of the three structures. FWP proposes to pay the appraised value of \$ 2.59 million. The sources of funding for the purchase, as well as estimated due diligence, closing and maintenance costs, are as follows:

Willow Creek Addition to Mt. Haggin WMA Costs

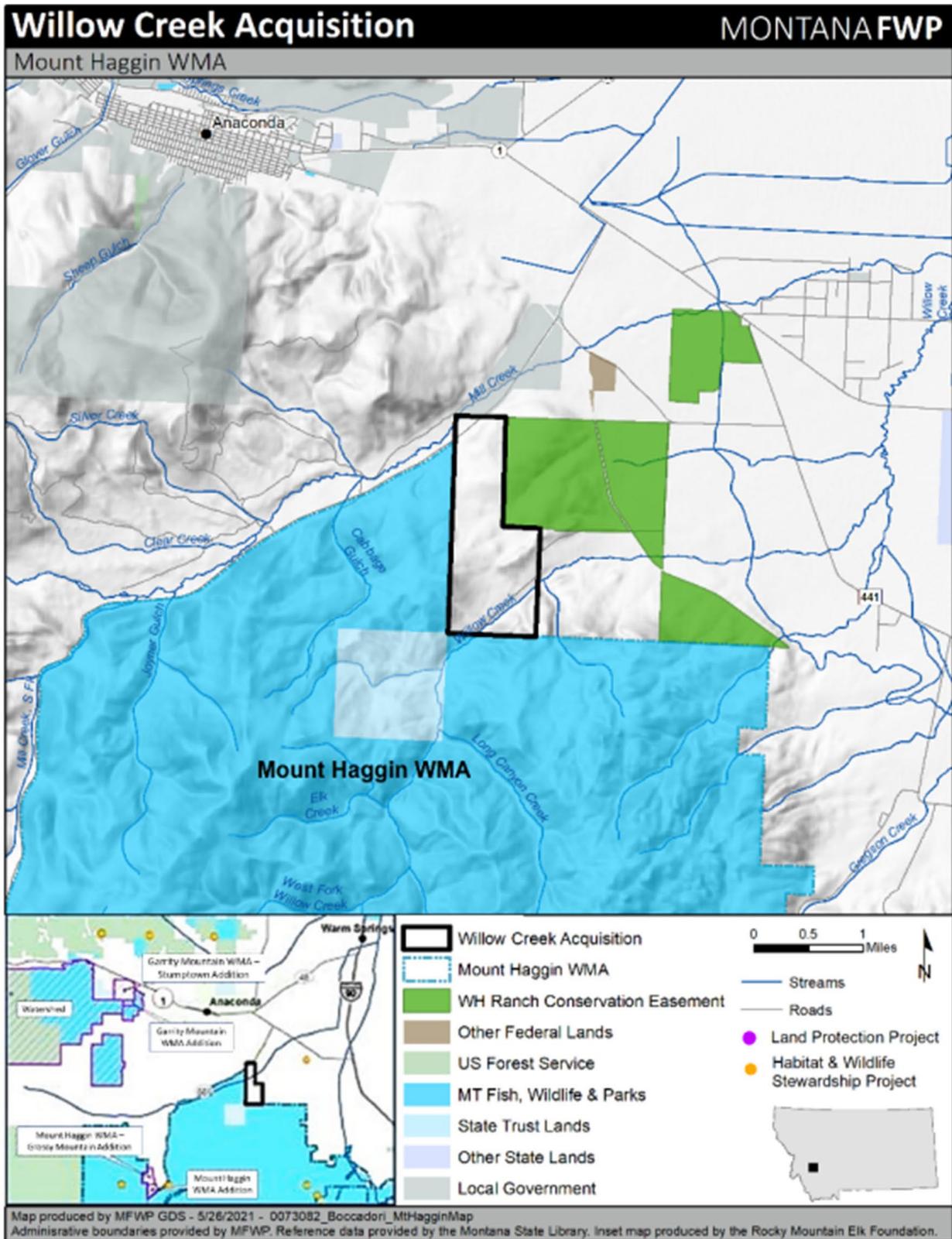
Purchase Price	\$ 2,590,000.00
US Pittman-Robertson (US FWS)	1,942,500.00
Habitat Montana	389,100.00
RMEF and MT Fish & Wildlife Cons. Trust	258,400.00
Due Diligence, closing	40,000.00
Development (fencing/markers, signage, parking)	1,000.00
Weed control first year	45,000.00
Total	\$ 2,676,000.00

FWP's intends to maintain the proposed addition for public use under the current WMA management plan. FWP will pay the equivalent of property taxes to Deer Lodge County pursuant to MCA 87-6-103.

Public Comments: FWP published an environmental assessment, accepted public comment for 30 days, and held a public hearing in Butte. The process generated 36 public comments including very strong support from the community. The Deer Lodge County Commissioners expressed support for this acquisition. The County Commission did express concern over increased incidents of deer and mountain lions being reported in Anaconda. This concern was addressed in the Decision Notice, released March 8th, by noting that FWP's Region Two Supervisor met with County Commissioners to discuss solutions and that FWP had increased mountain lion quotas in the area. The Decision Notice recommended proceeding with the acquisition. The Fish and Wildlife Commission approved this purchase unanimously on June 22, 2022.

Rationale for Land Board Action: Anaconda and nearby communities such as Butte would benefit from this acquisition. The area's population is increasing, and with it so is the demand for public access for hunting and recreation.

FWP Recommendation: FWP recommends the Land Board approve FWP's fee simple acquisition of the Willow Creek addition to Mt. Haggin Wildlife Management Area.



0722-3

TIMBER SALES:

Flat Schmidt

**Land Board Agenda Item
July 18, 2022**

0722-3 Timber Sale: Flat Schmidt

**Location: Powell County
S10 & 16, T14N, R11W**

**Trust Beneficiaries: Public Buildings (58.9%)
Common Schools (41.1%)**

Trust Revenue: \$75,054 (estimated, minimum bid)

Item Summary

Location: The Flat Schmidt Timber Sale is located approximately eight miles southwest of Ovando, Montana.

Size and Scope: The sale includes two harvest units (232 acres) of tractor logging.

Volume: The estimated harvest volume is 3,598 tons (550 MBF) of sawlog timber.

Estimated Return: The minimum bid is \$20.86 per ton, which would generate approximately \$75,054 for the Public Buildings and Common Schools Trusts, and approximately \$11,945 in Forest Improvement fees.

Prescription: This sale would utilize individual tree selection and seed tree harvest prescriptions designed to reduce insect and disease issues, promote forest health and progression towards desired future conditions.

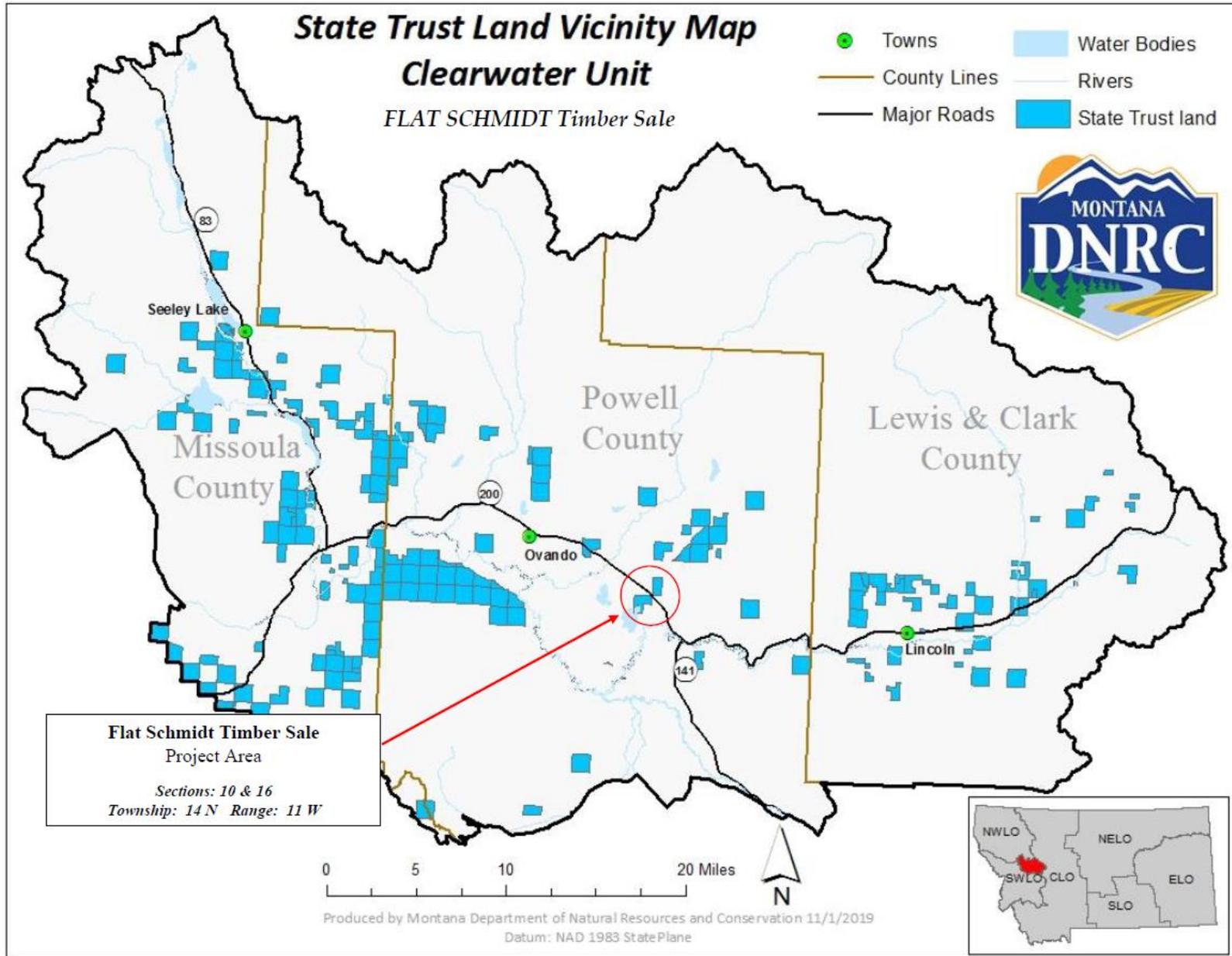
Road Construction/Maintenance: In conjunction with the sale, the Department of Natural Resources and Conservation (DNRC) is proposing 1.68 miles of road reconstruction and 2.03 miles of road maintenance.

Access: Access to the timber sale is obtained through Powell County and DNRC roads.

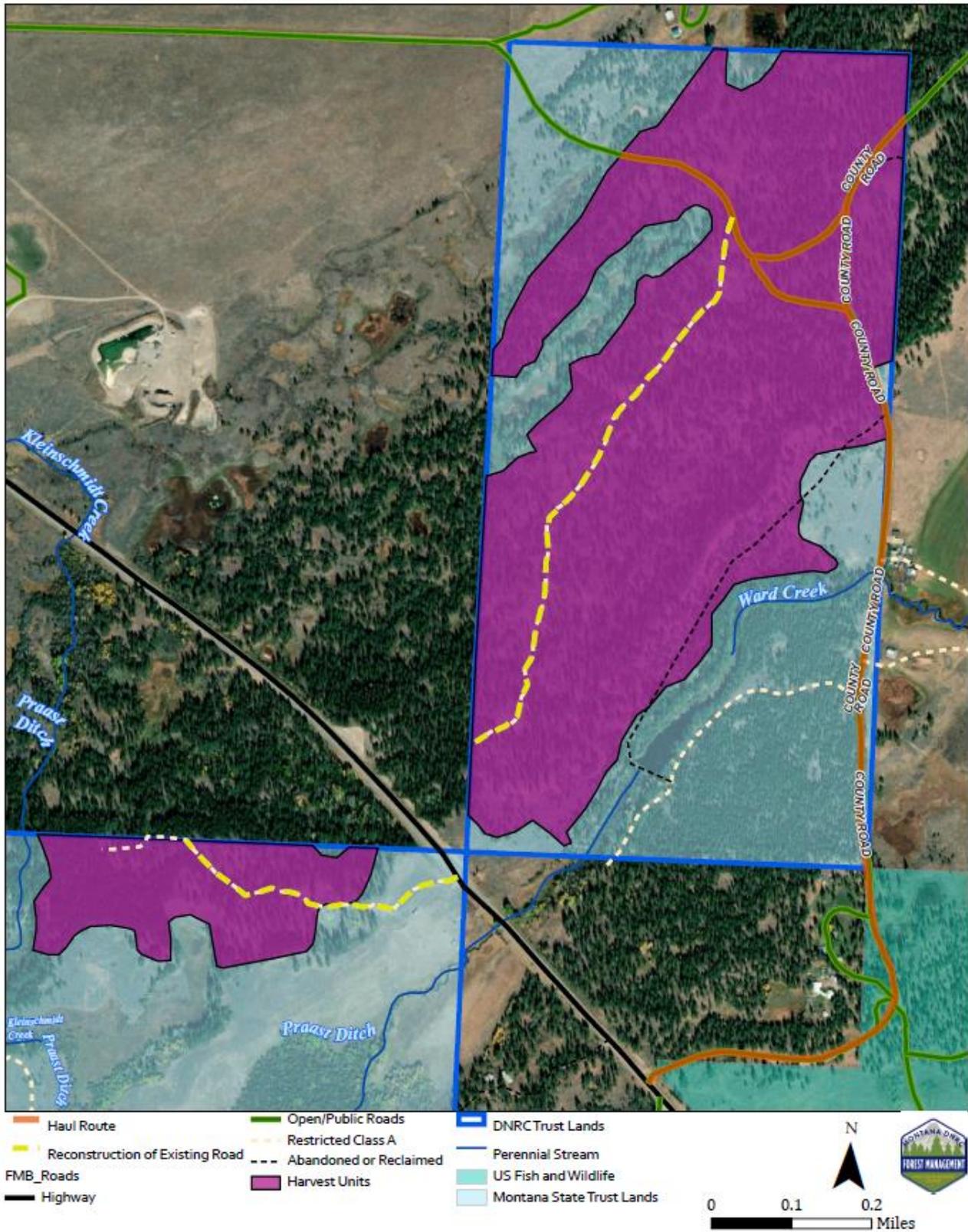
Public Comments: Eight comments were received. Five comments from near-by landowners expressed concern over roads, noxious weeds, wildlife habitat and harvest prescriptions, all of which were considered in project planning and design. Montana Department of Fish, Wildlife & Parks (FWP) expressed concern over important wildlife habitat and species of concern in the area. DNRC worked with FWP to incorporate appropriate harvest timing restrictions and habitat attributes into project design. Two tribal entities commented and the DNRC staff archaeologist conducted a Class I review of the project area, which did not identify any cultural resources.

DNRC Recommendation

The DNRC recommends the Land Board direct DNRC to sell the Flat Schmidt Timber Sale.



Flat Schmidt Timber Sale Haul Route and Harvest Units



0722-4

COMMUNITIZATION

AGREEMENT:

Golden Monkey #1H Well

**Land Board Agenda Item
July 18th, 2022**

0722-4 Communitization Agreement: Golden Monkey #1H Well

**Location: Rosebud County
T11N R34E Sections 9 & 16**

Trust Benefits: Common Schools

Trust Revenue: Unknown

Item Summary

Bluebird Energy, LLC has filed a request with the Department of Natural Resources and Conservation (DNRC) for the approval of a communitization agreement to communitize State owned acreage in conformity with Montana Board of Oil and Gas Conservation Commission (BOGC) regulations.

A communitization agreement brings together small tracts of land within a spacing unit for the distribution of production revenues. The agreement allows the State to receive its proper royalty share of production revenues from the spacing unit.

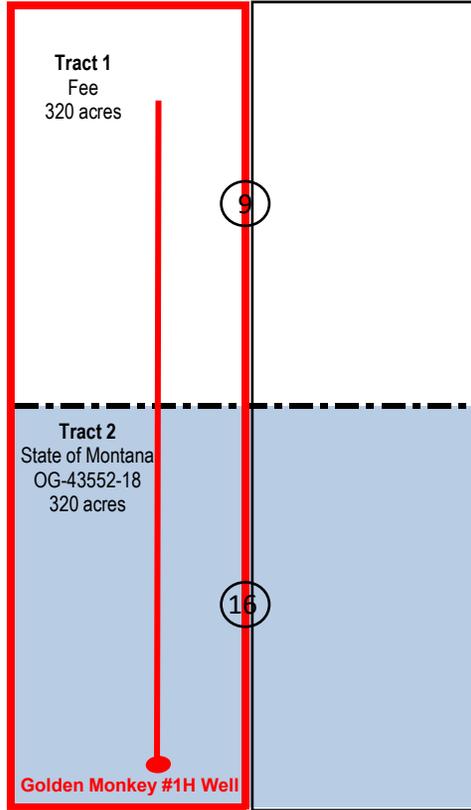
The Golden Monkey #1H well is a horizontal Heath formation oil well. The well is located approximately 30 miles northeast of Melstone and was drilled on State Trust land in Section 16. DNRC owns 320.00 acres of the 640.00 mineral acres in the permanent spacing unit that will be communitized. The Agreement encompasses any wells producing from the Heath Formation in the spacing unit comprised of Sections 9, 16 of T11N R34E.

The DNRC tract comprises 50.00% of the communitized area. DNRC will consequently receive 8.335% of all oil production (16.67% royalty rate x 50.00% tract participation).

DNRC Recommendation

The DNRC recommends the Land Board approve this Communitization Agreement.

Township 11 North Range 34 East Sections 9 & 16



Tract No.	Type	Acres	Tract Participation	Royalty %	Owner's Interest
1	Fee	320.00	50.000000%	17.25%	8.625000%
2	State of Montana OG-43552-18	320.00	50.000000%	16.67%	8.335000%
Total		640.00	100.000000%		

** The Operator of the Communitized Area is Bluebird Energy, LLC.*

0722-5

LAND BANKING PARCEL:

Set Minimum Bid

**Land Board Agenda Item
July 18, 2022**

0722-5 Land Banking Parcel: Set Minimum Bid

Location: Chouteau County

Trust Benefits: Pine Hills School

Trust Revenue: \$115,000

Item Summary

The Department of Natural Resources and Conservation (DNRC) requests to set minimum bid for four parcels totaling approximately 200 acres nominated for sale in Chouteau County. The sales were nominated by the lessee and are located approximately 30 miles north of Great Falls, Montana.

Sale No.	Acres	Legal Description	Nominator	Trust
1174	40	SE4NW4, Section 22, T25N-R3E	Rancho Deluxe Pheasant Farm, LLC	Pine Hills School
1176	40	NE4NW4, Section 29, T25N-R3E	Rancho Deluxe Pheasant Farm, LLC	Pine Hills School
1177	80	E2SW4, Section 20, T25N-R3E	Rancho Deluxe Pheasant Farm, LLC	Pine Hills School
1178	40	NW4NW4, Section 20, T25N-R3E	Rancho Deluxe Pheasant Farm, LLC	Pine Hills School

The sale parcels have been used primarily for livestock grazing purposes and have below average productivity for agricultural and grazing lands statewide.

Sale numbers 1176, 1177, and 1178 are surrounded by private land and are not legally accessible by the public. The sale of these parcels would not restrict or eliminate access to adjacent private land. Sale No. 1174, however, is a forty-acre portion of a legally accessible 320-acre parcel located along Bootlegger Trail. The parcel is located adjacent to an occupied dwelling and contains the driveway to the dwelling. The recreational utility of the forty-acre parcel is constrained by the location of the homesite immediately adjacent to the parcel, as ARM 36.25.139 (c) prohibits shooting within ¼ mile of an occupied dwelling. Approximately twelve acres are unencumbered by the recreational use restriction and likely receives little use.

MEPA scoping was completed, and no potentially negative issues related to the sale of these parcels were identified. Public comments received regarding these sales include one reply from Senator Russell Temple, SD 14, who expressed support of sale number 1178 only. He strongly opposed sale of the remaining three parcels (sales 1174, 1176 and 1177). Two comments in support of the sales were received after the comment period had closed from Senator Ryan Osmundson and Senator Lew Jones.

Economic Analysis:

Short term – The average rate of return on these sale parcels is shown in Figure 1. The parcels would continue to receive this return if they remained in state ownership.

Figure 1: Rates of Return at Current Appraised Values

Sale No.	Rate of Return
1174	0.26%
1176	0.44%
1177	0.43%
1178	0.43%

Long-term – The funds from the sale of these parcels would be combined with other sale funds to purchase replacement land through the department’s Land Banking program. Lands purchased are required to have an equal or greater rate of return than the combined lands that generated the sale funds used for the purchase. To date, the average annual rate of return on acquisitions has been 3.04% on acquisitions with income generated from annual lease payments.

Cultural/Paleontological Resources:

The state parcels nominated for sale were inventoried to Class III standards for cultural and paleontological resources (see DNRC inventory reports 2022-6-7 and 2008-6-2). No *Antiquities*, as defined under the Montana State Antiquities Act, were identified. No additional archaeological, historical, or paleontologic research is recommended in order for the land sales to move forward.

Background:

In October 2021, the Board granted preliminary approval (Approved 5-0) for these parcels to continue through the Land Banking sale evaluation process.

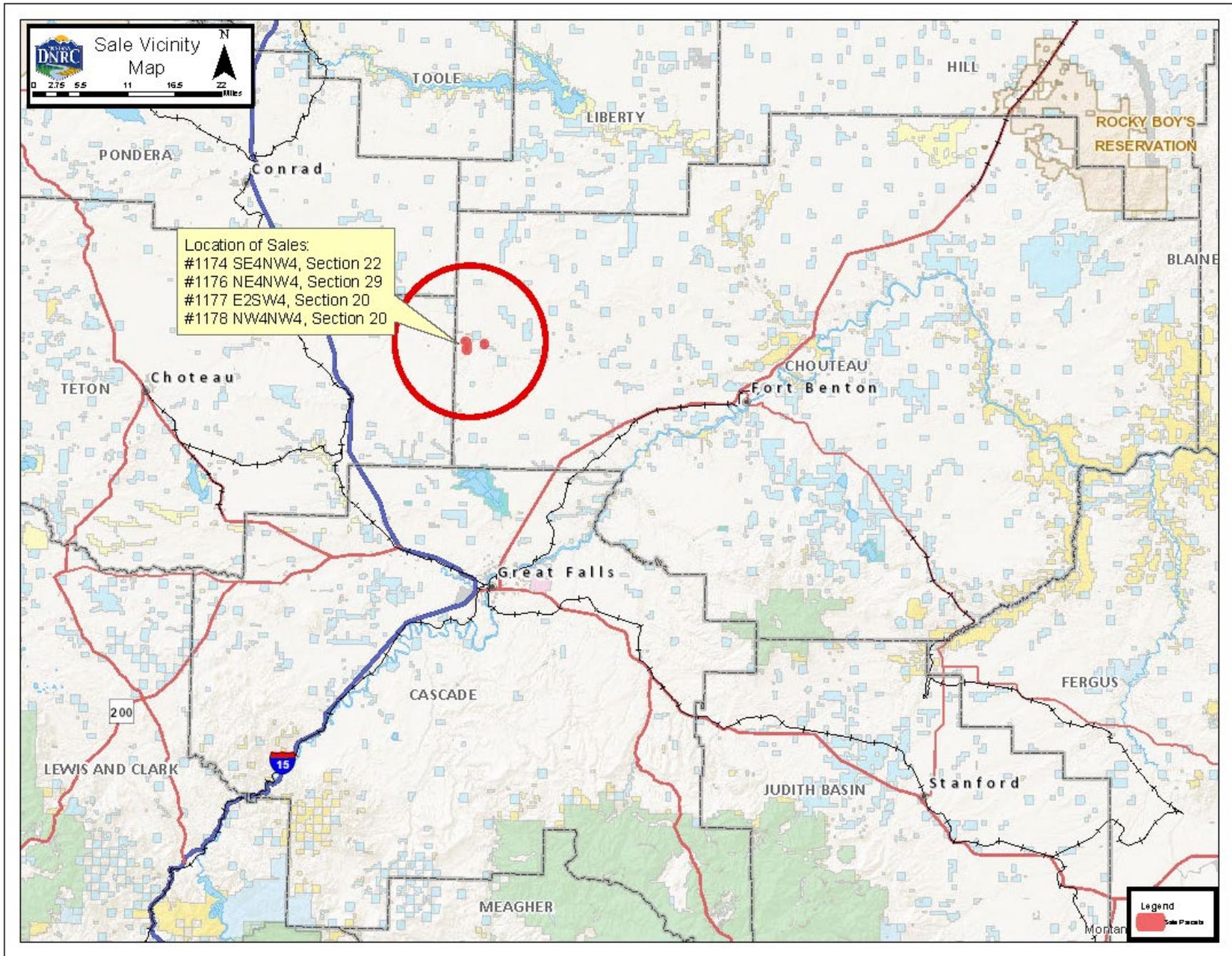
Appraisal:

The appraisal was prepared by Montana General Certified Appraisers J. Scott Crosby and Valerie Crosby of Crosby Analytics, LLC in Cowley, Wyoming in March of 2022.

Sale No.	Appraised Value	Recommended Minimum Bid
1174	\$23,000	\$23,000
1176	\$23,000	\$23,000
1177	\$46,000	\$46,000
1178	\$23,000	\$23,000

DNRC Recommendation

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



0722-6

EASEMENTS

**Land Board Agenda Item
July 18, 2022**

0722-6 Easements

Location: Cascade, Dawson, Flathead, McCone, Missoula, Richland, Wibaux

Trust Benefits: Common Schools, Public Land Trust, School for Deaf & Blind

Trust Revenue: Common School = \$189,431
Public Land Trust = \$271
School for Deaf & Blind = \$2,718

Item Table of Contents

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Hiland Partners Holdings, LLC	Buried Crude Oil and Natural Gas Pipelines	30-Year Term	42-51
Mid-Rivers Telephone Cooperative	Buried Fiber Optic Cable	Permanent	52-73
Reservation Telephone Cooperative	Buried Fiber Optic Cable	Permanent	74-81
Cory S. Olson	Private Access Road	Permanent	82-83

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Blackfoot Communications 1221 N. Russell Street Missoula MT 59808
Application No.:	19278
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	N/A (Navigable River)
Acreage:	0.02
Compensation:	\$271.00
Legal Description:	20-foot strip across Lolo Creek in the SW4SW4, Sec. 35, Twp. 12N, Rge. 20W, Ravalli County
Trust Beneficiary:	Public Land Trust – Navigable Rivers

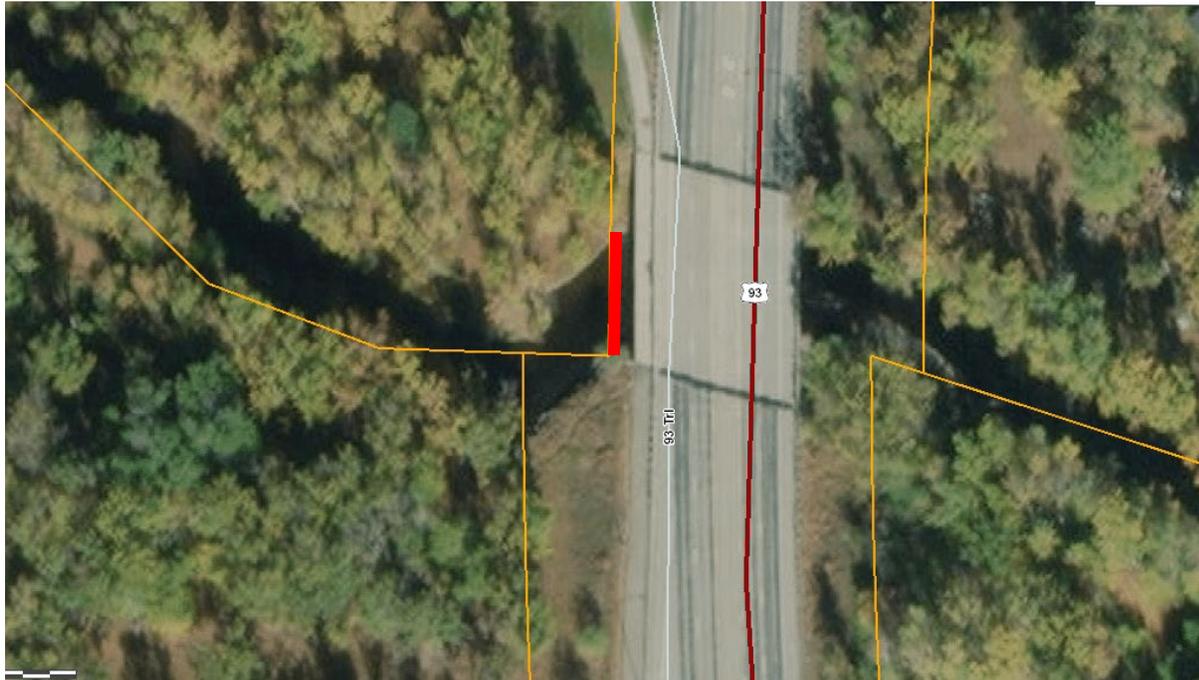
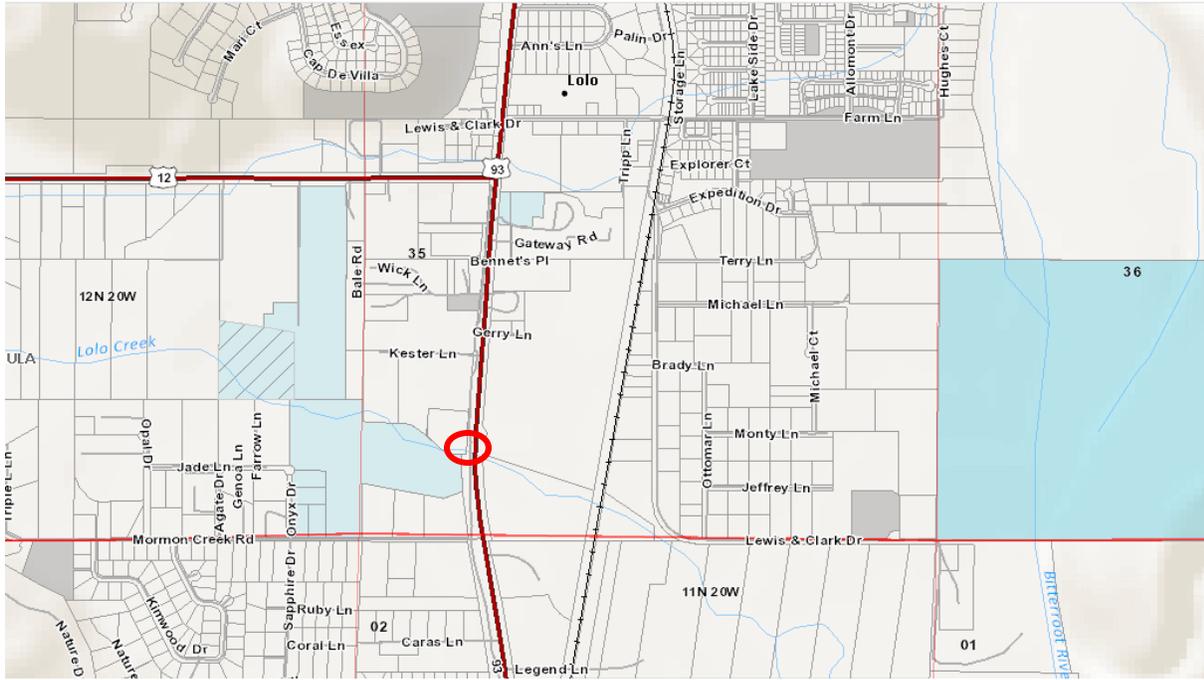
Item Summary

Blackfoot Communications is installing a new fiber optic cable from Lolo to Florence to provide service to multiple new subdivisions and several cell tower sites in the area. The majority of the proposed line will lay within highway right of way, however, in order to install new service south of Lolo a crossing of Lolo Creek is necessary. Lolo Creek has historically been considered navigable and ownership of the bed of the creek has been claimed by the State of Montana. Other utilities have located in this vicinity without any issues, thus Blackfoot Communications wishes to directionally bore a new cable in this location.

DNRC Recommendation

The DNRC recommends approval of the application of Blackfoot Communications.

Application 19278



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Lincoln Electric Cooperative, Inc. P O Box 628 Eureka MT 59917
Application No.:	19341
R/W Purpose:	a buried 14.4 kV electric distribution line
Lessee Agreement:	ok
Acreage:	0.60
Compensation:	\$2,718.00
Legal Description:	10-foot strip through S2NE4, N2NW4SE4, Sec. 7, Twp. 32N, Rge. 23W, Flathead County
Trust Beneficiary:	School for Deaf and Blind

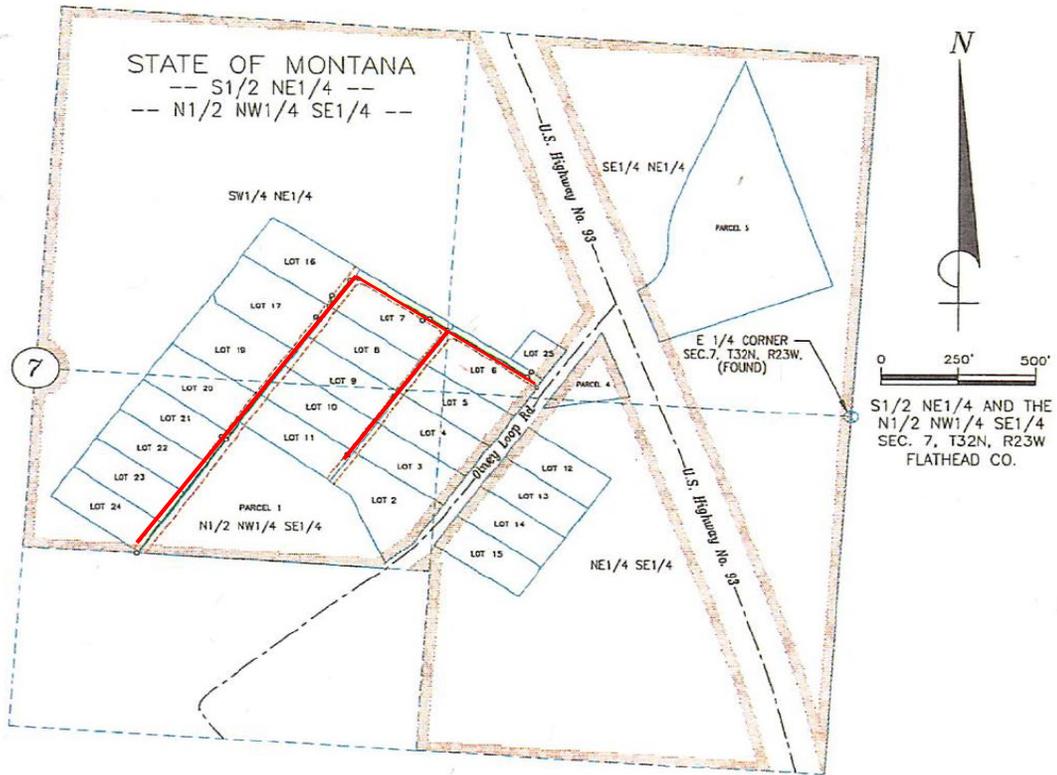
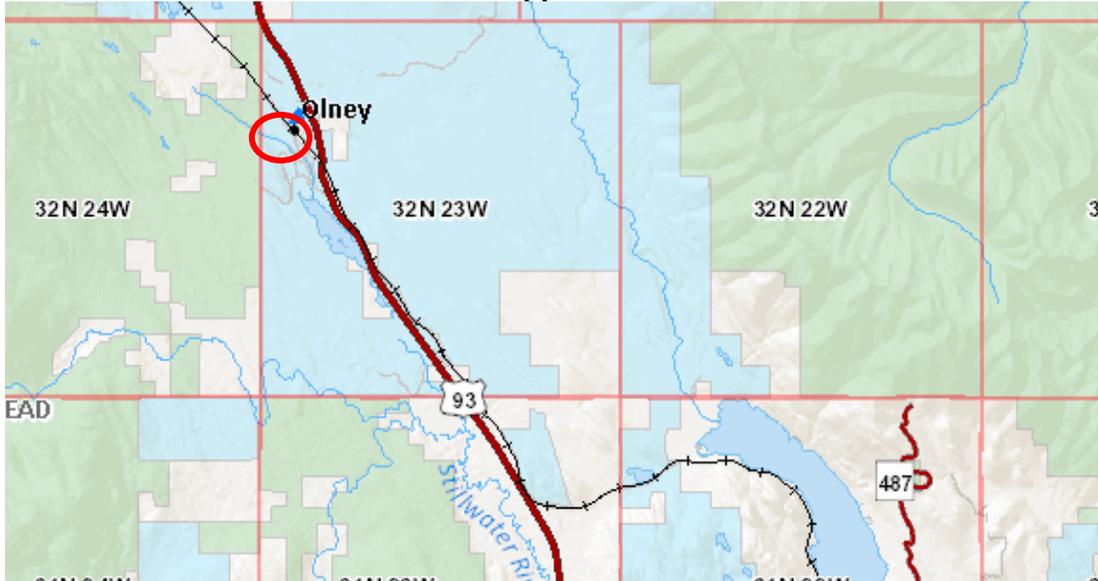
Item Summary

Lincoln Electric Cooperative is requesting an easement to install a buried electric distribution line in conjunction with the installation of a buried fiber optic cable project with InterBel Telephone Cooperative in a shared corridor. InterBel's request for an easement was approved at the November, 2021 Land Board meeting. This new electric line will replace overhead lines and co-locate services within existing roads to provide better service to customers in the Olney area.

DNRC Recommendation

The DNRC recommends approval of the application of Lincoln Electric Cooperative.

Application 19341



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Montana Department of Transportation
P O Box 201001
Helena MT 59620-1601

Application No.: 19348
R/W Purpose: highway construction and maintenance, including occupancy by public utilities as defined in §69-4-101, MCA

Lessee Agreement: ok
Acreage: 0.58
Compensation: \$493.00
Legal Description: Tract of land through SE4SE4, Sec. 36, Twp. 25N, Rge. 58E, Richland County
Trust Beneficiary: Common Schools

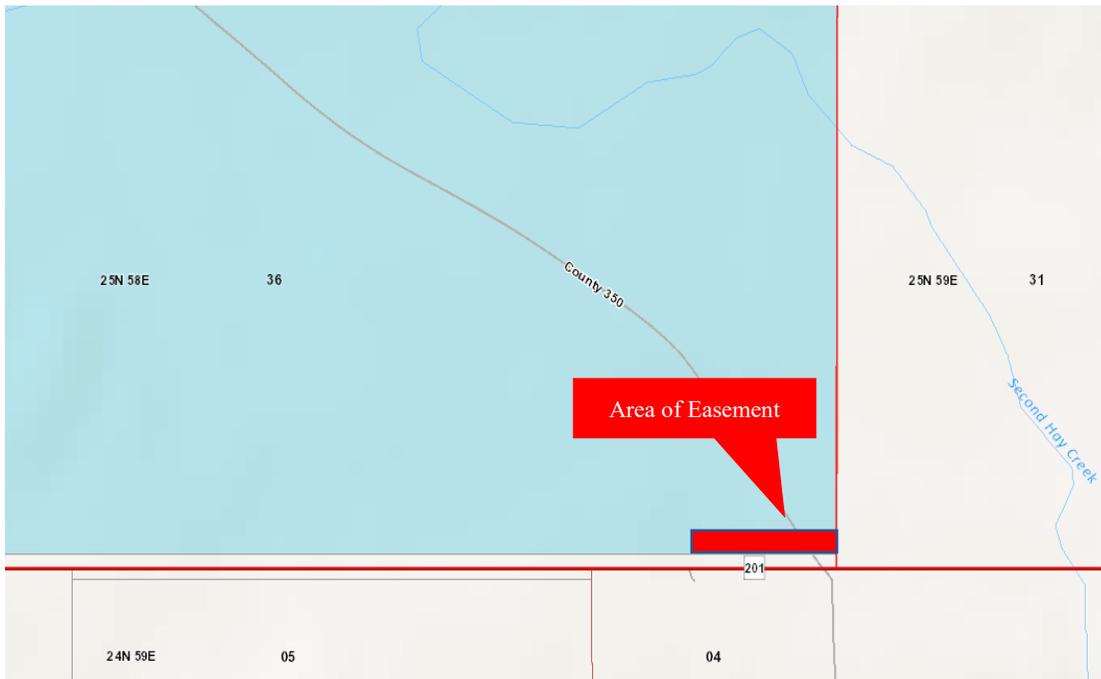
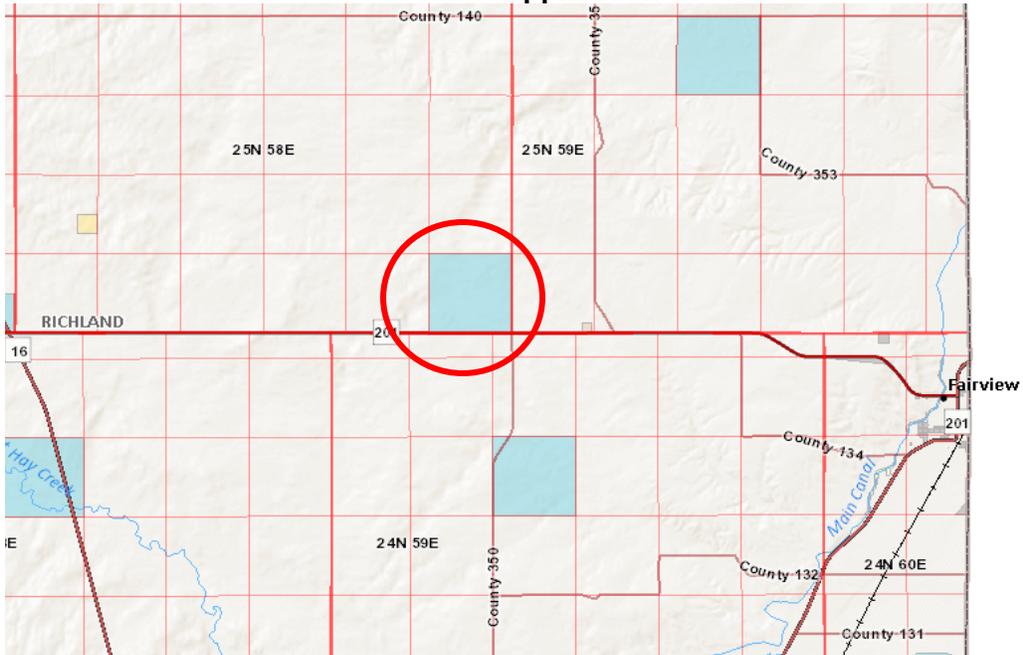
Item Summary

The Department of Transportation is proposing to reconstruct approximately 6 miles of Montana Highway 201 west of the town of Fairview. The reconstruction will consist of installation of culverts and other drainage features, realignment of the roadway, new guard rails and new signage. This project will improve the safety and drivability of the highway for the traveling public.

DNRC Recommendation

The DNRC recommends approval of the application of the Montana Department of Transportation.

Application 19348



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Hiland Partners Holdings, LLC P O Box 1938 Williston ND 58801
Application No.:	19349
R/W Purpose:	two buried 6" crude oil pipelines and two buried 6" natural gas pipelines
Lessee Agreement:	ok
Acreage:	4.43
Compensation:	\$35,466.00
Legal Description:	33-foot strip of land through NW4NW4 and 33-foot strip of land through NE4NW4, W2W2, Sec. 16, Twp. 23N, Rge. 55E, Richland County
Trust Beneficiary:	Common Schools

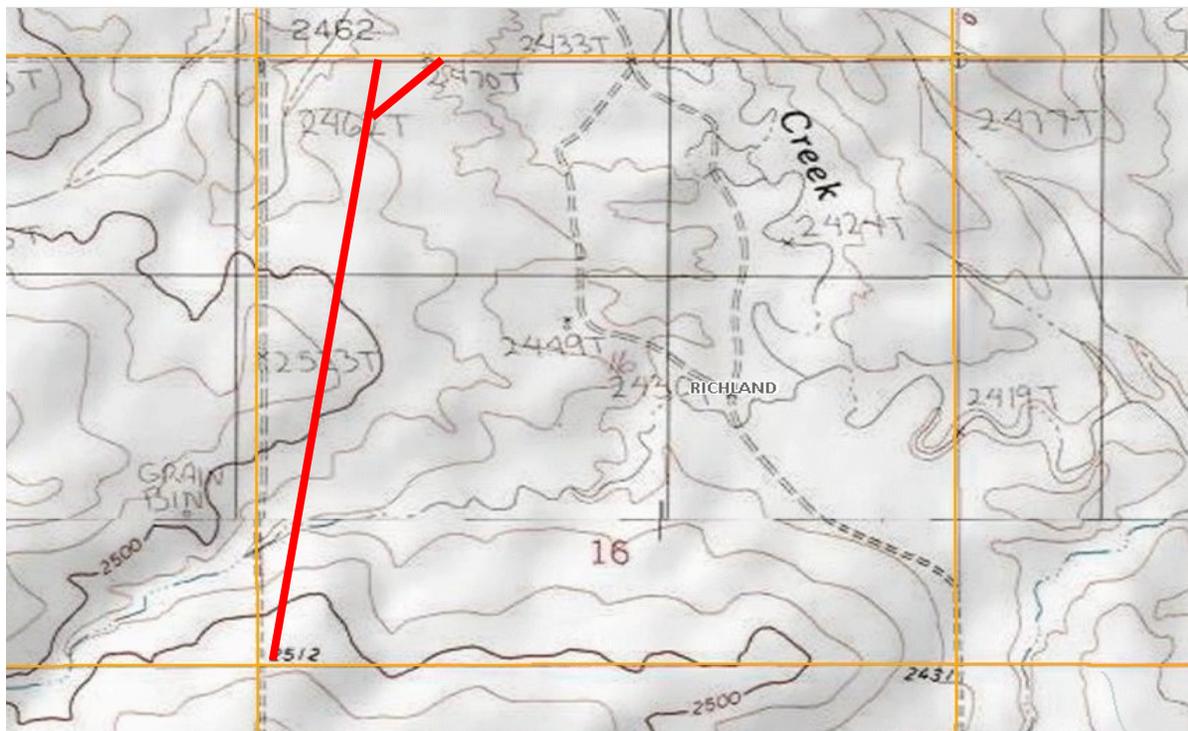
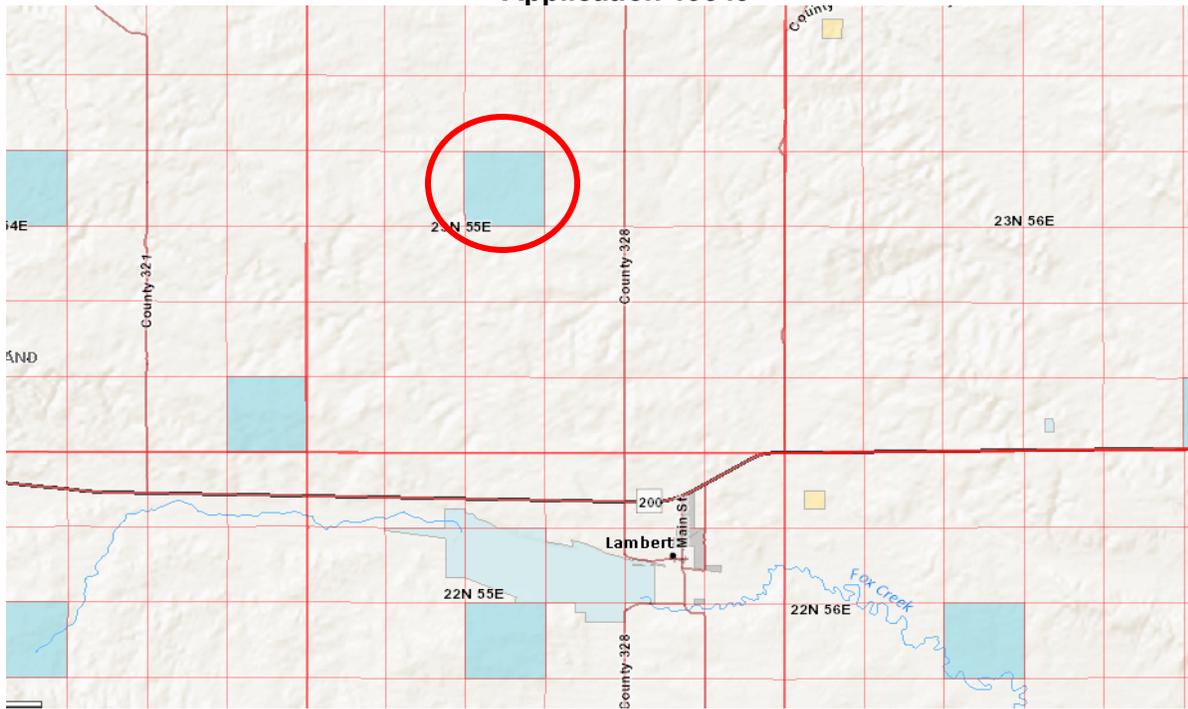
Item Summary

Hiland Partners is requesting easements for existing natural gas and crude oil pipelines located in the same corridor on State Land. These pipelines were installed under a temporary Land Use License in 2010. The license is requested to be converted to a 30-year term easement. Because the pipelines are already in place there is little impact to the State Land.

DNRC Recommendation

The DNRC recommends approval of the applications of Hiland Partners Holdings, LLC for 30-year terms.

Application 19349



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Hiland Partners Holdings, LLC
P O Box 1938
Williston ND 58801

Application No.: 19350
R/W Purpose: a buried 6" crude oil pipeline and a buried 6" natural gas pipeline
Lessee Agreement: ok
Acreage: 2.09
Compensation: \$16,720.00
Legal Description: 33-foot strip through NW4SE4, S2SE4, Sec. 10, Twp. 27N,
Rge. 53E, Richland County
Trust Beneficiary: Common Schools

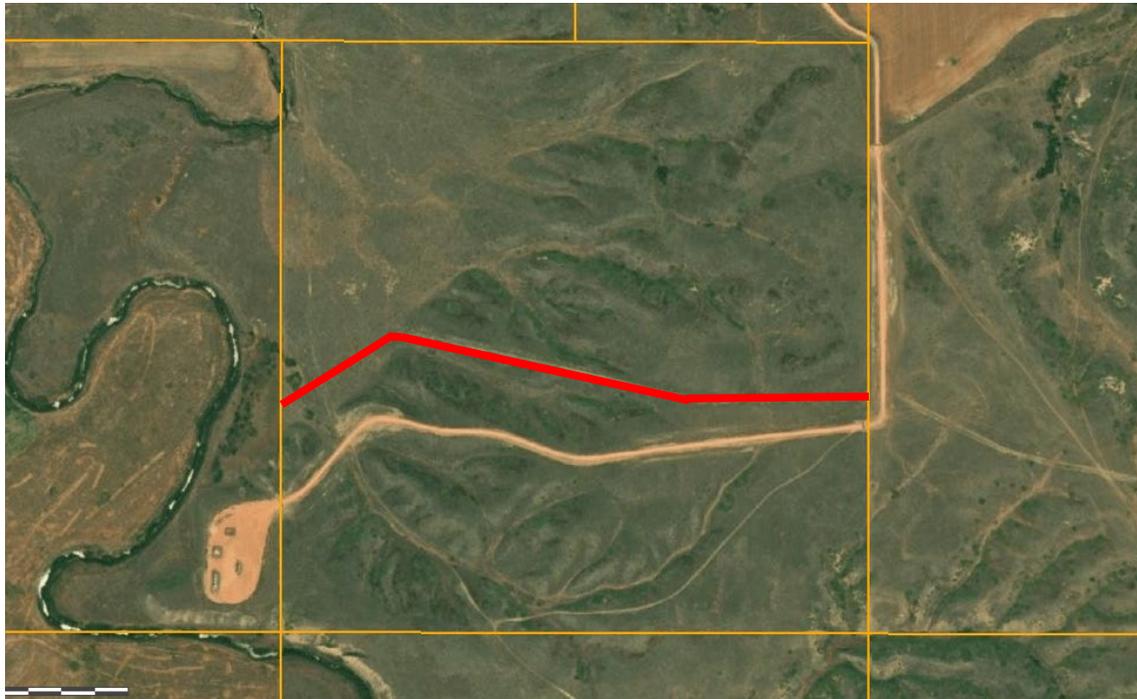
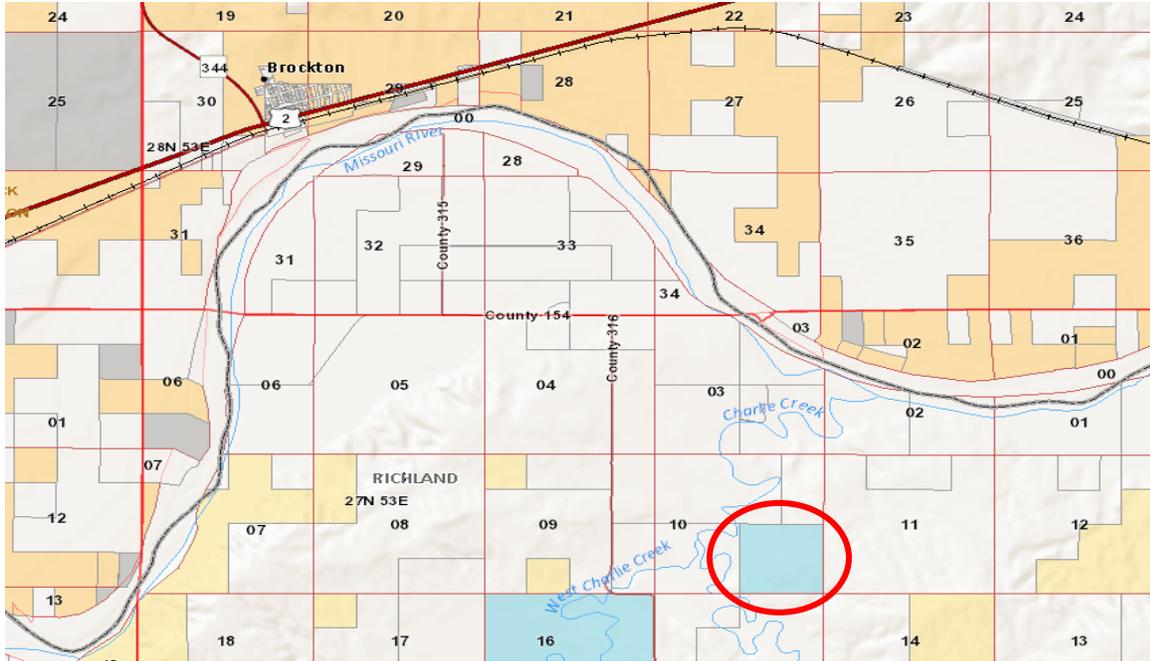
Item Summary

Continuation of Hiland Partners Holdings easement request described previously.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19350



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Hiland Partners Holdings, LLC
P O Box 1938
Williston ND 58801

Application No.: 19351
R/W Purpose: two buried 6" crude oil pipelines and two buried 6" natural gas pipelines

Lessee Agreement: ok
Acreage: 2.04
Compensation: \$16,280.00
Legal Description: 33-foot strips through N2NW4, Sec. 15, Twp. 26N, Rge. 54E, Richland County

Trust Beneficiary: Common Schools

Item Summary

Continuation of Hiland Partners Holdings easement request described previously.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Hiland Partners Holdings, LLC
P O Box 1938
Williston ND 58801

Application No.: 19352
R/W Purpose: a buried 6" crude oil pipeline and a buried 6" natural gas pipeline
Lessee Agreement: ok
Acreage: 8.15
Compensation: \$65,189.00
Legal Description: 33-foot strips through N2N2, E2E2, SW4SE4, Sec. 16, Twp. 26N,
Rge. 54E, Richland County
Trust Beneficiary: Common Schools

Item Summary

Continuation of Hiland Partners Holdings easement request described previously.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Hiland Partners Holdings, LLC
P O Box 1938
Williston ND 58801

Application No.: 19353
R/W Purpose: two buried 6" crude oil pipelines and two buried 6" natural gas pipelines

Lessee Agreement: ok
Acreage: 2.87
Compensation: \$22,951.00
Legal Description: 33-foot strip through SE4SE4 and 33-foot strip through SE4NE4, E2SE4, Sec. 36, Twp. 27N, Rge. 54E, Richland County
Trust Beneficiary: Common Schools

Item Summary

Continuation of Hiland Partners Holdings easement request described previously.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Hiland Partners Holdings, LLC
P O Box 1938
Williston ND 58801

Application No.: 19354
R/W Purpose: a buried 6" crude oil pipeline and a buried 6" natural gas pipeline
Lessee Agreement: ok
Acreage: 1.88
Compensation: \$15,034.00
Legal Description: 33-foot strip through W2NW4, Sec. 31, Twp. 27N, Rge. 55E,
Richland County
Trust Beneficiary: Common Schools

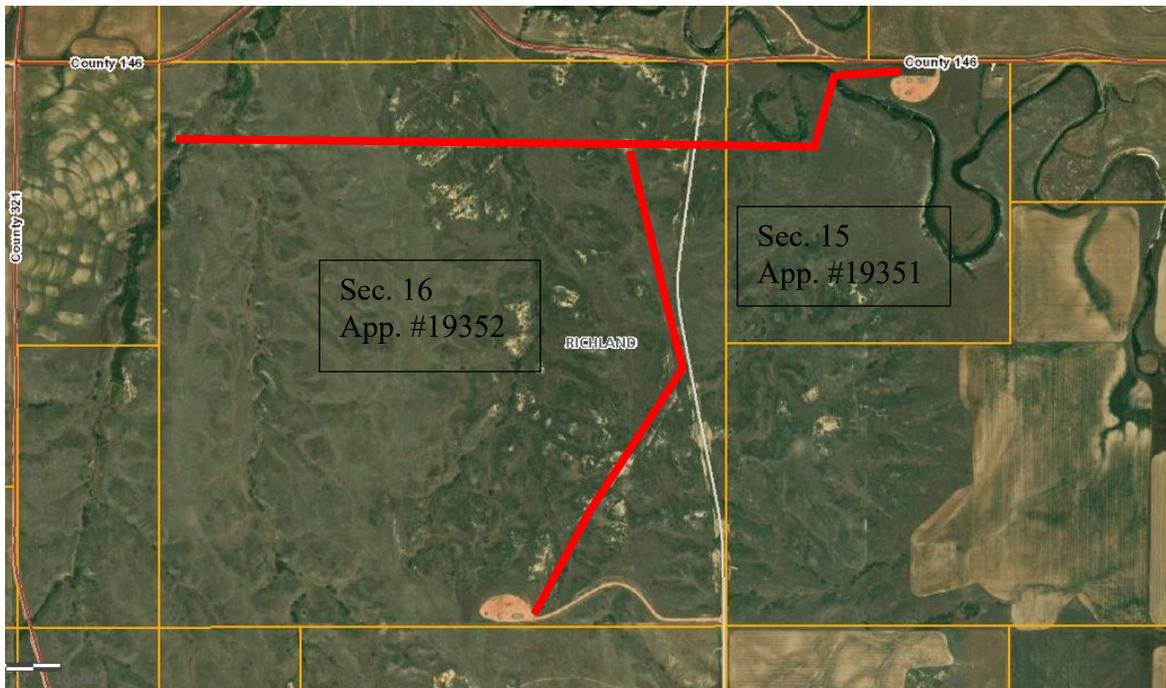
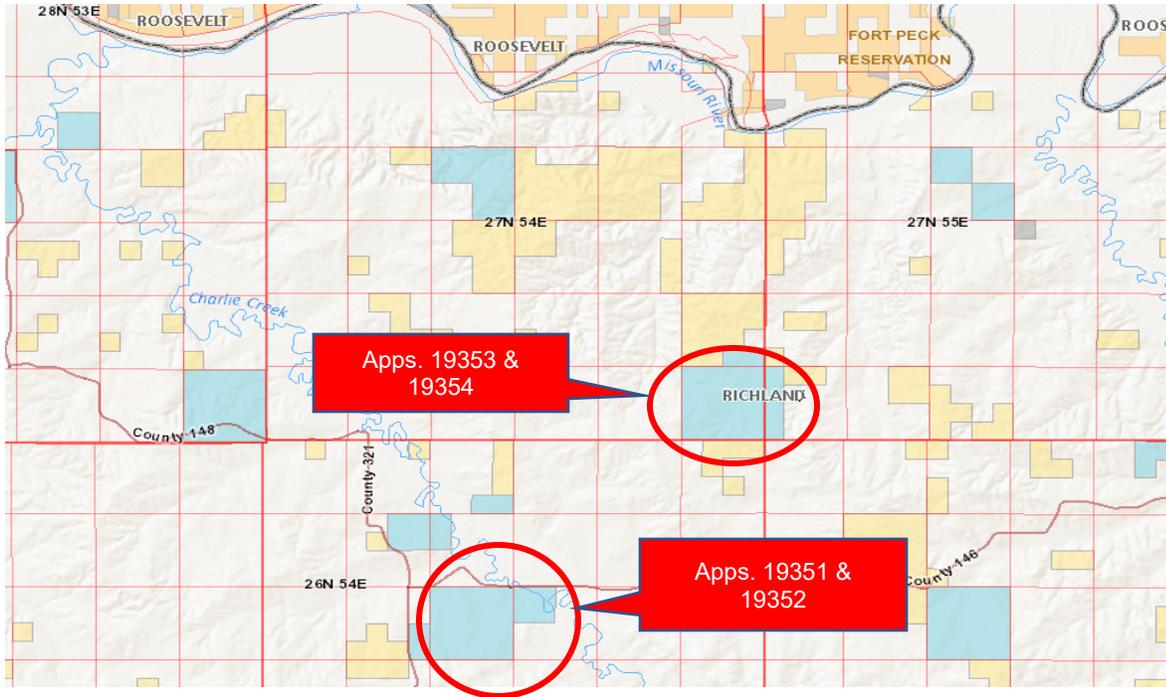
Item Summary

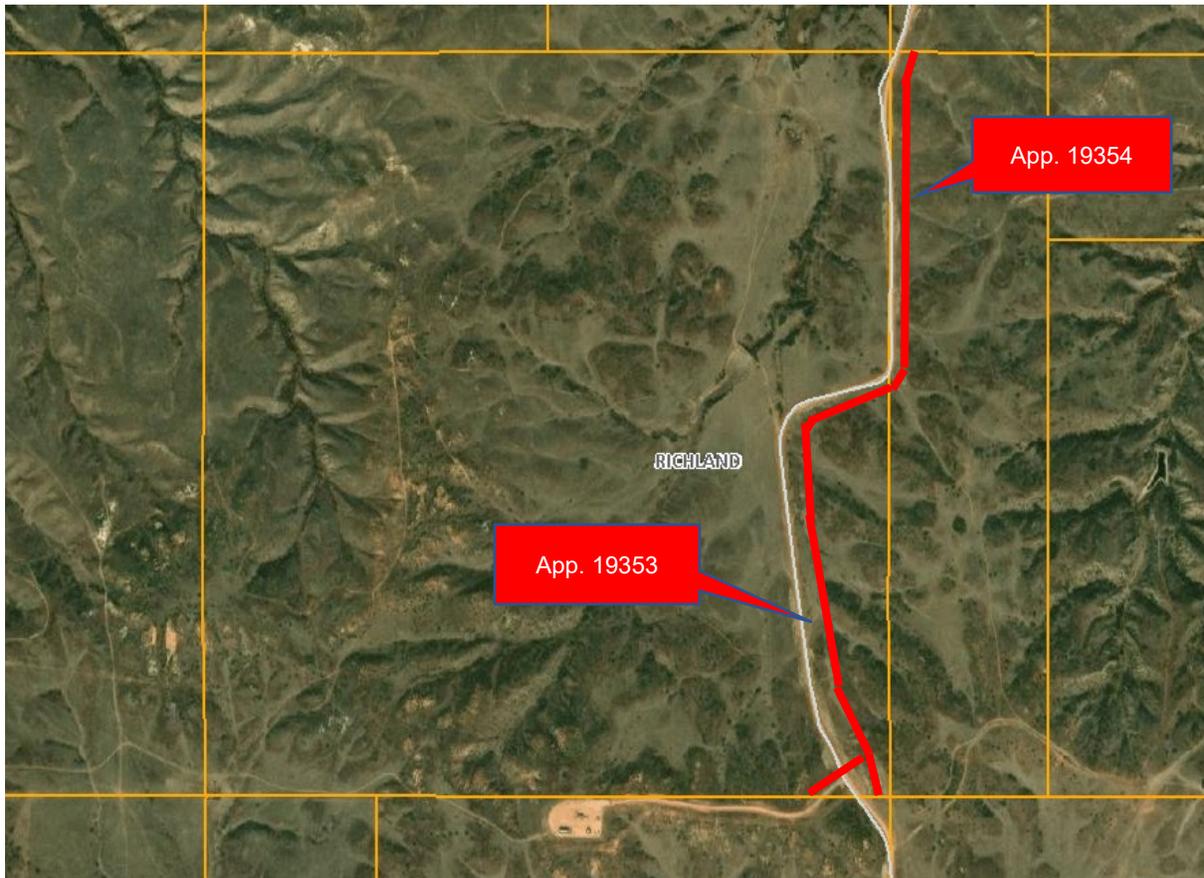
Continuation of Hiland Partners Holdings easement request described previously.

DNRC Recommendation

The DNRC recommends approval as previously described.

Applications 19351-19354





APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. P O Box 280 Circle MT 59215
Application No.:	19355
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	ok
Acreage:	0.94
Compensation:	\$329.00
Legal Description:	16-foot strip through SW4SW4, Sec. 36, Twp. 27N, Rge. 47E, McCone County
Trust Beneficiary:	Common Schools

Item Summary

Mid-Rivers Telephone Cooperative is requesting easements for the purpose of installing new fiber optic cable to rural areas in Dawson, McCone and Richland Counties. The project encompasses a total of 113.45 miles of new cable installation. The project has been through the Sage Grouse Program and a mitigation plan for those affected lands has been agreed to. Out of the 13 sections of State Trust Land crossed, only two sections are within Sage Grouse general habitat. Minimal impact is expected as this line will be trenched in along existing roads and trails and previously disturbed lands.

DNRC Recommendation

The DNRC recommends approval of the applications of Mid-Rivers Telephone Cooperative.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19356
R/W Purpose: two buried fiber optic cables
Lessee Agreement: ok
Acreage: 1.93
Compensation: \$676.00
Legal Description: 16-foot strip through E2NE4SE4, N2S2SE4 and 16-foot strip
through S2SE4, Sec. 36, Twp. 27N, Rge. 47E, McCone County
Trust Beneficiary: Common Schools

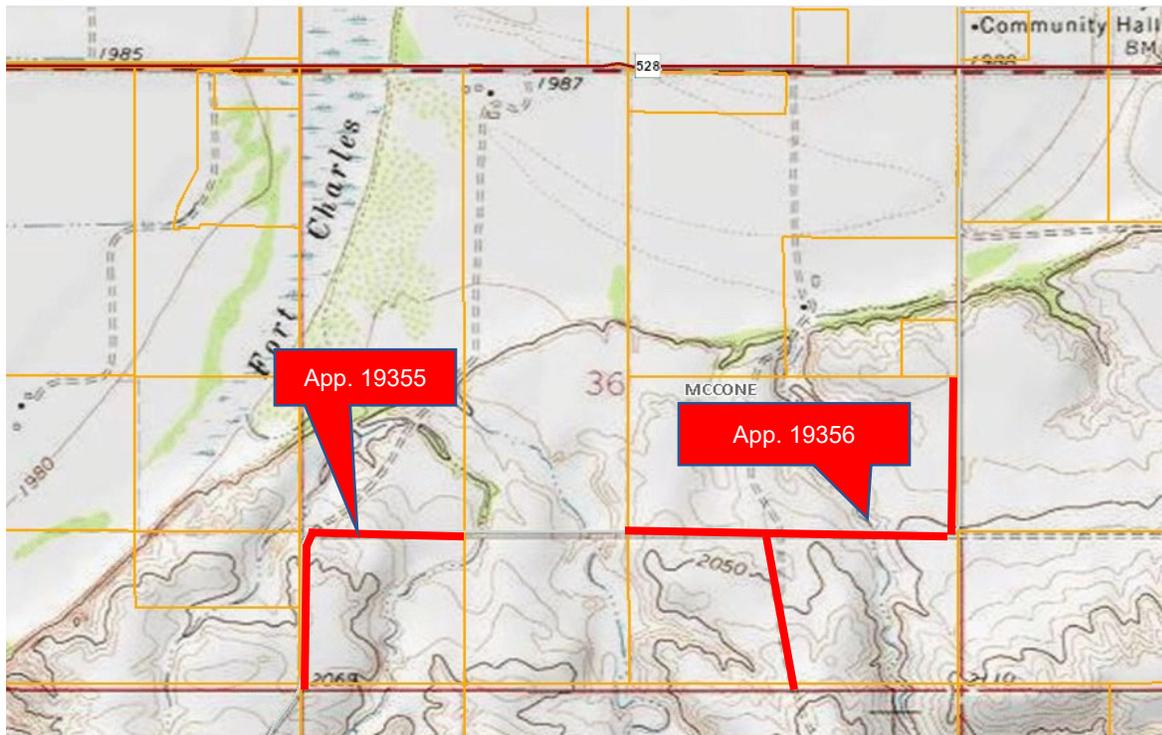
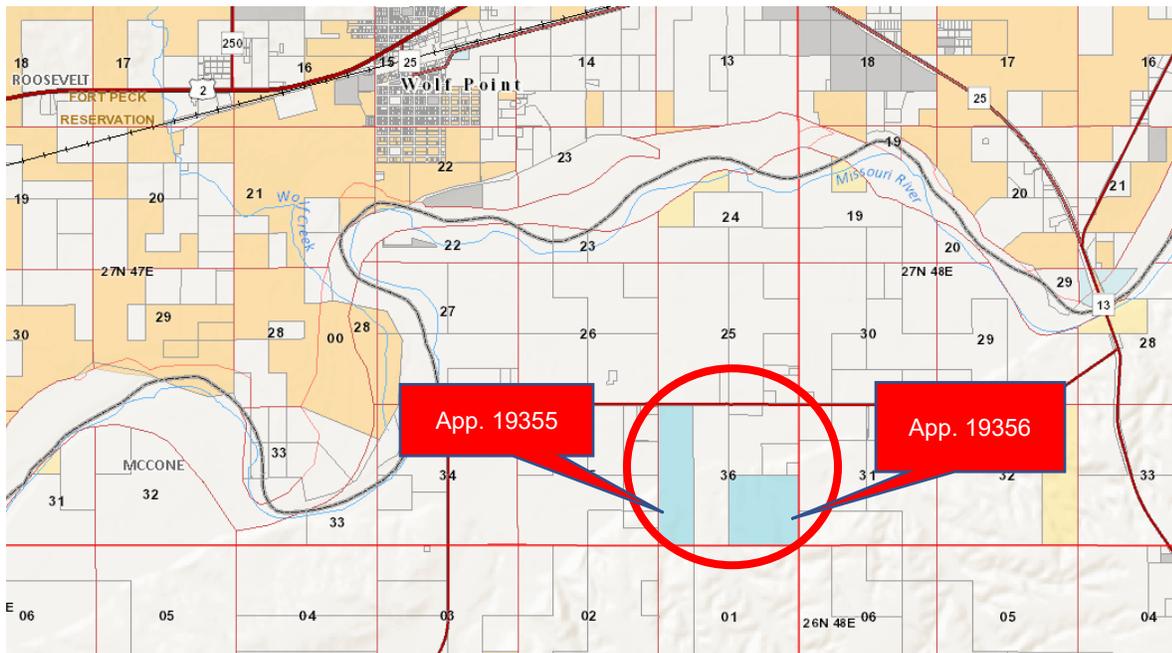
Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Applications 19355 - 19356



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19357
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.07
Compensation: \$375.00
Legal Description: 16-foot strip through N2NW4, Sec. 26, Twp. 22N, Rge. 55E,
Richland County
Trust Beneficiary: Common Schools

Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19358
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.86
Compensation: \$651.00
Legal Description: 16-foot strip through W2W2 East of County Road, Sec. 36,
Twp. 22N, Rge. 55E, Richland County
Trust Beneficiary: Common Schools

Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19359
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.12
Compensation: \$100.00
Legal Description: 16-foot strip through SW4SW4, Sec. 36, Twp. 22N, Rge. 55E,
Richland County
Trust Beneficiary: Common Schools

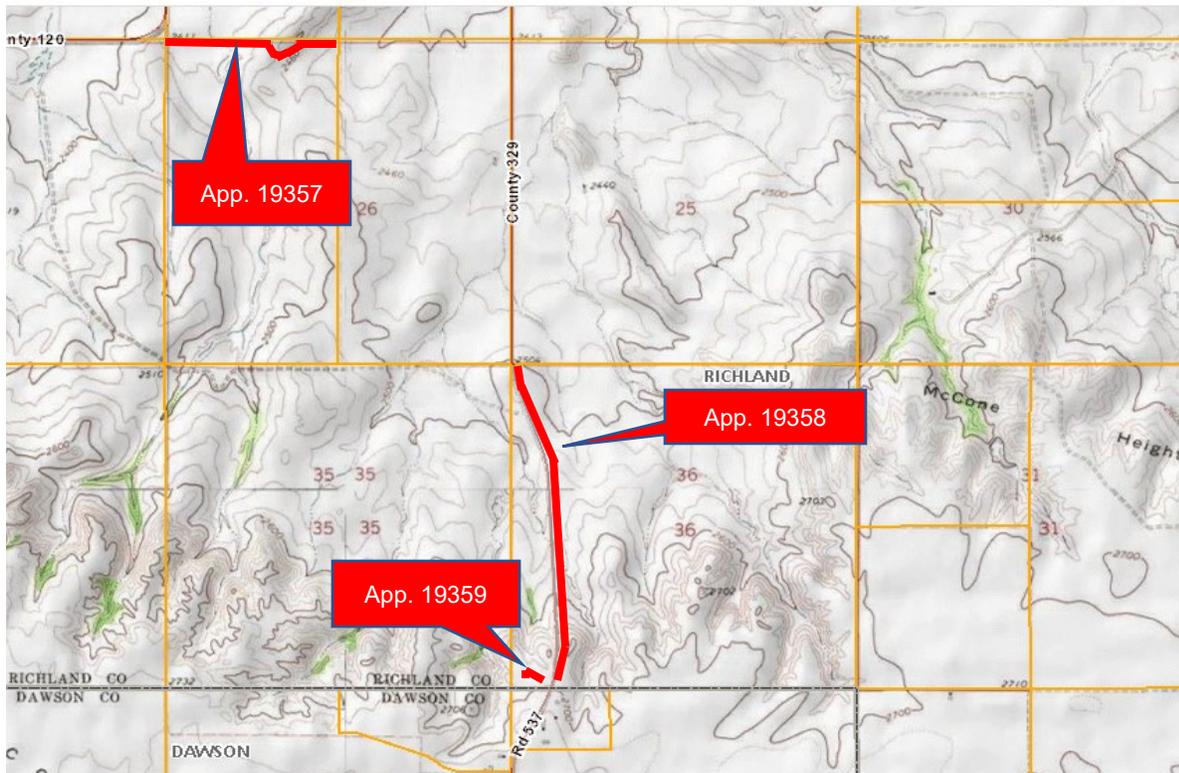
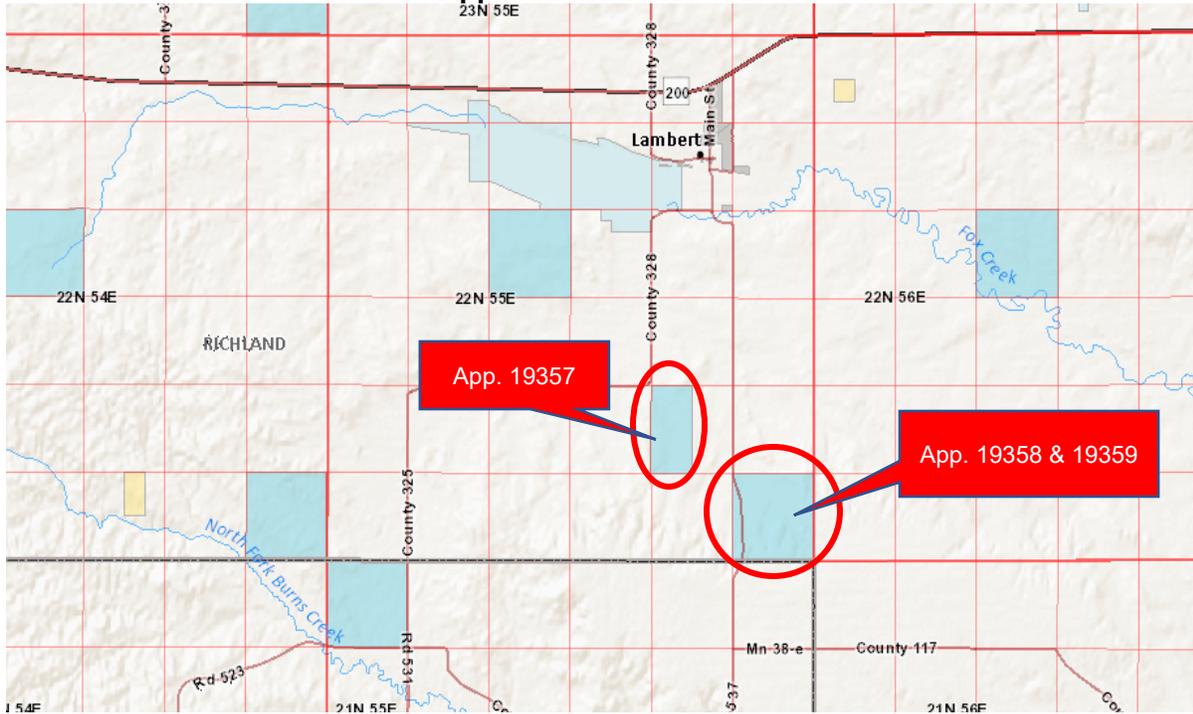
Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Applications 19357 – 19359



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19360
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.84
Compensation: \$644.00
Legal Description: 16-foot strip through S2NE4, Sec. 36, Twp. 24N, Rge. 54E,
Richland County
Trust Beneficiary: Common Schools

Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19361
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.83
Compensation: \$641.00
Legal Description: 16-foot strip through S2S2, Sec. 16, Twp 24N, Rge. 55E,
Richland County
Trust Beneficiary: Common Schools

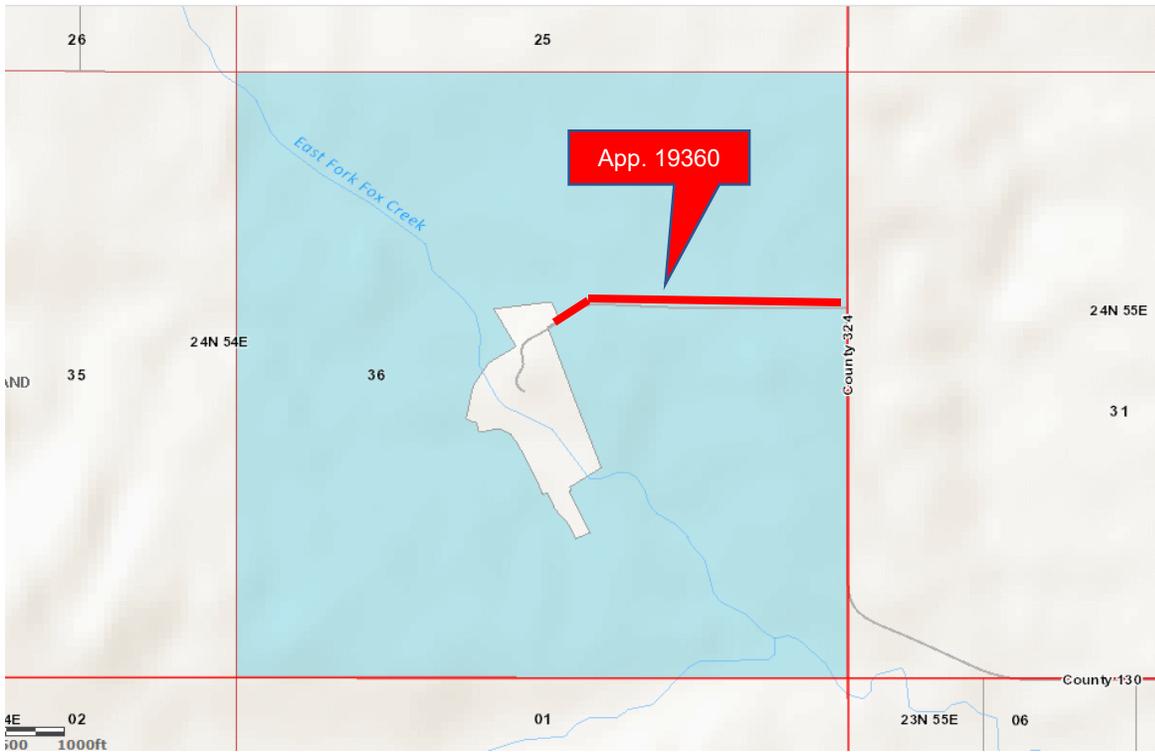
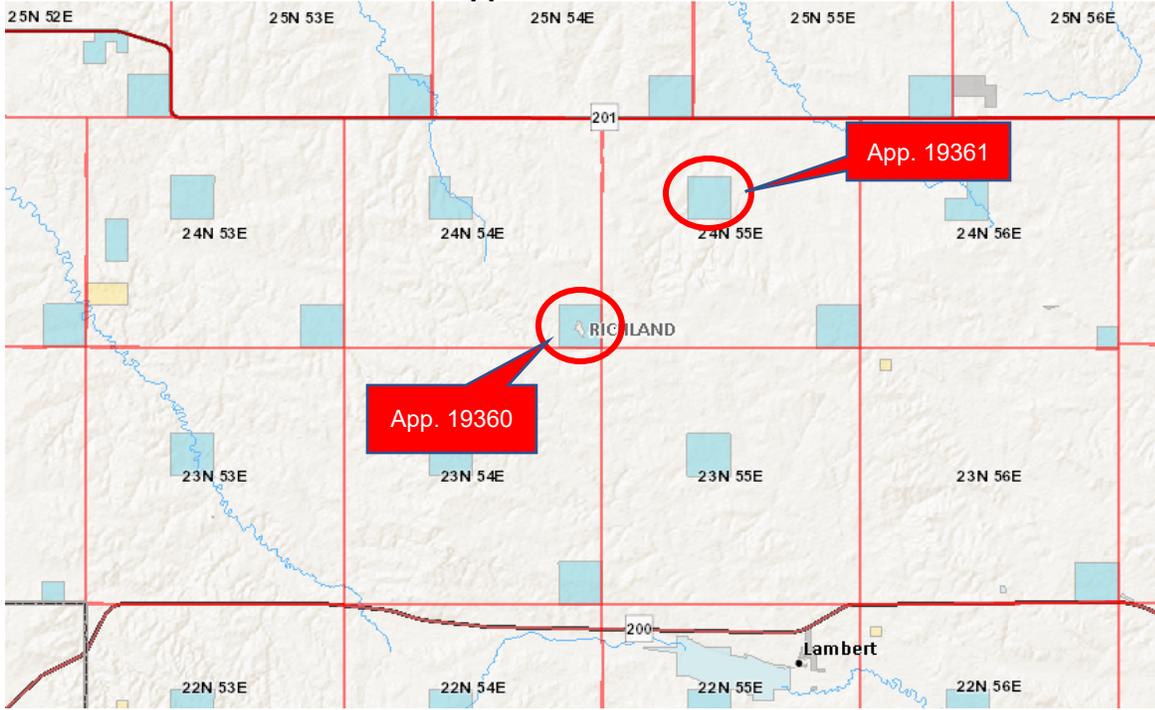
Item Summary

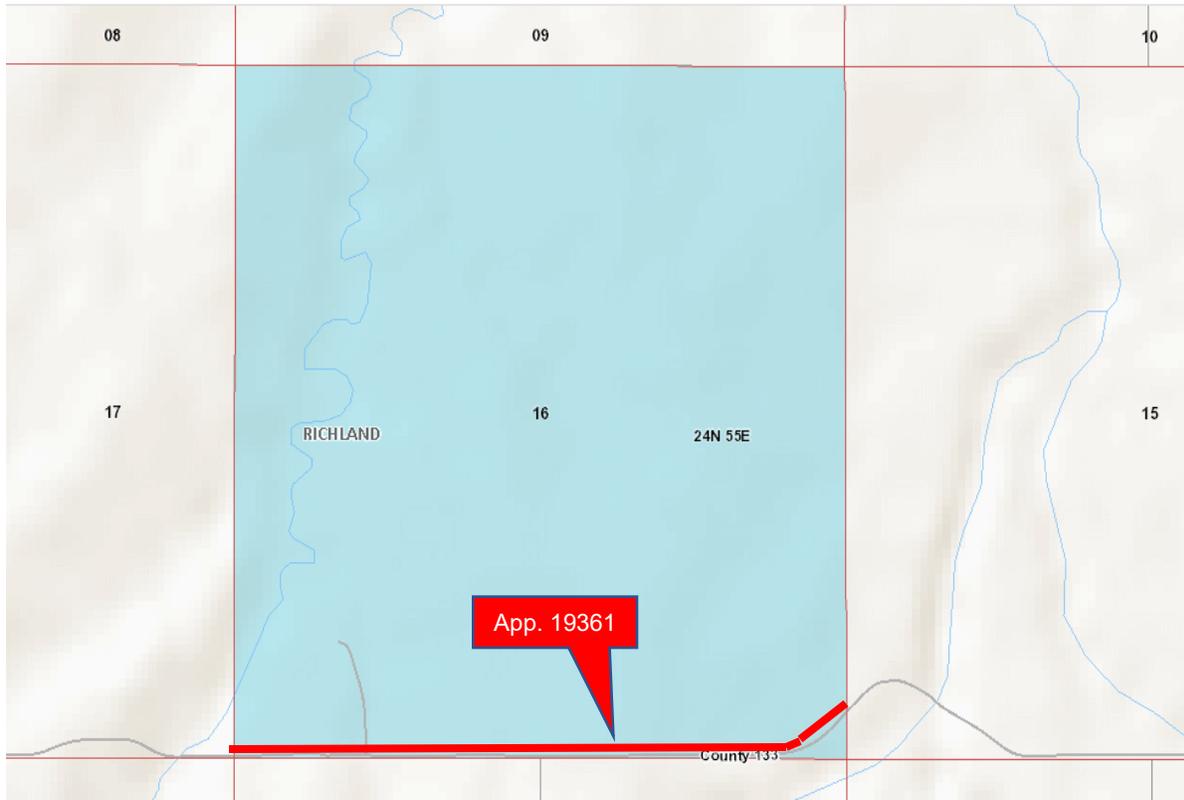
Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19360 - 19361





APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19362
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.64
Compensation: \$224.00
Legal Description: 16-foot strip through SE4NE4, Sec. 16, Twp. 21N, Rge. 55E,
Dawson County
Trust Beneficiary: Common Schools

Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19363
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.47
Compensation: \$165.00
Legal Description: 16-foot strip through SE4SE4, Sec. 36, Twp. 25N, Rge. 52E,
Richland County
Trust Beneficiary: Common Schools

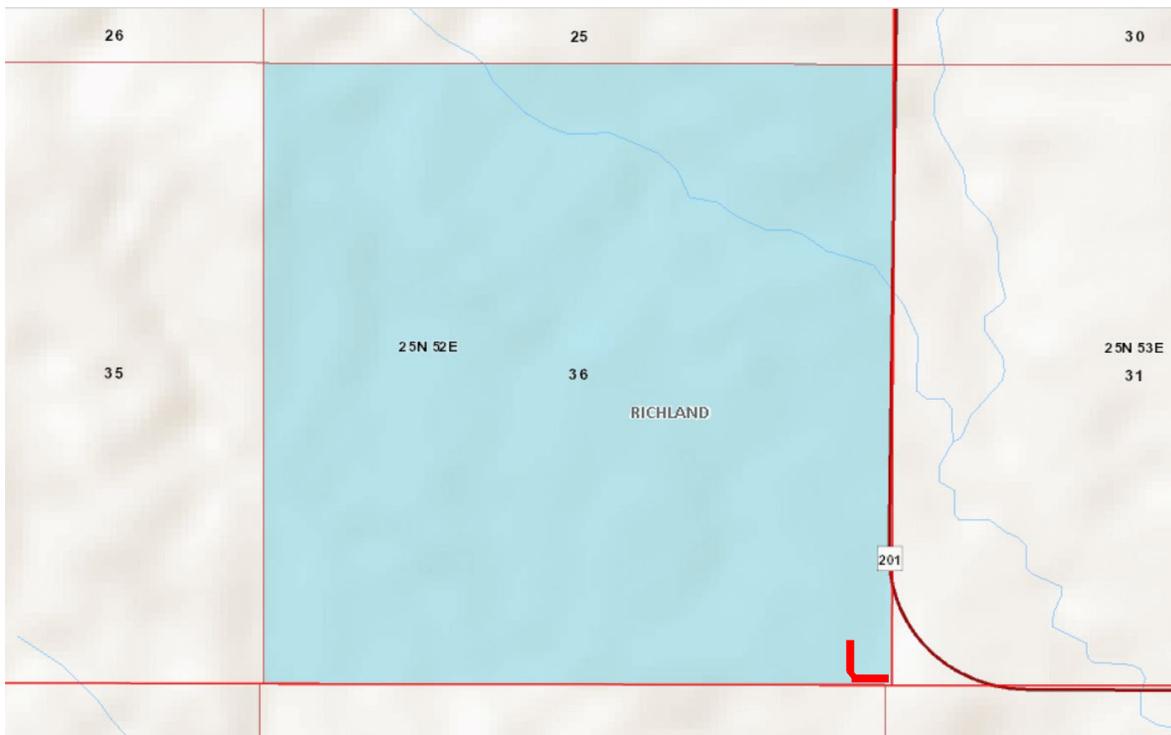
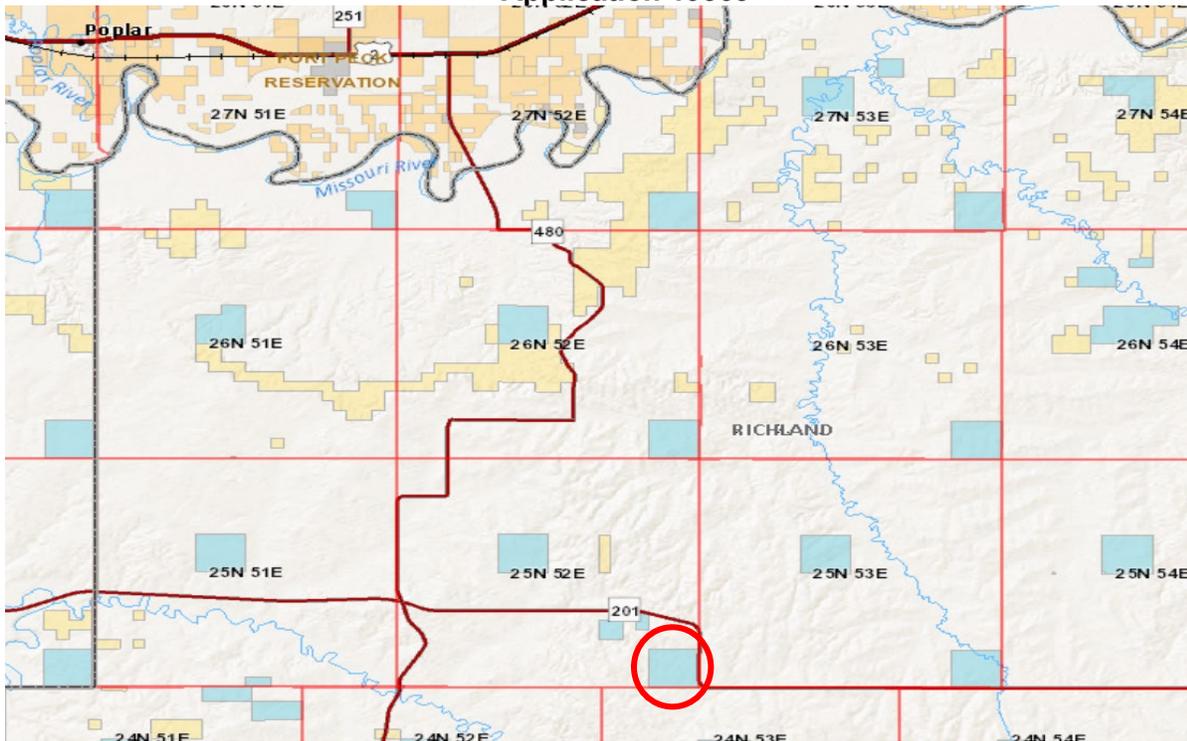
Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19363



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19364
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 2.72
Compensation: \$952.00
Legal Description: 16-foot strip through N2NE4, E2NW4, NE4SW4, W2SW4,
Sec. 16, Twp. 25N, Rge. 45E, McCone County
Trust Beneficiary: Common Schools

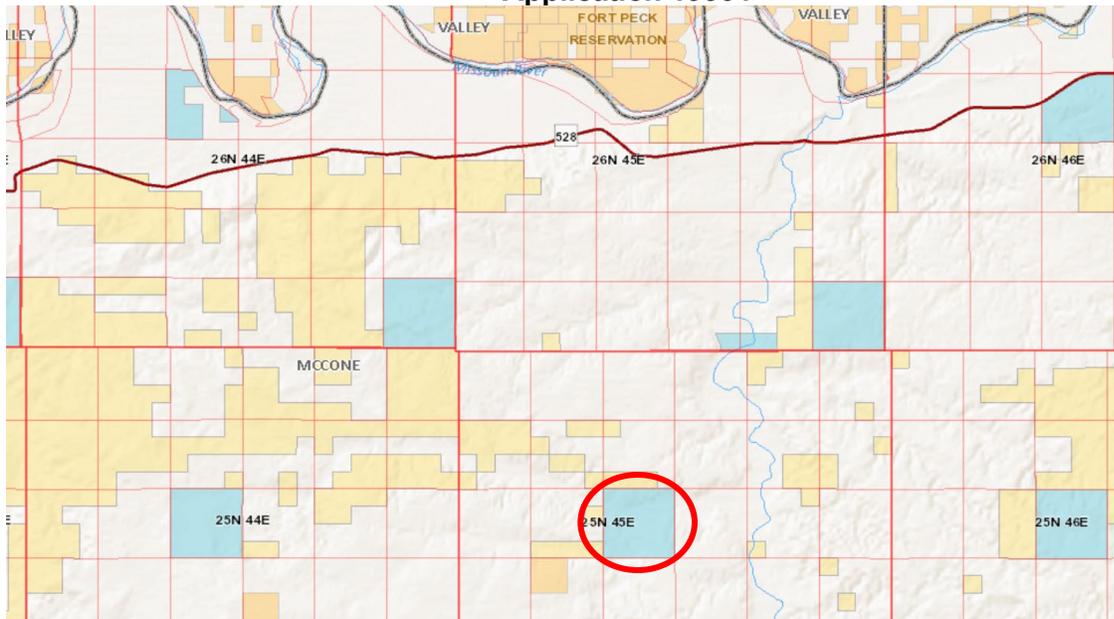
Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19364



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19365
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.46
Compensation: \$511.00
Legal Description: 16-foot strip through Gov. Lots 1-3, Sec. 5, Twp. 25N, Rge. 47E,
McCone County
Trust Beneficiary: Common Schools

Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19366
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.52
Compensation: \$182.00
Legal Description: 16-foot strip through Gov. Lots 1-2, Sec. 6, Twp. 25N, Rge. 47E,
McCone County
Trust Beneficiary: Common Schools

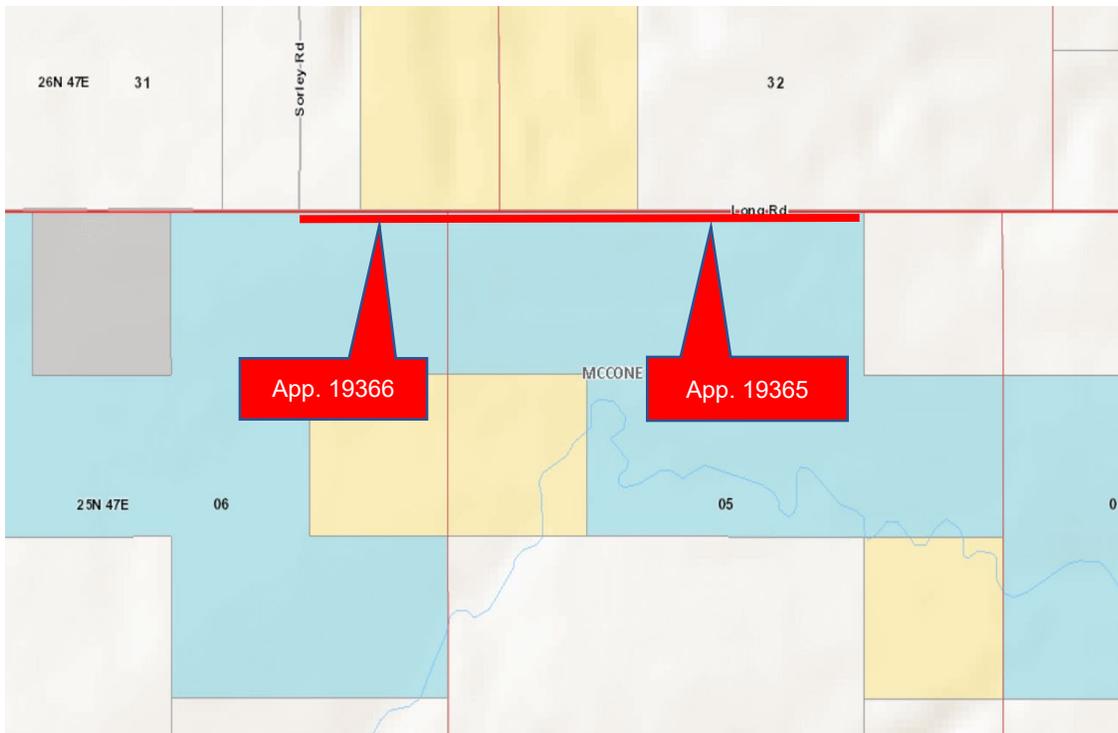
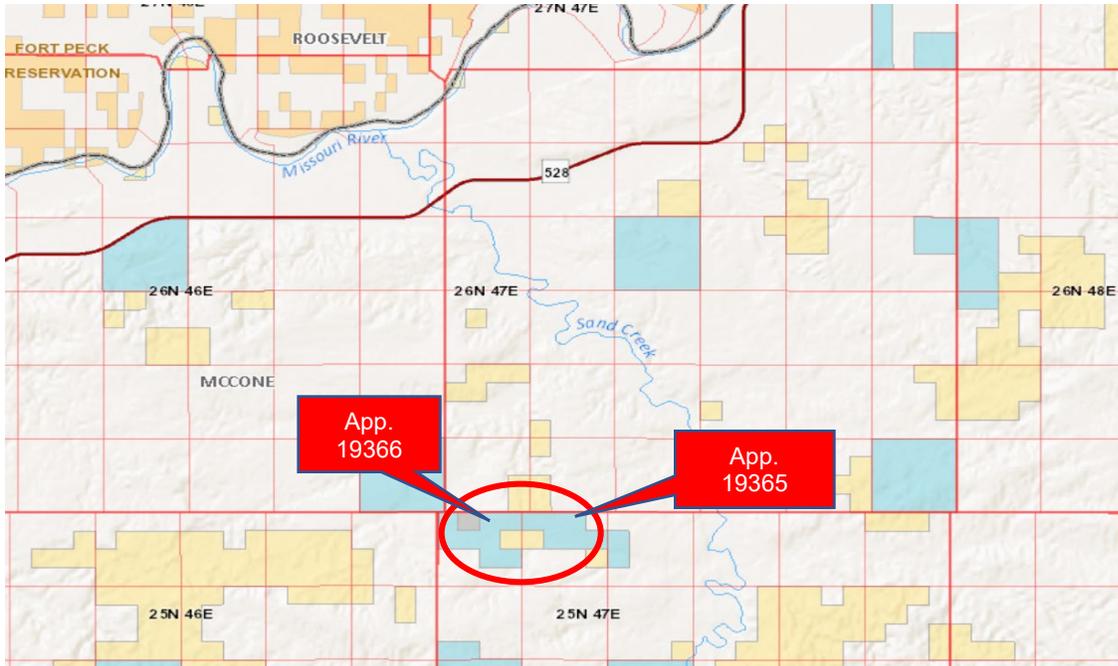
Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Applications 19365 - 19366



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Mid-Rivers Telephone Cooperative, Inc.
P O Box 280
Circle MT 59215

Application No.: 19367
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.16
Compensation: \$406.00
Legal Description: 16-foot strip through SW4SW4NW4 and 16-foot strip through
SW4SW4NW4, W2SW4, Sec. 16, Twp. 26N, Rge. 46E,
McCone County
Trust Beneficiary: Common Schools

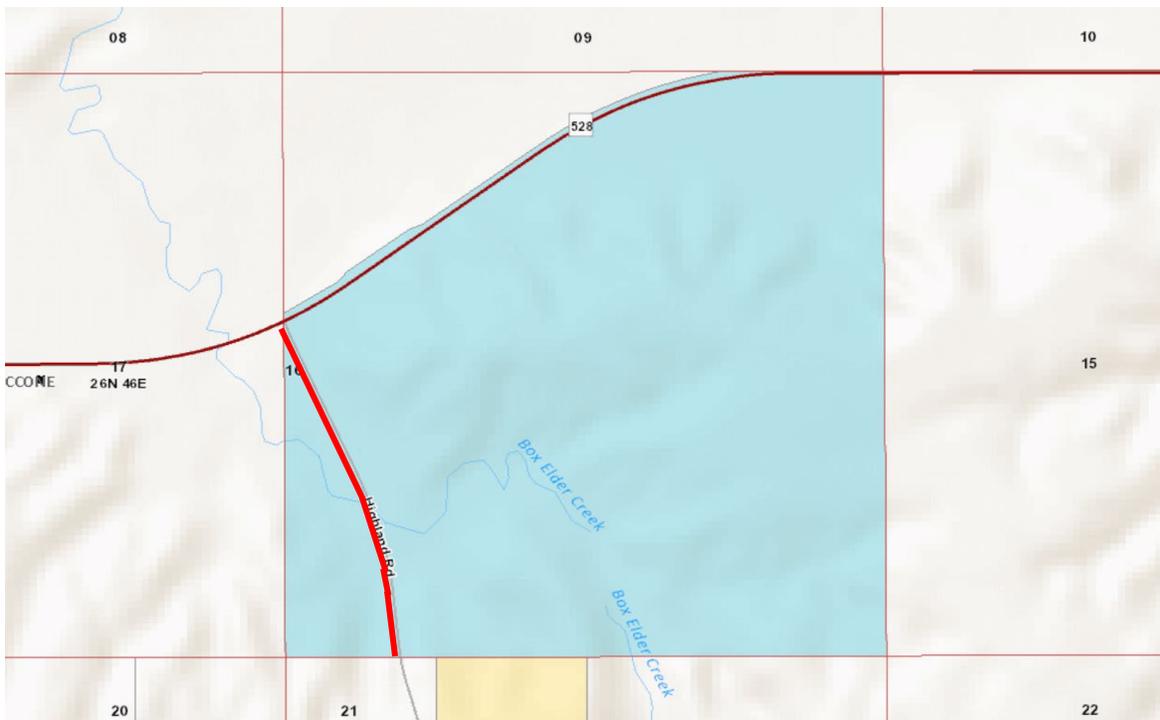
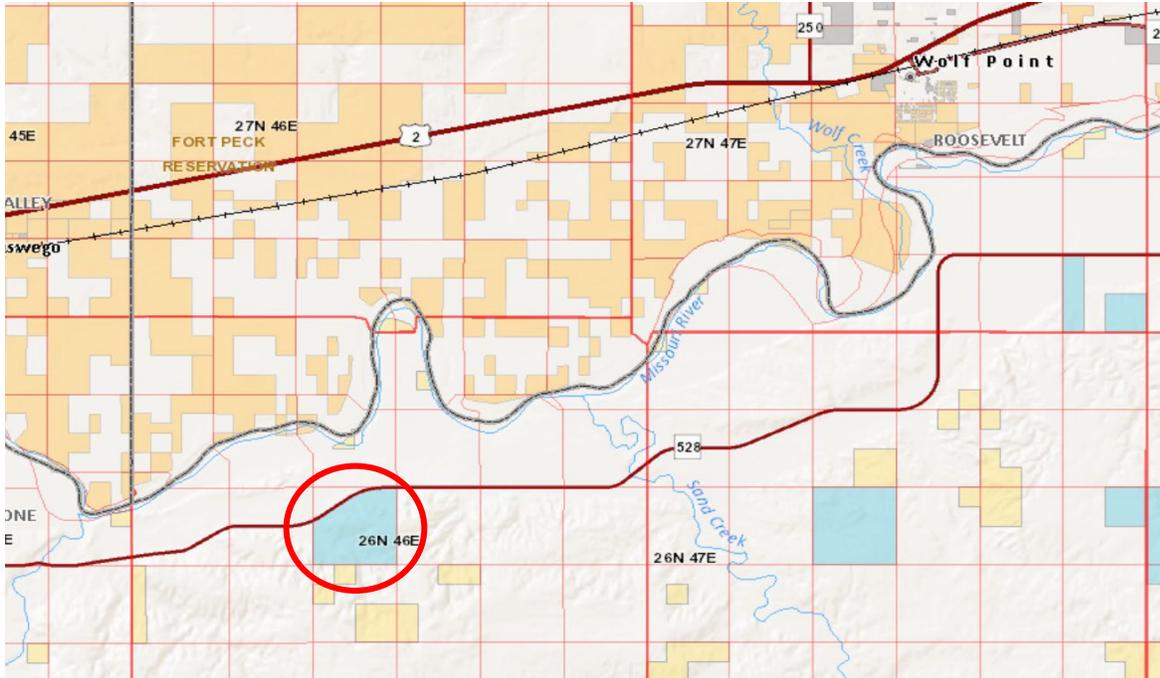
Item Summary

Continuation of Mid-Rivers Telephone Cooperative applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19367



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Reservation Telephone Cooperative P O Box 68 Parshall ND 58770
Application No.:	19368
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	ok
Acreage:	2.51
Compensation:	\$1,506.00
Legal Description:	33-foot strip through SW4NE4, Sec. 2, Twp. 16N, Rge. 59E, Wibaux County
Trust Beneficiary:	Common Schools

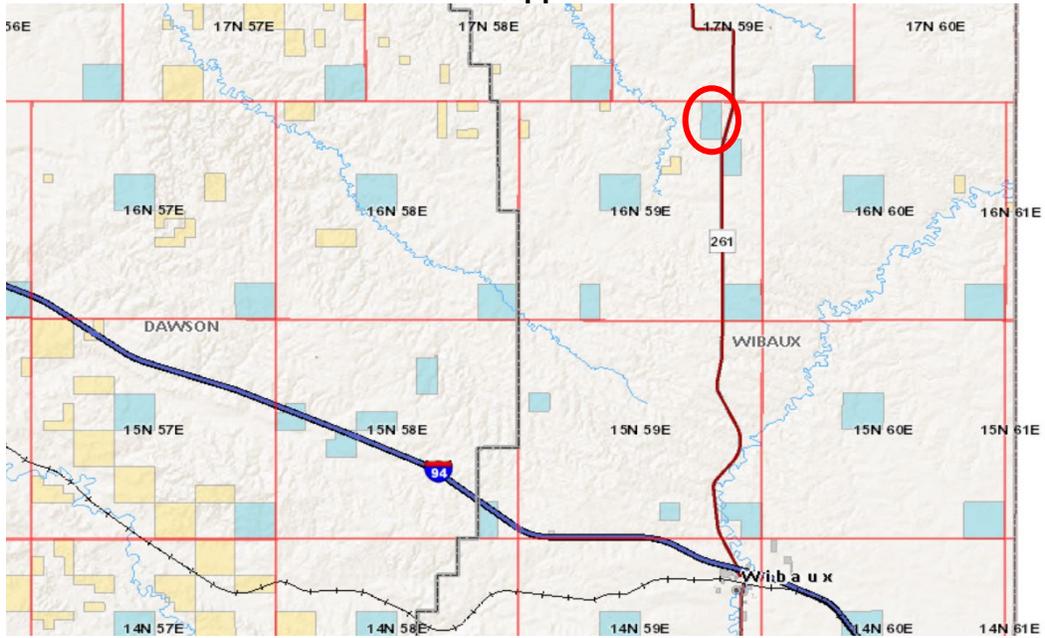
Item Summary

Reservation Telephone Cooperative is requesting easements to install a new fiber optic cable to provide service to rural customers in Richland and Wibaux Counties. This upgrade will replace outdated copper communications lines and provide for expanded service when needed. Minimal impacts will occur due to the line being trenched in by static plow with directional bore being used at stream crossings.

DNRC Recommendation

The DNRC recommends approval of the applications of Reservation Telephone Cooperative.

Application 19368



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Reservation Telephone Cooperative
P O Box 68
Parshall ND 58770

Application No.: 19369
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 4.25
Compensation: \$2,550.00
Legal Description: 33-foot strip through S2SW4, Sec. 36, Twp. 18N, Rge. 58E,
Wibaux County
Trust Beneficiary: Common Schools

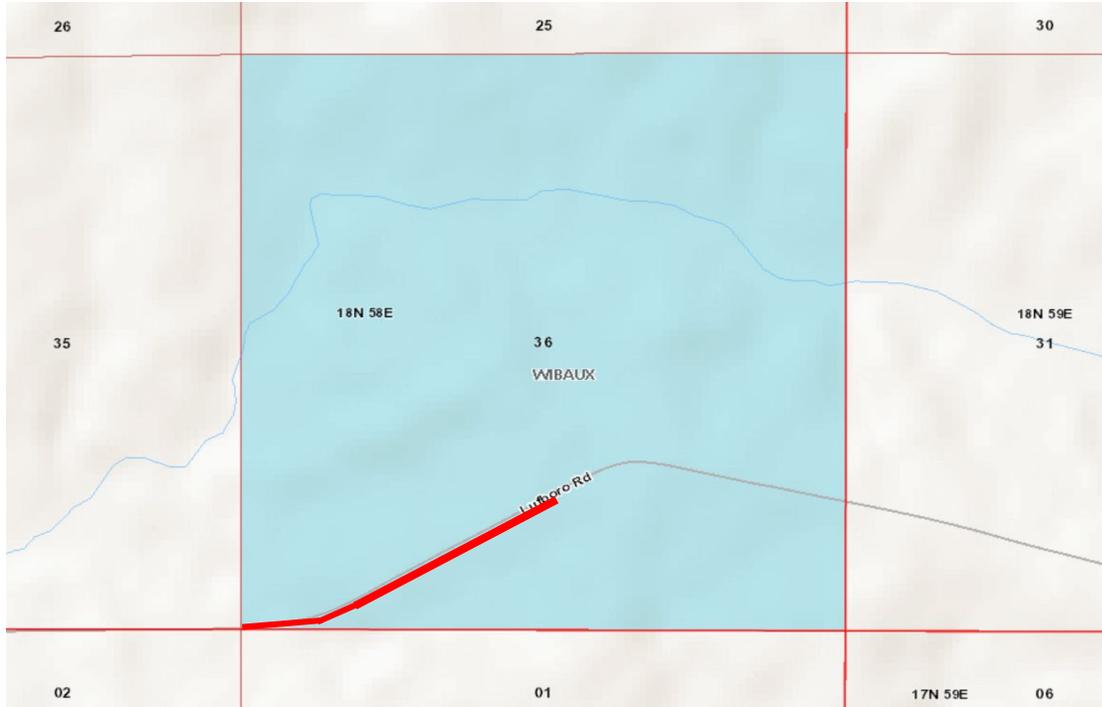
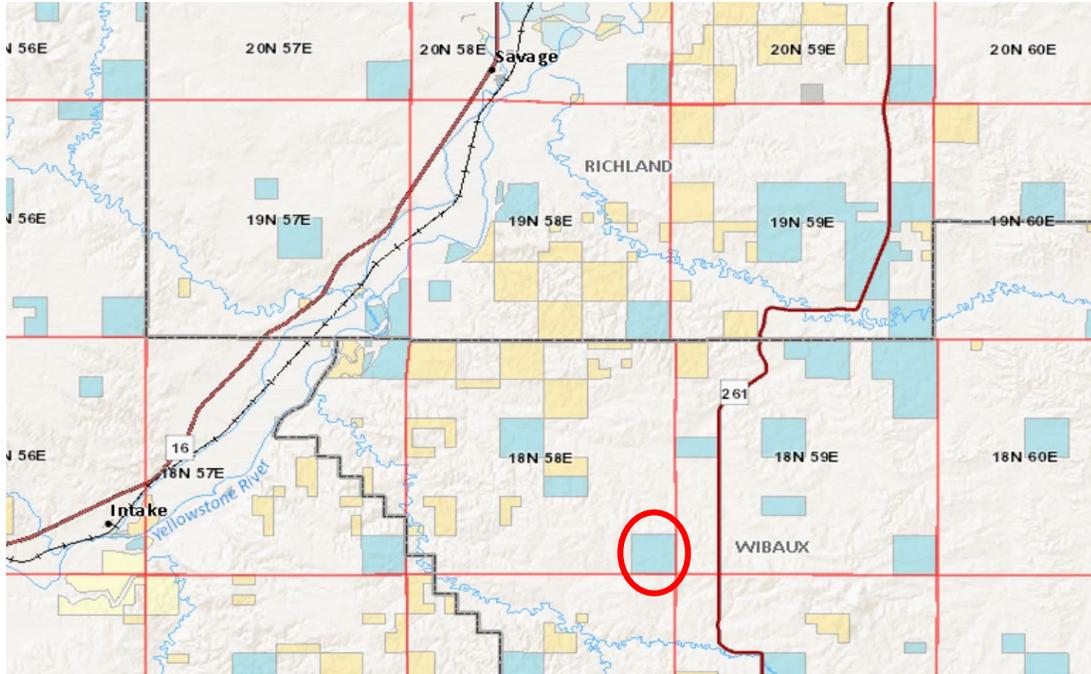
Item Summary

Continuation of Reservation Telephone applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19369



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Reservation Telephone Cooperative
P O Box 68
Parshall ND 58770

Application No.: 19370
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.97
Compensation: \$582.00
Legal Description: 33-foot strip through NW4NW4, Sec. 12, Twp. 16N, Rge. 59E,
Wibaux County
Trust Beneficiary: Common Schools

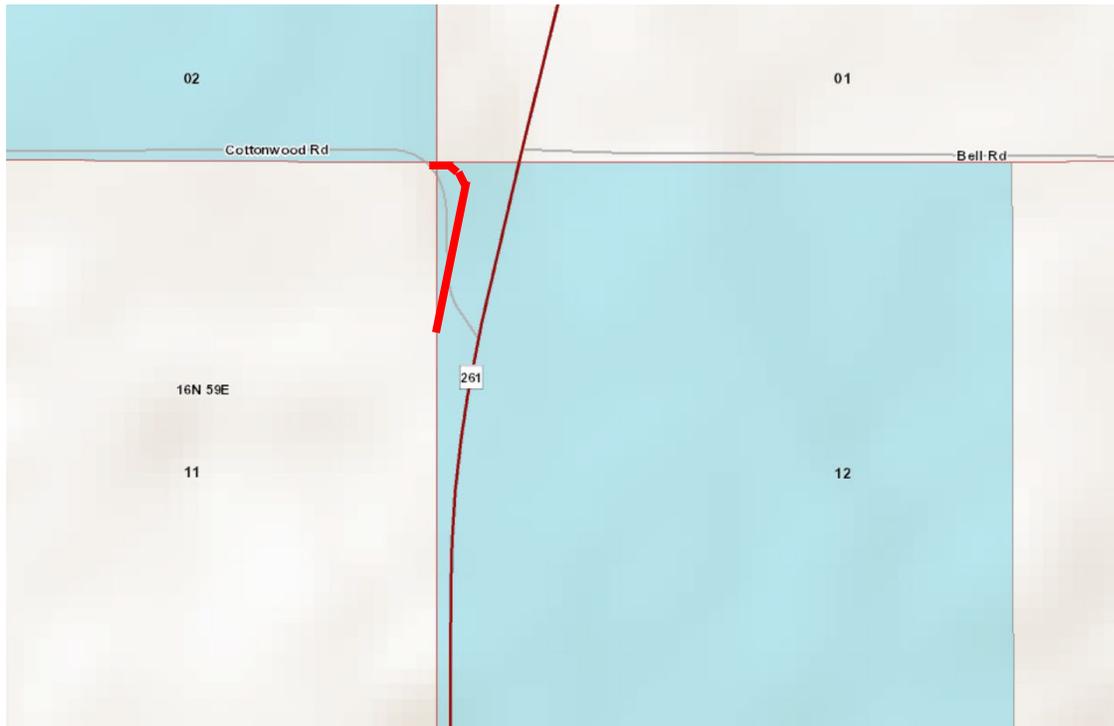
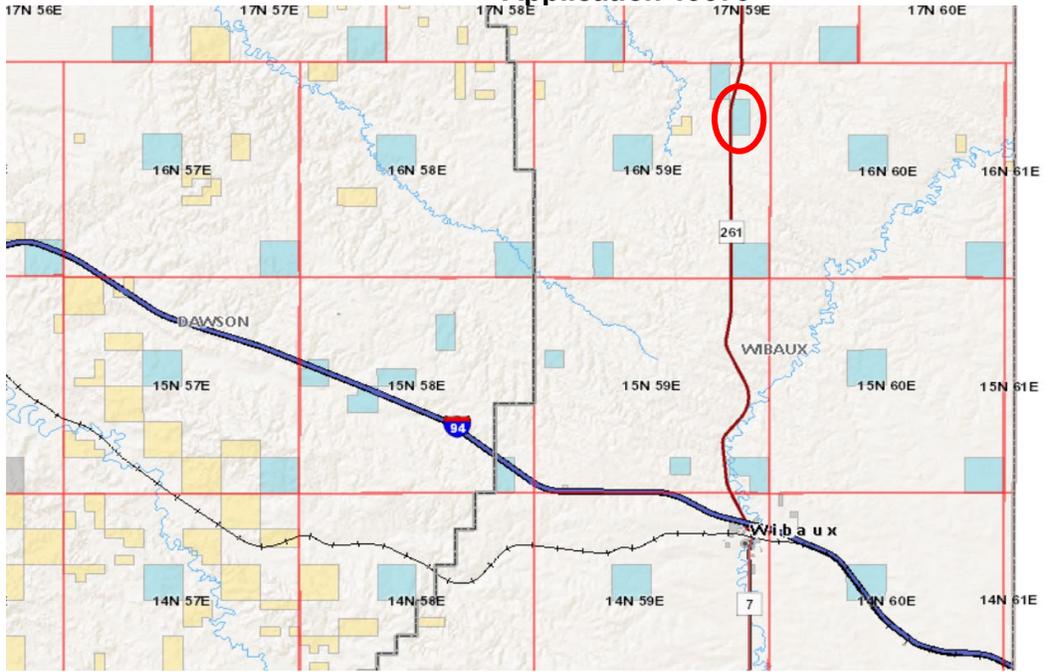
Item Summary

Continuation of Reservation Telephone applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19370



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Reservation Telephone Cooperative
P O Box 68
Parshall ND 58770

Application No.: 19371
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 2.09
Compensation: \$1,254.00
Legal Description: 33-foot strip through W2NW4, Sec. 16, Twp. 24N, Rge. 59E,
Wibaux County
Trust Beneficiary: Common Schools

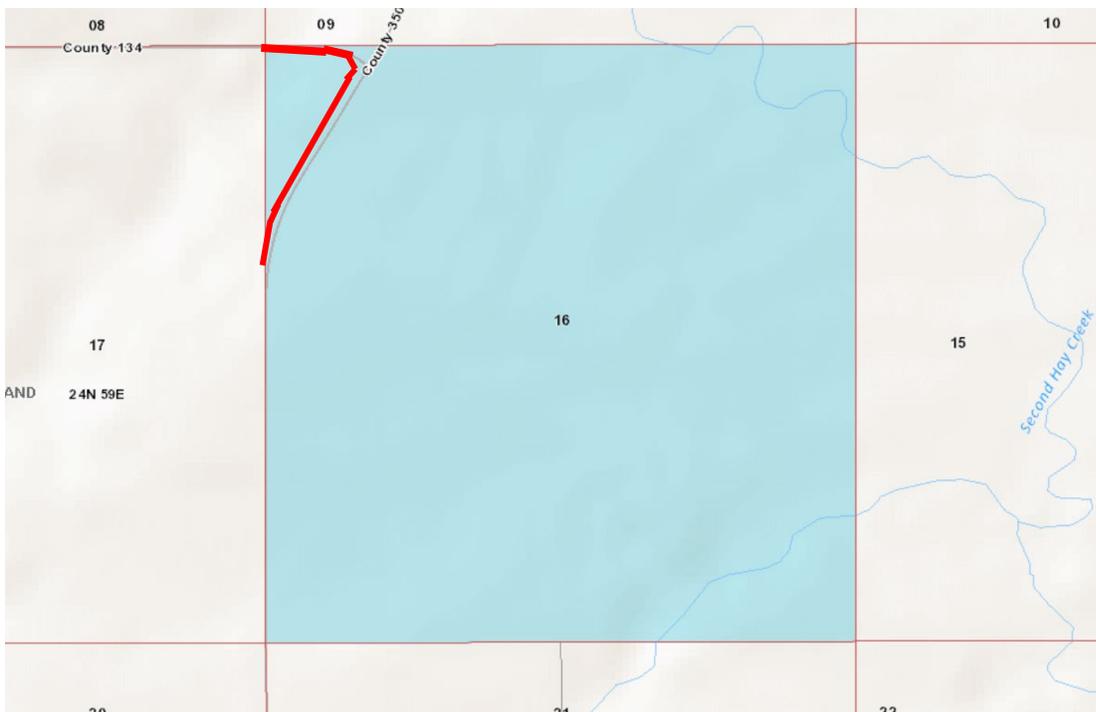
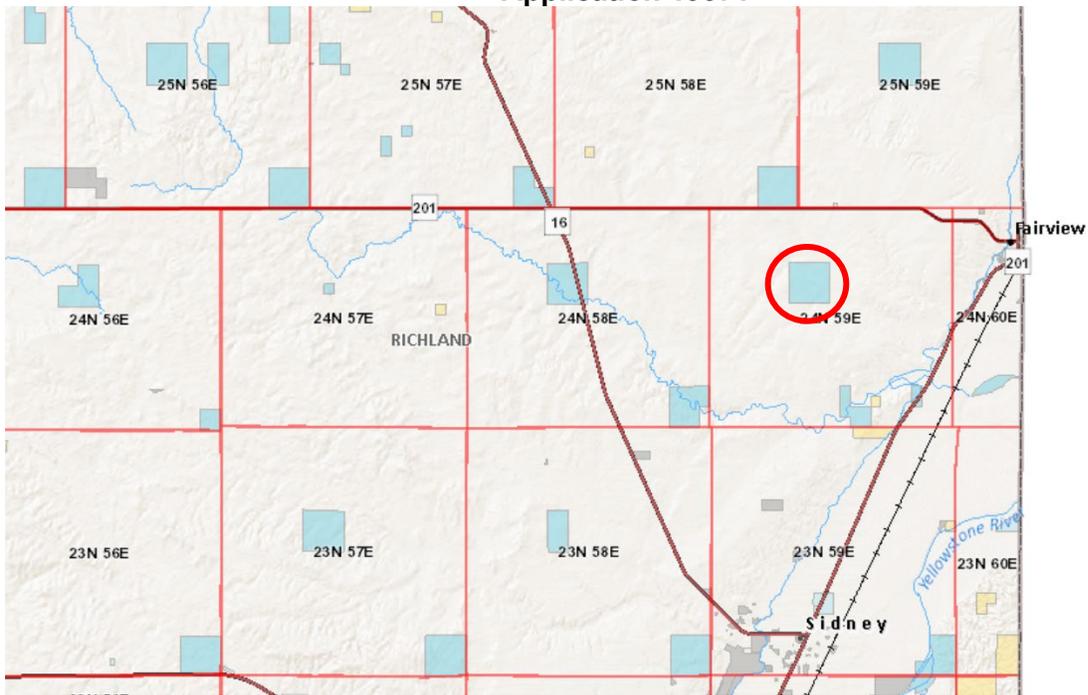
Item Summary

Continuation of Reservation Telephone applications.

DNRC Recommendation

The DNRC recommends approval as previously described.

Application 19371



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Cory S. Olson
 1040 10 Mile Road
 Cascade MT 59421

Application No.: 19372
 R/W Purpose: a private access road to conduct normal farming and ranching operations

Lessee Agreement: ok
 Acreage: 1.85
 Compensation: \$5,550.00
 Legal Description: 30-foot strip through E2NW4, Sec. 31, Twp. 19N, Rge. 2E, Cascade County

Trust Beneficiary: Common Schools

Item Summary

Corey Olson is requesting a private access easement to use an existing two-track trail on State Trust land to access a parcel of land he is purchasing. The current landowners and Mr. Olson have an easement across an adjacent landowner to get to State Trust Land, however, complete access cannot be achieved without an easement granted by the Land Board. The parcel to be accessed is used for farming and ranching purposes and will remain in that use. The State Trust Land is inaccessible as the adjacent landowner does not wish to grant rights to the State and the easement granted to the private landowner and lessee cannot be expanded to include the State as an easement holder. The public can access the State Land via the Missouri River, which flows through a corner of the State's ownership, including adjacent State Trust land.

The private land to be accessed is described as:

Lots 1-4, E2W2, NE4 of Sec. 30, Twp. 19N, Rge. 2E

DNRC Recommendation

The DNRC recommends approval of the application of Corey Olson.

Application 19372

