

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

ACTION ITEMS

- 0422-1** **Timber Sale: Snow Tepee** **APPROVED 5-0**
Benefits: Common Schools
Location: Madison County
- APPROVED 4-1**
COMMISSIONER DOWNING
- 0422-2** **Cabin and Home Site Sales: Preliminary Approval for Sale** **OPPOSED**
Benefits: Common Schools, Montana Tech, MSU 2nd Grant, Pine Hills School, Public Buildings, Deaf and Blind School.
Location: Flathead, Missoula, and Sanders Counties
- 0422-3** **Easements: Standard Grants** **APPROVED 5-0**
Benefits: Common Schools and Public Land Trust
Location: Big Horn, Gallatin, Lake, Madison, Musselshell, Sweetgrass and Yellowstone Counties

PUBLIC COMMENT

0422-1

TIMBER SALE:

Snow Tepee

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

0422-1 Timber Sale: Snow Tepee

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

Trust Beneficiaries: Common Schools

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

Item Summary

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

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

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

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

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

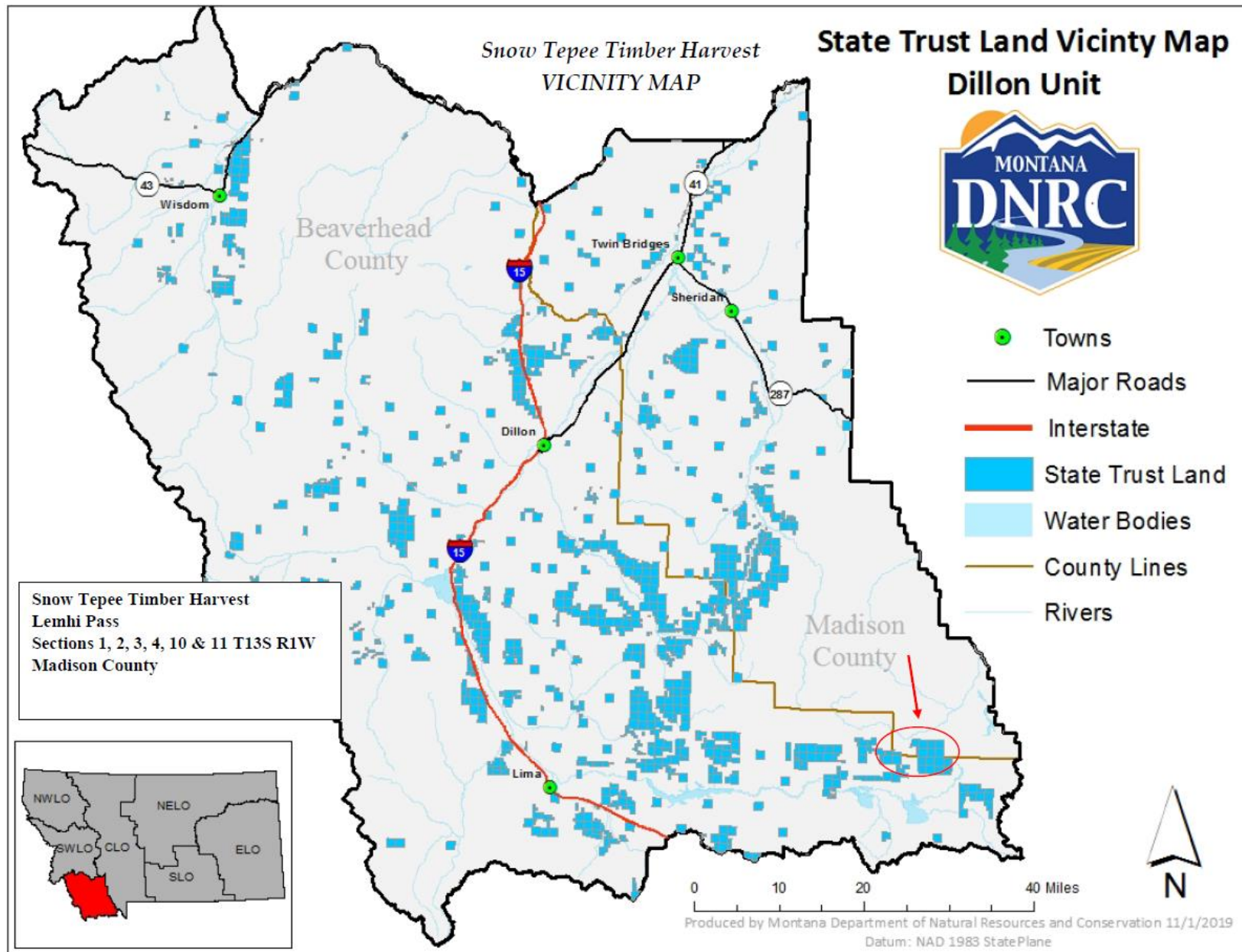
Road Construction/Maintenance: In conjunction with the Snow Tepee Timber Sale, the Department of Natural Resources and Conservation (DNRC) is proposing 15.6 miles of road maintenance.

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

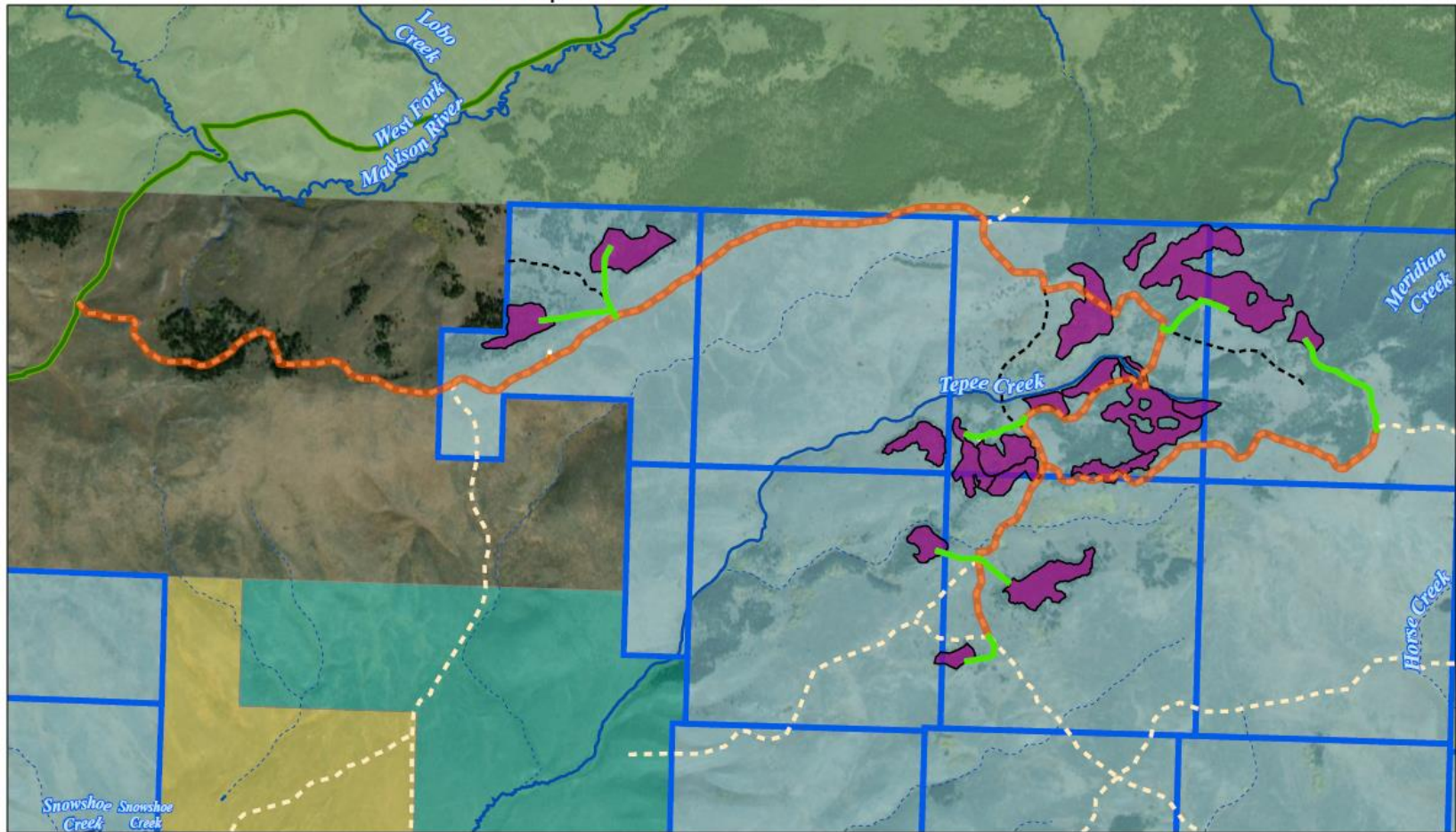
Public Comments: A total of four public comments were received. Montana Fish, Wildlife and Parks (MT FWP) first inquired about the location of the proposed project in relation to previous projects, which the DNRC clarified. MT FWP additionally commented that they had no further concerns regarding the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

DNRC Recommendation

The DNRC recommends the Land Board direct DNRC to sell the Snow Tepee Timber Sale.



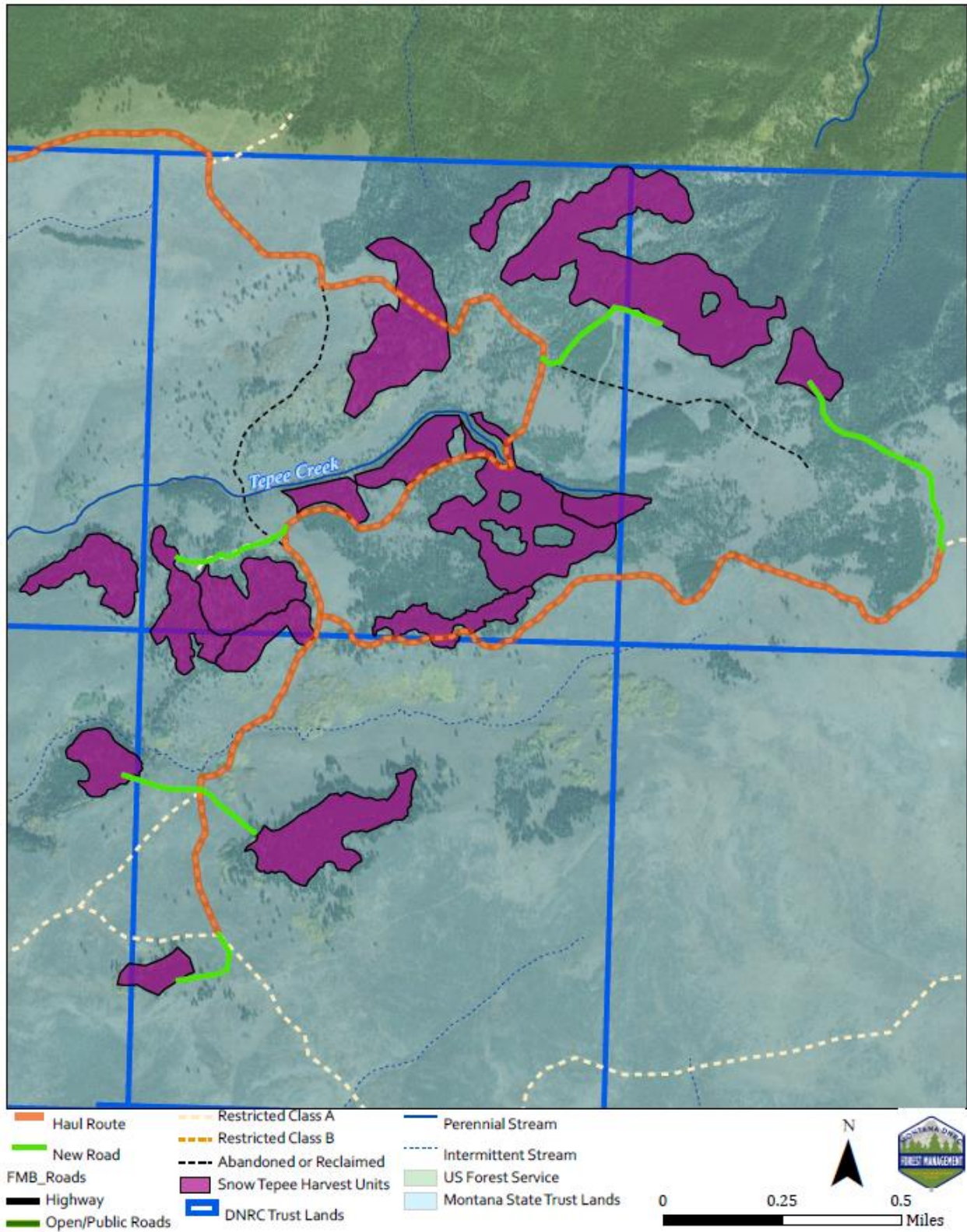
Snow Tepee Timber Sale Haul Route



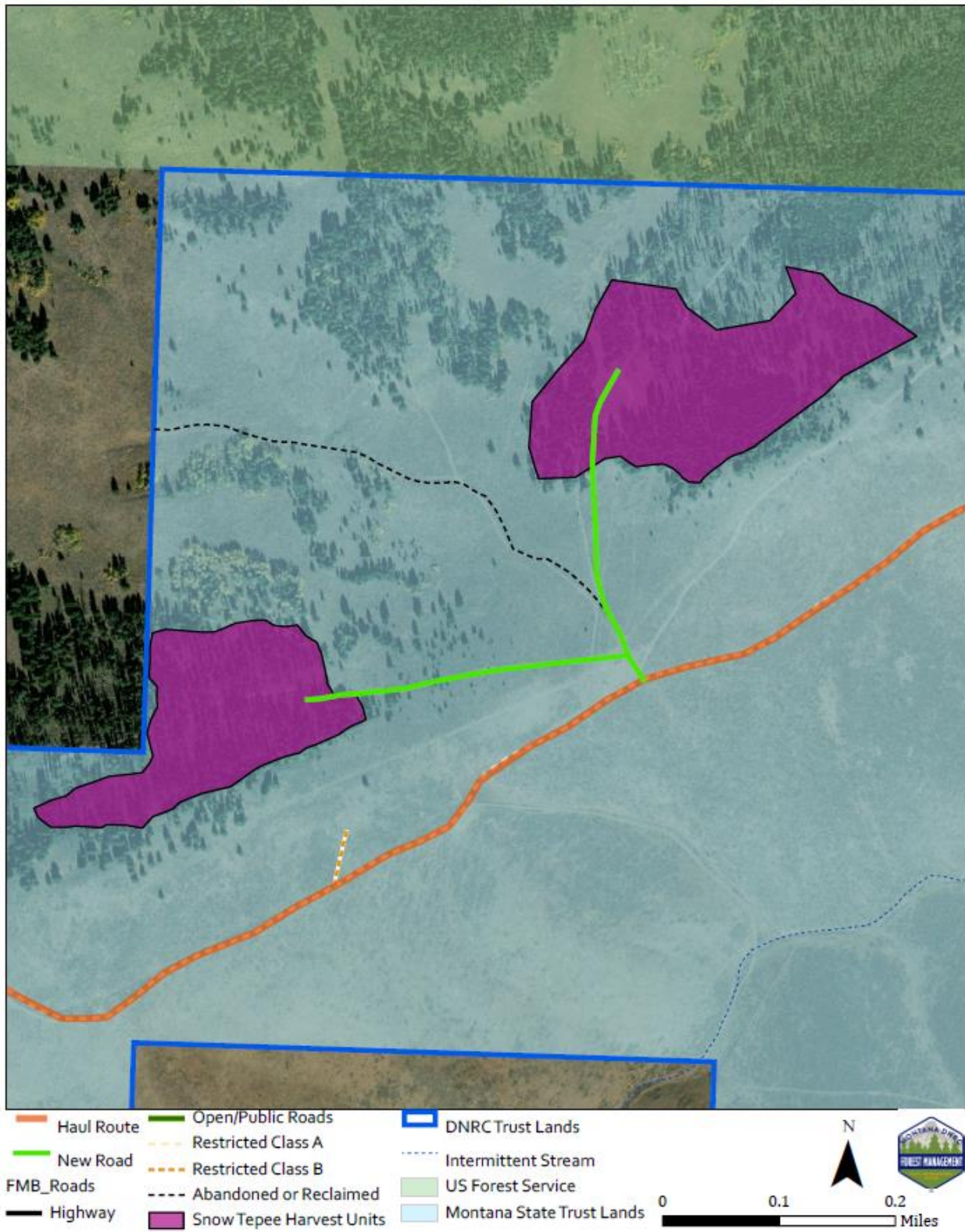
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| Haul Route | Restricted Class B | Bureau of Land Management |
| New Road | Abandoned or Reclaimed | US Fish and Wildlife |
| FMB_Roads | Snow Tepee Harvest Units | US Forest Service |
| Highway | DNRC Trust Lands | Montana State Trust Lands |
| Open/Public Roads | Perennial Stream | |
| Restricted Class A | Intermittent Stream | |



Snow Tepee Timber Sale Harvest Units 1-10 and 13-17



Snow Tepee Timber Sale Harvest Units 11 and 12



0422-2

CABIN AND HOME SITE SALES:

Preliminary Approval for Sale

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

0422-2 Cabin and Home Site Sales: Preliminary Approval for Sale

Location: Flathead, Missoula, Sanders Counties

Trust Benefits: Common Schools, Montana Tech, MSU 2nd, Pine Hills School, Public Buildings, Deaf and Blind School

Trust Revenue: appraisal to be completed after preliminary approval

Item Summary

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

Sale Number	# of Acres	Legal	Nominator	Trust
Flathead County				
2027	0.658±	Lot 22, Echo Lake, COS 18885 T27N-R19W, Section 5	Cole & Jackie Barnett	Montana Tech
2028	0.611±	Lot 15, Echo Lake, COS 18885 T27N-R19W, Section 5	Robert & Shelly Chollak	Montana Tech
2029	1.11±	Lot 27, Echo Lake, COS 18885 T27N-R19W, Section 5	Jason & Brigetta Schwaiger; Bradley & Amy Ridgeway	Montana Tech
2030	0.851±	Lot 16, Echo Lake, COS 18885 T27N-R19W, Section 5	DNRC	Montana Tech
2031	1.311±	Lot 24, McGregor Lake, COS 19909 26N 25W 16	Thomas & Barbara Armentrout	Common Schools
2034	1.053±	Lot 23, Olney Townsite, COS 21331 32N 23W 7	Nathan & Patti Conkle	Deaf & Blind

Missoula County				
2002	1.142±	Lot 62, Clearwater River East Shore Inland, COS 6114 T16N-R15W, Section 10	Stuart Cebulski	Montana State University
2003	1.098±	Lot 56, Clearwater River East Shore Inland, COS 6114 T16N-R15W, Section 10	Peter Giese	Montana State University
2004	1.58±	Lot 28, Clearwater River East Shore Inland, COS 6114 T16N-R15W, Section 10	Rhonda Tabish; Lindsay & Brandon Hartwell	Montana State University
2005	1.776±	Lot 38, Clearwater River East Shore Inland, COS 6114 T16N-R15W, Section 10	Brooke & Joshua Thorson	Montana State University

2006	1.051±	Lot 17, Clearwater River West Shore, COS 5310 T16N-R15W, Section 10	John & Sheila Devins	Montana State University
2007	1.885±	Lot 22, Clearwater River West Shore, COS 5310 T16N-R15W, Section 10	Cindi & Robert Magray	Montana State University
2008	0.858±	Lot 27, Elbow Lake T15N-R14W, Section 20	Curtis Anderson	Pine Hills School
2009	0.84±	Lot 25, Elbow Lake, COS 4921 T15N-R14W, Section 20	Dustin & Marisa Anderson	Pine Hills School
2010	2.17±	Lot 7, Elbow Lake, COS 4921 T15N-R14W, Section 20	Boehmler Lake Cabin, LLC	Pine Hills School
2011	1.07±	Lot 19, Elbow Lake, COS 4921 T15N-R14W, Section 20	Brad Clevenger and Linda Ritchey	Pine Hills School
2012	0.78±	Lot 13, Elbow Lake, COS 4921 T15N-R14W, Section 20	Heather Hair	Pine Hills School
2013	1.36±	Lot 1, Elbow Lake, COS 4921 T15N-R14W, Section 20	Larry & Pauline Tomsich	Pine Hills School
2014	0.565±	Lot 2B, Morrell Creek T17N-R15W, Section 36	Patrick & Katherine Delhomme	Common Schools
2015	1.723±	Lot 16, Morrell Flats, COS 5840 T16N-R15W, Section 14	Angela & Ken Miller	Montana State University
2016	0.508±	Lot 19, Morrell Flats, COS 5840 T16N-R15W, Section 14	Freda & Wade Rathbun	Montana State University
2017	2.154±	Lot 4, Placid Lake East, COS 6623 T16N-R15W, Section 28	Laurel & Paul Daniels; Patricia Boyd	Montana State University
2018	1.804±	Lot 7, Placid Lake East, COS 6623 T16N-R15W, Section 28	Tom & Wendy Downey	Montana State University
2019	1.135±	Lot 31, Seeley Lake Outlet East, COS 4875 T16N-R15W, Section 4	Greg Barringer	Montana State University
2020	1.448±	Lot 17, Seeley Lake Outlet East, COS 4875 T16N-R15W, Section 4	Toby Bedard	Montana State University
2021	1.58±	Lot 11, Seeley Lake Outlet East, COS 4875 T16N-R15W, Section 4	Cannon Investments	Montana State University
2022	0.861±	Lot 9, Seeley Outlet West, COS 5140 T16N-R15W, Section 4	D.P.B. IV & A.S.B. Buckley Living Trust	Montana State University
2023	1.166±	Lot 16, Seeley Lake Outlet West, COS 5140 T16N-R15W, Section 4	Priyanka & Linda Fernando	Montana State University
2024	1.862±	Lot 24, Seeley Lake Outlet West, COS 5140 T16N-R15W, Section 4	Patrick Hayes	Montana State University
2025	1.166±	Lot 17, Seeley Lake Outlet West, COS 5140 T16N-R15W, Section 4	Courtland & Lydia Perry	Montana State University

2026	0.806±	Lot 18, Seeley Lake Outlet West, COS 5140 T16N-R15W, Section 4	Cathy Wilson	Montana State University
Sanders County				
2032	1.06±	Lot 10, Mudd Creek, COS 3534 T22N-27W, Section 12	Glen Magera	Public Buildings
2033	1.34±	Lot 13, Mudd Creek, COS 3533 T22N-27W, Section 12	Scott & Kendra Strowbridge	Public Buildings

These sale parcels are currently leased as cabin or home sites and produce an average income for residential leases statewide.

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

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

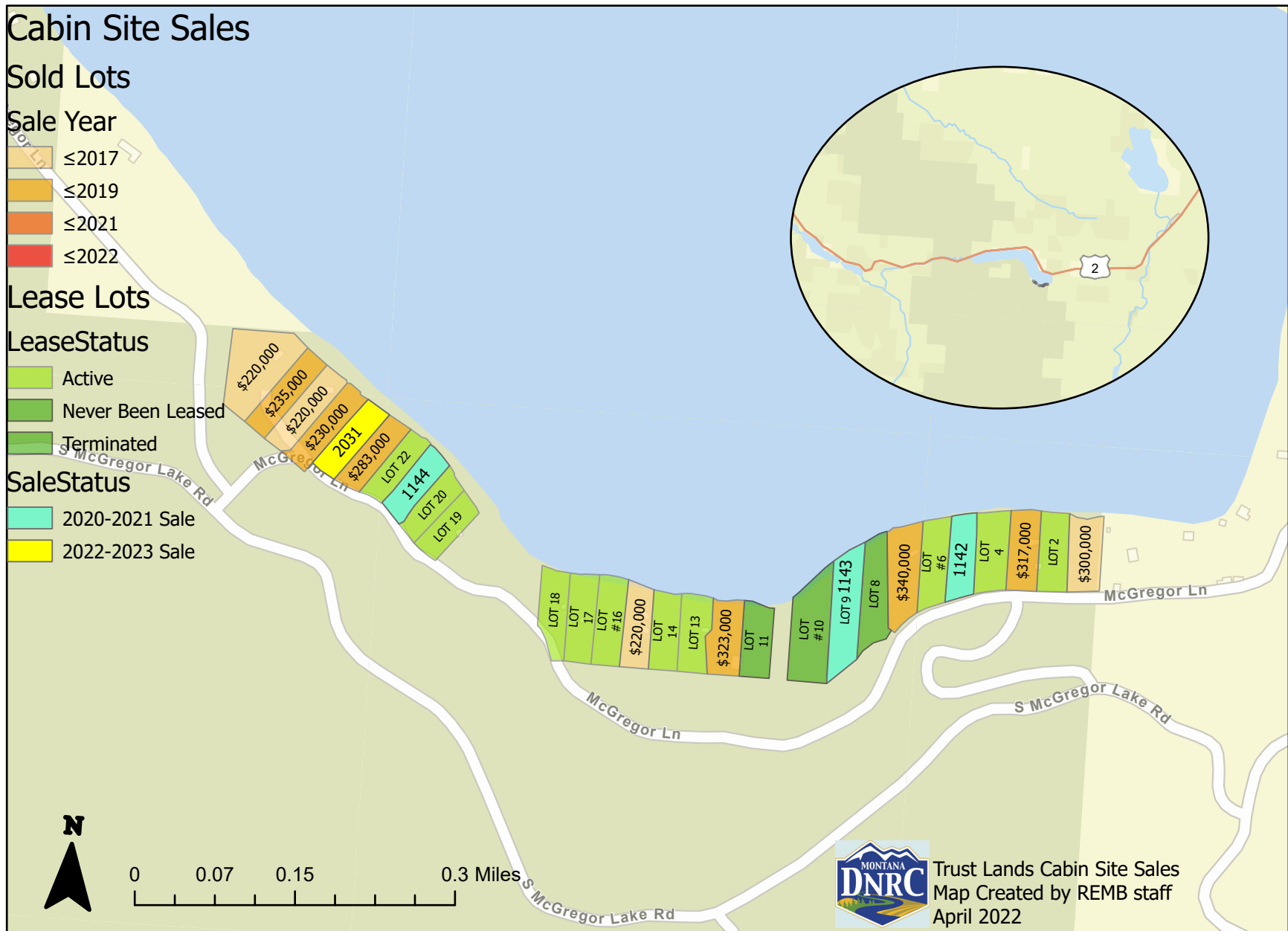
DNRC Recommendation

The DNRC recommends the Land Board grant preliminary approval to sell these cabin and home sites.

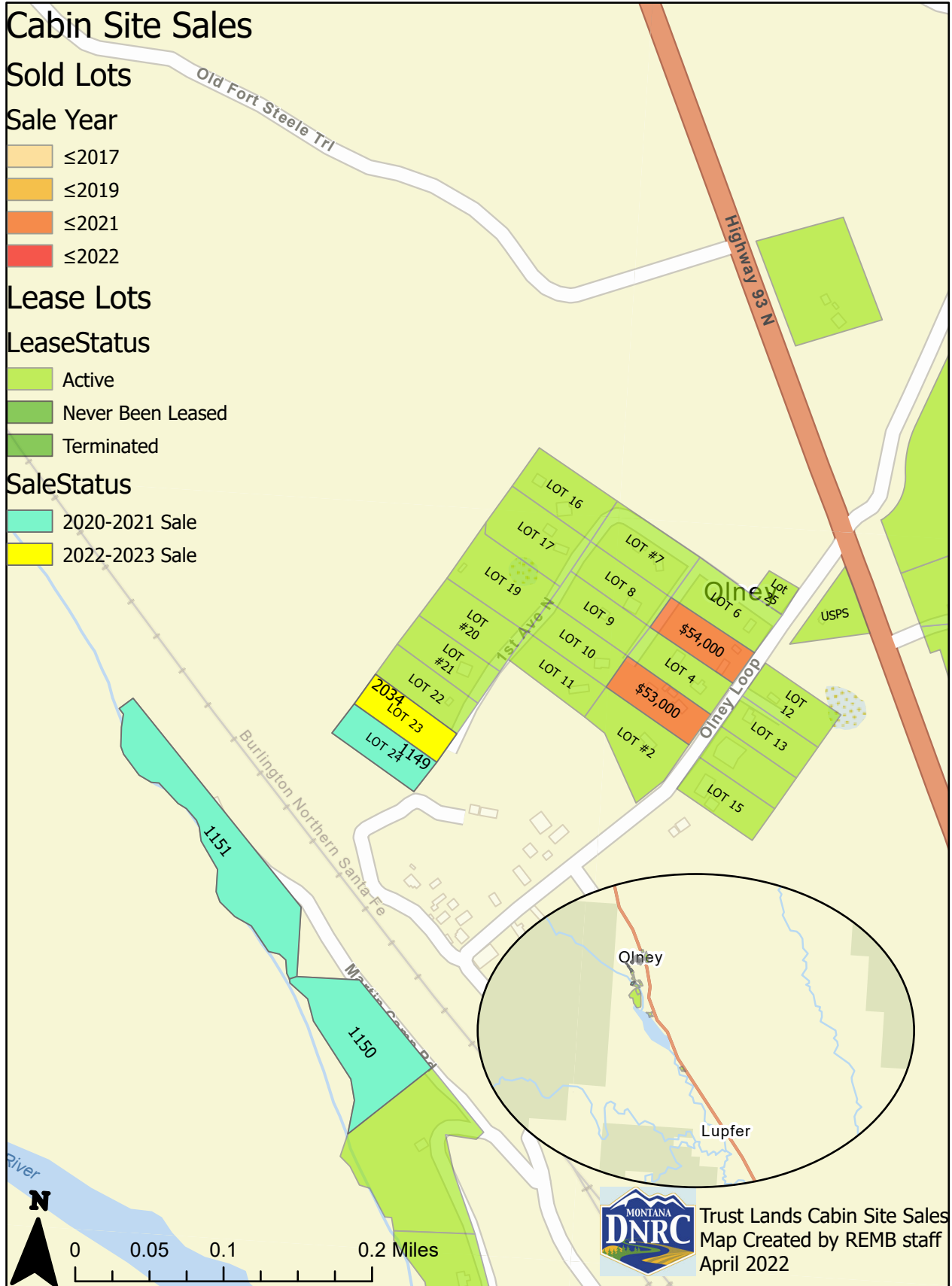
Echo Lake, Flathead County



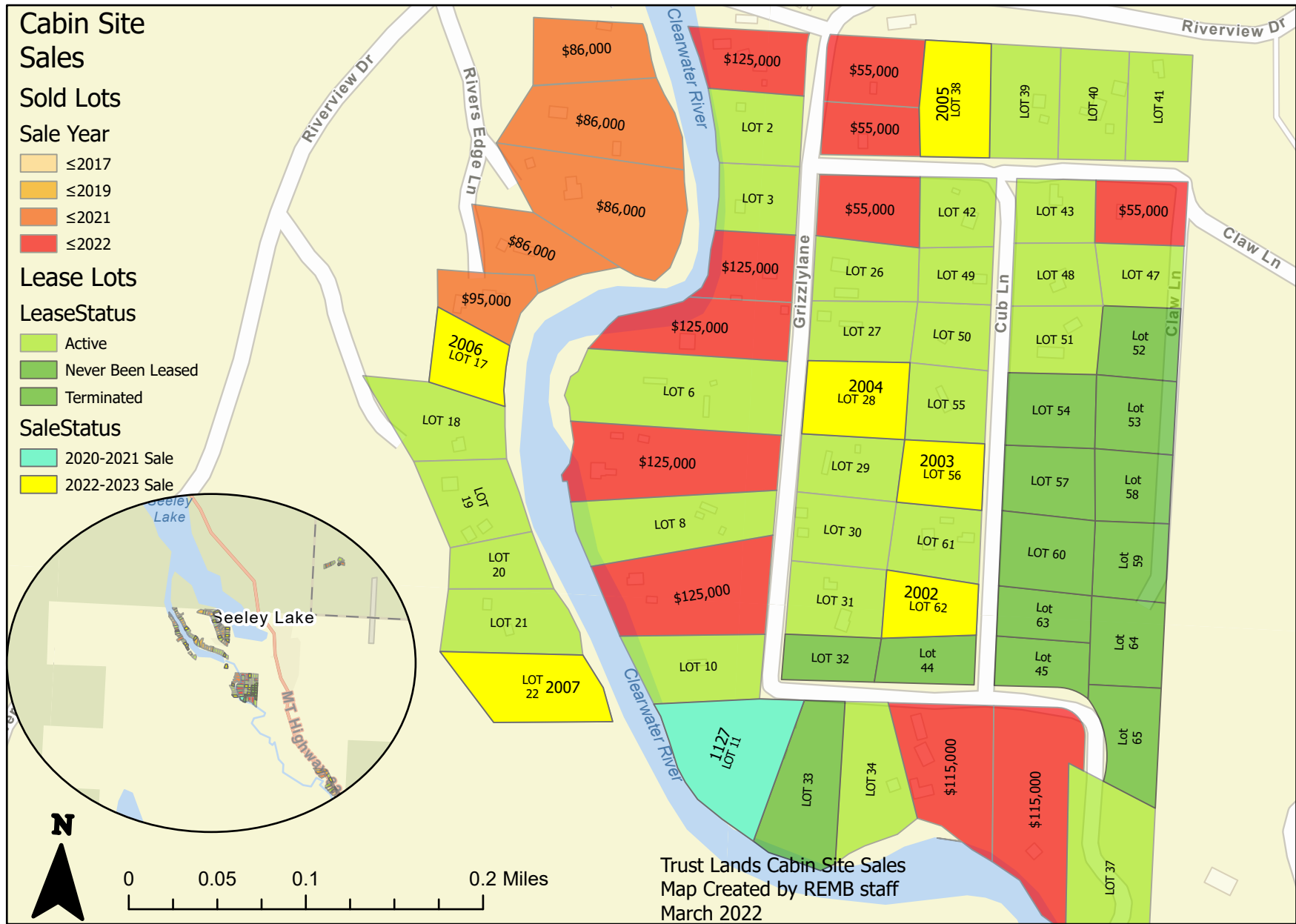
McGregor Lake, Flathead County



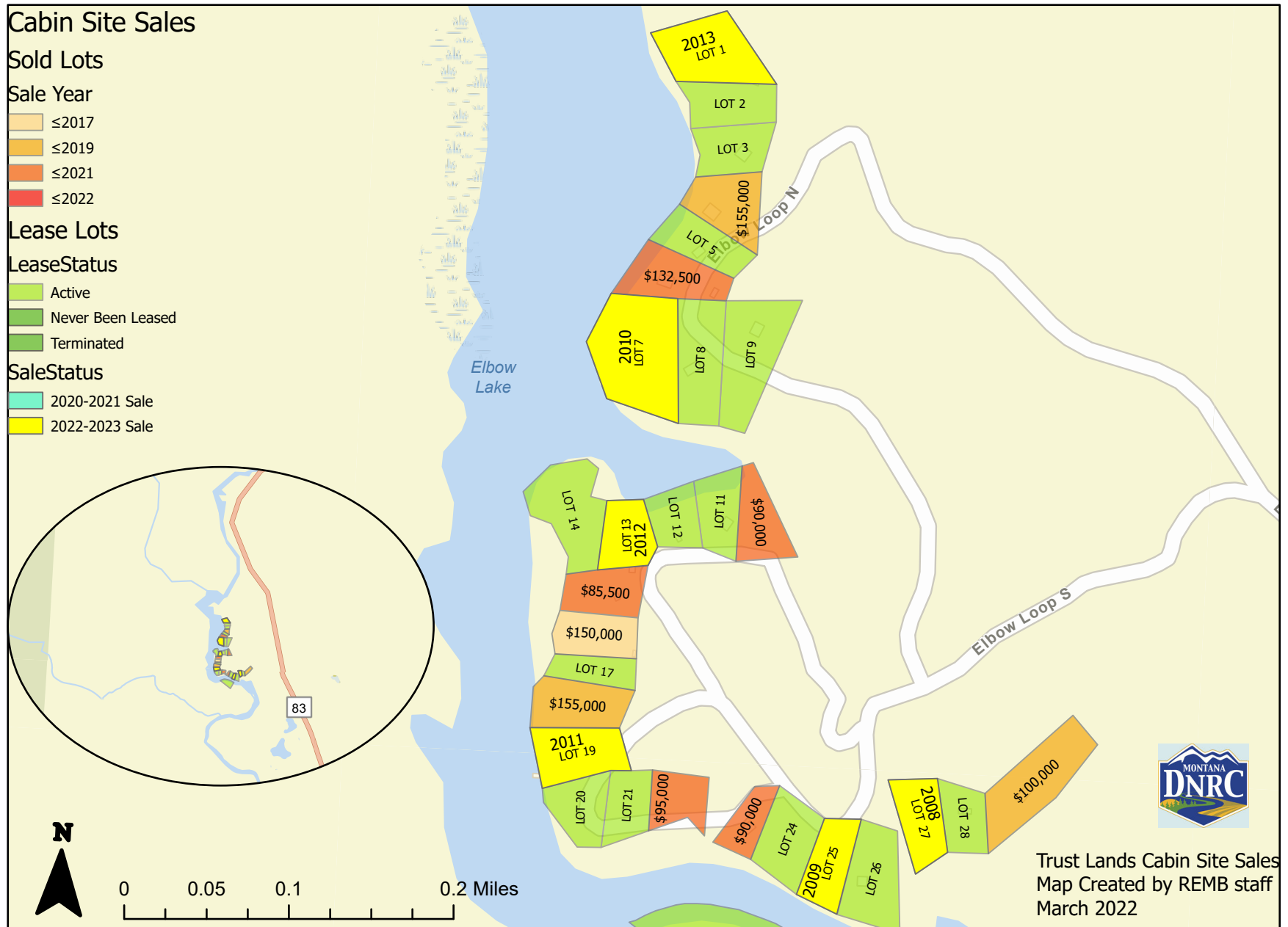
Olney, Flathead County



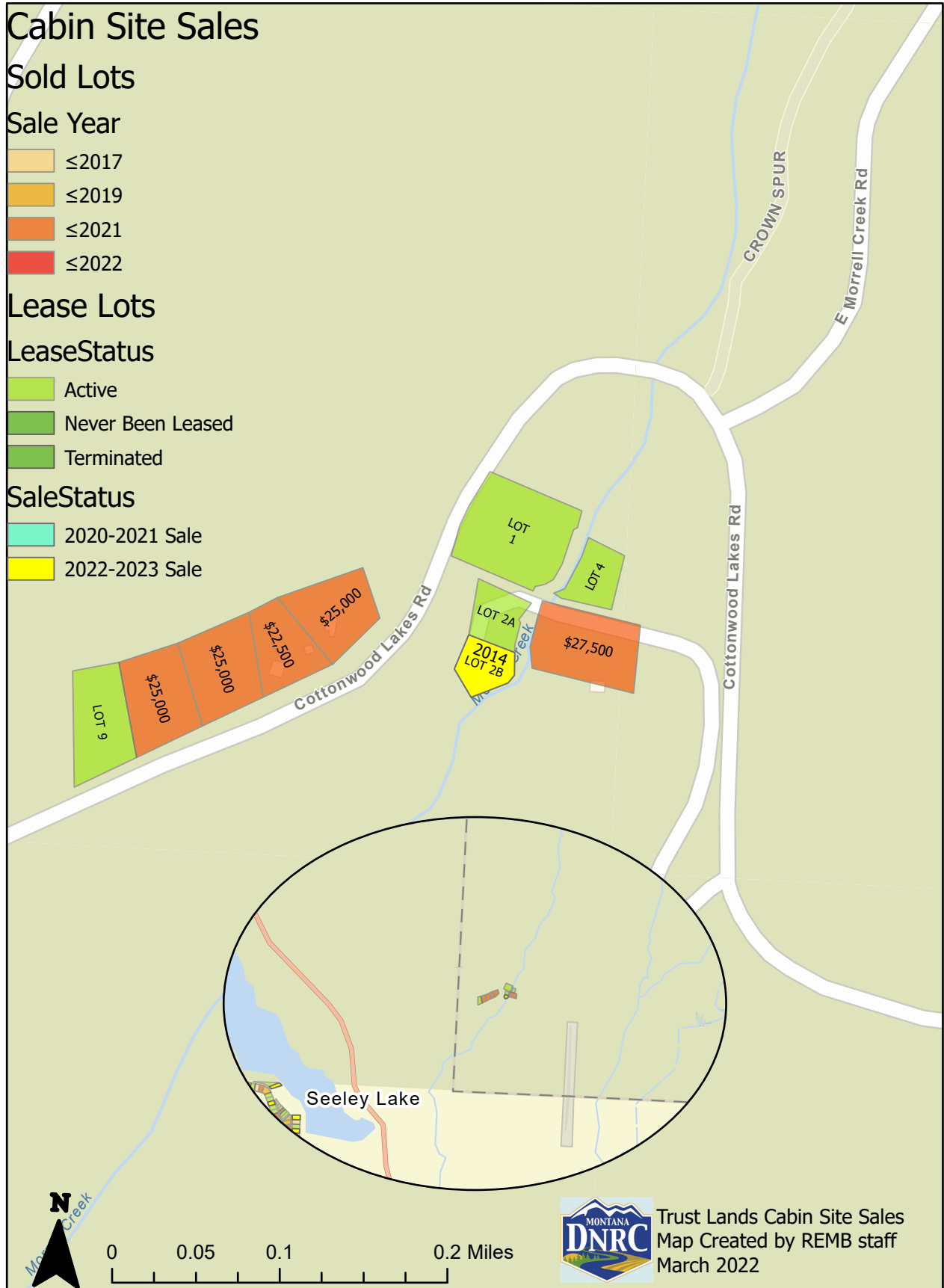
Clearwater River, Missoula County



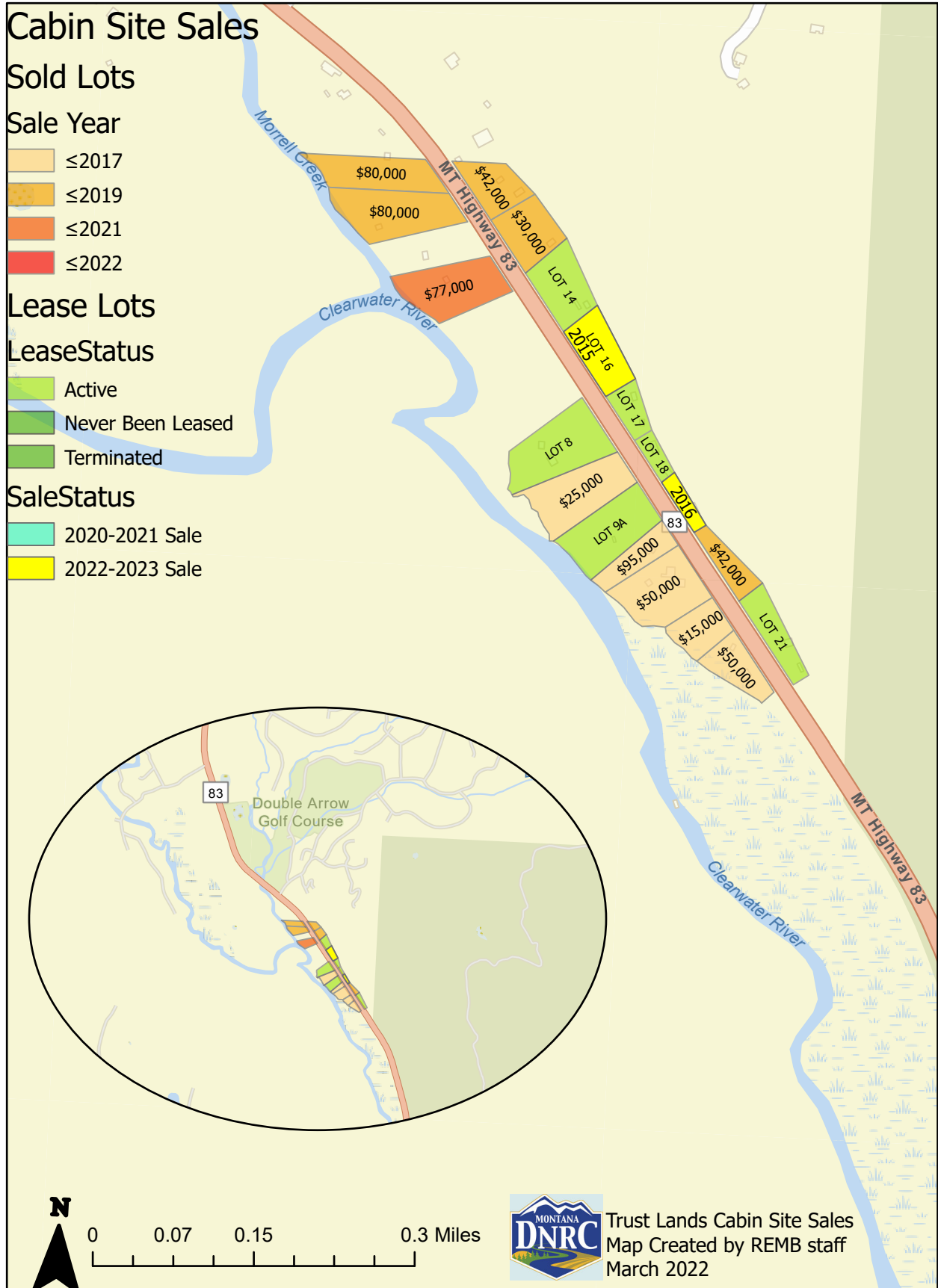
Elbow Lake, Missoula County



Morrell Creek, Powell County



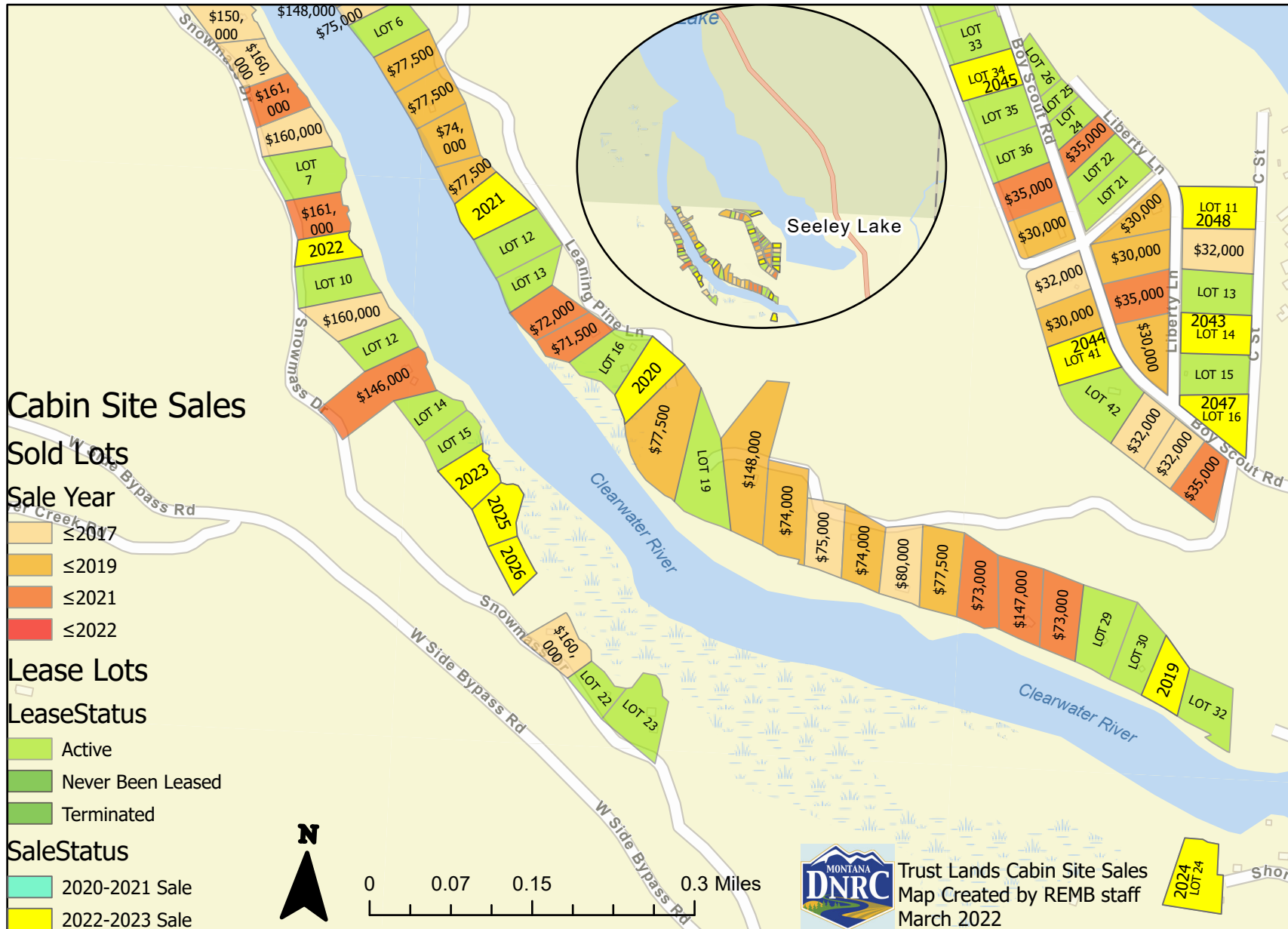
Morrell Flats, Missoula County



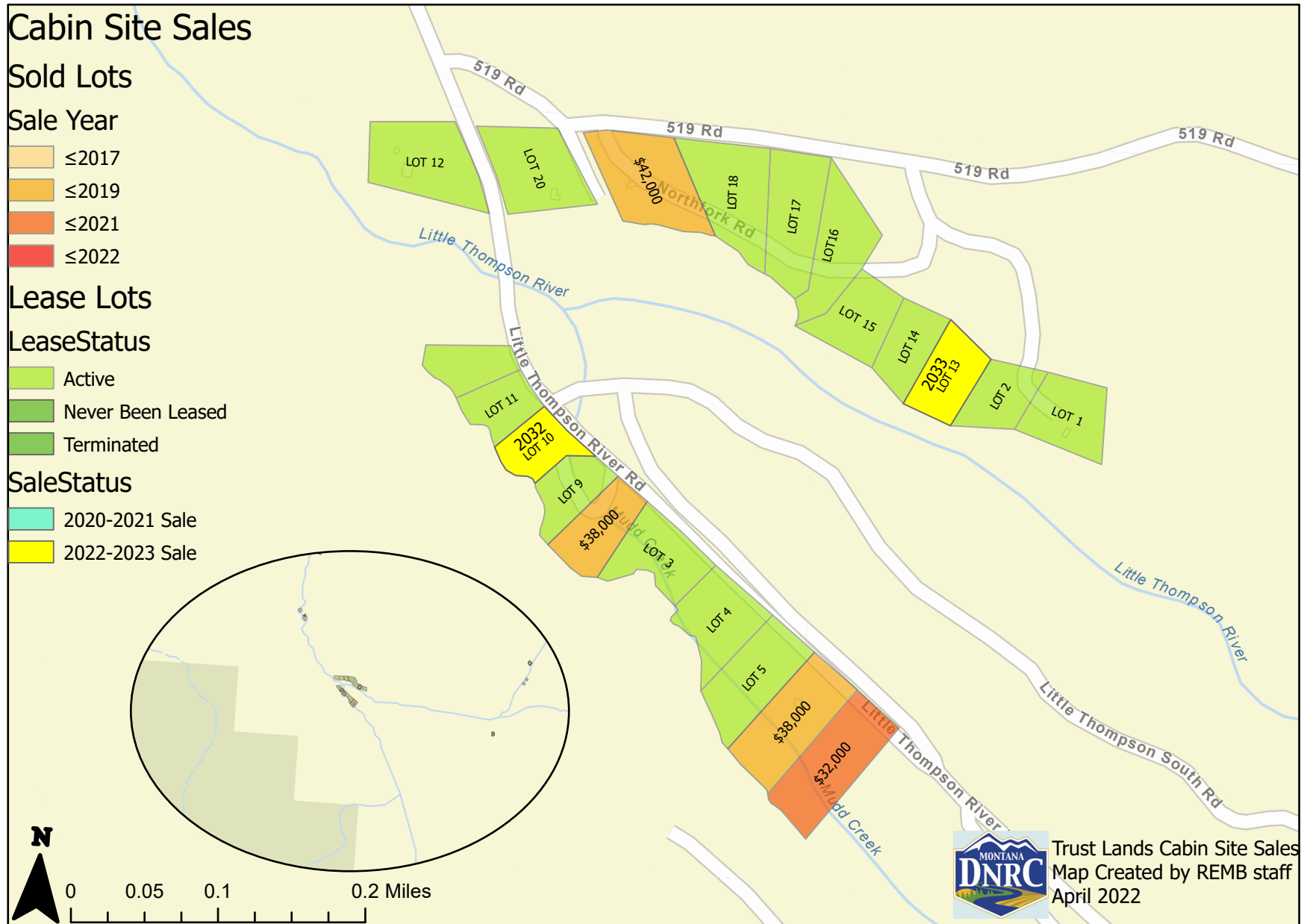
Placid Lake East, Missoula County



Seeley Lake Outlet East & West, Missoula County



Mudd Creek, Sanders County



0422-3

EASEMENTS:

Standard Grants

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

0422-3 Easements

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

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

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

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The Crow Tribe of Indians	Municipal Water Line	Permanent	46

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative PO Box 280 Circle, MT 59215
Application No.:	7492 (Amended)
R/W Purpose:	a buried telephonic line, copper communications line and fiber optic cable
Lessee Agreement:	ok
Acreage:	0.34
Compensation:	\$145.00
Legal Description:	16-foot strip through SE4SE4, Sec. 36, Twp. 7N, Rge. 28E, Musselshell County
Trust Beneficiary:	Common Schools

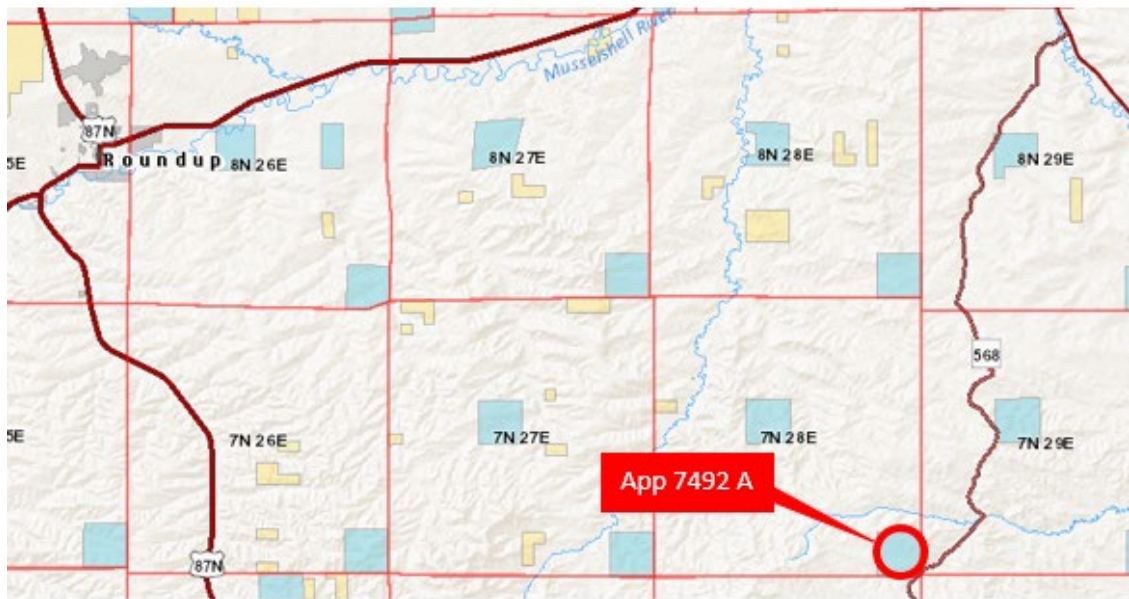
Item Summary

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

DNRC Recommendation

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

R/W Applications 7492 (Amended)



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Lake County 106 Fourth Ave. East Polson, MT 59860
Application No.:	19127
R/W Purpose:	a public county road known as Grant Lane
Lessee Agreement:	N/A (Historic)
Acreage:	1.9
Compensation:	\$15,221
Legal Description:	60-foot strip through Gov. Lot 5 Lake County
Trust Beneficiary:	Common Schools

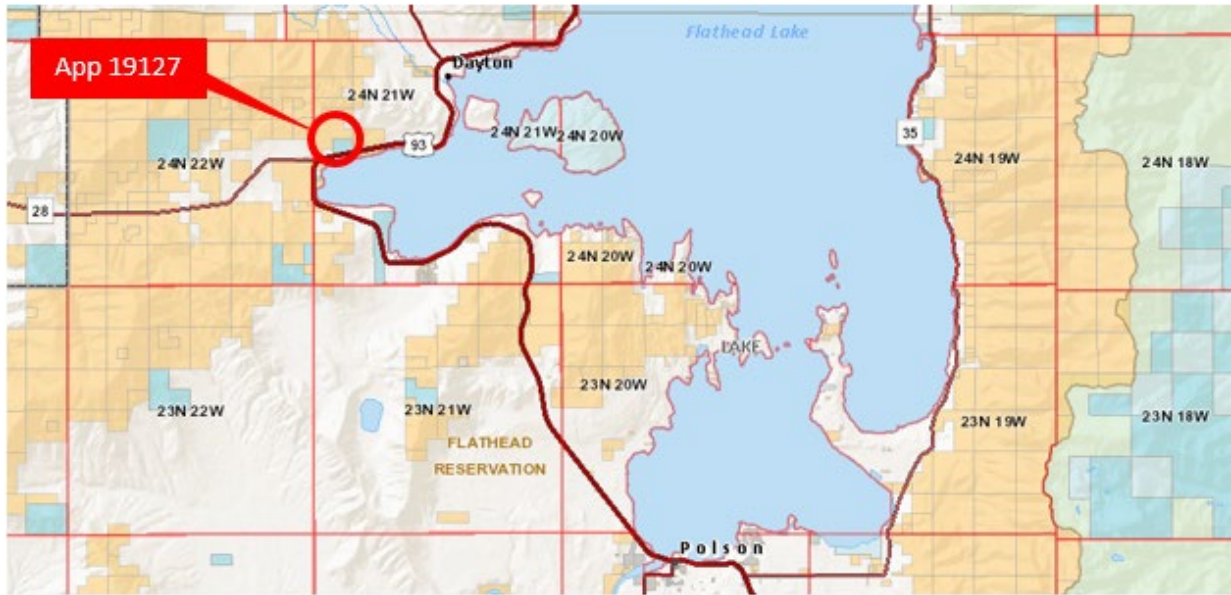
Item Summary

Lake County has made application for this county road that was constructed on state lands many years ago without proper authorization from the Land Board. Pursuant to §77-1-130, MCA the county is requesting recognition of this road as a historic right of way.

DNRC Recommendation

The DNRC recommends approval of the application of Lake County.

R/W Applications 19127



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative Association, Inc 2121 US HWY 2 NW Havre, MT 59501
Application No.:	19222
R/W Purpose:	a buried telecommunications line
Lessee Agreement:	ok
Acreage:	2.70
Compensation:	\$8,100.00
Legal Description:	20-foot strip through E2NE4, SW4NE4, W2SE4, SE4SW4, Sec. 16, Twp. 3S, Rge. 13E, Sweet Grass County
Trust Beneficiary:	Common Schools

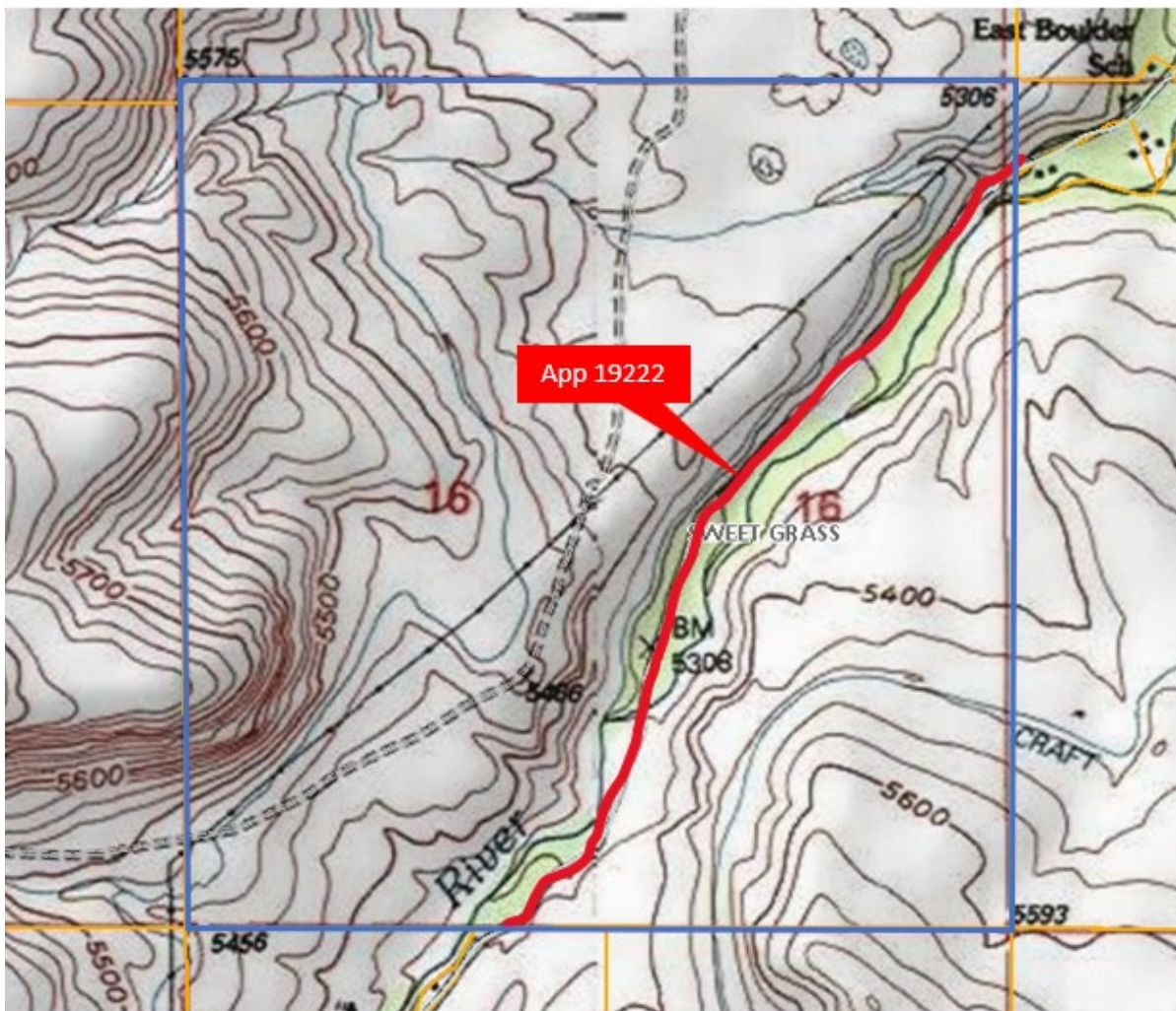
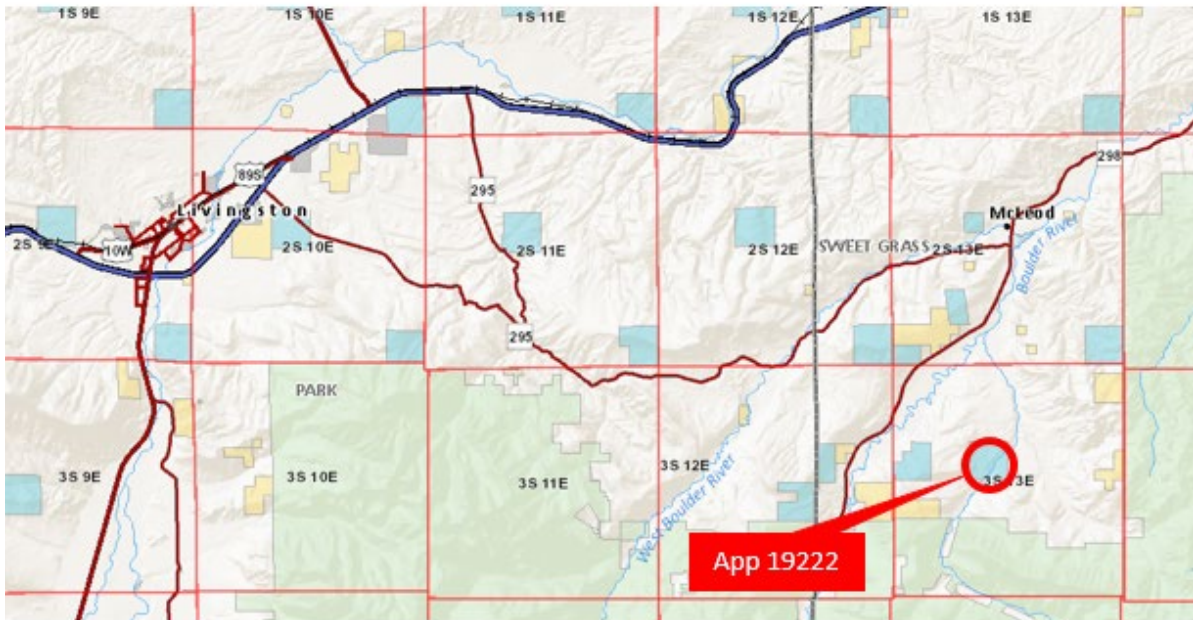
Item Summary

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

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Coop.

R/W Applications 19222



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

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

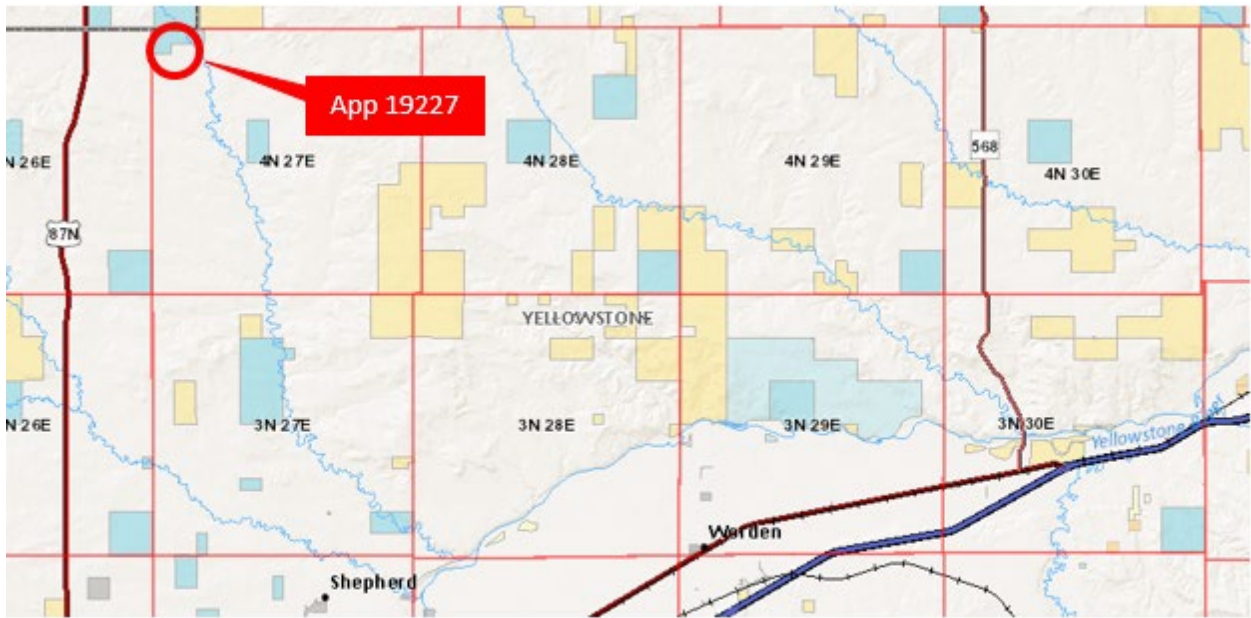
Item Summary

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

DNRC Recommendation

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

R/W Applications 19227



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

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

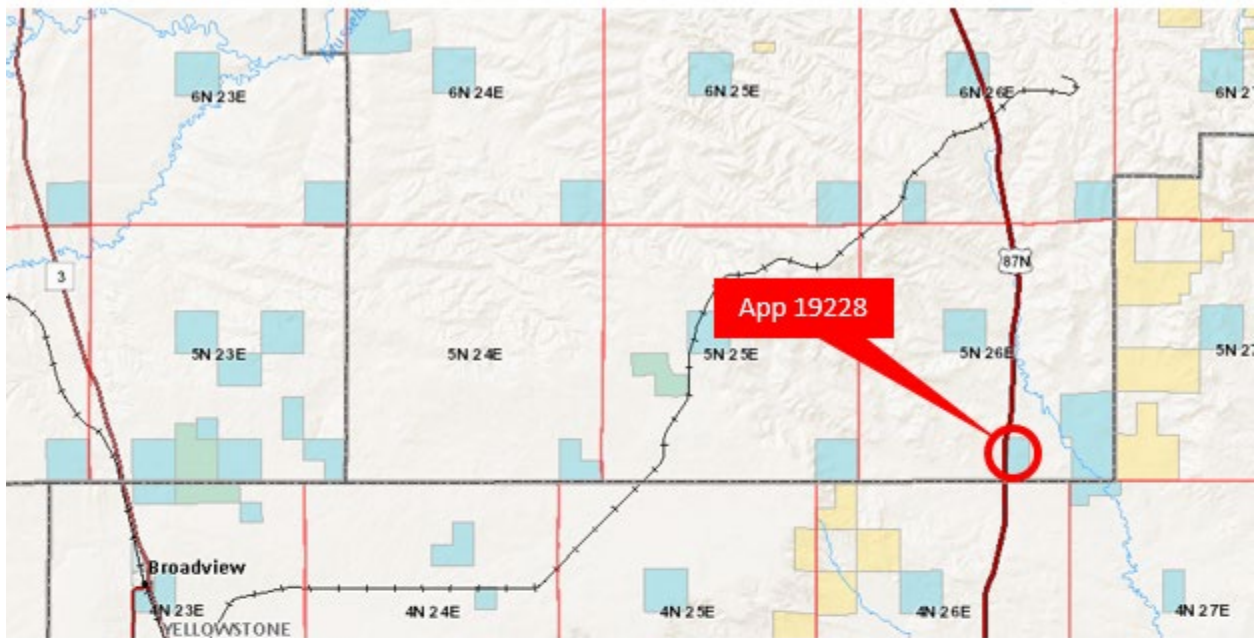
Item Summary

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

DNRC Recommendation

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

R/W Applications 19228



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Mid-Rivers Telephone Cooperative PO Box 280 Circle, MT 59215
Application No.:	19229
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	ok
Acreage:	2.05
Compensation:	\$1,025.00
Legal Description:	16-foot strip through S2NW4, NE4NW4, N2NE4, Sec. 33, Twp. 6N, Rge. 28E, Yellowstone County
Trust Beneficiary:	Common Schools

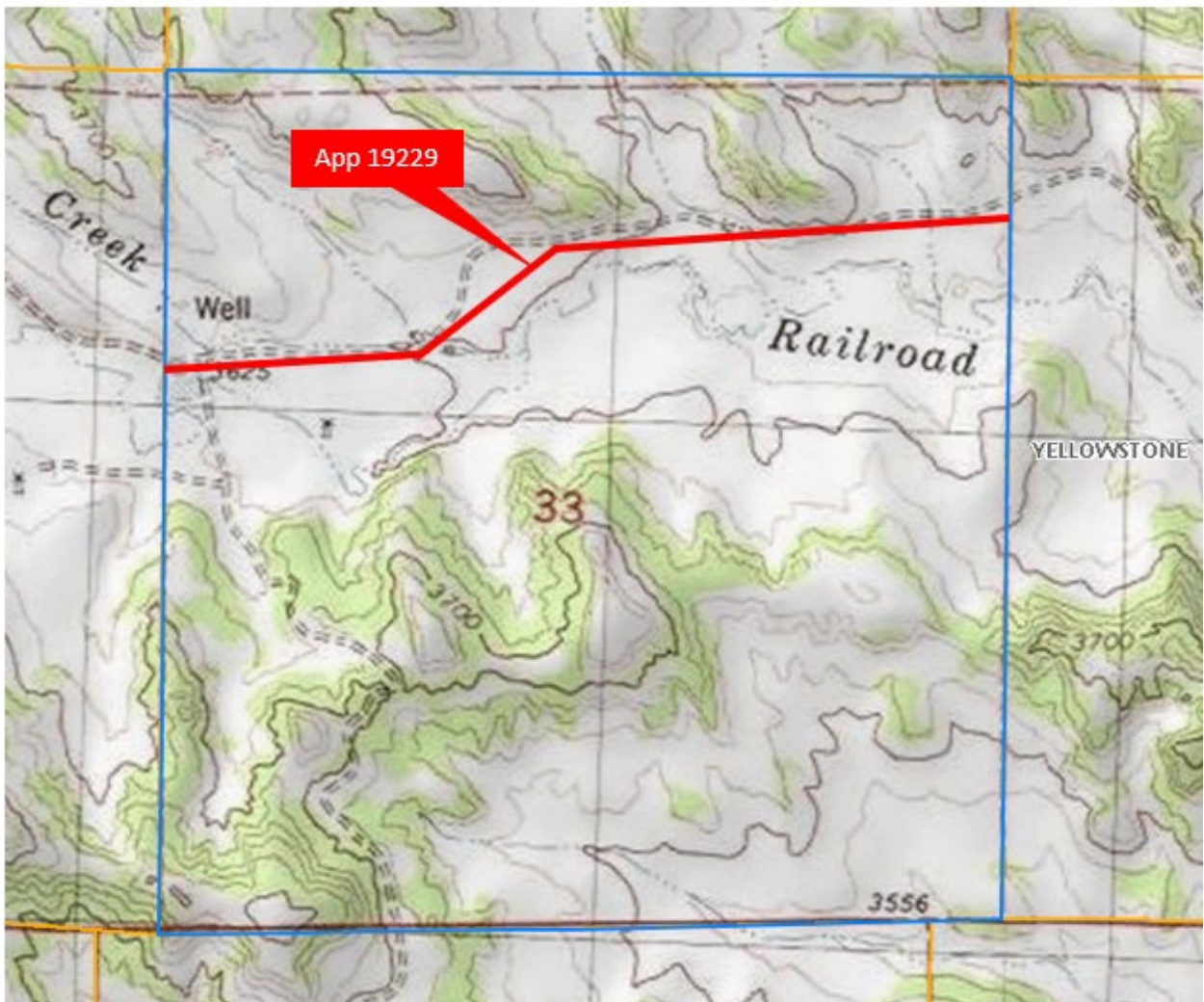
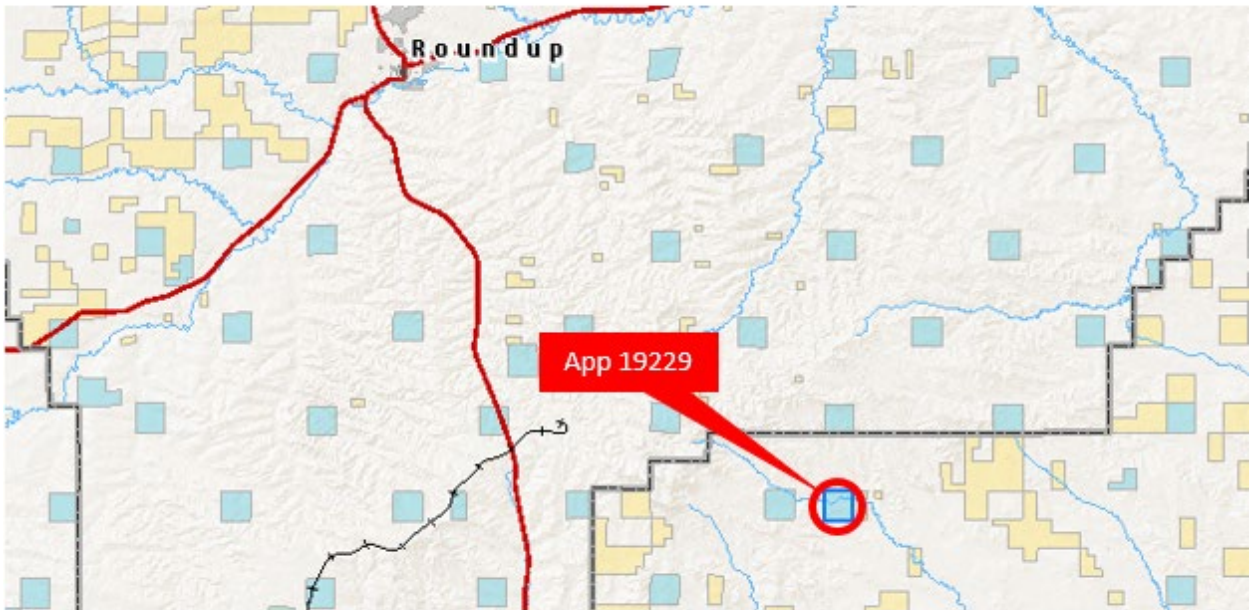
Item Summary

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

DNRC Recommendation

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

R/W Applications 19229



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	3 Rivers Telephone Cooperative, Inc PO Box 429 Fairfield, MT 59436-0429
Application No.:	19230
R/W Purpose:	a buried fiber optic cable
Lessee Agreement:	needed
Acreage:	1.61
Compensation:	\$3,220.00
Legal Description:	10-foot strip through NE4NE4, W2NE4, NW4SE4, E2SW4, SW4SW4, Sec. 16, Twp. 6S, Rge. 2W, Madison County
Trust Beneficiary:	Common Schools

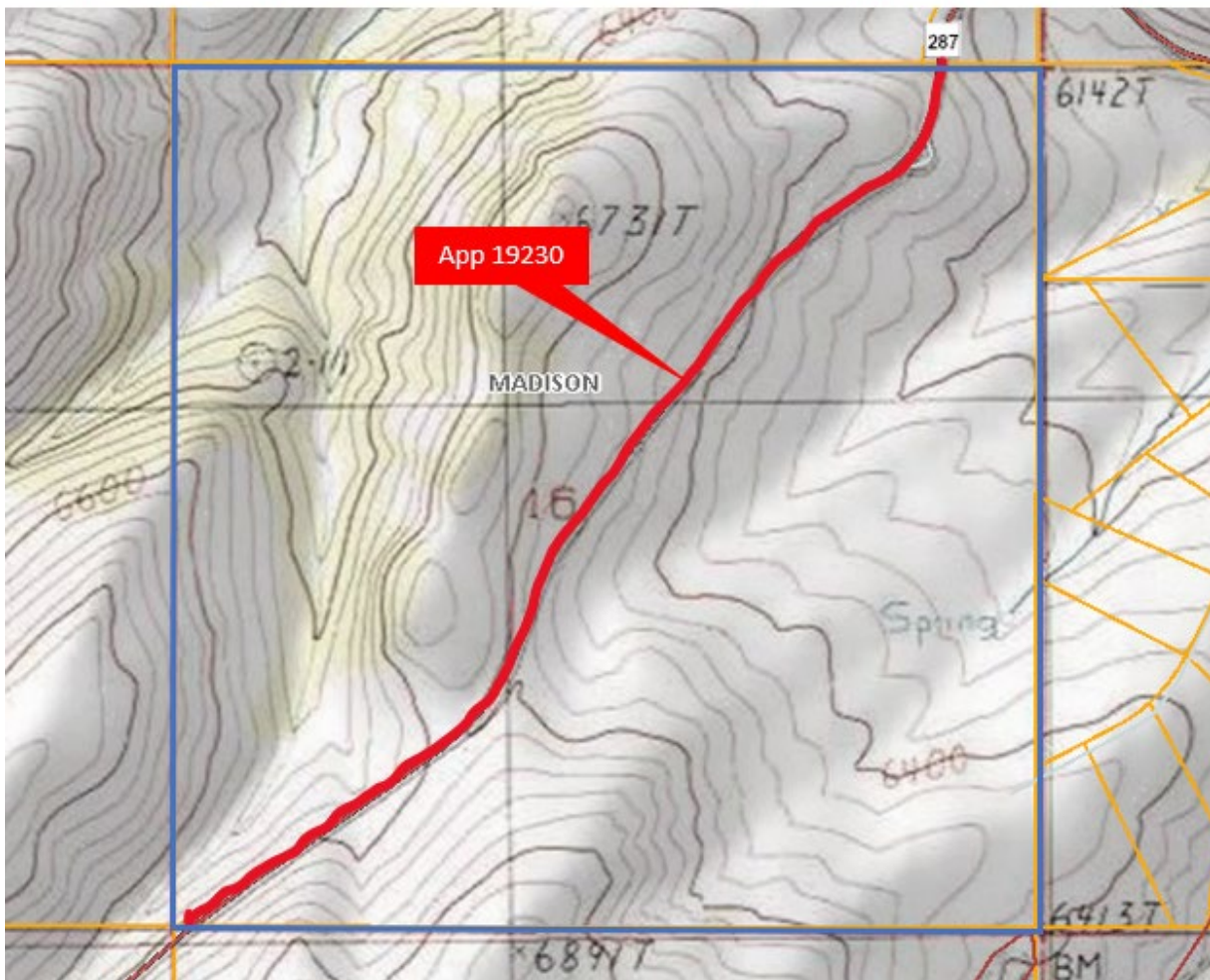
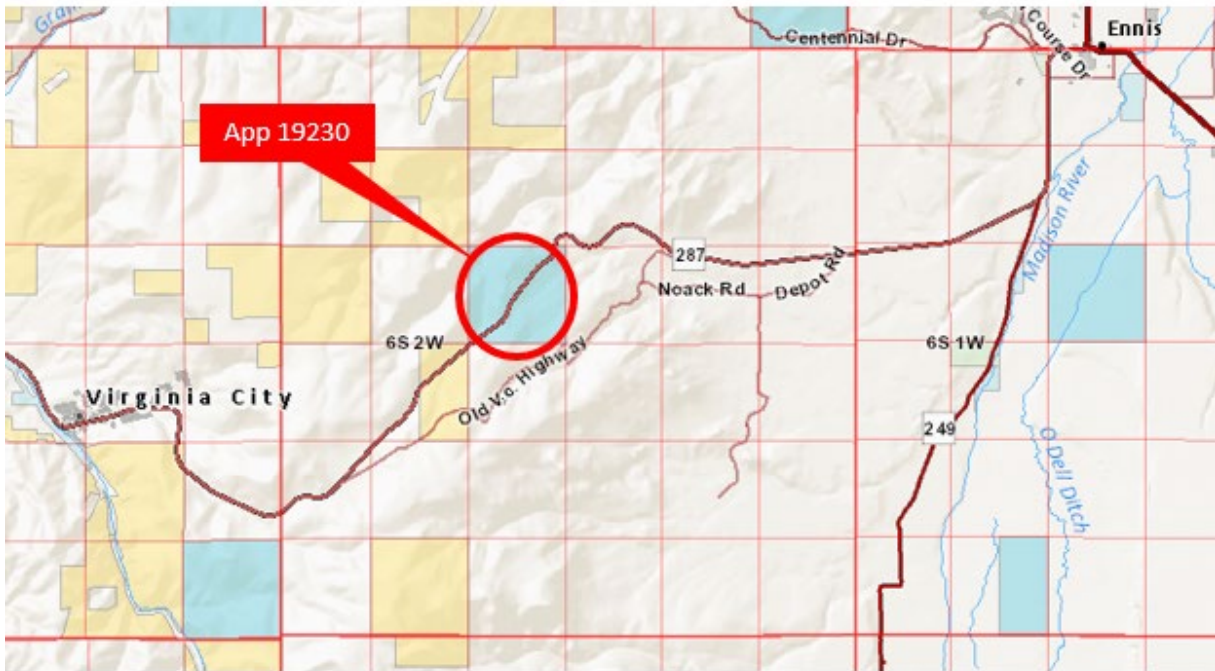
Item Summary

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

DNRC Recommendation

The DNRC recommends approval of the application of 3 Rivers Telephone Cooperative.

R/W Applications 19230



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	City of Belgrade 91 E. Central Ave. Belgrade, MT 59714
Application No.:	19232
R/W Purpose:	a municipal water line up to 24" in diameter and a sanitary sewer line up to 24" in diameter
Lessee Agreement:	N/A (No surface lessee)
Acreage:	1.17
Compensation:	\$117,000.00
Legal Description:	30-foot strip through W2SE4, Sec. 11, Twp. 1S, Rge. 4E, Gallatin County
Trust Beneficiary:	Common Schools

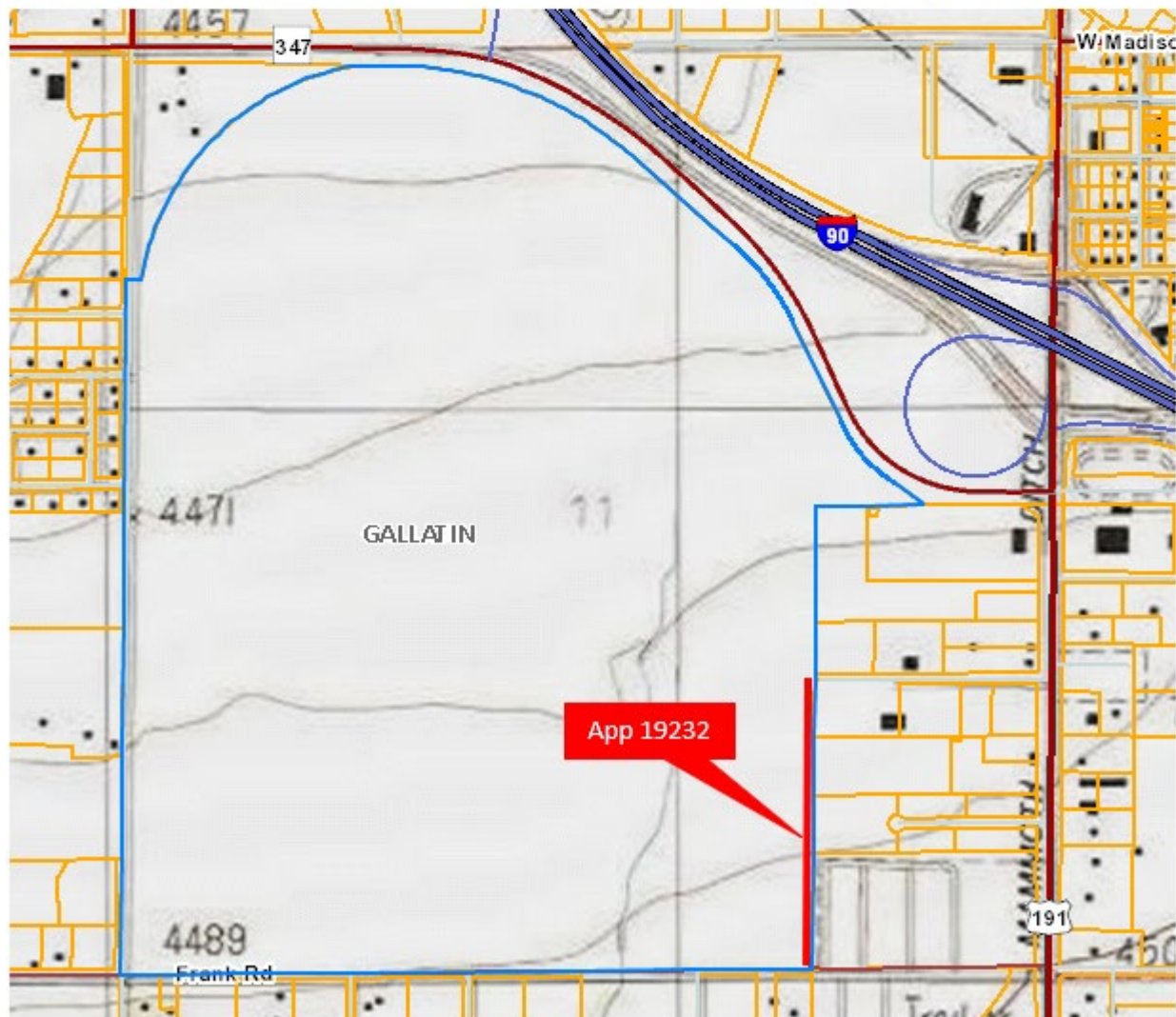
Item Summary

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

DNRC Recommendation

The DNRC recommends approval of this easement request from the City of Belgrade.

R/W Applications 19232



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	The Crow Tribe of Indians PO Box 129 Crow Agency, MT 59022
Application No.:	19233
R/W Purpose:	a 24" municipal water line and fiber optic cable
Lessee Agreement:	N/A (Nav. River)
Acreage:	0.20
Compensation:	\$2,250.00
Legal Description:	50-foot strip under the Big Horn River between Gov. Lots 4 & 7, Sec. 16, Twp. 6S, Rge. 31E, Big Horn County
Trust Beneficiary:	Public Land Trust - Nav. River

Item Summary

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

DNRC Recommendation

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

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	The Crow Tribe of Indians PO Box 129 Crow Agency, MT 59022
Application No.:	19234
R/W Purpose:	a water intake and pump station
Lessee Agreement:	N/A (Nav. River)
Acreage:	0.21
Compensation:	\$2,360.00
Legal Description:	tract in the Big Horn River adjacent to Gov. Lot 1, Sec. 17, Twp. 6S, Rge. 31E, Big Horn County
Trust Beneficiary:	Public Land Trust - Nav. River

Item Summary

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

DNRC Recommendation

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

R/W Applications 19233 & 19234

