

AGENDA
REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
February 21, 2023, at 9:00 a.m.
Supreme Court Chambers, Mazurek Justice Building
Helena, MT

ACTION ITEMS

- 0223-1 Timber Sales: Burr 4 and After **APPROVED 5-0****
Benefits: Common Schools, MSU 2nd Grant, Eastern College-MSU/ Western College-UofM
Location: Mineral County
- 0223-2 Land Banking Acquisiton: Approval for Purchase **APPROVED 5-0****
Benefits: Common Schools
Location: Custer County
- 0223-3 Cabin and Home Site Sale: Set Minimum Bid for Sale **APPROVED 4-1****
Benefits: Common Schools
Location: Judith Basin
COMMISSIONER DOWNING
OPPOSED
- 0223-4 Easements:**
A. Standard Grants **APPROVED 5-0**
Benefits: Common School and MSU Morrill
Location: Cater, Choteau, Fallon, Fergus, and Sanders Counties
B. Palisades Easement Exchange
Benefits: Common Schools, MSU Morrill and Pine Hill School
Location: Carbon, Lincoln and Sanders Counties

PUBLIC COMMENT

0223-1

TIMBER SALES:

Burr 4 and After

**Land Board Agenda Item
February 21, 2023**

0223-1 Timber Sale: Burr 4 and After

Location: Mineral County
Sections 22, 27, 28 & 29 T18N R27W

Trust Beneficiaries: Common Schools (12%), MSU 2nd Grant (72%), and Eastern College – MSU/Western College – U of M (16%)

Trust Revenue: \$114,713 (estimated minimum bid)

Item Summary

Location: The Burr 4 and After Timber Sale is located approximately 3 miles southeast of St. Regis, Montana.

Size and Scope: The sale includes 4 units of tractor logging (227 acres) and of line logging (137 acres).

Volume: The estimated harvest volume is 17,594 tons (2.5 MMBF) of sawlogs.

Estimated Return: The minimum bid is \$6.52 per ton, which would generate approximately \$114,713 for Common Schools, MSU 2nd Grant, and Eastern College – MSU/Western College – U of M Trust Beneficiaries and approximately \$54,365 in Forest Improvement fees.

Prescription: This sale would utilize a combination of shelterwood, individual tree selection, and sanitation harvest prescriptions designed to reduce insect and disease issues and to promote forest health.

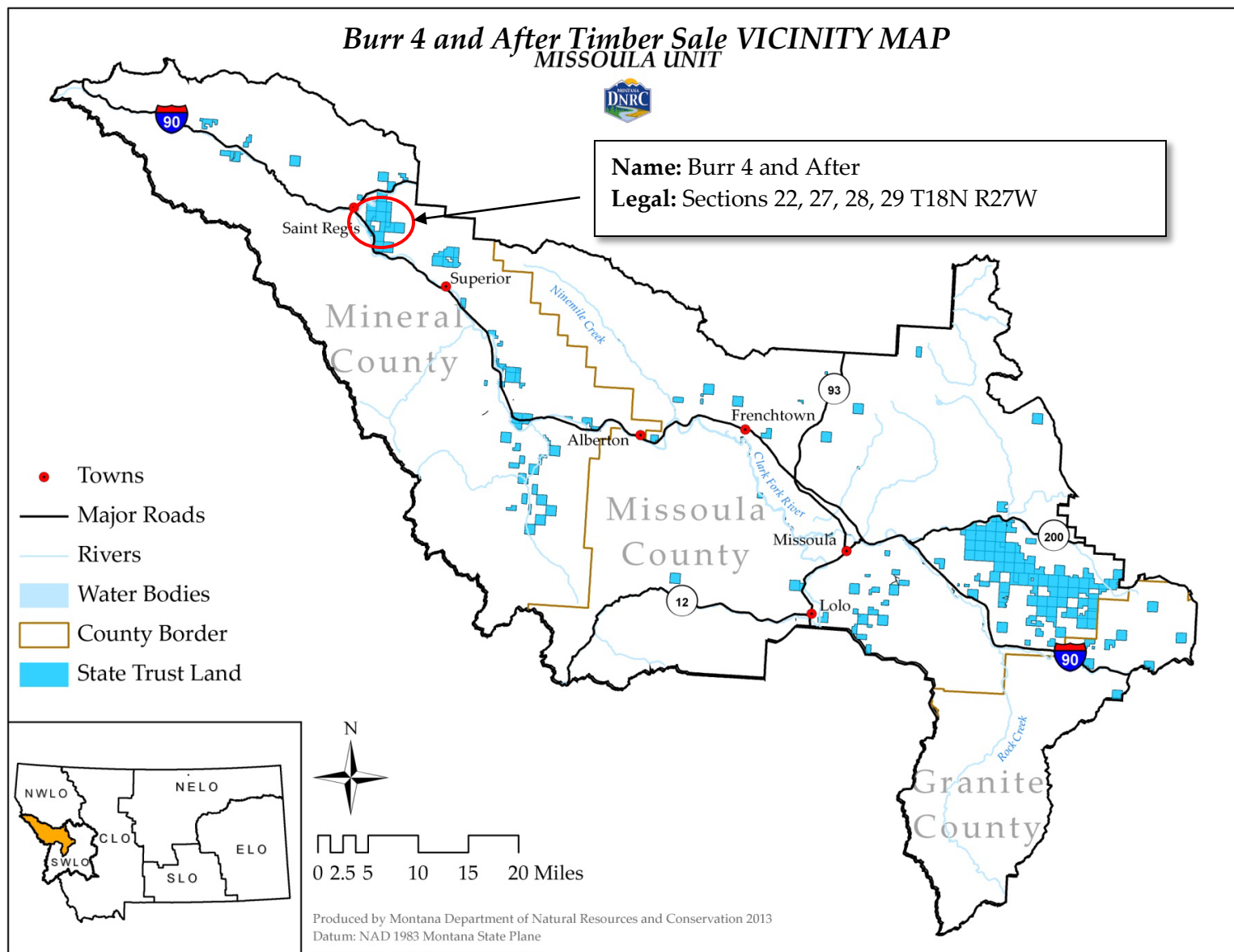
Road Construction/Maintenance: The Department of Natural Resources and Conservation (DNRC) is proposing 2 miles of new permanent road construction, 1 mile of new temporary road construction and 7 miles of road maintenance.

Access: Access to the timber sale is through a cost share road with the U.S. Forest Service.

Public Comments: Four public comments were received. A nearby landowner expressed concerns about truck traffic. DNRC explained the duration and intensity of truck traffic, which diminished the landowner's concerns. Another nearby landowner commented that he was not opposed to the project. Montana Fish, Wildlife & Parks expressed concerns about wildlife and plant species of concerns. Issues related to wildlife and species of concern were addressed in the environmental assessment. Mineral County Resource Coalition supported the project and were interested in changes to motorized use on project roads. The DNRC explained that roads would remain closed following project completion.

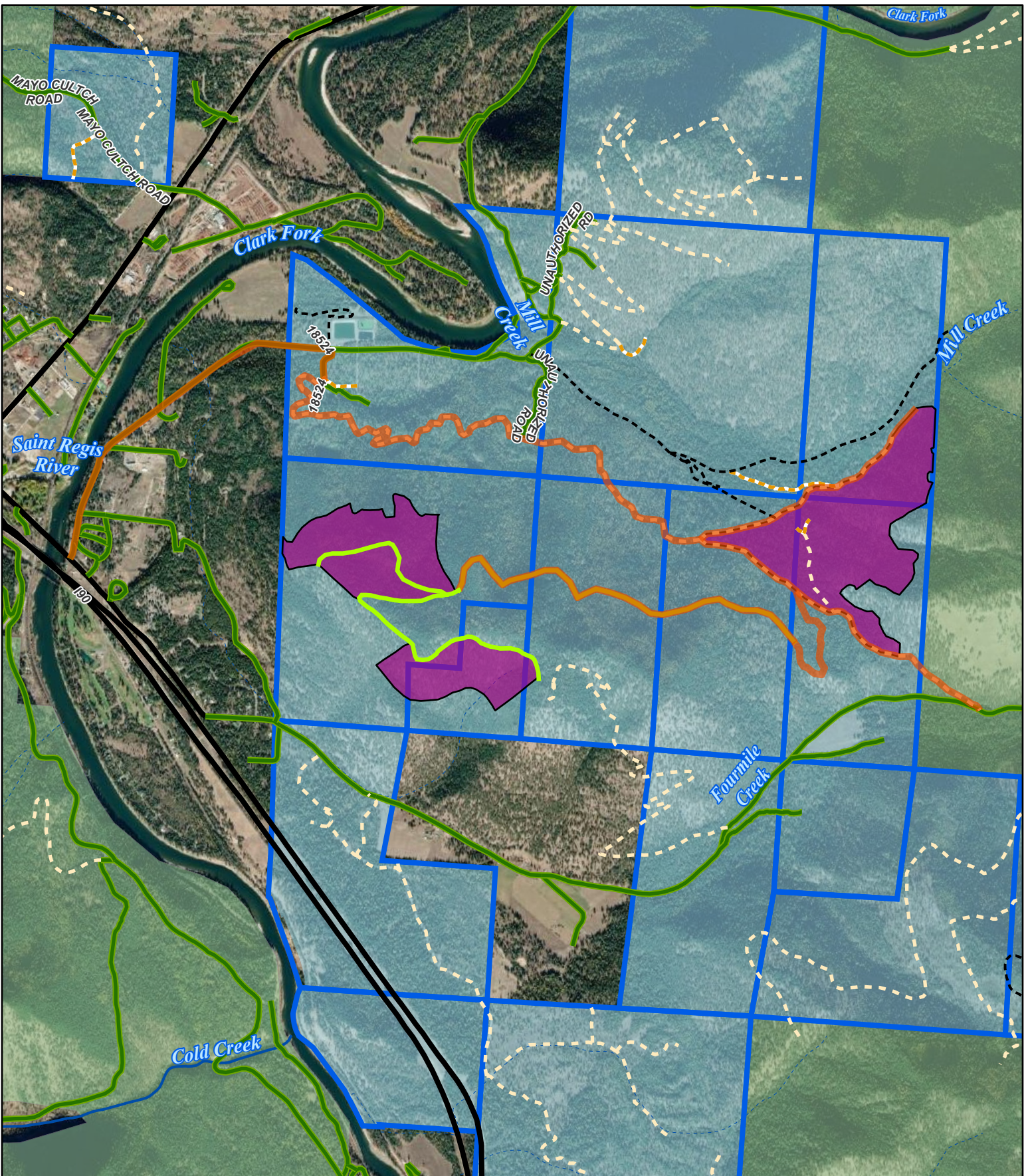
DNRC Recommendation

The DNRC recommends the Land Board direct DNRC to sell the Burr 4 and After Timber Sale.

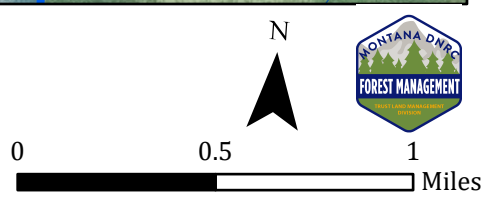


Burr 4 and After Timber Sale Haul Route and Harvest Units

0223-1



- | | | |
|-------------------|------------------------|---------------------------|
| Haul Route | Restricted Class A | Perennial Stream |
| New Road | Restricted Class B | Intermittent Stream |
| FMB_Roads | Abandoned or Reclaimed | US Forest Service |
| Highway | Temporary | Montana State Trust Lands |
| Open/Public Roads | Harvest Units | Local Government |
| | DNRC Trust Lands | |



0223-2

LAND BANKING ACQUISITION:

Approval for Purchase

**Land Board Agenda Item
February 21, 2023**

0223-2 Land Banking Acquisition: Approval for Purchase

Location: Custer County

Trust Benefits: Common Schools

Trust Revenue: N/A

Item Summary

The Department of Natural Resources and Conservation (DNRC) requests approval to use land banking funds to replace and upgrade the Department-owned water infrastructure improvements on the Tongue River Ranch in Custer County.

Proposed Acquisition

The DNRC acquired the Tongue River Ranch in April of 2007 through the Land Banking Program. The original purchase price for this 18,544-acre property was \$5 million, which included the acquisition of all the existing ranch improvements. These improvements included a large irrigation pivot and associated infrastructure that irrigates approximately 288 acres, more than 53 miles of perimeter and internal pasture fencing, an extensive stock water system with associated wells, piping, tanks, and storage system, as well as a residential dwelling, shop, and associated buildings. The value of these improvements today exceeds \$2 million and the state's ownership of them has increased the state's ability to generate increased revenue over other state trust properties with lessee ownership of improvements.

In order to maintain the value of DNRC's investment in the Tongue River Ranch and protect the revenue generating capacity of the property, numerous upgrades and expansion of the improvements are needed. The center pivot and stock water lines are nearing the end of their usable life. The center pivot needs to be replaced with a new model, including the flow line, control panels and pump site. The existing stock water system also needs to be replaced. Replacement and expansion would consist of using static plowed High-density polyethylene (HDPE) pipe, as well as adding new stock tanks, and associated supplies.

Selection Considerations and Process

DNRC has conducted a review of this land banking purchase per Montana Code Annotated 77-2-364 and Administrative Rule 36.25.815.

With the proposed upgrades and system replacements, the expected return on investment ranges from 9.7% for the irrigation pivot system to 10.7% for the stock water system. Overall, the return on investment is anticipated to be at least 8.1%, while average annual rate of return on land that was sold was 3.52%. The estimated annual income attributable to the improved water infrastructure on the Tongue River Ranch is over \$80,000 annually, which is more than double the net revenue of the land that was sold.

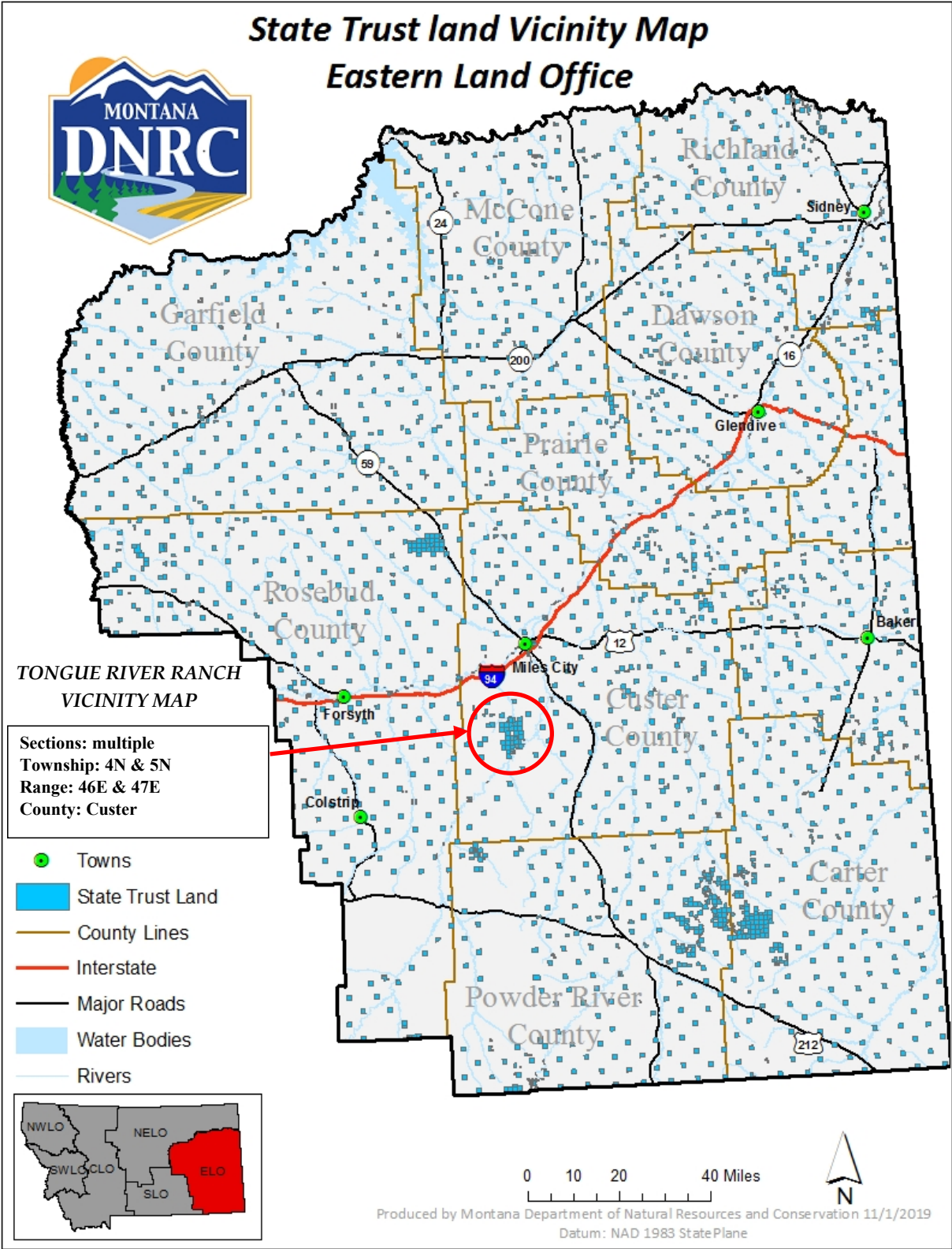
Financial Analysis Summary

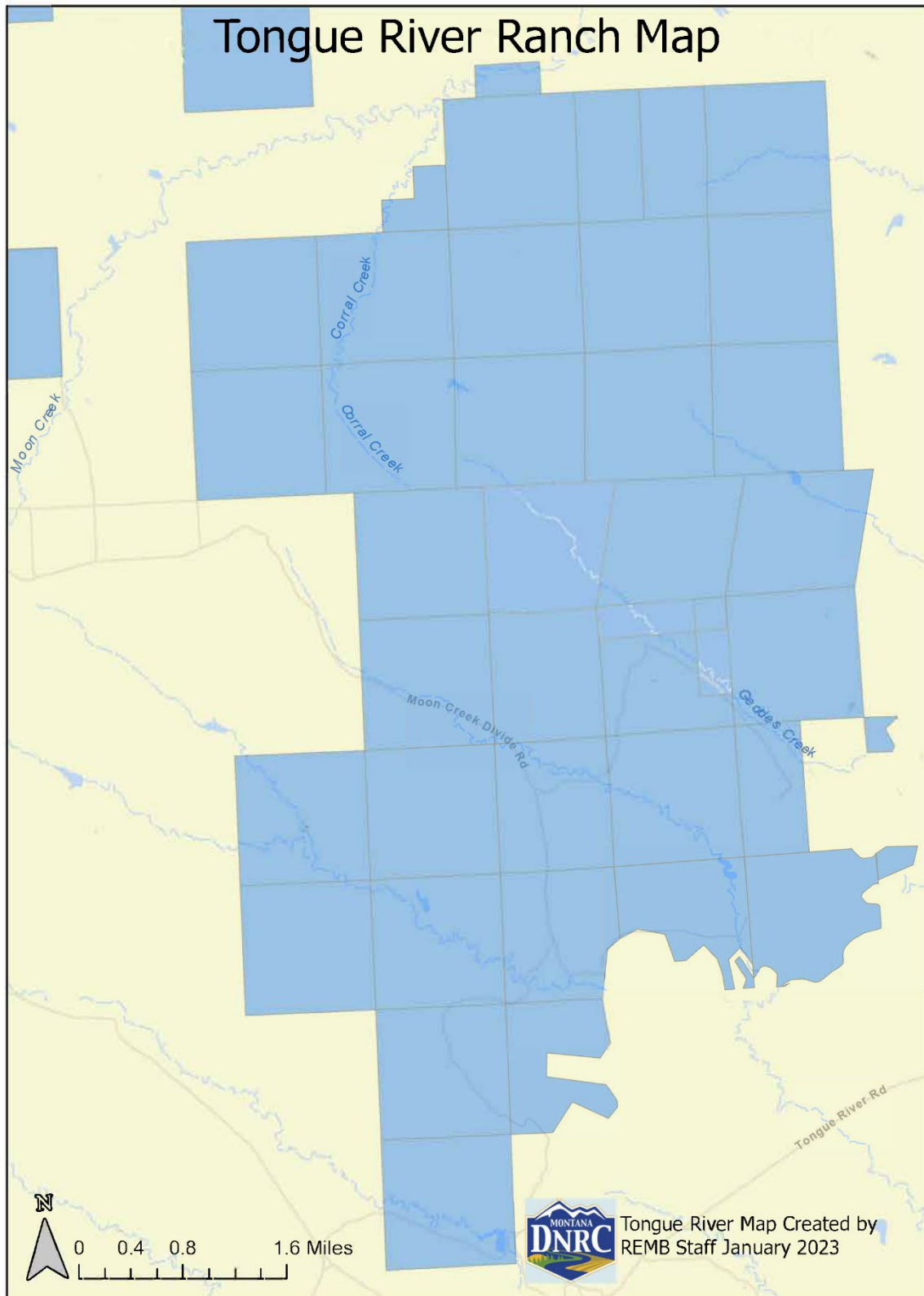
Tongue River Ranch Improvements Investment & Returns	
Stock water System Investment	
\$467,395	<i>Five pipelines with stock tanks, pumps, repairs & storage tanks</i>
\$49,778	<i>Estimated annual benefit on investment from competitive bidding</i>
10.7%	<i>Annual Return on Investment</i>
Irrigation Pivot System Investment	
\$318,834	<i>Estimated pivot cost</i>
\$30,800	<i>Estimated annual benefit of pivot from cash Ag lease</i>
9.7%	<i>Annual Return on Investment</i>
Combined Stock water and Irrigation Pivot Investment	
\$80,577.80	<i>Estimated annual benefit of stock water and pivot</i>
\$1,000,000	<i>Estimated cost of improvements</i>
8.1%	<i>Annual blended Return on Investment of stock water and pivot</i>

If approved, next steps in the project include preparing scopes of work for each part of the project (stock water and pivot), soliciting bids, and executing contracts to complete the work on the ground. Work is anticipated to start in spring/summer of 2023, with completion by fall of 2023.

DNRC Recommendation

The DNRC recommends approval to use up to \$1 million of land banking funds from the Common Schools Trust to replace, upgrade, and expand the water infrastructure improvements on the Tongue River Ranch in Custer County.





0223-3

CABIN AND HOME SITE SALES:

Set Minimum Bid for Sale

**Land Board Agenda Item
February 21, 2023**

0223-3 Cabin and Home Site: Set Minimum Bid for Sale

Location: Judith Basin County

Trust Benefits: Common Schools

Trust Revenue: \$52,000

The Department of Natural Resources and Conservation (DNRC) is requesting to set minimum bid for one (1) home site nominated for sale in Judith Basin County. This sale was nominated by the lessee in conjunction with the 2020-2021 Cabin and Home Site Sales Program.

Sale No.	Acres	Legal Description	Nominator	Trust
1162	10.22±	Parcel A, COS 441 T15N-R15E, Section 18	Steven & Greg Grove	Common Schools

The parcel is currently leased as a home site and produces below average income for residential leases statewide.

Background

Preliminary Land Board approval was granted in April of 2020 (Approved 5-0) for this site to be included as part of the 2020-2021 Cabin and Home Site Sale Program.

Cultural/Paleontological Resources:

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

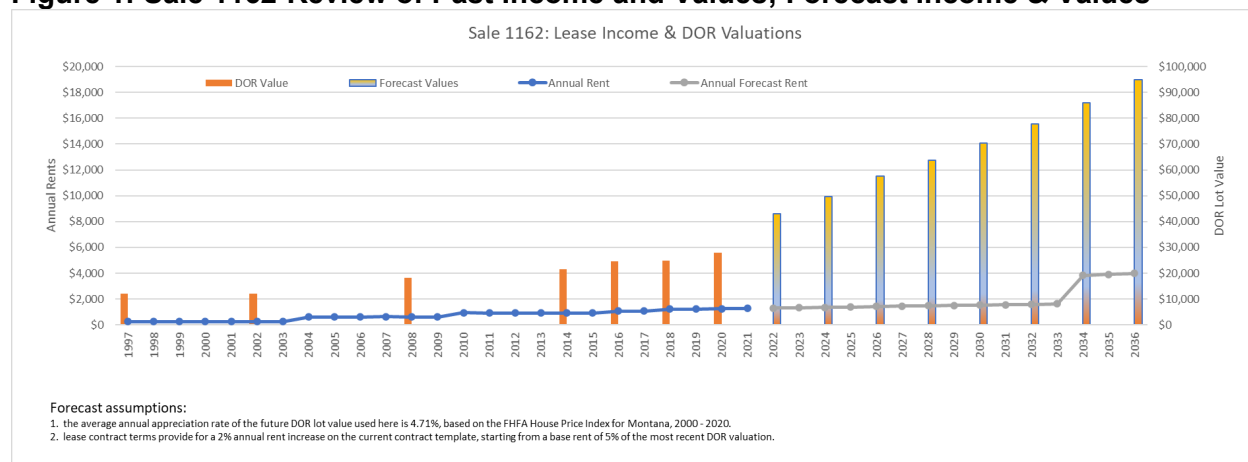
Access/Recreational Use:

As part of the cabin and home site sale process, the State will convey any access that it has and can be conveyed to the purchaser of the cabin or home site property. Current cabin/home site access is limited to the lessee and does not provide access or recreational use to the general public. State lands classified as cabin or home sites are closed to general recreational use by the public in accordance with ARM 36.25.150(1)(a). Therefore, the State is not selling land under the cabin site sale program that the public is permitted to use for recreation. Rather, the funds generated by these sales will go towards purchasing new lands that will have dedicated public access and recreational opportunities.

Economic Analysis:

Short term – The average rate of return on this sale parcel is 1.955%. The parcel will continue to receive this return if it remains in state ownership. The income rate of return will likely grow smaller over the next 20 years, as average annual value appreciation is greater than the annual rent increase, as shown in Figure 1 below.

Figure 1: Sale 1162-Review of Past Income and Values; Forecast Income & Values



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 3.04% on acquisitions with income generated from annual lease payments. However, the rates of return on land acquired more recently have been higher, ranging from 3.46% on acquisitions purchased within the last five years to 3.41% for lands acquired within the last ten years. Figure 2 shows hypothetical lot values derived from the 3-year average net revenue of the current lease, at a sample range of income rates of return that could be anticipated when the sale proceeds are used for a land banking acquisition.

Figure 2: Lot Values derived from 3-year Average Net Income at Sample Rate of Return

Sale Number		Rate of Return at Current Appraised Value for Land	Average Rate of Return on all Land Banking Acquisitions	Average Rate of Return on Land Banking Acquisitions within the last 5 years	Average Rate of Return on Land Banking Acquisitions within the last 10 years
	Income Rate of Return	1.955%	3.04%	3.46%	3.41%
1162	Derived Lot Value	\$52,000	\$33,434	\$29,461	\$29,806

Appraised Values of Land and Improvements:

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

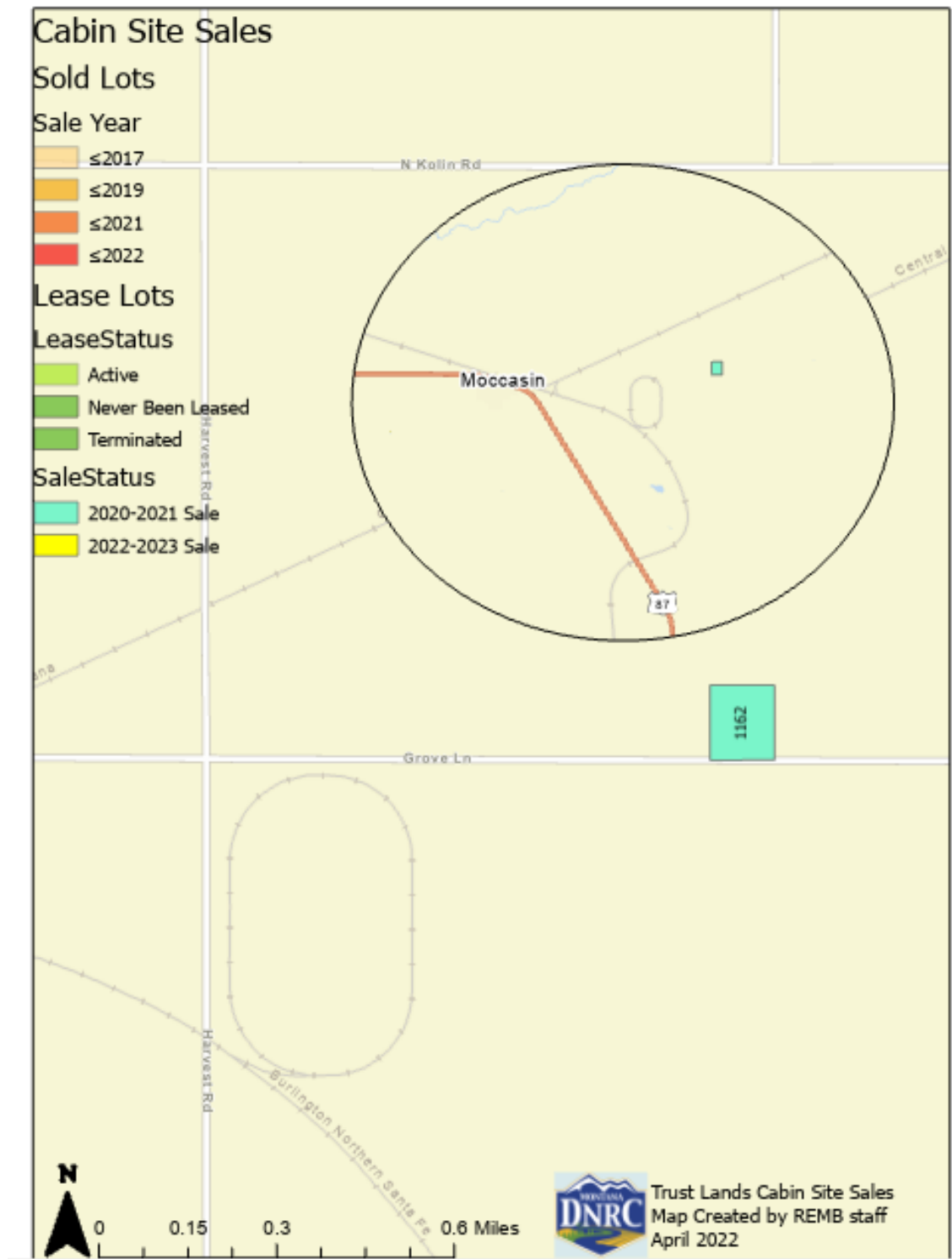
Sale No.	Appraised Land Value	Appraised Improvements Value
1162	\$52,000	\$458,000

DNRC Recommendation

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

Judith Basin County

Sale #1162



0223-4

EASEMENTS:

- A. Standard Grants
- B. Palisades Easement Exchange

**Land Board Agenda Item
February 21, 2023**

0223-4A Easements: Standard Grants

Location: Carter, Chouteau, Fallon, Fergus, and Sanders Counties

Trust Benefits: Common Schools and MSU Morrill

Trust Revenue: Common Schools = \$19,746.00
MSU Morrill = \$1,014.00

Item Table of Contents

Applicant	Right-of-Way Purpose	Term	Page(s)
Blackfoot Telephone Cooperative, Inc.	Buried Fiber Optic Cable	Permanent	25-26
Weeden Ranch, LLC	Private Access Road	Permanent	27-30
Katzman Cattle Company, Inc.	Private Access Road	Permanent	31-32
Triangle Telephone Cooperative Association, Inc.	Buried Fiber Optic Cable	Permanent	33-54
Mid-Rivers Telephone Cooperative, Inc.	Buried Fiber Optic Cable	Permanent	56-72

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Blackfoot Telephone Cooperative, Inc. 1221 North Russell Street Missoula, MT 59808
Application No.:	19378
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	N/A (Unleased)
Acreage:	0.62
Compensation:	\$310.00
Legal Description:	40-foot strip through SW4SW4, Sec. 36, Twp. 20N, Rge. 26W, Sanders County
Trust Beneficiary:	Common Schools

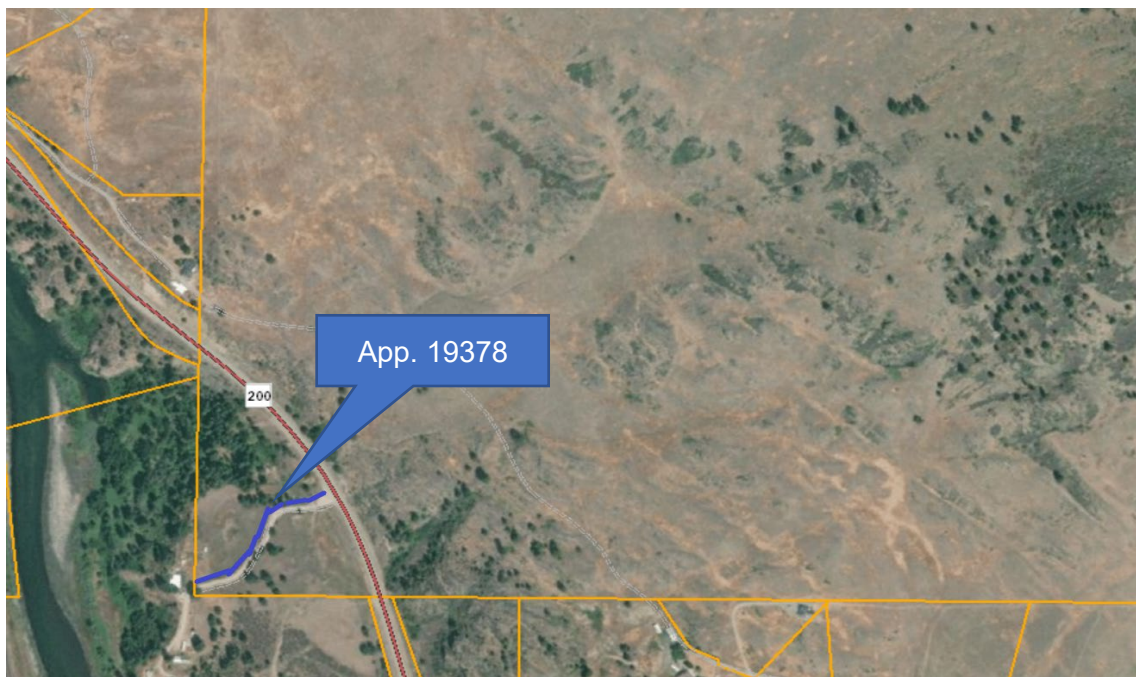
Item Summary

Blackfoot Telephone Cooperative, Inc. is proposing to install upgraded fiber optic cable to replace the existing fiber optic cable. The new fiber optic cable will be trenched in a small portion of the corner of SW4SW4, therefore minimal impacts are expected to occur. The proposed route is the most direct route between terminus locations while also providing access to existing and future network considerations.

DNRC Recommendation

The DNRC recommends approval of the application of Blackfoot Telephone Cooperative, Inc.

Application #19378



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Weeden Ranch, LLC 383 Whitetail Drive Lewistown, MT 59457
Application No.:	19420
R/W Purpose:	a private access road for the purpose of conducting normal farming and ranching operations
Lessee Agreement:	N/A (Historic)
Acreage:	0.73
Compensation:	\$1,825.00
Legal Description:	12-foot strip through NE4SW4, NW4SE4, Sec. 2, Twp. 15N, Rge. 18E, Fergus County
Trust Beneficiary:	Common Schools

Item Summary

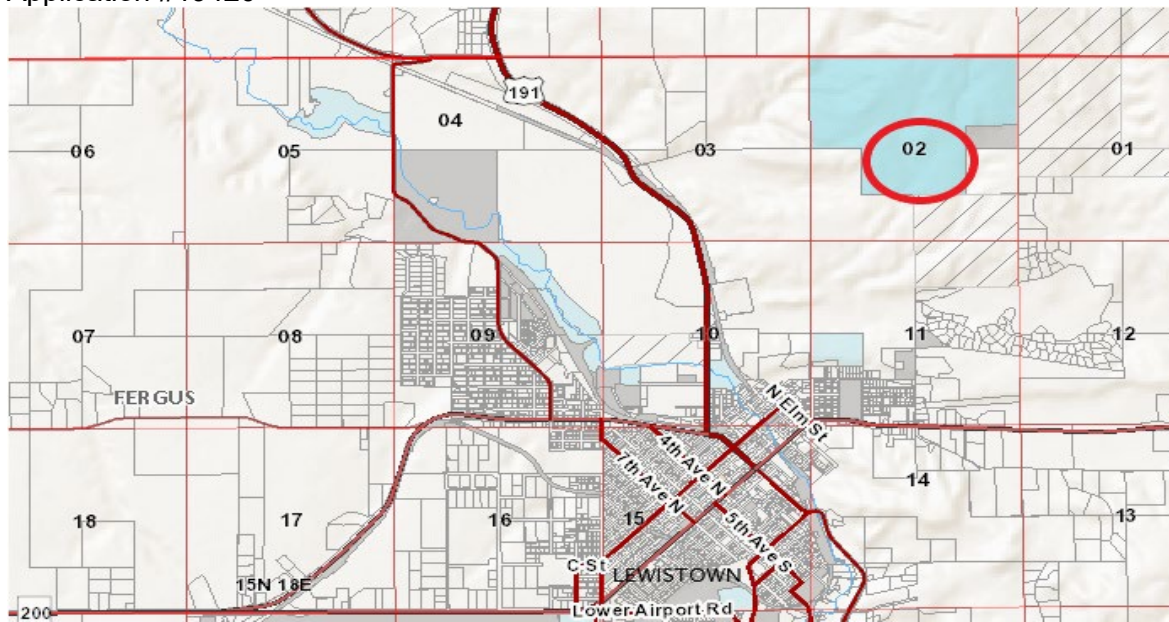
Weeden Ranch, LLC is requesting an easement for a private access road to their farm/ranch lands. The road has been in place for many years and application was made prior to October 1, 2021 pursuant to §77-1-130, MCA, which allows for recognition of such historic access. Weeden Ranch, LLC private land to be accessed is described as follows:

- NE4SE4, Section 2, Township 15 North, Range 18 East

DNRC Recommendation

The DNRC recommends approval of the application of Weeden Ranch, LLC.

Application #19420



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Weeden Ranch, LLC 383 Whitetail Drive Lewistown, MT 59457
Application No.:	19421
R/W Purpose:	a private access road for the purpose of conducting normal farming and ranching operations
Lessee Agreement:	N/A (Historic)
Acreage:	1.93
Compensation:	\$1,447.00
Legal Description:	12-foot strip through SE4SW4, SW4SE4, SE4SE4, Sec. 16, Twp. 21N, Rge. 21E, Fergus County
Trust Beneficiary:	Common Schools

Item Summary

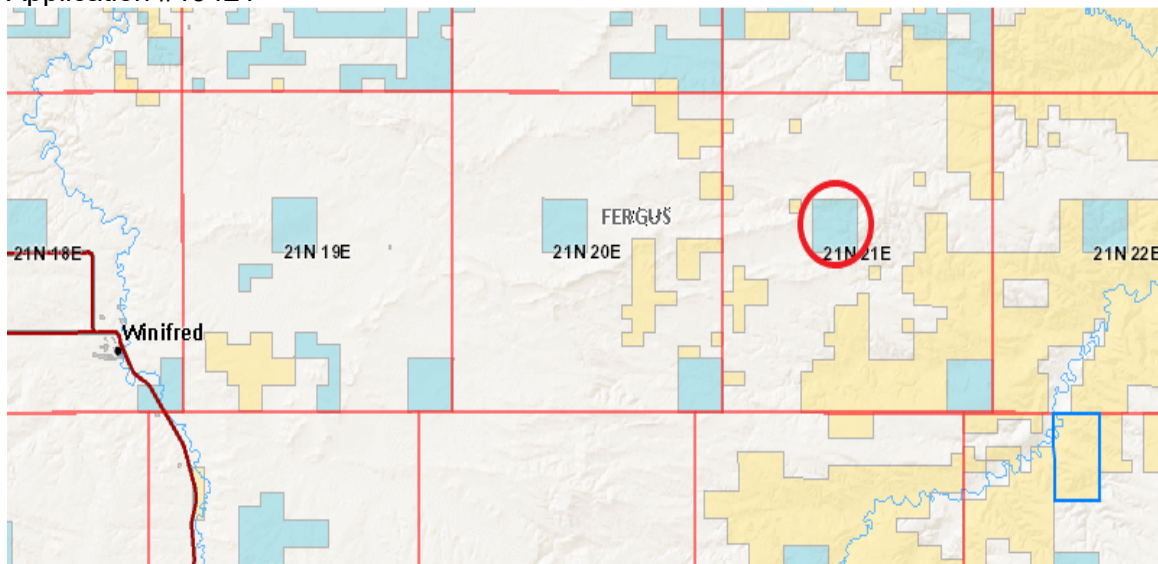
Weeden Ranch, LLC is requesting an easement for a private access road to their farm/ranch lands. The road has been in place for many years and application was made prior to October 1, 2021 pursuant to §77-1-130, MCA, which allows for recognition of such historic access. Weeden Ranch, LLC private land to be accessed is described as follows:

- N2SW4, SE4SW4, SE4NW4, Section 15, Township 21 North, Range 21 East

DNRC Recommendation

The DNRC recommends approval of the application of Weeden Ranch, LLC.

Application #19421



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Katzman Cattle Company, Inc. 224 W. Main Street, Ste. 600 Lewistown, MT 59457
Application No.:	19422
R/W Purpose:	a private access road for the purpose of conducting normal farming and ranching operations
Lessee Agreement:	N/A (Historic)
Acreage:	1.07
Compensation:	\$802.00
Legal Description:	15-foot strip through SW4NW4, SE4NW4, SW4NE4, Sec. 12, Twp. 20N. Rge. 17E, Fergus County
Trust Beneficiary:	Common Schools

Item Summary

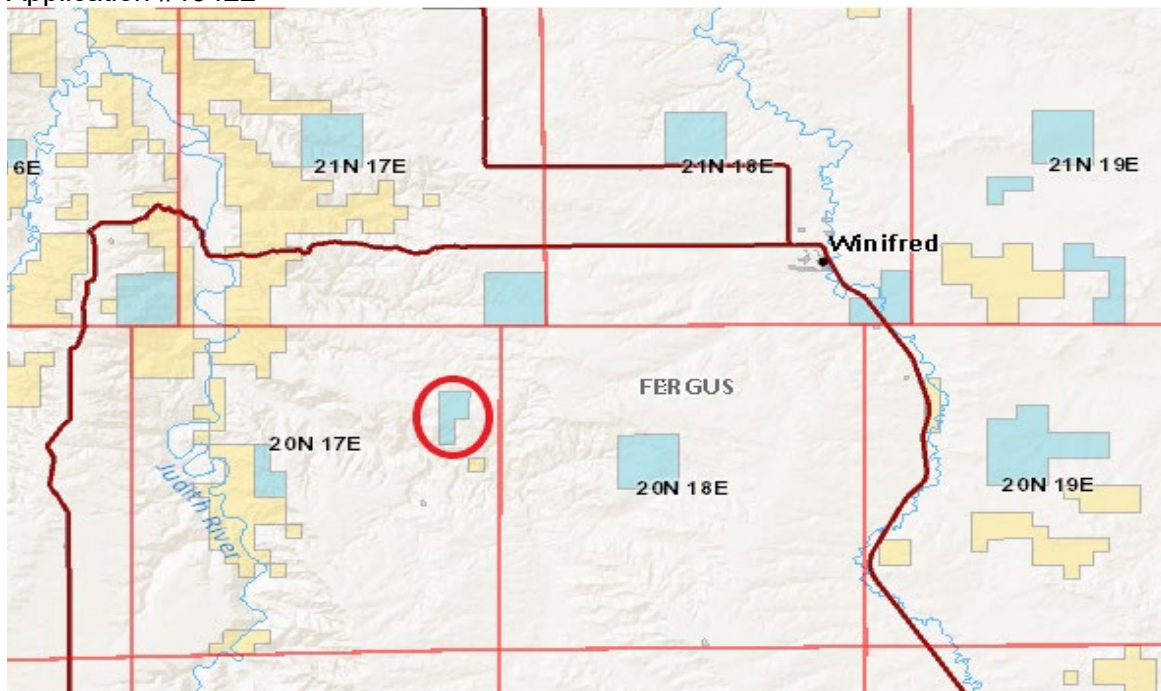
Katzman Cattle Company, Inc. is requesting an easement for a private access road to their farm/ranch lands. The road has been in place for many years and application was made prior to October 1, 2021 pursuant to §77-1-130, MCA, which allows for recognition of such historic access. Katzman Cattle Company, Inc. private land to be accessed is described as follows:

- N2N2, SE4NE4, SE4, E2SW4, Section 11, Township 20 North, Range 17 East

DNRC Recommendation

The DNRC recommends approval of the application of Katzman Cattle Company, Inc.

Application #19422



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19423
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.27
Compensation:	\$762.00
Legal Description:	20-foot strip through NE4SW4, NW4SE4, Sec. 20, Twp. 22N, Rge. 10E, Chouteau County
Trust Beneficiary:	MSU Morrill

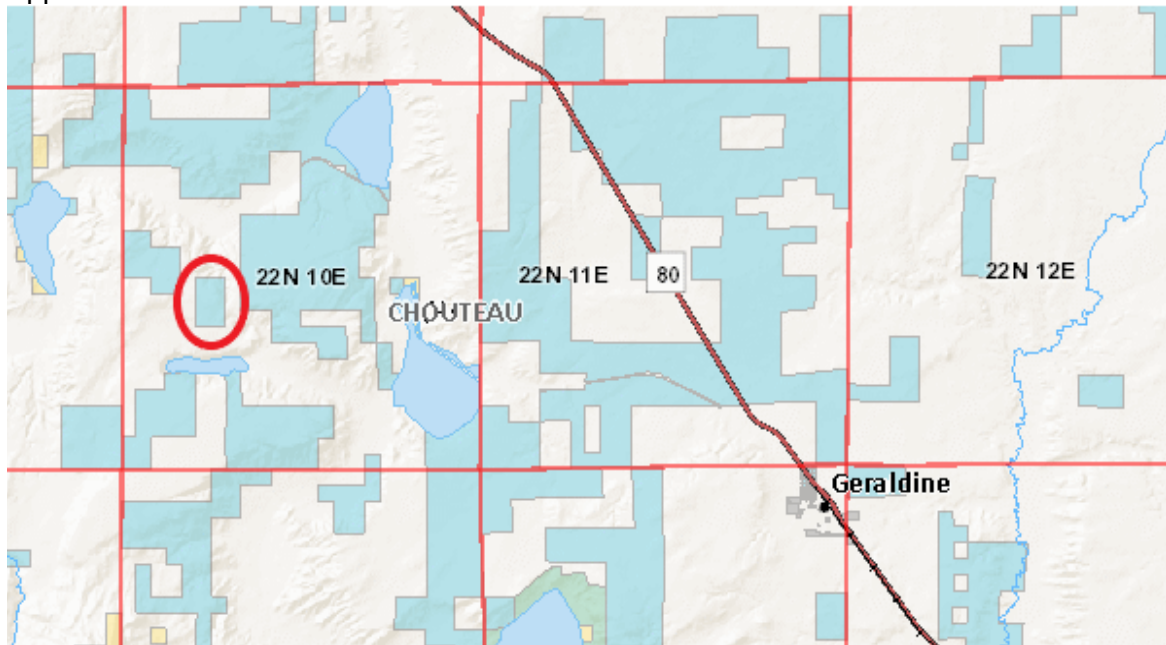
Item Summary

Triangle Telephone Cooperative Association, Inc. is requesting an easement to place underground fiber optic telecommunication cable. This will provide upgraded service capabilities in the Geraldine service area. The new fiber optic cable will be trenched along an existing county road, therefore minimal impacts are expected to occur. The proposed route is the most direct route between terminus locations while also providing access to existing and future network considerations.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19423



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19424
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.06
Compensation:	\$1,060.00
Legal Description:	20-foot strip through NW4NW4, S2NW4, Sec. 29, Twp. 20N, Rge. 13E, Chouteau County
Trust Beneficiary:	Common Schools

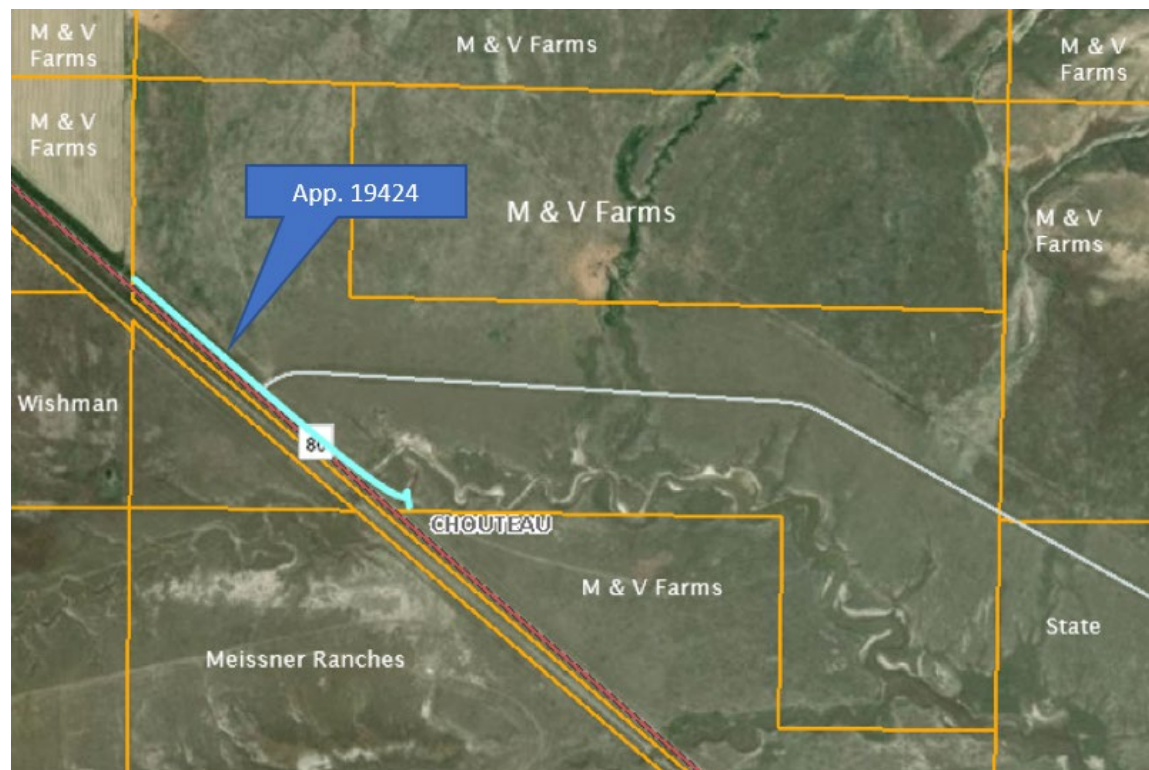
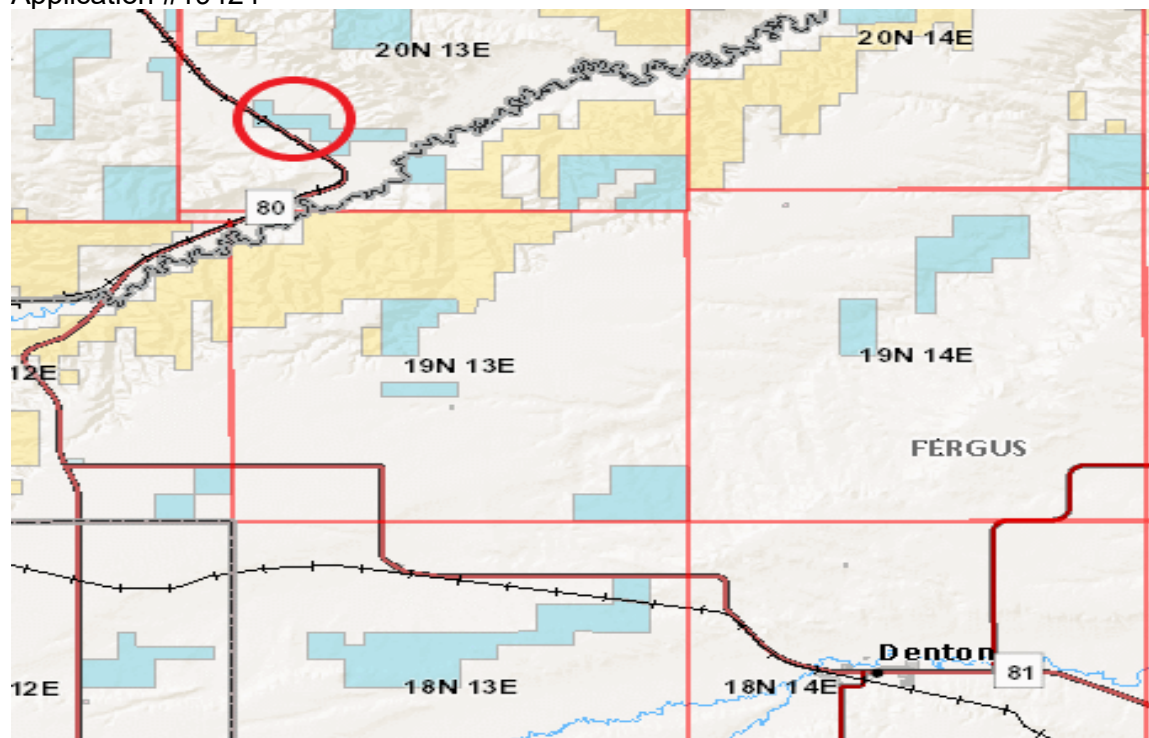
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19424



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19425
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.42
Compensation:	\$252.00
Legal Description:	20-foot strip through SW4SE4, Sec. 21, Twp. 22N, Rge. 10E, Chouteau County
Trust Beneficiary:	MSU Morrill

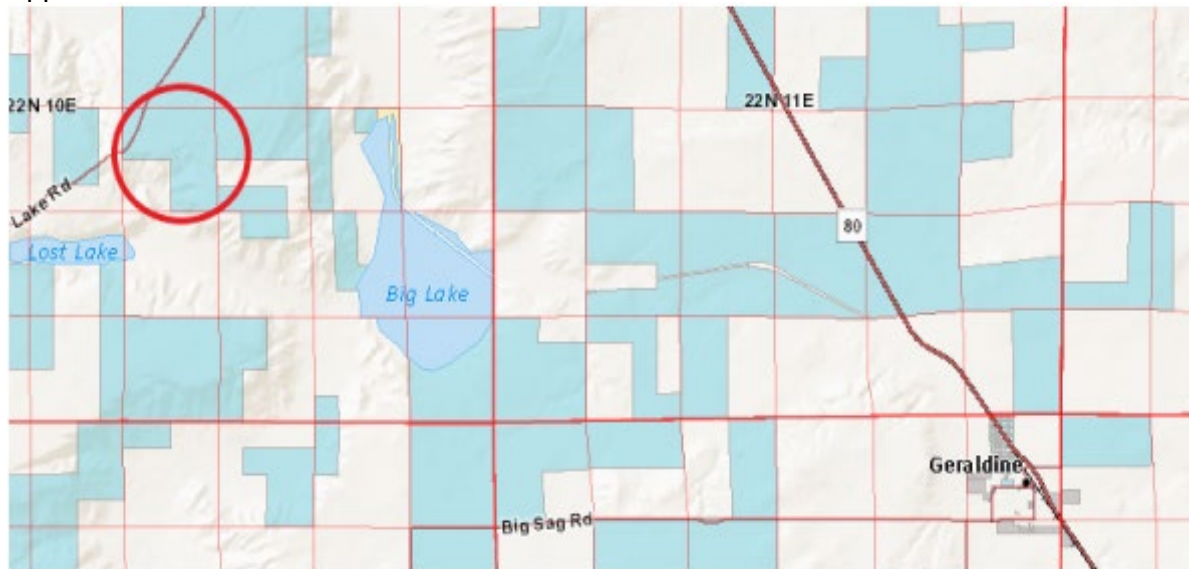
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19425



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19426
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.58
Compensation:	\$948.00
Legal Description:	20-foot strip through W2SE4, SE4SE4, Sec. 3, Twp. 20N, Rge. 12E, Chouteau County
Trust Beneficiary:	Common Schools

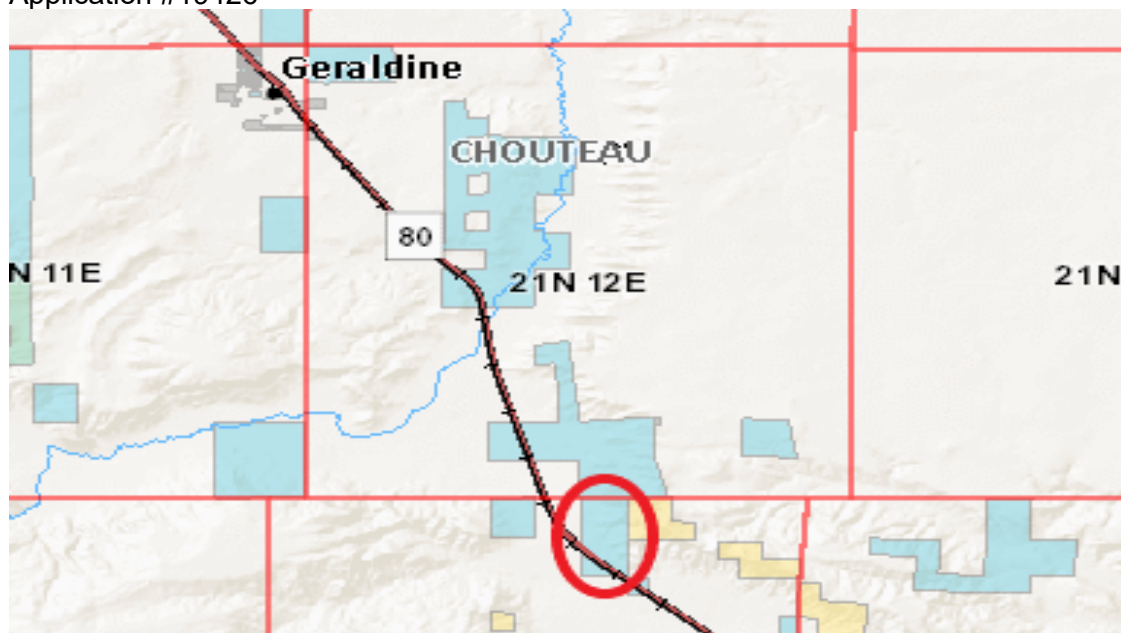
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19426



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19427
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.42
Compensation:	\$252.00
Legal Description:	20-foot strip through W2NW4, Sec. 21, Twp. 21N, Rge. 12E, Chouteau County
Trust Beneficiary:	Common Schools

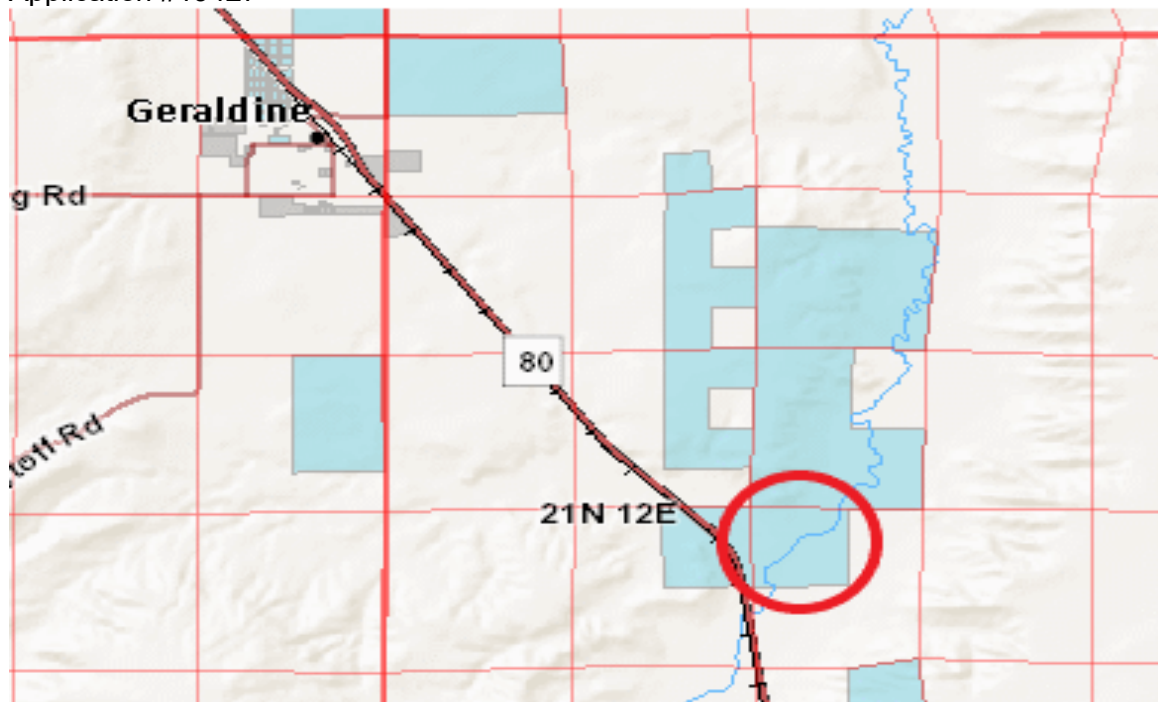
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19427



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19428
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.42
Compensation:	\$852.00
Legal Description:	20-foot strip through E2NE4, Sec. 20, Twp. 21N, Rge. 12E, Chouteau County
Trust Beneficiary:	Commons Schools

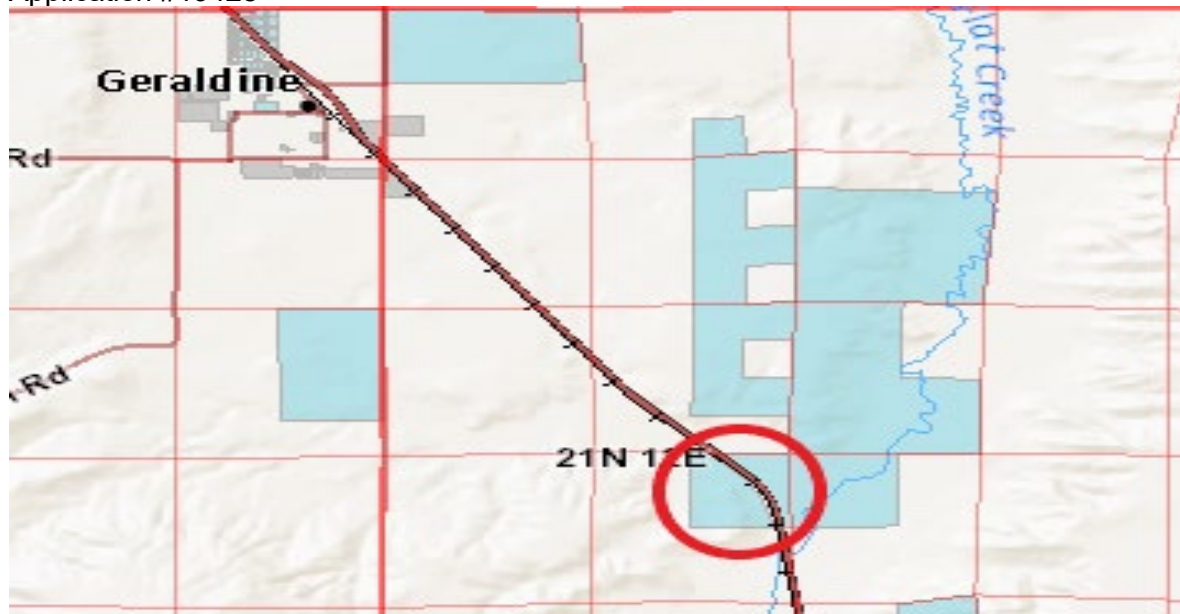
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19428



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19429
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.77
Compensation:	\$462.00
Legal Description:	20-foot strip through NW4NW4, Sec. 11, Twp. 20N, Rge. 12E, Chouteau County
Trust Beneficiary:	Common Schools

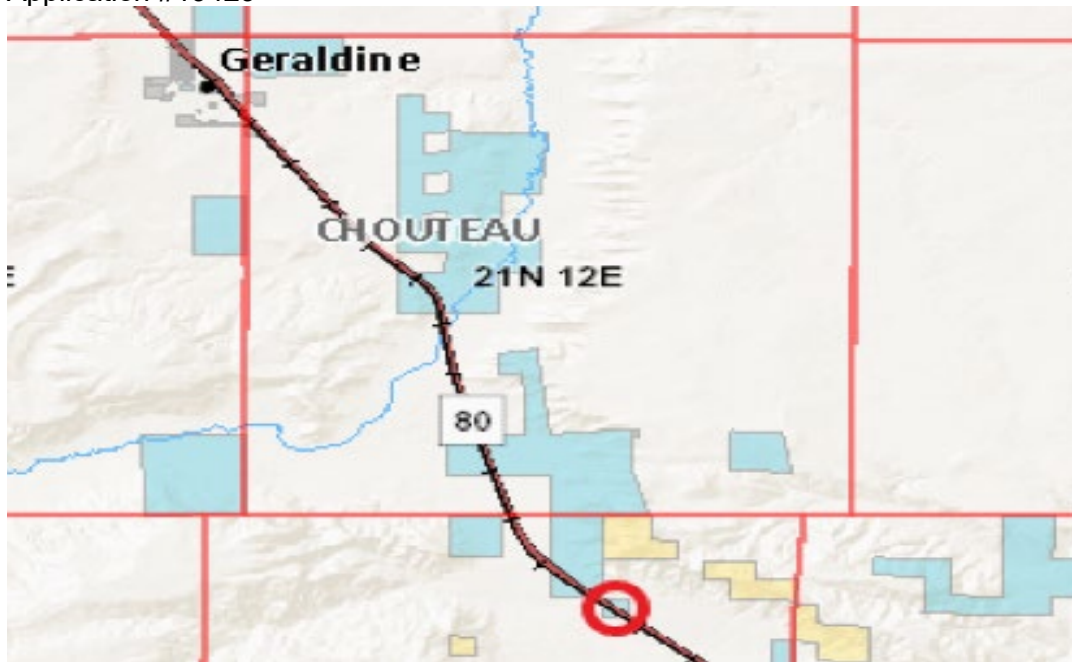
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19429



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19430
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.50
Compensation:	\$300.00
Legal Description:	20-foot strip through SW4SW4, Sec. 32, Twp. 23N, Rge. 11E, Chouteau County
Trust Beneficiary:	Common Schools

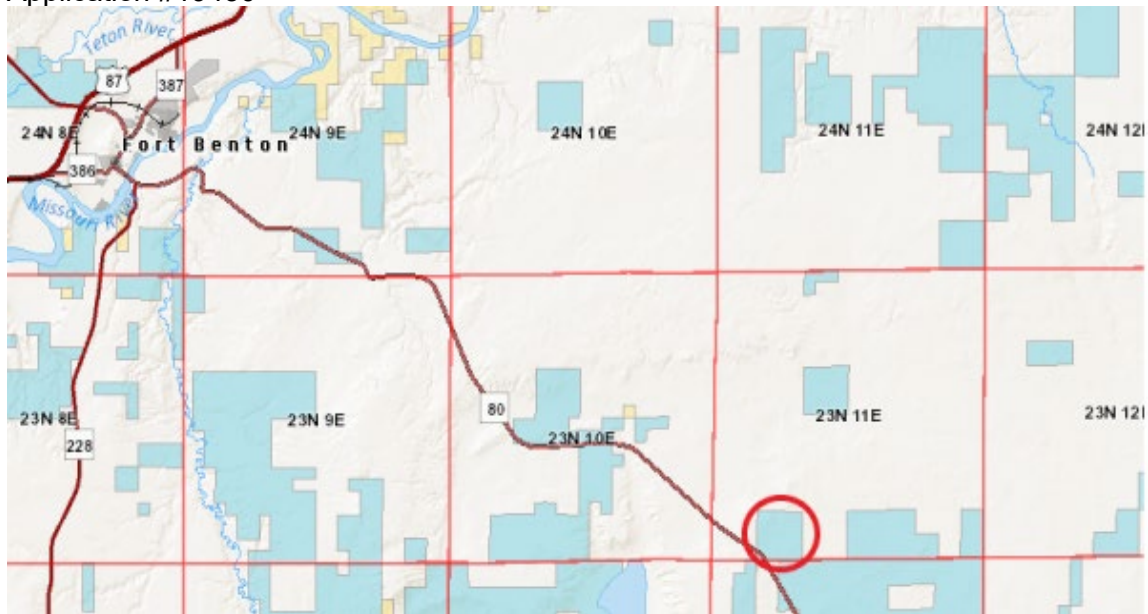
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19430



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19431
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.53
Compensation:	\$918.00
Legal Description:	20-foot strip through S2SE4, Sec. 5, Twp. 22N, Rge. 11E, Chouteau County
Trust Beneficiary:	Common Schools

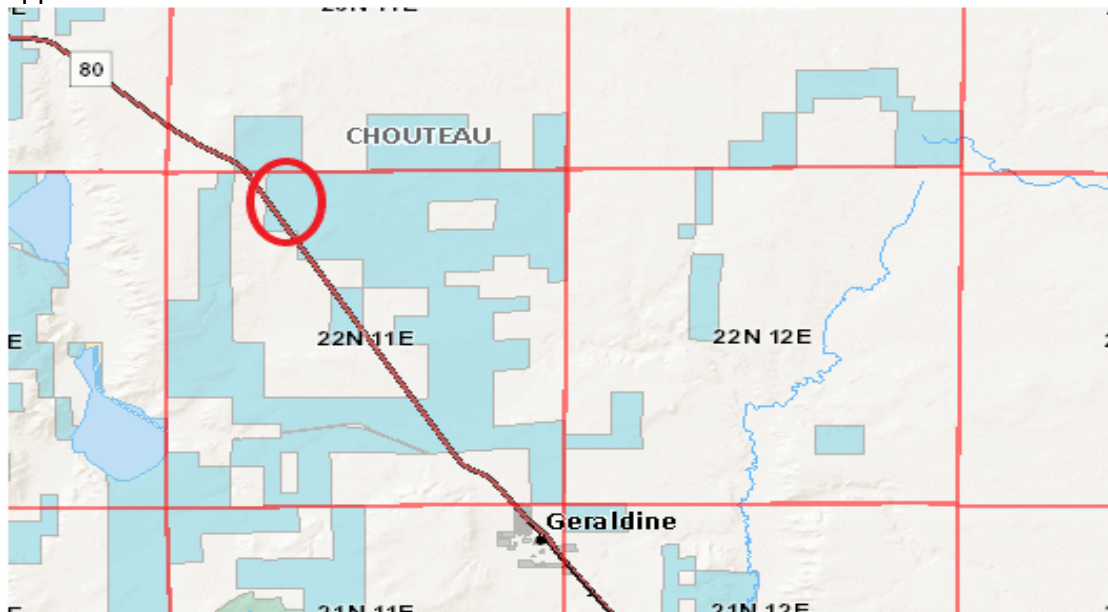
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19431



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19432
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.74
Compensation:	\$444.00
Legal Description:	20-foot strip through SW4NW4, Sec. 9, Twp. 22N, Rge. 11E, Chouteau County
Trust Beneficiary:	Common Schools

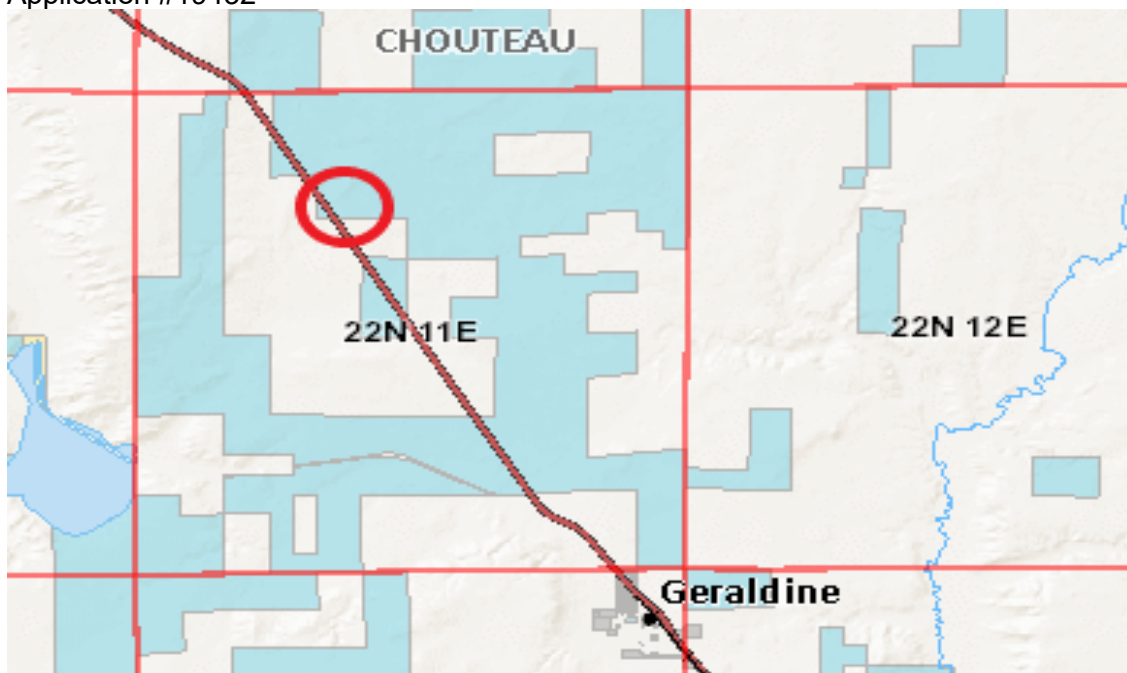
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19432



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc. PO Box 1140 Havre, MT 59501
Application No.:	19433
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	2.23
Compensation:	\$1,338.00
Legal Description:	20-foot strip through E2SE4, Sec. 16, Twp. 22N, Rge. 11E, Chouteau County
Trust Beneficiary:	Common Schools

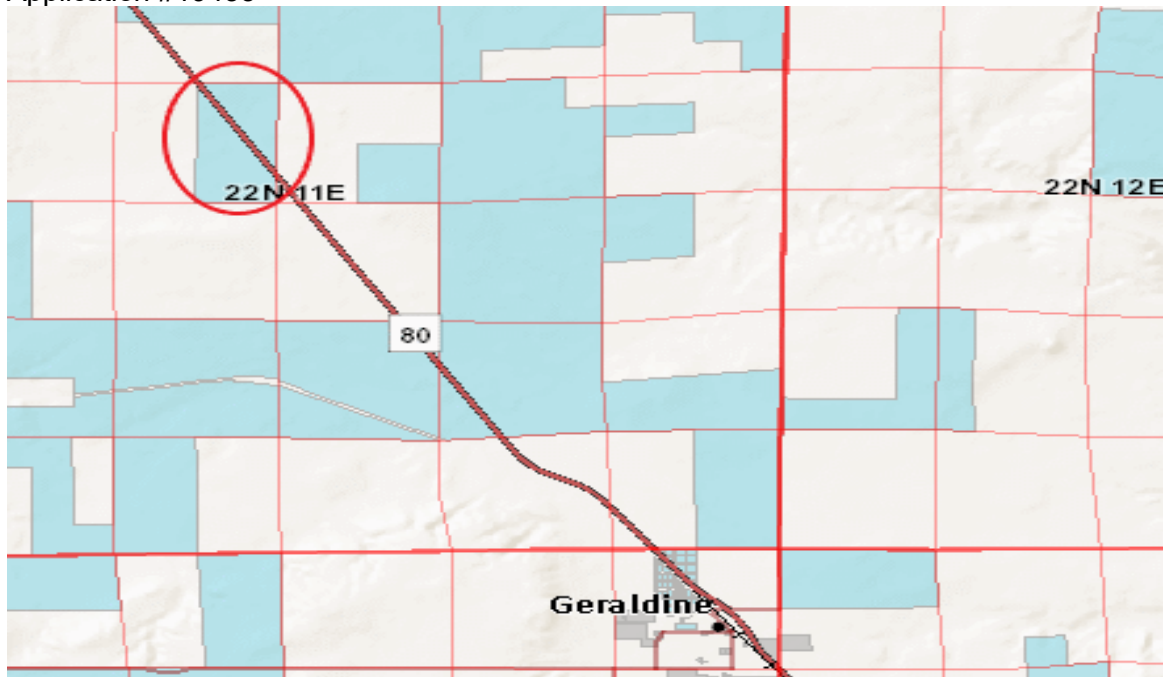
Item Summary

Continuation of Triangle Telephone Cooperative Association's applications for Geraldine service area.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19433



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19434
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	2.55
Compensation:	\$1,530.00
Legal Description:	two 16-foot strips through E2NW4, NE4SW4, W2SW and NW4SW4, Sec. 36, Twp. 5N, Rge. 58E, Fallon County
Trust Beneficiary:	Common Schools

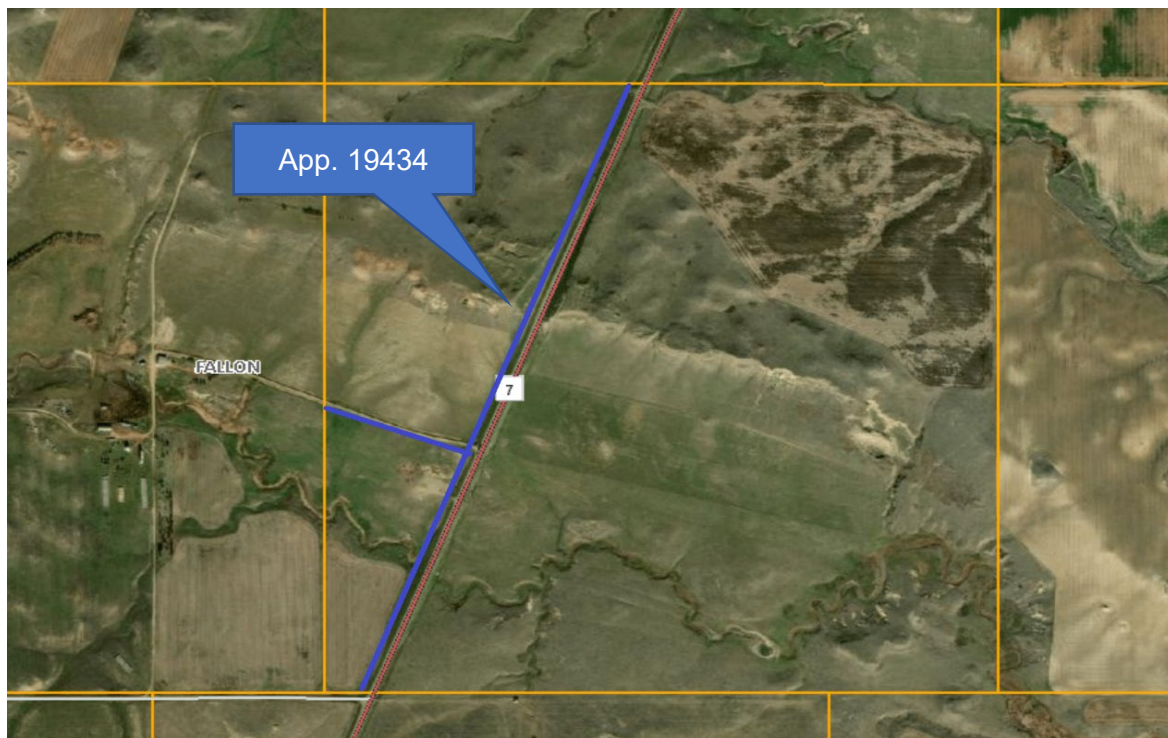
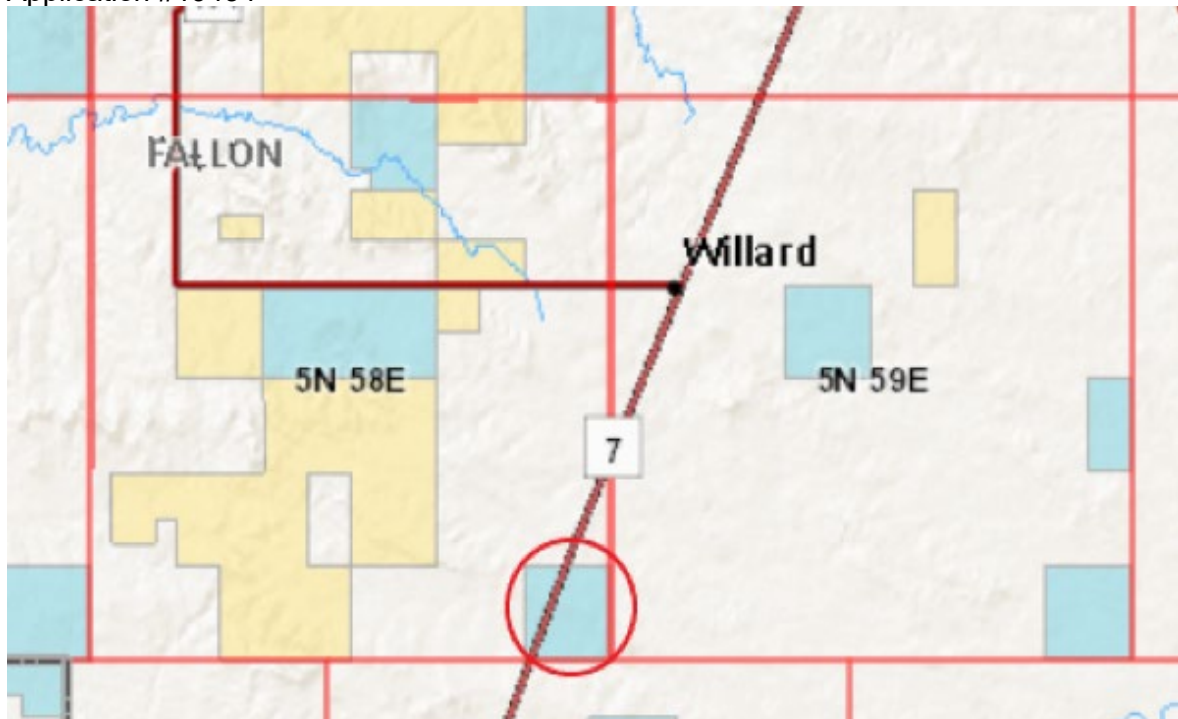
Item Summary

Mid-Rivers Telephone Cooperative, Inc. is requesting an easement to place underground fiber optic telecommunication cable across state trust land. The new fiber optic cable will provide upgraded service capabilities and a communications link between rural Carter and Fallon counties. The cable will be trenched primarily along U.S. Highway 7, therefore minimal impacts are expected to occur. The proposed route is the most direct route between terminus locations while also providing access to existing and future network considerations.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19434



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19435
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.31
Compensation:	\$786.00
Legal Description:	two 16-foot strips through NW4NW4 and W2NW4, SE4NW4, Sec. 16, Twp. 2S, Rge. 62E, Carter County
Trust Beneficiary:	Common Schools

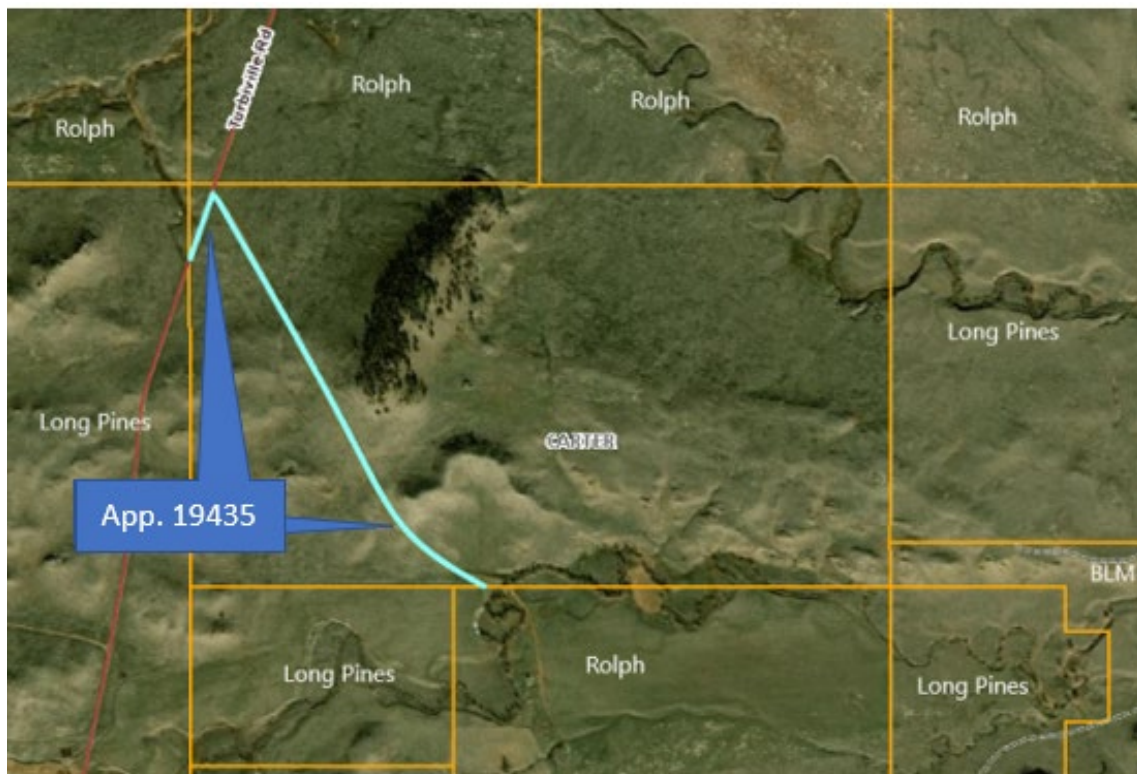
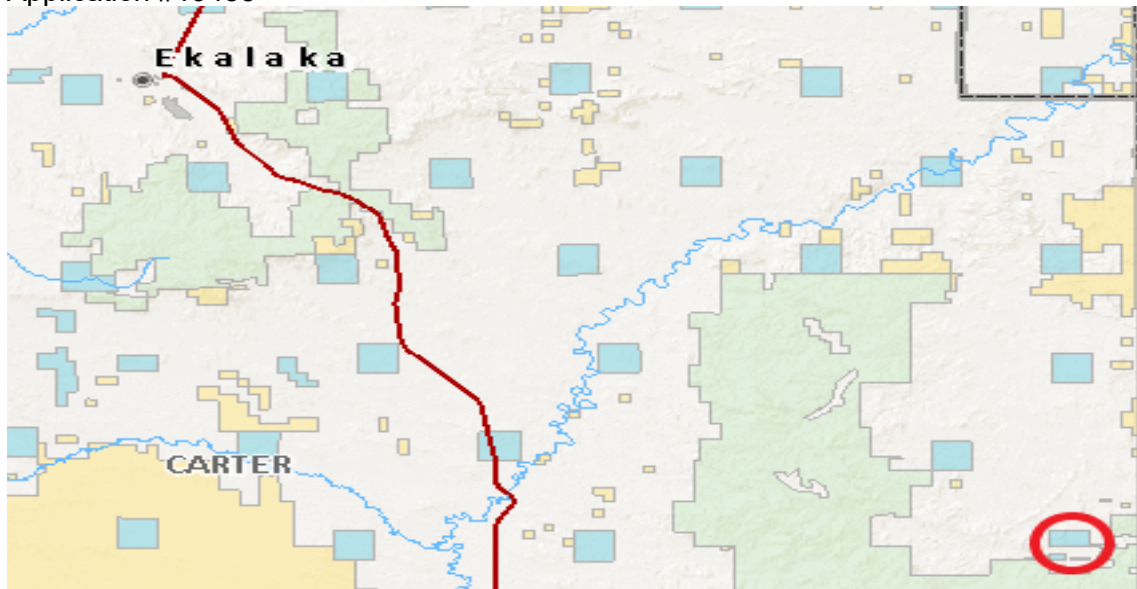
Item Summary

Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19435



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19436
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	3.11
Compensation:	\$1,866.00
Legal Description:	two 16-foot strips through E2NW4, SW4NE4 and SE4NW4, E2SW4, S2SW4, Sec. 36, Twp. 2N, Rge. 61E, Fallon County
Trust Beneficiary:	Common Schools

Item Summary

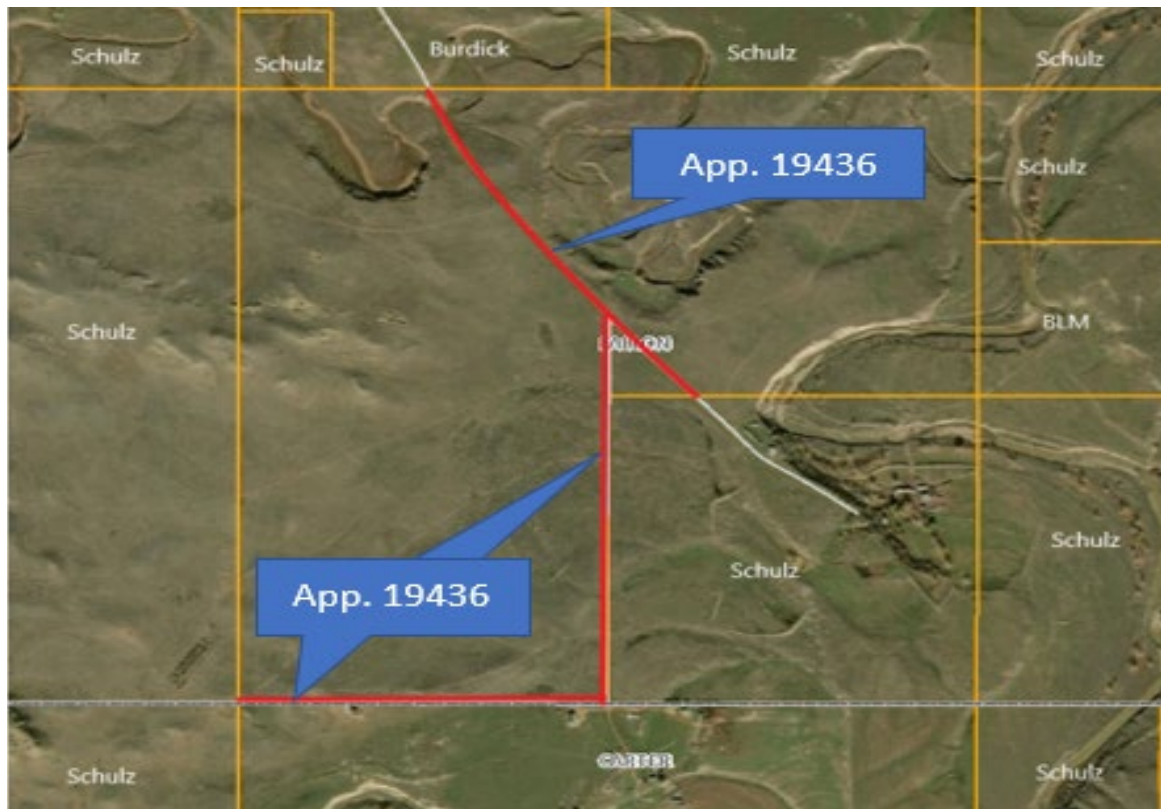
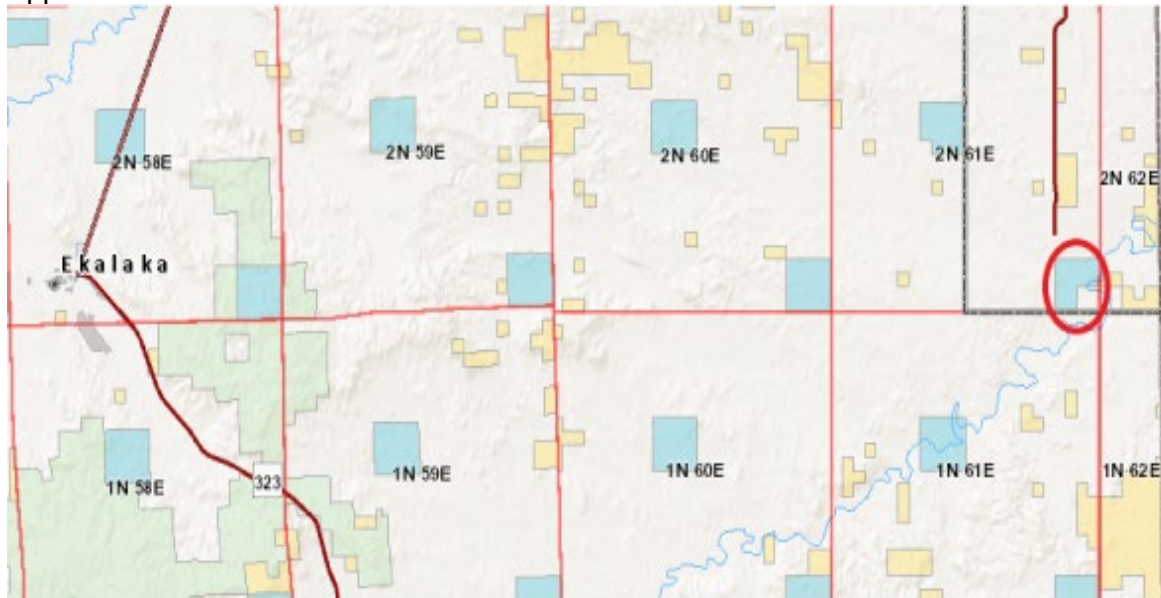
Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

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Application #19436



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19437
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.68
Compensation:	\$1,008.00
Legal Description:	16-foot strip through N2NW4, E2NW4, Sec. 12, Twp. 3N, Rge. 59E, Fallon County
Trust Beneficiary:	Common Schools

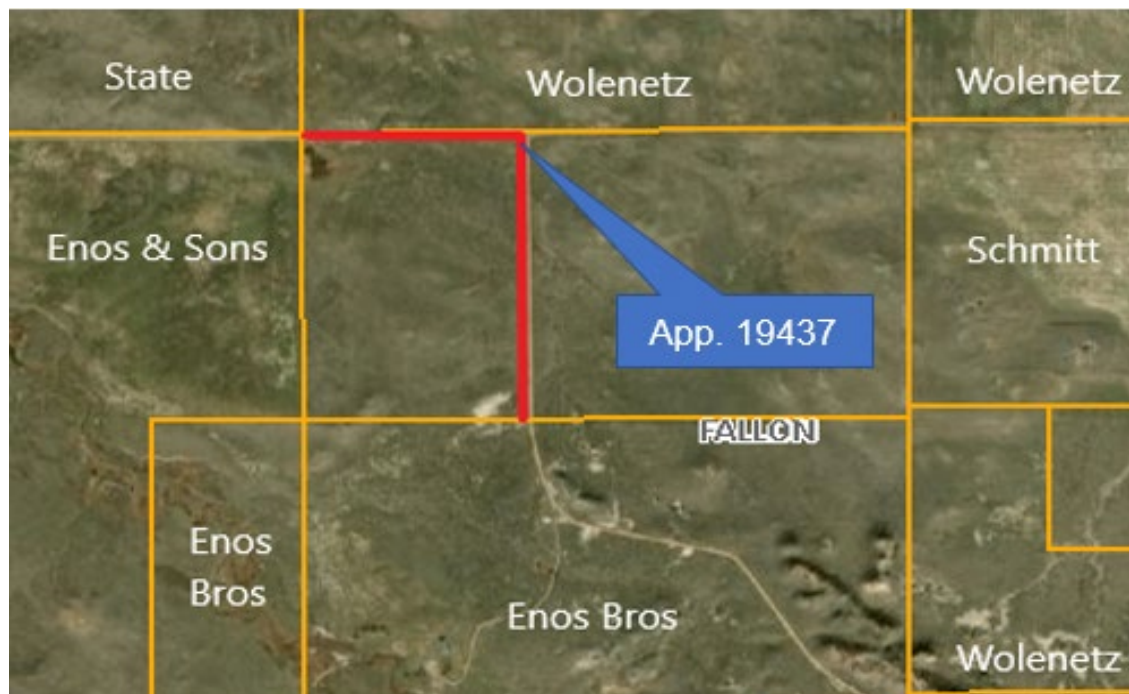
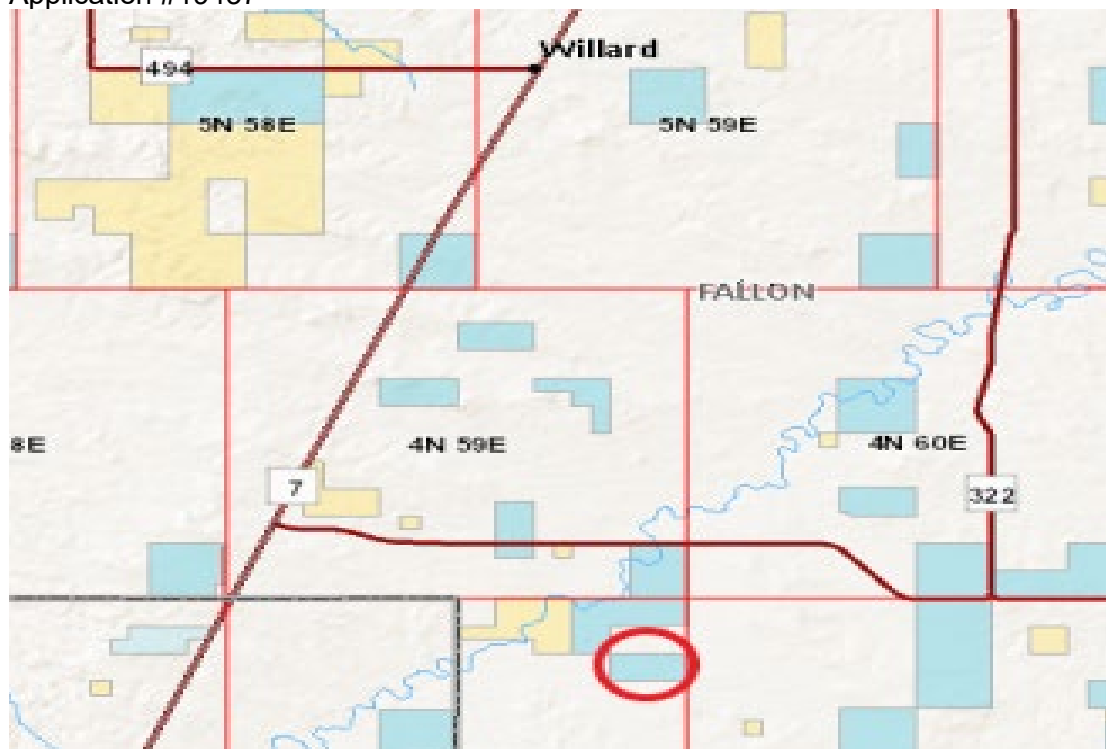
Item Summary

Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19437



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19438
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	2.09
Compensation:	\$1,254.00
Legal Description:	three 16-foot strips of land through N2N2 and NE4NE4, Sec. 3, Twp. 3N, Rge. 60E, Fallon County
Trust Beneficiary:	Common Schools

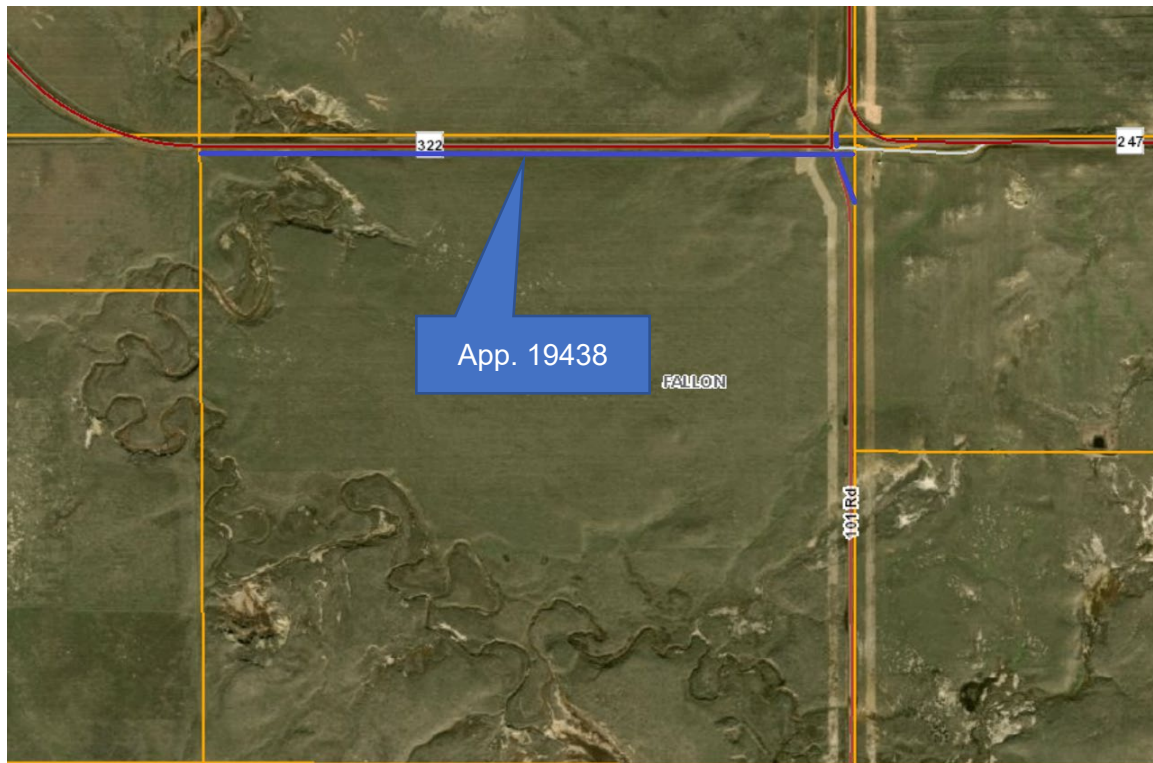
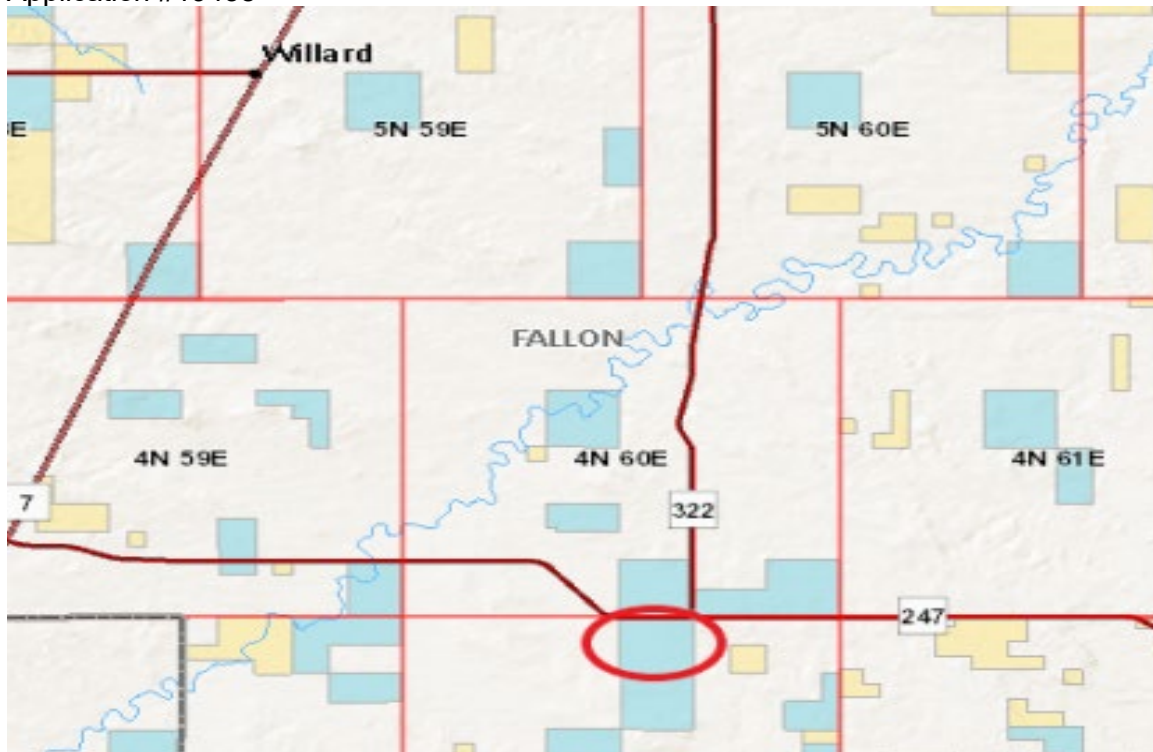
Item Summary

Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19438



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19439
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.81
Compensation:	\$486.00
Legal Description:	16-foot strip through N2NW4, Sec. 36, Twp. 3N, Rge. 60E, Fallon County
Trust Beneficiary:	Common Schools

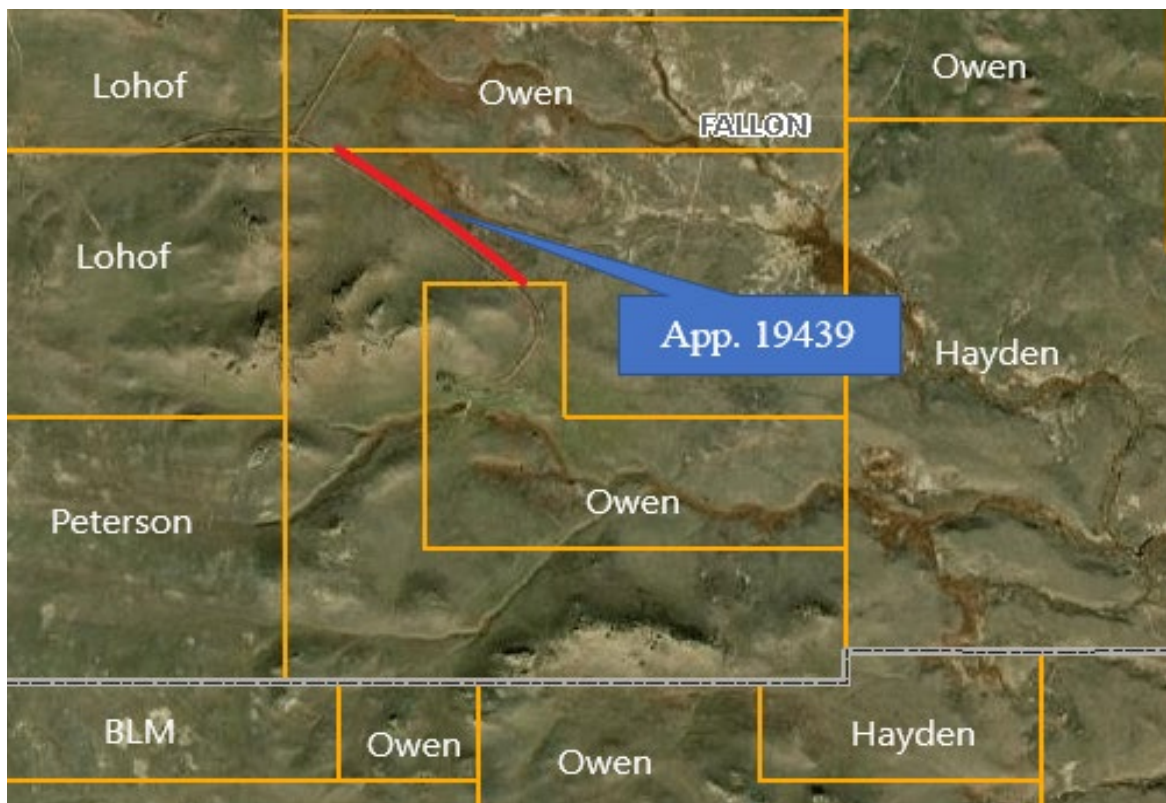
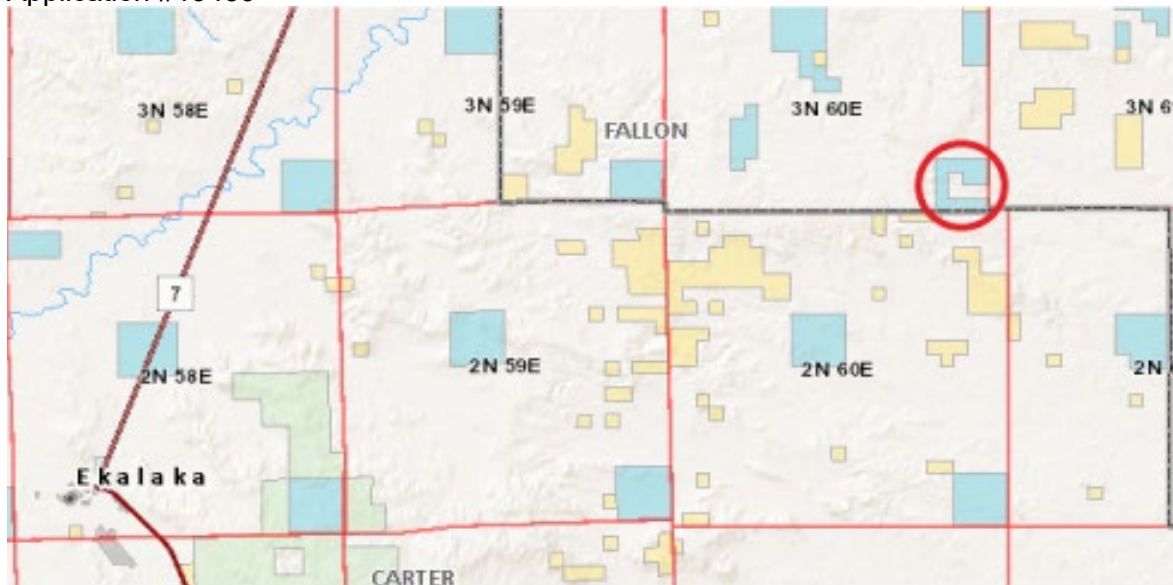
Item Summary

Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19439



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19440
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.11
Compensation:	\$100.00
Legal Description:	16-foot strip through SW4SW4, Sec. 25, Twp. 3N, Rge. 16E, Fallon County
Trust Beneficiary:	Common Schools

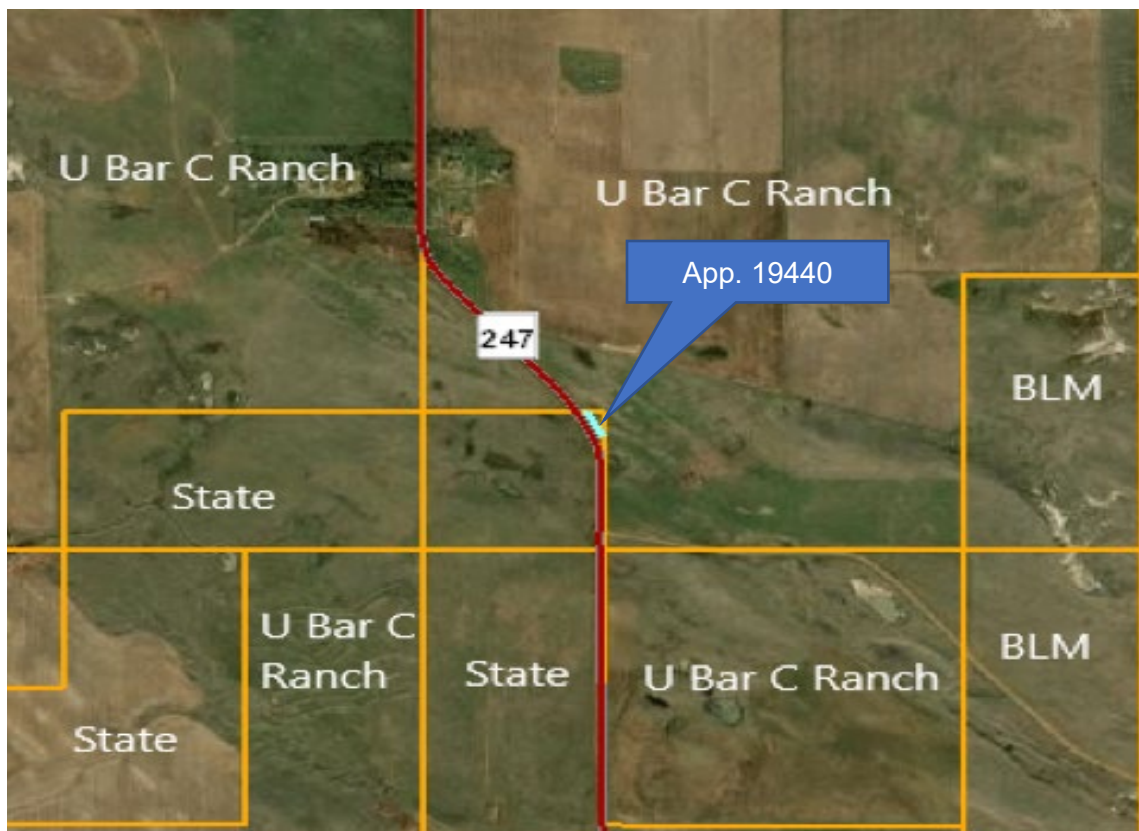
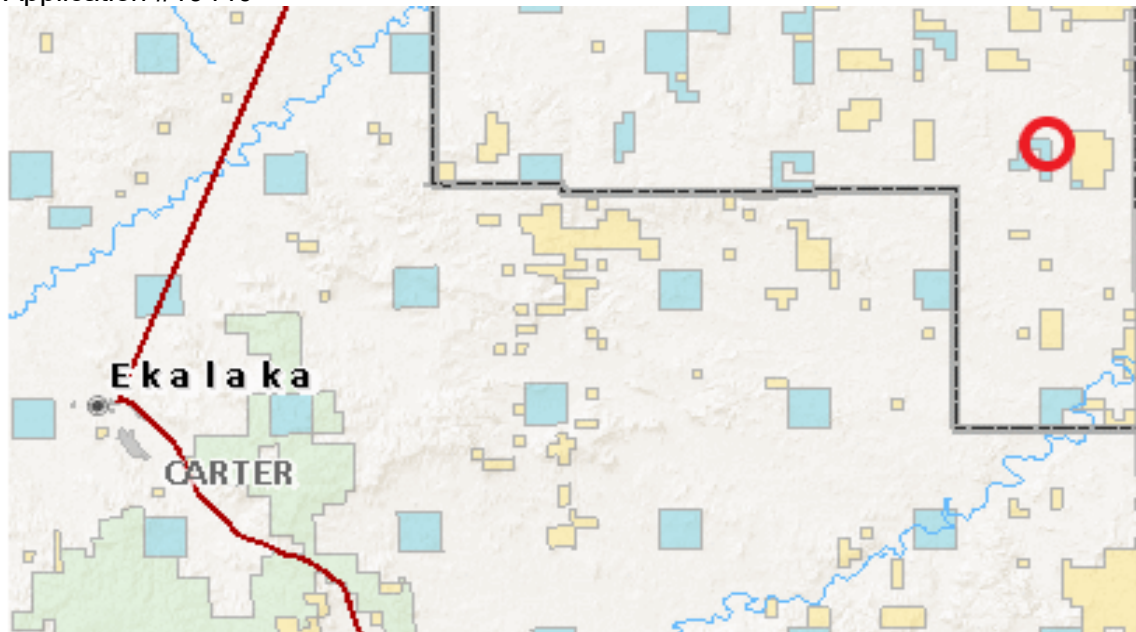
Item Summary

Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19440



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19441
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	0.98
Compensation:	\$588.00
Legal Description:	16-foot strip through N2NE4, Sec. 34, Twp. 4N, Rge. 59E, Fallon County
Trust Beneficiary:	Common Schools

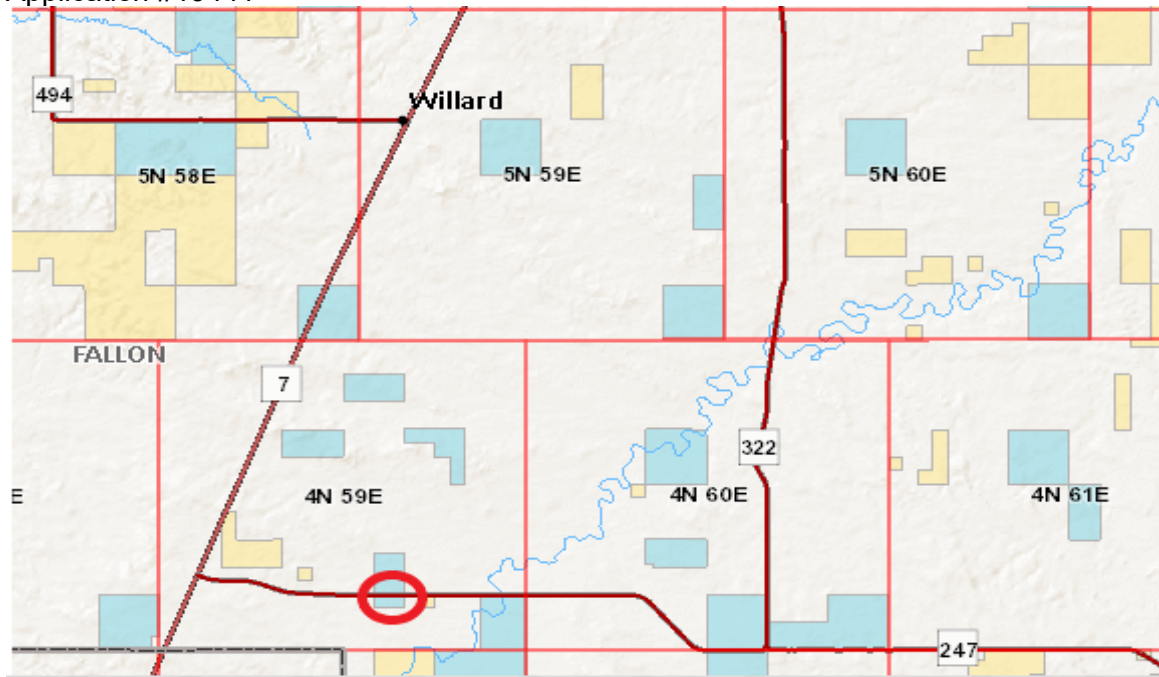
Item Summary

Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19441



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative, Inc. PO Box 280 Circle, MT 59215
Application No.:	19442
R/W Purpose:	a buried fiber optic telecommunications cable
Lessee Agreement:	ok
Acreage:	1.95
Compensation:	\$1,170.0
Legal Description:	16-foot strip through E2E2, Sec. 34, Twp. 4N, Rge. 60E, Fallon County
Trust Beneficiary:	Common Schools

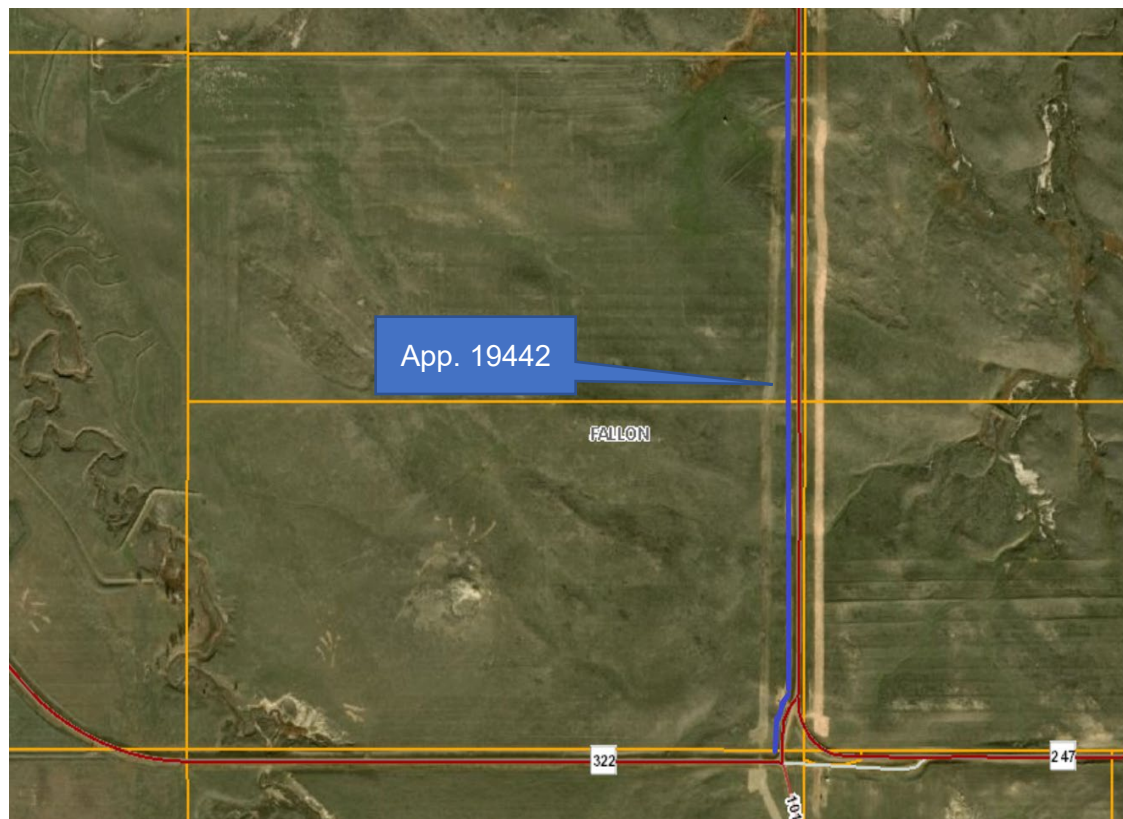
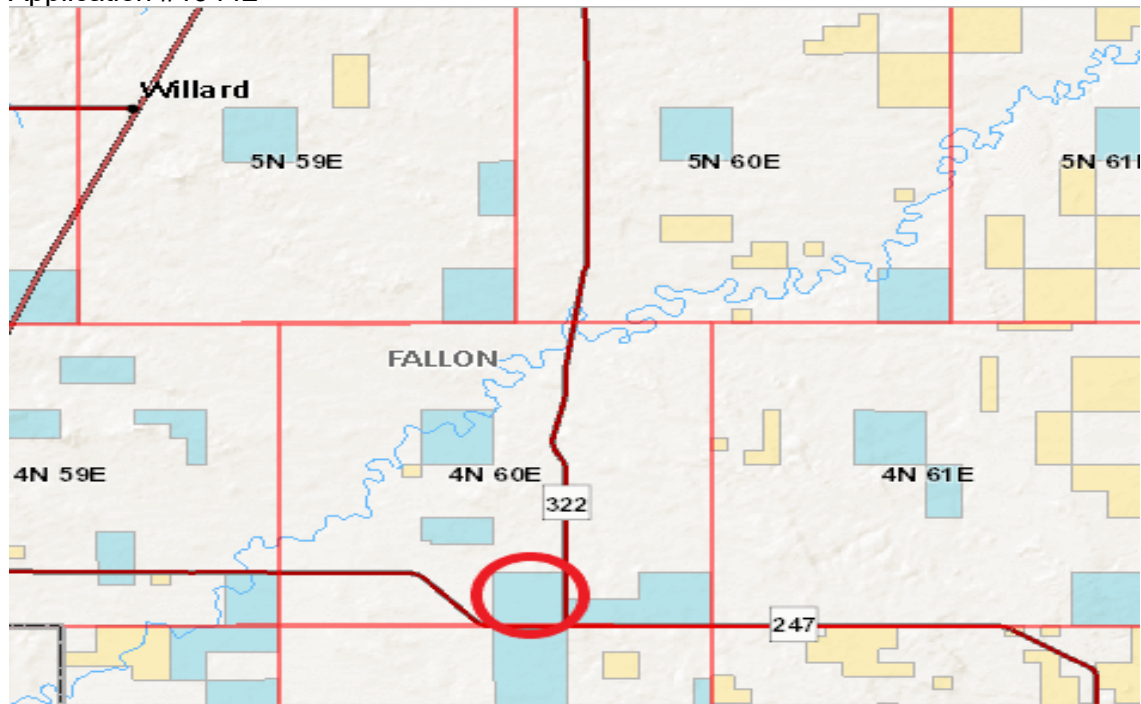
Item Summary

Continuation of Mid-Rivers Telephone Cooperative's applications for Carter and Fallon counties service area.

DNRC Recommendation

The DNRC recommends approval of the application of Mid-Rivers Telephone Cooperative, Inc.

Application #19442



**Land Board Agenda Item
February 21, 2023**

0223-4B Palisades Easement Exchange

Location: Carbon, Lincoln, and Sanders Counties

Trust Benefits: Common Schools, MSU Morrill, Pine Hills School

Trust Revenue: N/A – Costs Mutually Shared

I. Applicant:

United States of America (U.S. Department of Agriculture-Forest Service)
Custer Gallatin National Forest, Lolo National Forest, Kootenai National Forest

II. Purpose of Reciprocal Access Agreement:

A block of State Trust Land, encompassing ~ 5,600-acres, is intermingled with National Forest Service land administered by the Custer-Gallatin National Forest. In order for both the State of Montana (DNRC) and the U.S. Forest Service (USFS) to gain legal access, it is necessary to exchange easements with the USFS, as authorized by the Federal Roads and Trails Act. To balance the mileage of the easement desired by the Custer Gallatin National Forest, additional access will be granted to DNRC State Trust Lands in the Kootenai National Forest and Lolo National Forest.

III. Legal Description:

The State of Montana DNRC will grant the USFS an exclusive all lawful purpose easement, 60 feet in width, with rights for the public, over the following described lands:

Palisades Block:

Road No. 21415	Sections 7,8,9, & 10 of T7S, R19E
Road No. 21415E	Sections 7 of T7S, R19E
Road No. 21415G	Section 10 of T7S, R19E

In reciprocity, the DNRC will receive all-lawful purpose easements, varying widths, from the USFS over the following described lands:

Custer Gallatin National Forest

Road No. 2141	Section 1 and Protracted Blocks 38,44, & 45 of T7S, R18E
Road No. 21415	Protracted Block 45 of T7S, R18E

Kootenai National Forest

Road No. 566	Section 25 of T32N, R29W
Road No. 7738	Section 25 of T32N, R29W
Road No. 7738A	Section 35 of T32N, R29W
Road No. 2345	Section 01 of T28N, R27W

Lolo National Forest

Road No. 4422	Section 01 of T25N, R25W
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IV. **General Information:**

Miles of Road and Right-of-Way area are summarized as follows:

Grantor:	State	USFS	USFS 3rd Party Reconveyance	Total
Miles of Road:	7.93 miles	7.51 miles	0.55 miles	15.99 miles
Right-of-Way Area:	57.69 acres	55.76 acres	2.20 acres	115.65

Beneficiaries:*MSU-Morrill (Carbon County):*

Section 06 of Township 7 South, Range 19 East:	615-acres
Section 08 of Township 7 South, Range 19 East:	640-acres
Section 10 of Township 7 South, Range 19 East:	640-acres

Pine Hills (Carbon County):

Section 03 of Township 7 South, Range 19 East:	320-acres
Section 05 of Township 7 South, Range 19 East:	640-acres
Section 07 of Township 7 South, Range 19 East:	615-acres
Section 09 of Township 7 South, Range 19 East:	640-acres

Common Schools:

Section 36 of Township 32 North, Range 29 West:	640-acres (Lincoln County)
Section 36 of Township 28 North, Range 27.5 West:	640-acres (Lincoln County)
Section 02 of Township 25 North, Range 28 West:	640-acres (Sanders & Lincoln Counties)
Section 12 of Township 25 North, Range 28 West:	640-acres (Sanders County)

Land Value:

The parties agree that the grant of easement by each party to the other is considered substantially similar in value, therefore the package considered miles of easement granted by each party. The equal value/mileage easements are sufficient to consummate the reciprocal easement conveyances. The Parties waive any further compensation for the purpose of exchanging these easements.

V. **Results of MEPA Analysis:**

An Environmental Assessment checklist was completed in November 2022 for the affected state lands. Two public notices were issued to surrounding landowners and local newspapers in February 2022 and August 2022 seeking comment. Comments received during the scoping period included concerns over increased motorized traffic by the public on the road system on the DNRC Palisades block of Trust land and concerns for wildlife safety. The road system is currently closed to motorized use by the public and the DNRC and USFS have agreed to keep the road designated as administrative use and will continue with non-motorized public use. Allowing public motorized use in the future would require a change to the Custer Gallatin Forest Travel Management Plan and additional public scoping.

The parties agreed to seasonal restrictions of the road use for wildlife and timber management purposes. Seasonal restrictions will be formalized in a separate Operations and Maintenance Agreement to allow management flexibility by the DNRC and USFS.

No other significant impacts are expected, and no further analysis is required as a result of exchanging easements. Any future projects will be analyzed at that time.

VI. **Benefits to State:**

The parties have reviewed the multiple advantages associated with acquiring all lawful legal access to the lands described herein, including values to the respective agencies and the public, and agree that resolving legal access is a primary long-term objective.

Integrated transportation planning results in reduced total road density by utilizing existing roads.

The exchange will provide a permanent legal access to State Trust lands for all lawful purposes, including timber resource management. This will provide greater management flexibility on the affected Trust lands.

VII. **Recommendation/Action:**

The DNRC recommends approval of the Palisades Reciprocal Access Agreement with the United States Forest Service.

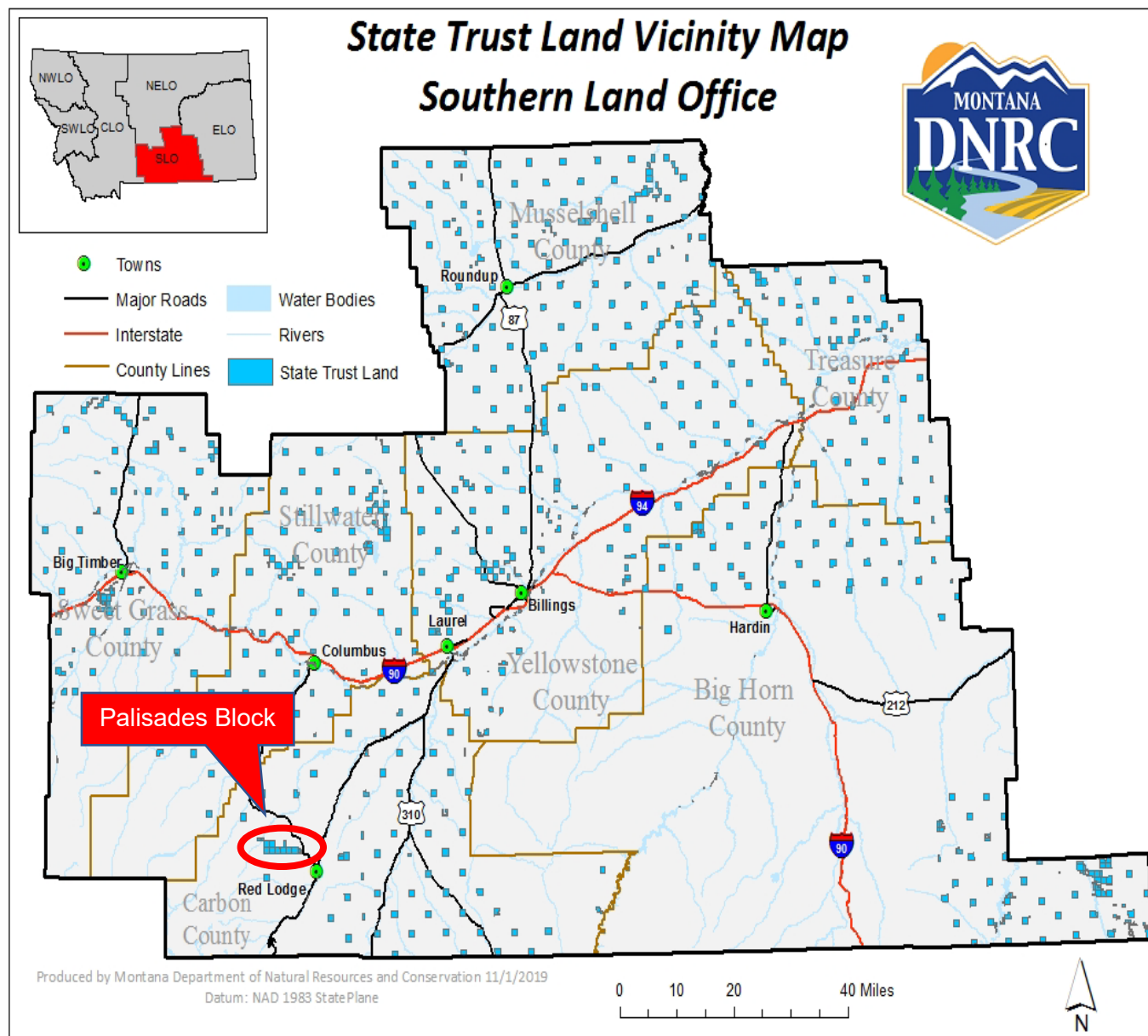







Exhibit A**PALISADES RECIPROCAL ACCESS AGREEMENT****LOLO**

U.S.D.A. - Forest Service - Region One
 LOLO NATIONAL FOREST &
 State of Montana Department
 of Natural Resources and Conservation

Section 1
 T.25N., R.28W., P.M.M.
 Sanders County, Montana

LEGEND

-  Easement grant USA to State
-  Green Diamond
-  National Forest System Lands
-  State of Montana
-  Small Private

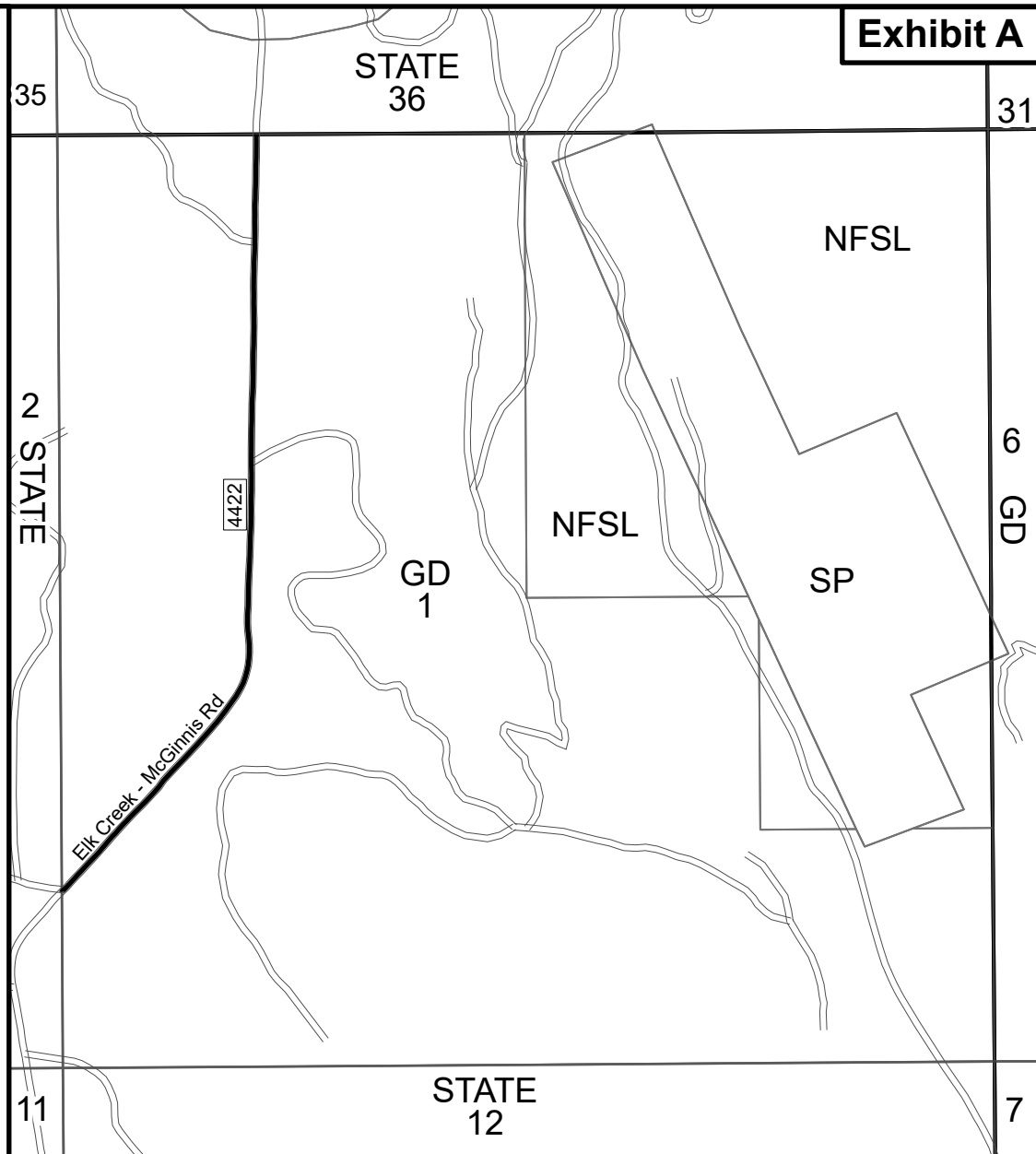
R/W Width: 33ft each side of centerline
 R/W LF: 4,672.2'
 R/W Area: 7.07 acres

Approved for Right of Way Purposes

Signature _____
 Forest Engineer

0 0.125 0.25 Miles

Prepared by DNRC Southern Land Office
 Joe Holzwarth, Area Planner 08-24-2022



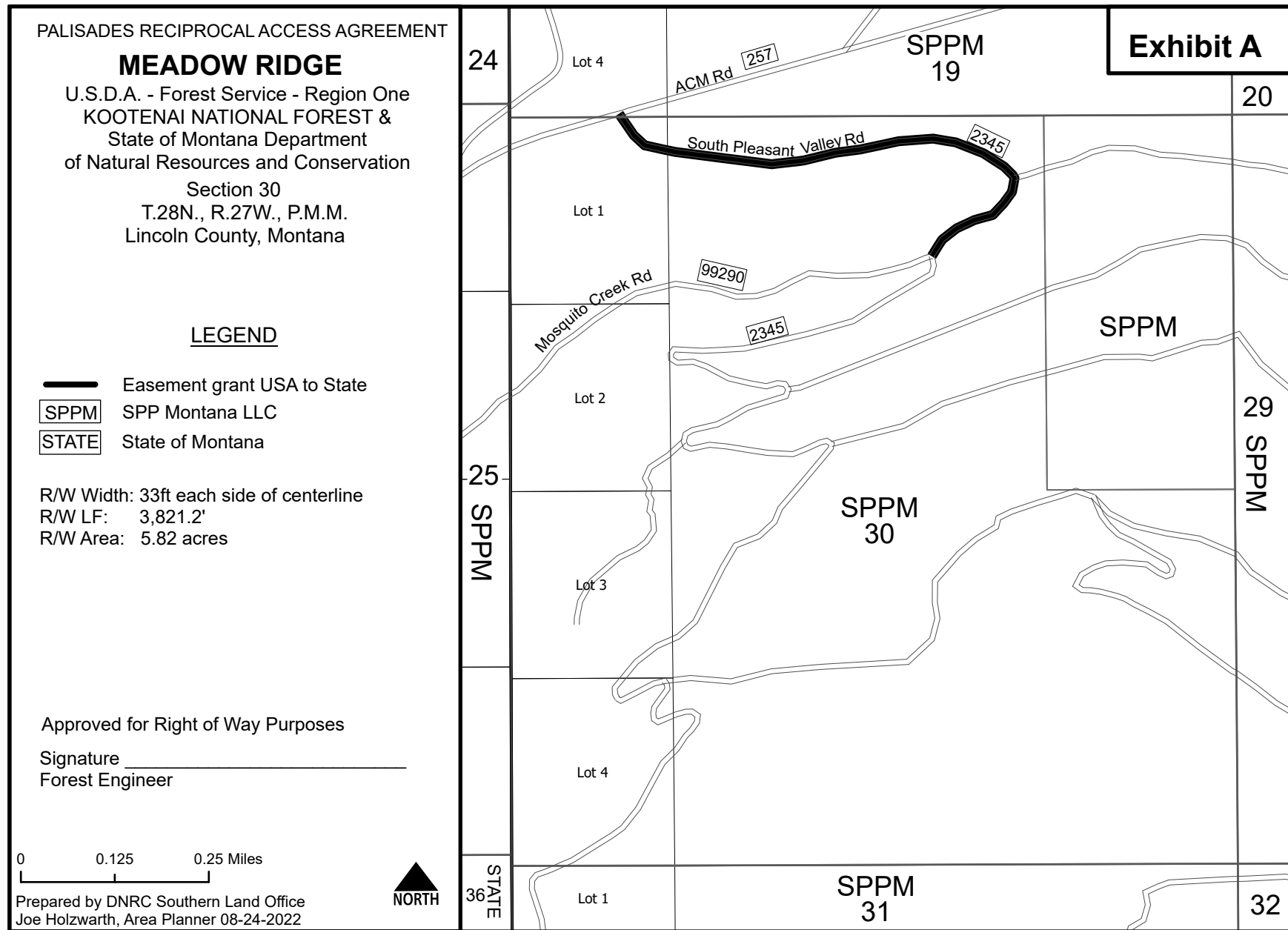


Exhibit A**PALISADES RECIPROCAL ACCESS AGREEMENT****PALISADES**

U.S.D.A. - Forest Service - Region One
 CUSTER GALLATIN NATIONAL FOREST &
 State of Montana Department
 of Natural Resources and Conservation

Section 1 &
 Protraction Blocks 38, 44, and 45
 T.7S., R.18E., P.M.M.
 Carbon County, Montana

LEGEND

- Easement grant USA to State
 NFSL National Forest System Lands
 STATE State of Montana
 SP Small Private

R/W Width: 30ft each side of centerline (NFSL)
 16.5ft each side of centerline (SP)
 R/W LF: 29,433.1' (NFSL)
 R/W Area: 39.25 Acres (NFSL)

Approved for Right of Way Purposes

Signature _____
 Forest Engineer

0 1 2 Miles

Prepared by DNRC Southern Land Office
 Joe Holzwarth, Area Planner 08-24-2022

