

REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
AGENDA
FEBRUARY 17, 2026 AT 9:00 A.M.
STATE CAPITOL, ROOM 303
HELENA, MT

ADMINISTRATIVE ITEMS

Approval of the February Land Board Agenda
Approval of the January Land Board Meeting Minutes

ACTION ITEMS

- 0226-1 Department of Fish, Wildlife & Parks: Habitat Conservation Leases APPROVED: 5-0**
Benefits: N/A (non-trust land)
Location: N/A (non-trust land)
- 0226-2 Timber Sale: Sophie Lake APPROVED: 5-0**
Location: Lincoln County
Benefits: Common Schools
- 0226-3 Easements APPROVED: 5-0**
Location: Beaverhead, Chouteau, Hill, Judith Basin, Lewis & Clark, McCone, Teton, and Valley Counties
Benefits: Common Schools and Pine Hills School
- 0226-4 Approval to File Objections on Water Rights (Executive Session) APPROVED: 4-1**
Location: Park County and Sweetgrass Counties
Benefits: Common Schools
- 0226-5 Bison Grazing Proposals (Executive Session) APPROVED: 5-0**
Location: State of Montana
Benefits: NA

PUBLIC COMMENT

**REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
MINUTES
JANUARY 20, 2026 AT 9:00 A.M.
STATE CAPITOL, ROOM 317
HELENA, MT**

Members Present

Greg Gianforte, Governor
Susie Hedalen, Superintendent of Public Instruction
Austin Knudsen, Attorney General
James Brown, Commissioner of Securities and Insurance
Christi Jacobsen, Secretary of State
Dawnell Fuller, Land Board Secretary

Members Absent

None

Testifying Staff

Amanda Kaster, DNRC Director
Brian Bramblett, DNRC Chief Legal Counsel

Attachments

Related Materials, Attachment 1 – Sign-in-Sheet
Related Materials, Attachment 2 – Legal Litigation Memo

Call to Order

00:00:00 Governor Gianforte called the meeting to order.

Adopt Proposed Agenda

00:00:53 Austin Knudsen, Attorney General moved to approve the January agenda. The motion was seconded Christi Jacobsen, Secretary of State and carried unanimously.

Adopt Prior Months Meeting Minutes

00:01:09 Austin Knudsen, Attorney General moved to approve the December, minutes. The motion was seconded by Christi Jacobsen, Secretary of State and carried unanimously.

Business Considered

0126-1 Timber Sales A, B, C & D

00:01:21 Amanda Kaster, DNRC Director, gave an overview of the item.

Public Comment: N/A

00:03:32 Austin Knudsen, Attorney General moved to approve item 0126-1 A, B, C & D. The motion was seconded by Christi Jacobsen, Secretary of State and carried unanimously.

Board Discussion/Comments: N/A

0126-2 Commercial Lease: Moraine Parcel

00:03:48 Amanda Kaster, DNRC Director, gave an overview of the item.

Public Comment: N/A

00:04:44 Christi Jacobsen, Secretary of State moved to approve item 0126-2. The motion was seconded by Austin Knudsen, Attorney General.

Board Discussion/Comments:

00:05:00 James Brown, Commissioner of Securities and Insurance

00:07:59 The motion to approve item 0126-2 carried unanimously.

0126-3 Easements

00:08:11 Amanda Kaster, DNRC Director, gave an overview of the item.

Public Comment: N/A

00:08:48 Austin Knudsen, Attorney General moved to approve item 0126-3. The motion was seconded by Christi Jacobsen, Secretary of State and carried unanimously.

Board Discussion/Comments: N/A

0126-4 Informational Item: Legal Update

00:09:06 Greg Gianforte, Governor, gave an overview of the item.

00:09:50 Brian Bramblett, DNRC Chief Legal Counsel

Public Comment: N/A

Board Discussion/Comments: N/A

00:11:28 James Brown, Commissioner of Securities and Insurance made a motion to update the current commercial lease template. The motion was seconded by Austin Knudsen, Attorney General.

00:11:59 Greg Gianforte, Governor

00:12:04 Amanda Kaster, DNRC Director

00:12:35 James Brown, Commissioner of Securities and Insurance

00:13:10 Greg Gianforte, Governor

00:13:19 Austin Knudsen, Attorney General

00:07:59 The motion to update the commercial lease template carried unanimously

General Public Comment

00:13:54 James Brown, Commissioner of Securities and Insurance

00:14:09 Christi Jacobsen, Secretary of State

00:14:09 James Brown, Commissioner of Securities and Insurance

00:14:13 Christi Jacobsen, Secretary of State

00:14:25 Greg Gianforte, Governor

00:14:27 Austin Knudsen, Attorney General

00:14:30 James Brown, Commissioner of Securities and Insurance

00:14:39 Greg Gianforte, Governor

Adjournment

00:14:47 Adjournment

These summary minutes and the audio recording are a draft record and will become official upon Land Board approval at the next meeting.

PRESIDENT

ATTEST

<u>/s/</u>	<u>Date</u>	<u>/s/</u>	<u>Date</u>
Greg Gianforte, Governor		Amanda Kaster, DNRC Director	

Please note: *The Land Board has adopted the audio recording of its meetings as the official record, as allowed by [2-3-212, MCA](#). These minutes provide an abbreviated summary of the Land Board discussion, public testimony, action taken, and other activities. The time designations listed are approximate and may be used to locate the referenced discussion on the audio recording of this meeting. You may access the minutes and the audio recording on our website: <https://dnrc.mt.gov/TrustLand/About/LandBoardMeetingArchive>.*

0226-1

DEPARTMENT OF FISH, WILDLIFE & PARKS:
HABITAT CONSERVATION LEASES

**Land Board Agenda Item
February 17, 2026**

0226-1 Department of Fish, Wildlife & Parks: Habitat Conservation Leases

Location: Garfield, McCone, and Phillips Counties

Trust Beneficiaries: N/A (non-trust land)

Trust Revenue: N/A (non-trust land)

Item Summary: The Department of Fish, Wildlife & Parks (FWP) proposes to enroll four private properties, totaling 27,141 acres, into the prairie Habitat Conservation Lease Program (HCLP) for a total of \$3,097,581. These 40-year leases will help ensure high-priority rangeland habitats, including sagebrush grassland, mixed grasslands, riparian/floodplain, wetland-grassland complexes, and intermountain grasslands are conserved while supporting traditional agricultural activities and providing public access opportunities.

Background: A habitat conservation lease (HCL) is a voluntary, incentive-based agreement with private landowners that helps ensure high-priority prairie habitats are conserved while traditional agricultural activities, primarily livestock grazing, continue. Owners commit to retaining wildlife habitats for 30 or 40-year terms. Prairie species expected to benefit from these agreements include sage-grouse, migratory grassland birds that have experienced long-term population declines, pronghorn, mule deer, elk, and many other species of wildlife. The leases also provide public hunting and other wildlife-related recreation opportunities.

Valuation: For the region in which an HCL is located FWP will pay 15% of average fee title value for a 30-year lease. A landowner who opts for a 40-year lease will receive 20% of fee title value plus a 5% bonus (5% of 20%) (21% total). Average fee title values are based on the valuation of state trust lands by the Department of Natural Resources and Conservation (DNRC). See Figure 2; Table 2.

Public Involvement Process & Results: In 2022 FWP released a programmatic environmental assessment (EA) for an HCL program. On August 12, 2022, following a public participation process, FWP published its decision to approve the programmatic EA and proceed with the program. FWP subsequently published an invitation for applications but received only six. On April 10, 2023, FWP issued a Supplemental Programmatic EA which proposed increasing compensation for HCL's and adding a penalty-free buy out provision for participants who wish to enter a permanent conservation easement. For each individual HCL, public notice was posted on FWP's website and emailed to FWP's regional distribution lists. Notice was also mailed to owners of neighboring properties. Public comment for each proposed HCL was taken for 30 days, and public meetings were held in relevant areas. Comments were also received prior to and at the Fish, Wildlife and Parks Commission meetings on August 21, 2025, for the IOU Ranch, Lone Tree Land and Livestock, and Rock Barn Ranch; and on December 4, 2025, for Dunbar. The Commission unanimously approved all 4 of the proposed Habitat Conservation Leases at those meetings.

Recommendation: FWP recommends the Land Board approve the 4 proposed 40-year Habitat Conservation Leases.

Figure 1: Location of proposed 40-year habitat conservation leases.

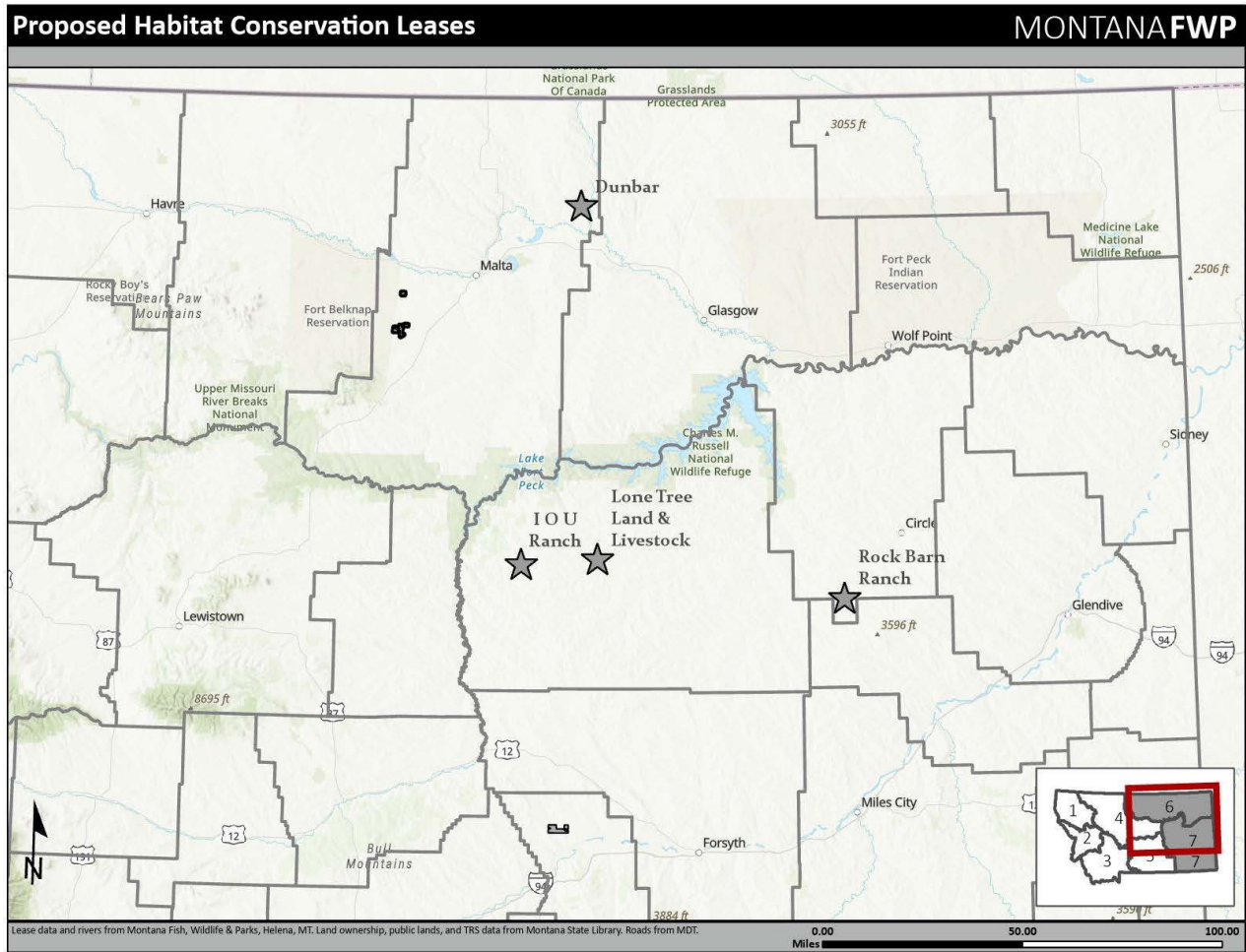


Table 1. Payment rates using FWPs payment formula based on a percentage of average fee title values using DNRC appraisal data involving State trust lands, as updated 2023.

Proposed Habitat Conservation Lease Habitat and Payment Details										
Lease	Term (yrs)	Value Area	Range Acres	Hay Acres	Crop Land Acres	Major River Floodplain/ Riparian Acres	Total Acres	Approximate Payment	Min. Rec. Days	Min. Hunter Days
IOU Ranch	40	East	7667	0	1777	0	9444	\$1,018,105	312	104
Lone Tree Land & Livestock	40	East	8557	0	0	0	8557	\$1,018,283	312	104
Rock Barn Ranch	40	East	4521	313	257	0	5091	\$579,363	156	52
Dunbar	40	East	4049	0	0	0	4049	\$481,831	156	52

Total	27,141	\$3,097,581.90	936	312
--------------	---------------	-----------------------	------------	------------

1. Terms of the lease require that 75% of acres enrolled must be priority habitat. Hay land, seeded areas that are annually or more frequently harvested, and cropland (land that is annually or more frequently seeded or operates in a crop/fallow rotation) may be enrolled but receives a payment of 70% and 50% respectively, of the per acre value, and does not count toward priority habitat acreage.
2. Recreation Days and minimum Hunter Days represented in this table are calculated using a standard formula. For properties over 3,000 acres, which all 4 properties are, total acres are rounded to the nearest 1,500 acres. There is a minimum requirement of 1 recreation day per week for each 1,500 acres. One-third of the total recreation days must be hunter-days.

Figure 2. Delineation of western and eastern valuation areas for the purposes of calculating habitat conservation lease values.

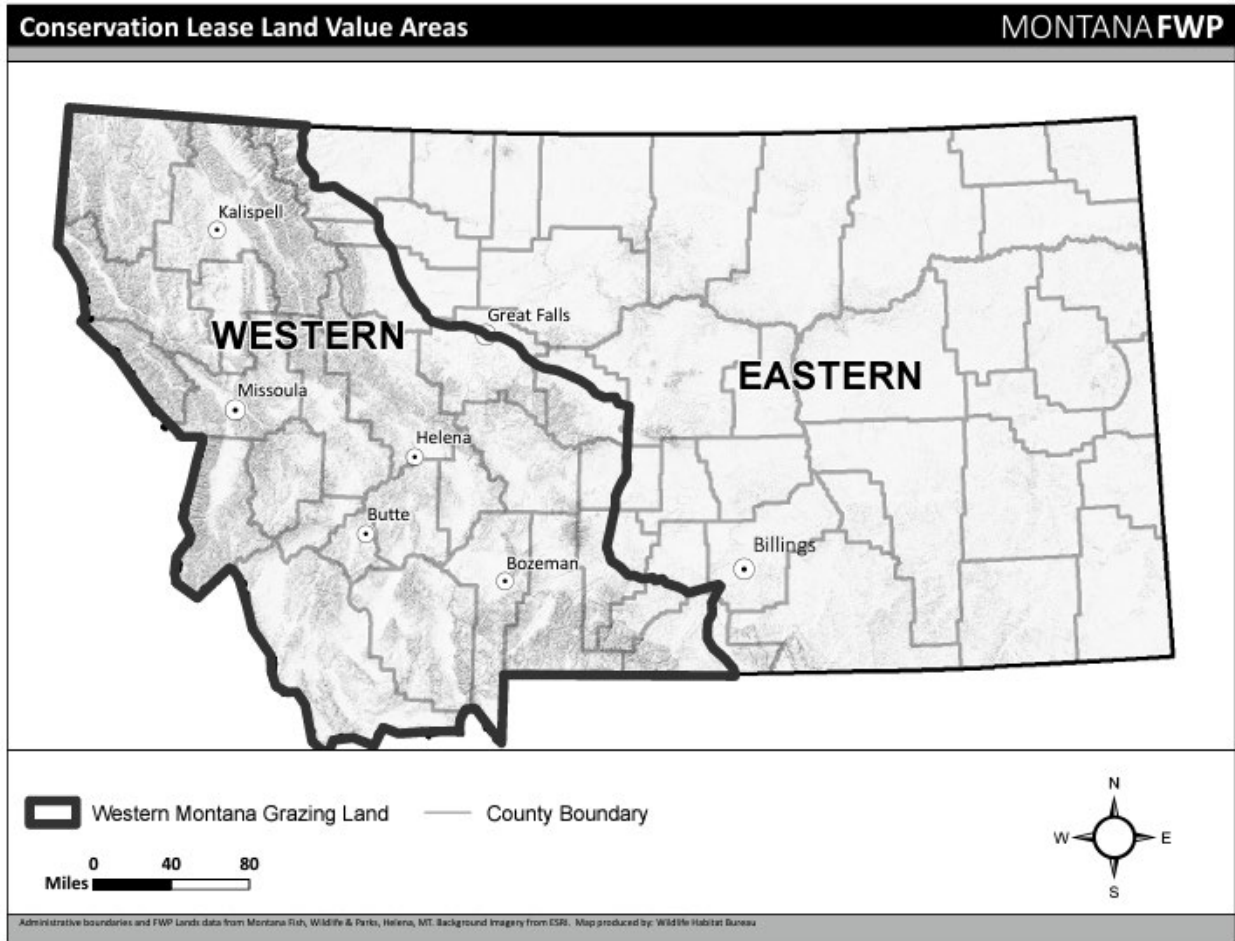


Table 2: 2023 habitat conservation lease values based on 15% of fee value for 30-year lease and 21% (20% of fee value plus a 5% bonus) for the 40-year lease.

Conservation Lease Habitat Payments Based on Fee Values		
Area and Habitat	30 Year Lease Payment/Acre	40 Year Lease Payment/Acre
Eastern Montana Rangeland	\$85	\$119
Eastern Montana Floodplain/Riparian	\$349	\$489
Western Montana Rangeland	\$218	\$305
Western Montana Floodplain/Riparian	\$729	\$1,021

0226-2

TIMBER SALE: SOPHIE LAKE

**Land Board Agenda Item
February 17, 2026**

0226-2 Timber Sale: Sophie Lake

Location: Lincoln County

Trust Beneficiaries: Common Schools

Trust Revenue: \$74,964 (estimated, minimum)

Item Summary:

Location: The Sophie Lake Timber Sale is located approximately five miles northwest of Eureka, Montana.

Size and Scope: The sale includes five harvest units (233 acres) of ground-based logging.

Volume: The estimated harvest volume is 9,563 tons (1.12 MMBF) of sawlogs.

Estimated Return: The minimum bid is \$16.36 per ton for all non-Ponderosa Pine sawlogs and \$3.00 per ton for Ponderosa Pine sawlogs, which would generate approximately \$74,964 for the Common Schools Trust and approximately \$29,837 in forest improvement fees.

Prescription: This sale would utilize shelterwood and individual tree selection harvest prescriptions designed to establish a new age class of trees and establish and maintain old growth forest characteristics.

Road Construction/Maintenance: The Department of Natural Resources and Conservation (DNRC) is proposing 0.31 miles of road construction, one mile of road reconstruction and 3.8 miles of road maintenance.

Access: Access is obtained through a temporary road use permit with the US Forest Service and a right-of-way easement with an adjacent landowner.

Public Comments: Six comments were received. One comment from a logging industry representative expressed support for the project. One comment from Lincoln Electric Cooperative expressed concern about timber management near overhead powerlines and rights-of-way. One comment from a nearby landowner expressed interest in potential purchase of DNRC timber sales. One comment for Montana Department of Fish, Wildlife & Parks expressed concern over wildlife habitat. Two comments from nearby landowners expressed concern over wildlife, weeds, soils, wildfire fuels and project economics. All comments were addressed in the Lincoln County Forest Management Project Environmental Assessment.

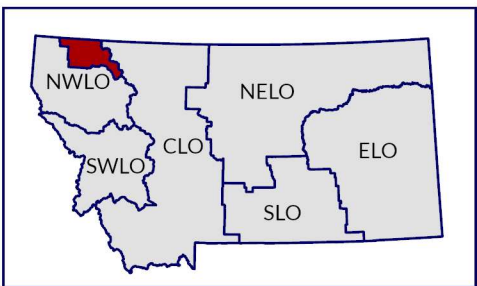
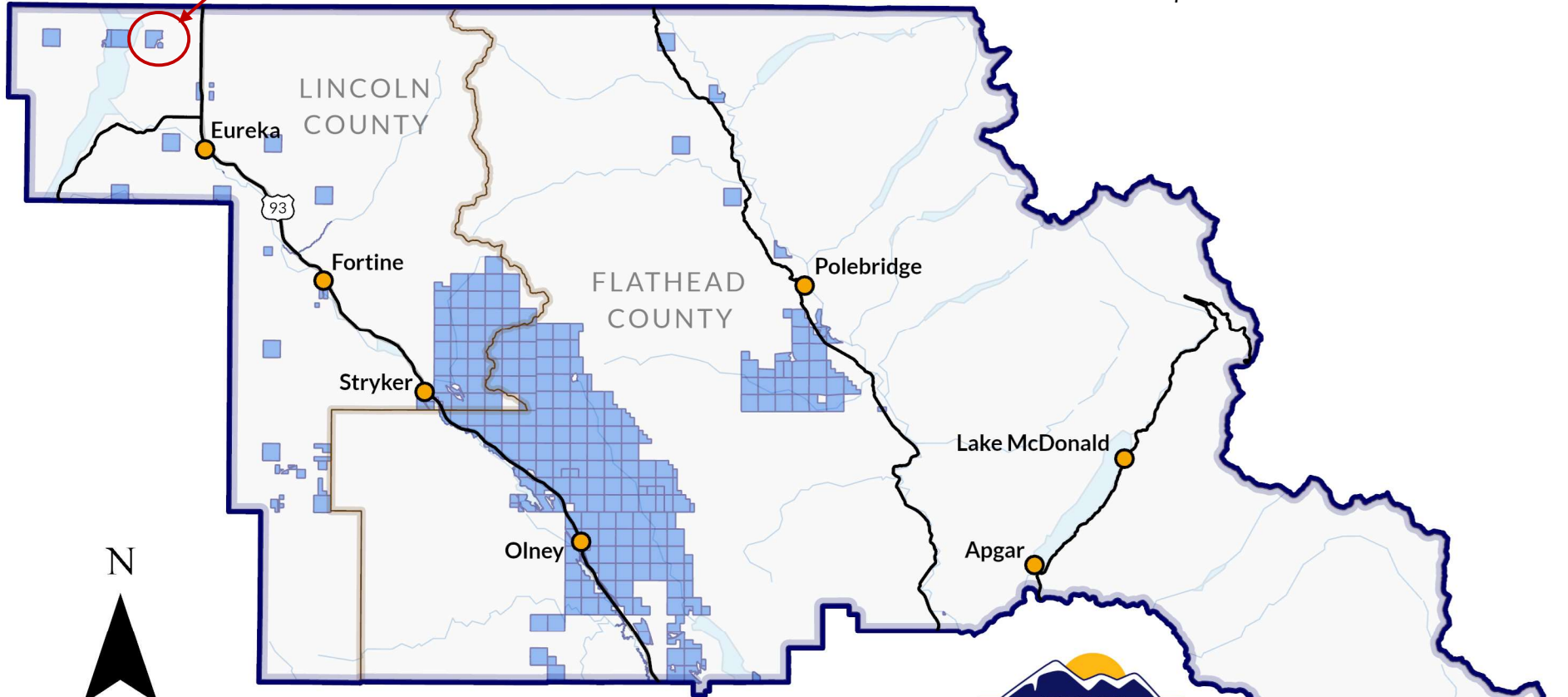
DNRC Recommendation:

The DNRC recommends that the Land Board direct DNRC to sell the Sophie Lake Timber Sale.

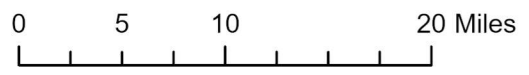
State Trust Land Vicinity Map Stillwater Unit

Sophie Lake Timber Sale

Section: 16
Township: 37N
Range: 27W
Lincoln County

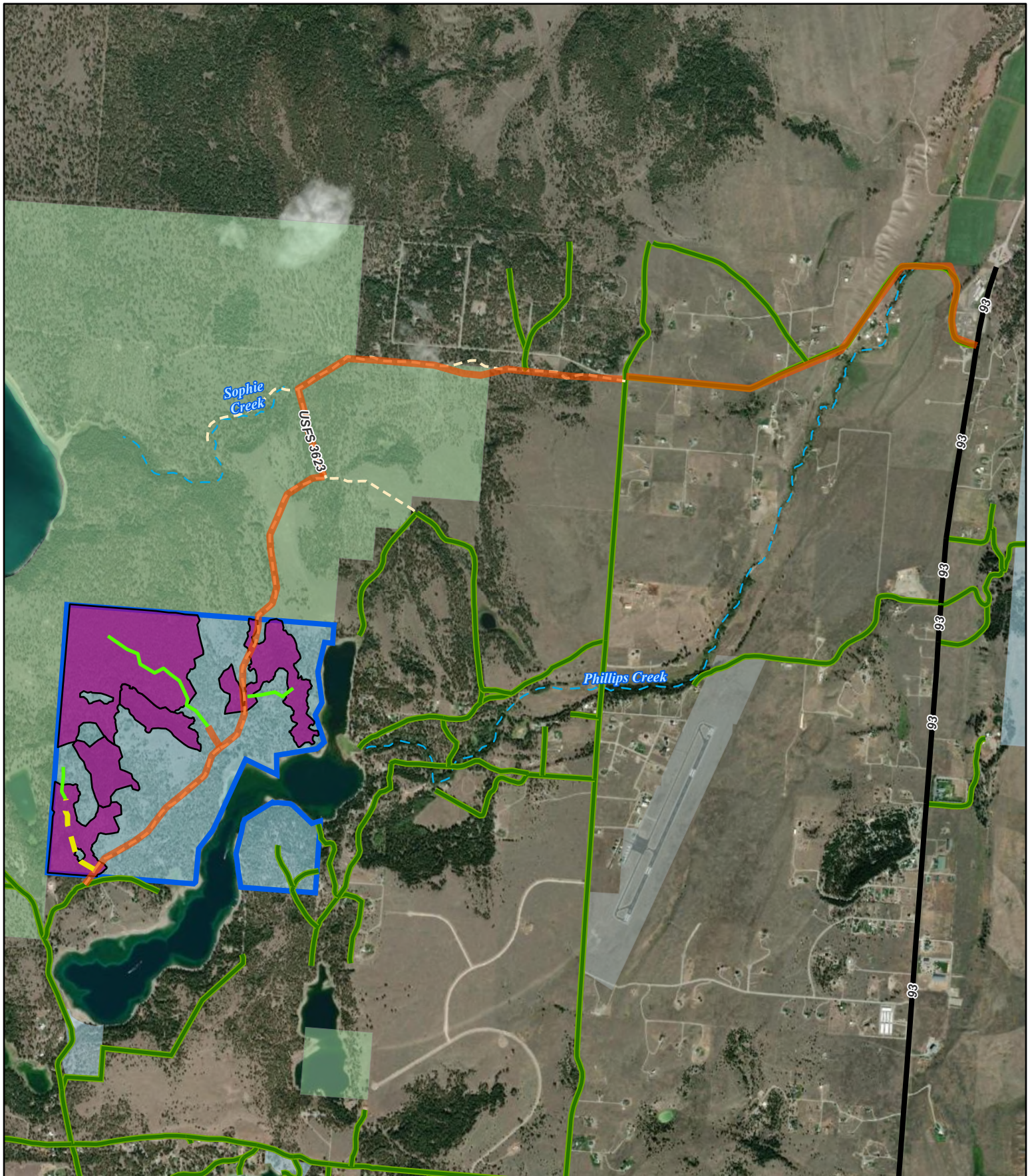


- Towns
- County Lines
- Major Roads
- Rivers & Lakes
- State Trust Land

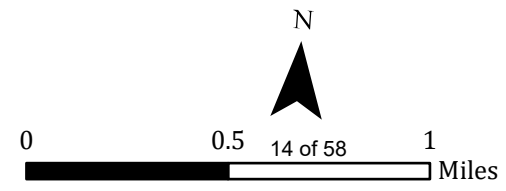


Produced by Montana Department of Natural Resources and Conservation – 2025
NAD 1983 State Plane

Sophie Lake Timber Sale Haul Route and Harvest Units



- | | | |
|---------------------------------|--------------------|---------------------------|
| Haul Route | Restricted Class A | Intermittent |
| New Road | Harvest Units | US Forest Service |
| Reconstruction of Existing Road | TLMD_SurfaceTracts | State of Montana Misc. |
| FMB_Roads | Streams | Montana State Trust Lands |
| Highway | Hydrograph | Local Government |
| Open/Public Roads | Perennial | |



0226-3

EASEMENTS

**Land Board Agenda Item
February 17, 2026**

0226-3 Easements

**Location: Beaverhead, Chouteau, Hill, Judith Basin, Lewis & Clark, McCone,
Teton, and Valley Counties**

Trust Beneficiaries: Common Schools and Pine Hills School

Trust Revenue: Common Schools \$24,308, Pine Hills School \$15,672

Item Table of Contents

Applicant	Right-of-Way Purpose	Term	Page(s)
Ronald and Cynthia Sherer	Private Access Road	Permanent	17-18
Montana Department of Transportation	Highway Maintenance & Construction	Permanent	19-20
Dry Prairie Rural Water Authority	Water Transmission Line	Permanent	21-22, 47-48
Sun River Electric Cooperative, Inc.	Overhead Powerline	Permanent	23-24
Triangle Telephone Cooperative Association, Inc.	Buried Fiber Optic Cable	Permanent	25-34
Vigilante Electric Cooperative, Inc.	Overhead Powerline	Permanent	35-44
The United States of America	Utility Expansion	Permanent	45-46

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Ronald and Cynthia Sherer
1970 Last Chance Road
Stanford, MT 59479

Application No.: 19854
R/W Purpose: a private access road to conduct normal farming and ranching operations

Lessee Agreement: N/A (Historic Application)
Acreage: 2.6
Compensation: \$1,950.00
Legal Description: 20-foot strip through E2SW4, Sec. 14 and N2SW4, Sec. 22, Twp. 14N, Rge. 12E, Judith Basin County

Trust Beneficiary: Common Schools

Item Summary:

Ronald and Cynthia Sherer are requesting a historic easement for a private access road for the purpose of conducting farming and ranching operations. This application is made pursuant to amendments of §77-2-101, MCA for recognition of historic uses across state trust land.

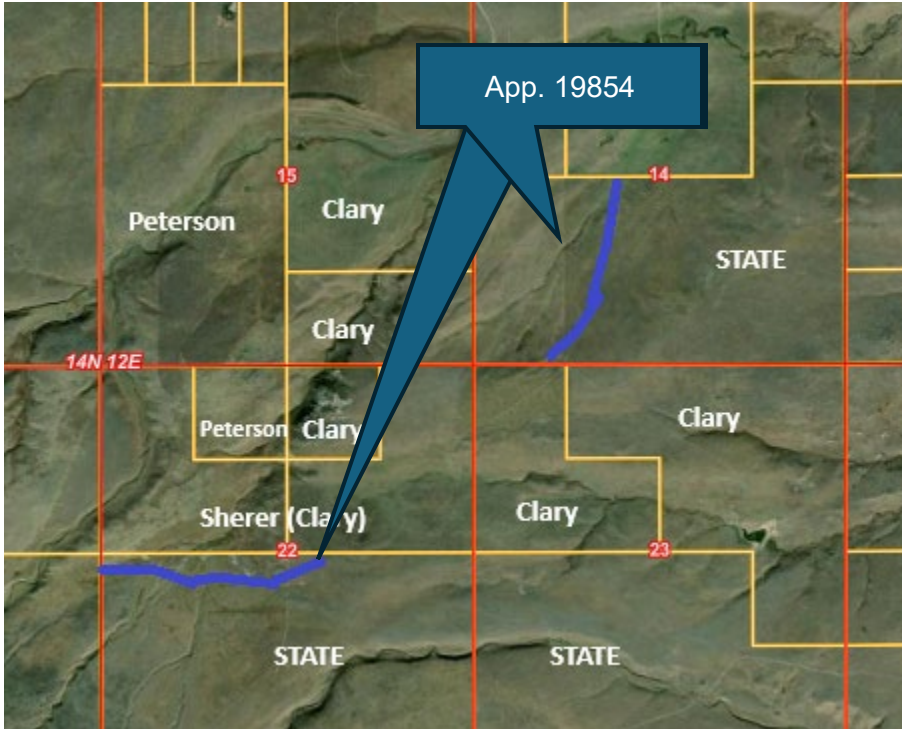
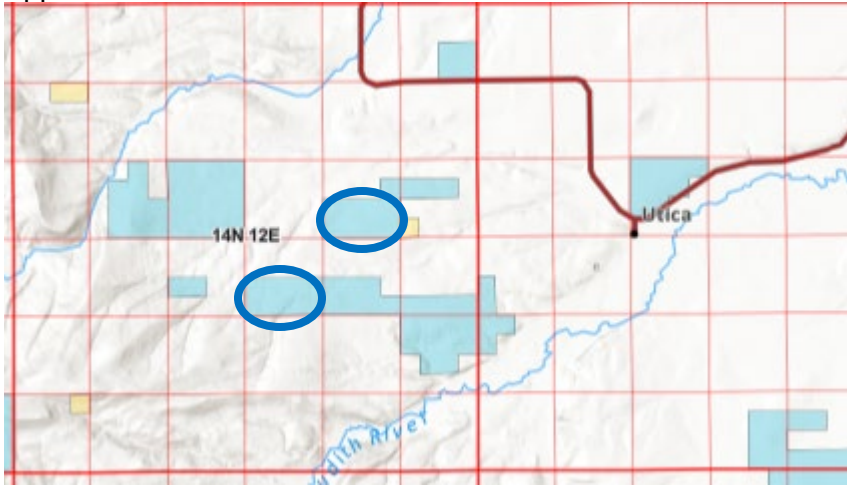
Ronald and Cynthia Sherer are purchasing private lands under a contract for deed that are accessed by the historic access and those lands are described as follows:

- SE4, Section 21, Township 14 North, Range 12 East
- NW4NW4, Section 27, Township 14 North, Range 12 East
- N2N2, Section 28, Township 14 North, Range 12 East

DNRC Recommendation:

The DNRC recommends approval of the application of Ronald and Cynthia Sherer.

Application #19854



APPLICANTS AND RIGHTS OF WAY INFORMATION

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

Application No.: 19885
R/W Purpose: highway construction and maintenance including occupancy by
public utilities as defined in §69-4-101, MCA

Lessee Agreement: ok
Acreage: 12.90
Compensation: \$9,675.00
Legal Description: a tract of land in S2S2, Sec. 16, Twp. 18N, Rge. 46E,
McCone County

Trust Beneficiary: Common Schools

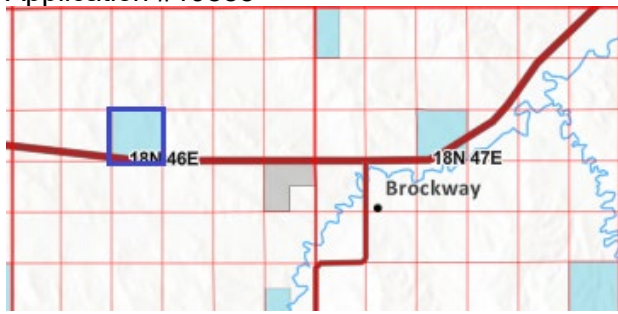
Item Summary:

The Montana Department of Transportation is requesting an easement to reconstruct a portion of Montana Highway 200 west of Brockway in McCone County. The primary purpose is to bring this section of MT-200 up to current standards, resulting in a much safer roadway and reduced maintenance costs.

DNRC Recommendation:

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

Application #19885



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Dry Prairie Rural Water Authority
PO Box 577
Culbertson, MT 59218

Application No.: 19886
R/W Purpose: a 2-inch water distribution pipeline
Lessee Agreement: ok
Acreage: 1.86
Compensation: \$837.00
Legal Description: 30-foot strip through N2NW4, Sec. 15, Twp. 35N, Rge. 43E,
Valley County

Trust Beneficiary: Common Schools

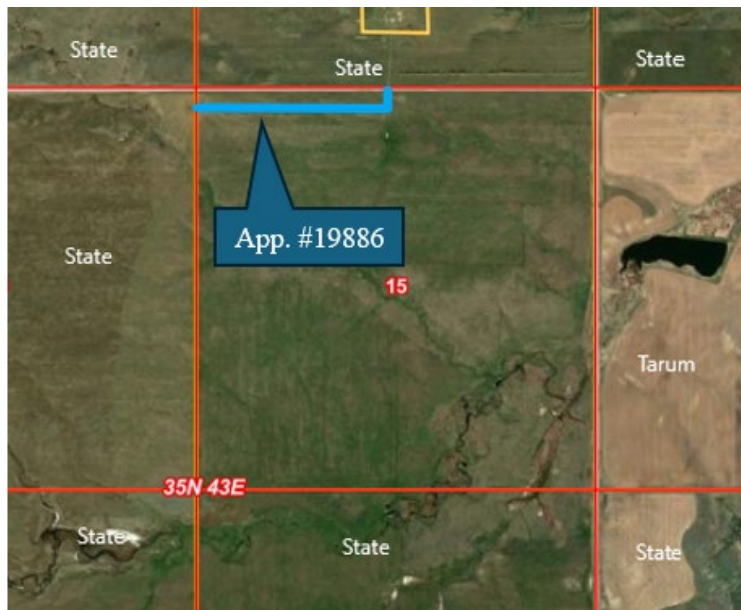
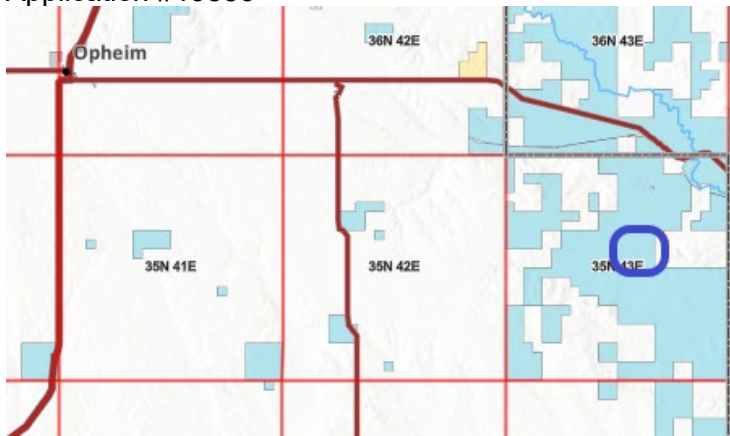
Item Summary:

Dry Prairie Rural Water Authority has requested an easement for a 2-inch water distribution pipeline to serve rural customers in northern Valley County. Due to the geography of the area, the absence of additional road infrastructure, and the increased cost of routing the proposed pipeline around State Lands, no other routes were considered feasible.

DNRC Recommendation:

The DNRC recommends approval of the application of Dry Prairie Rural Water Authority.

Application #19886



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Sun River Electric Cooperative, Inc.
PO Box 309
Fairfield, MT 59436

Application No.: 19887
R/W Purpose: an overhead 69kV powerline and breaker yard
Lessee Agreement: ok
Acreage: 1.25
Compensation: \$1,500.00
Legal Description: a tract of land in NW4NW4, Sec. 36, Twp. 22N, Rge. 6W,
Teton County

Trust Beneficiary: Common Schools

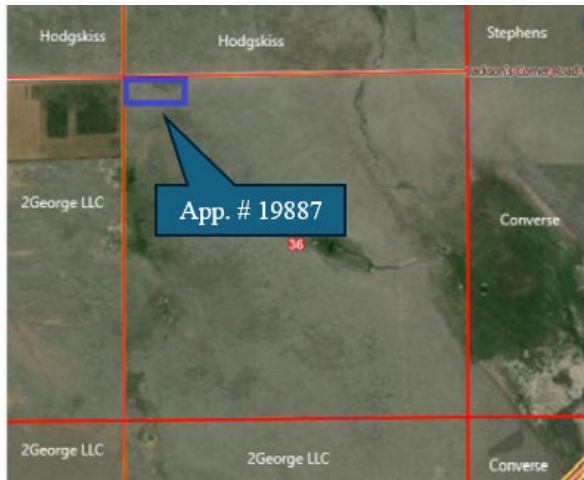
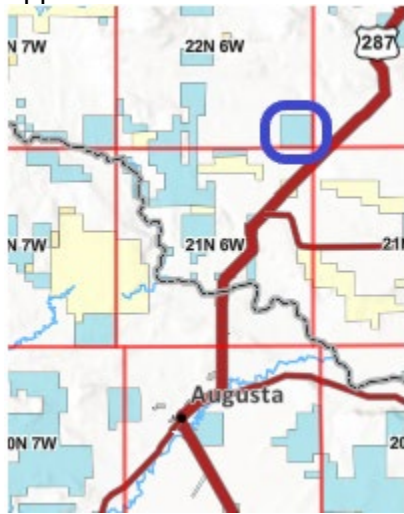
Item Summary:

Sun River Electric Cooperative, Inc. is requesting an easement to install a 69kV overhead powerline and breaker station to upgrade electrical services in the area.

DNRC Recommendation:

The DNRC recommends approval of the application of Sun River Electric Cooperative, Inc.

Application #19887



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Triangle Telephone Cooperative Association, Inc.
PO Box 1220
Havre, MT 59501

Application No.: 19888
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.21
Compensation: \$1,392.00
Legal Description: 20-foot strip through S24SE4, Sec. 22, Twp. 30N, Rge. 9E,
Hill County

Trust Beneficiary: Common Schools

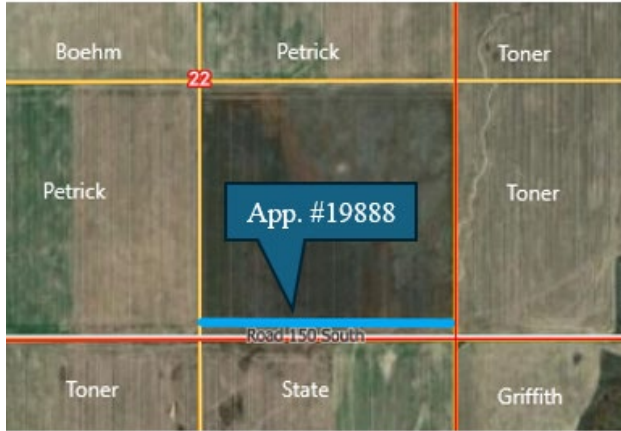
Item Summary:

Triangle Telephone Cooperative Association, Inc. is requesting an easement to install a buried fiber optic telecommunications cable in the Rudyard exchange. These improvements will offer state-of-the-art telecommunication toll and distribution facilities, as well as future growth capabilities for the community. The proposed route is the most direct route between terminus locations while also providing access to existing and future network considerations. The proposed route will provide accessibility for construction and maintenance since it is located primarily along existing roadways.

DNRC Recommendation:

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

Application #19888



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Triangle Telephone Cooperative Association, Inc.
PO Box 1220
Havre, MT 59501

Application No.: 19889
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 2.42
Compensation: \$2,783.00
Legal Description: 20-foot strip through S2S2, Sec. 36, Twp. 30N, Rge. 9E,
Hill County

Trust Beneficiary: Common Schools

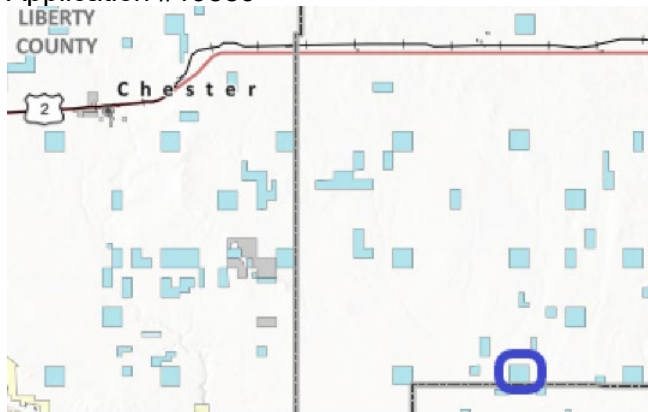
Item Summary:

Continuation of Triangle Telephone Cooperative Association applications.

DNRC Recommendation:

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

Application #19889



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Triangle Telephone Cooperative Association, Inc.
PO Box 1220
Havre, MT 59501

Application No.: 19890
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.33
Compensation: \$1,463.00
Legal Description: 20-foot strip through S2SE4, Sec. 22, Twp. 36N, Rge. 11E,
Hill County

Trust Beneficiary: Common Schools

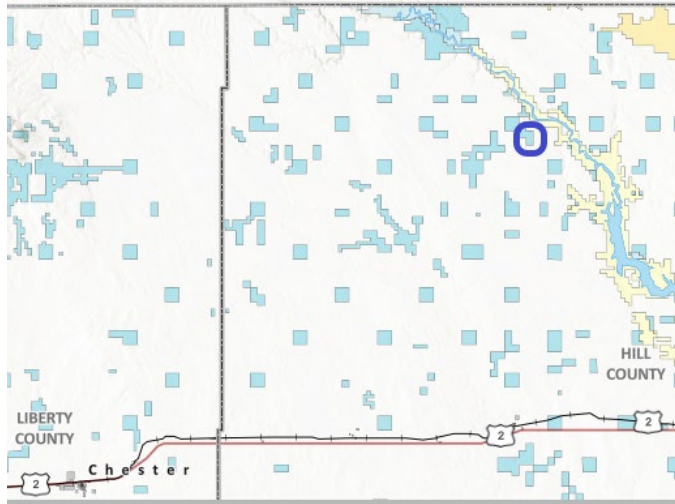
Item Summary:

Continuation of Triangle Telephone Cooperative Association applications.

DNRC Recommendation:

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

Application #19890



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Triangle Telephone Cooperative Association, Inc.
PO Box 1220
Havre, MT 59501

Application No.: 19891
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 1.08
Compensation: \$1,242.00
Legal Description: 20-foot strip through E2NE4, Sec. 9, Twp. 31N, Rge. 8E,
Hill County

Trust Beneficiary: Common Schools

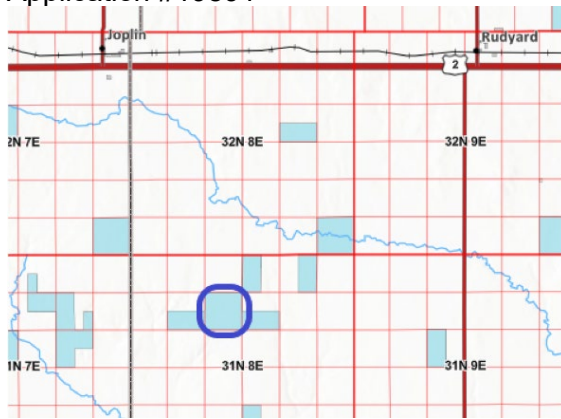
Item Summary:

Continuation of Triangle Telephone Cooperative Association applications.

DNRC Recommendation:

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

Application #19891



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Triangle Telephone Cooperative Association, Inc.
PO Box 1220
Havre, MT 59501

Application No.: 19892
R/W Purpose: a buried fiber optic cable
Lessee Agreement: ok
Acreage: 0.34
Compensation: \$272.00
Legal Description: 20-foot strip through NE4NE4, Sec. 15, Twp. 24N, Rge. 8E,
Chouteau County

Trust Beneficiary: Common Schools

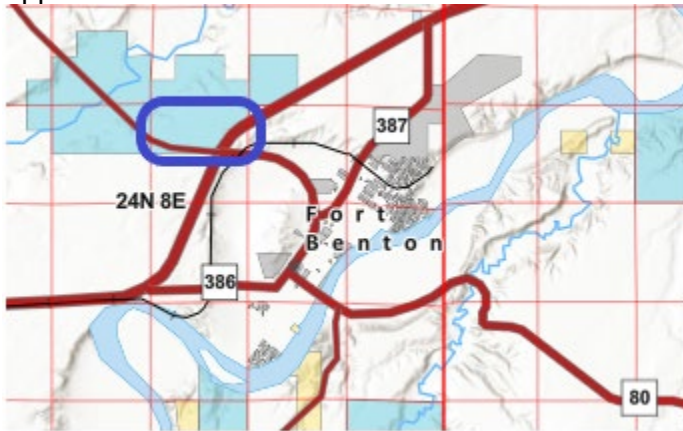
Item Summary:

Continuation of Triangle Telephone Cooperative Association applications.

DNRC Recommendation:

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

Application #19892



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Vigilante Electric Cooperative, Inc.
PO Box 1049
Dillon, MT 59725

Application No.: 19893
R/W Purpose: an overhead 7,200v power transmission line
Lessee Agreement: ok
Acreage: 2.1
Compensation: \$3,150.00
Legal Description: 30-foot strip through NW4NE4, N2NW4, Sec. 26, Twp. 5S, Rge. 9W, Beaverhead County

Trust Beneficiary: Pine Hills School

Item Summary:

Vigilante Electric Cooperative, Inc. is requesting an easement to install a 7,200 volt overhead transmission line. By installing this new tie line, the consumer loading on this single-phase tap will be located closer to the Carlson substation which will effectively result in a shorter length of distribution line and address frequent outages.

DNRC Recommendation:

The DNRC recommends approval of the application of Vigilante Electric Cooperative, Inc.

Application #19893



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Vigilante Electric Cooperative, Inc.
PO Box 1049
Dillon, MT 59725

Application No.: 19894
R/W Purpose: an overhead 7,200v power transmission line
Lessee Agreement: ok
Acreage: 0.43
Compensation: \$645.00
Legal Description: 30-foot strip through N2NE4, Sec. 27, Twp. 5S, Rge. 9W,
Beaverhead County

Trust Beneficiary: Pine Hills School

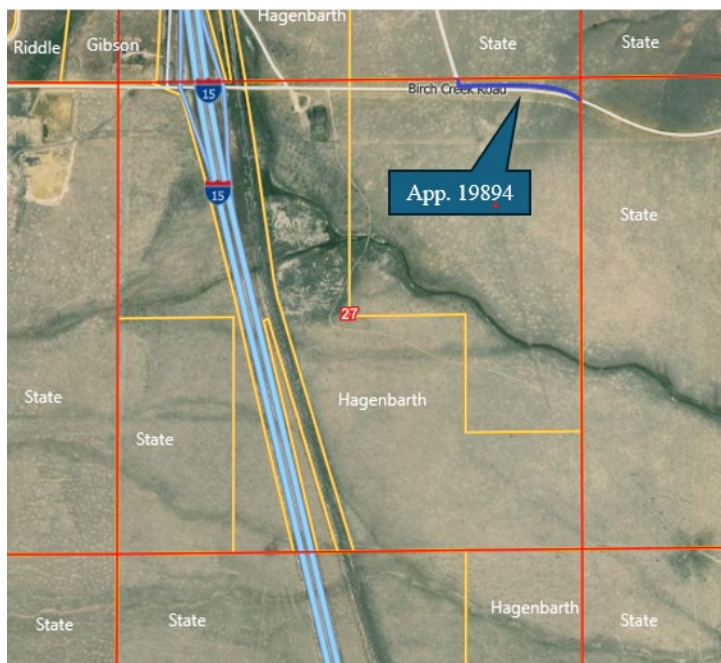
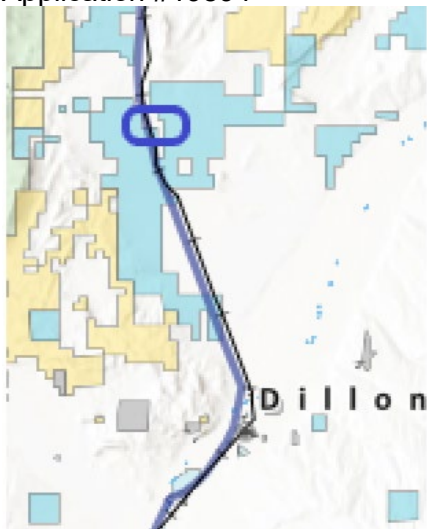
Item Summary:

Continuation of Vigilante Electric Cooperative, Inc. applications.

DNRC Recommendation:

The DNRC recommends approval of the application of Vigilante Electric Cooperative, Inc.

Application #19894



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Vigilante Electric Cooperative, Inc.
PO Box 1049
Dillon, MT 59725

Application No.: 19895
R/W Purpose: an overhead 7,200v power transmission line
Lessee Agreement: ok
Acreage: 3.66
Compensation: \$5,490.00
Legal Description: 30-foot strip through S2S2, Sec. 24, Twp. 5S, Rge. 9W,
Beaverhead County

Trust Beneficiary: Pine Hills School

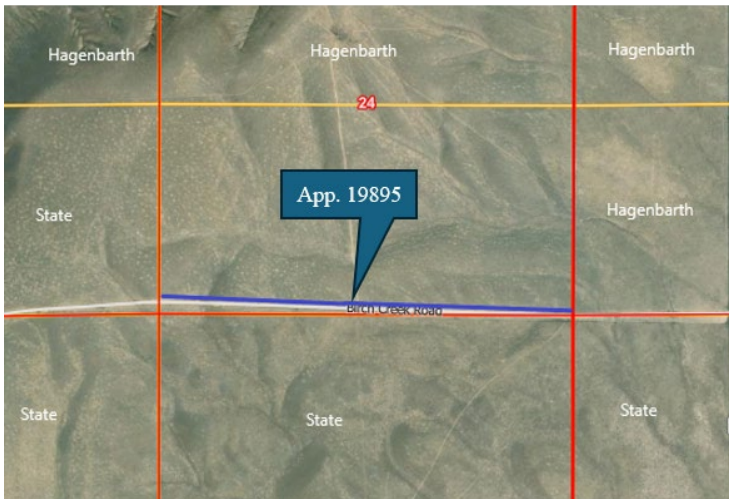
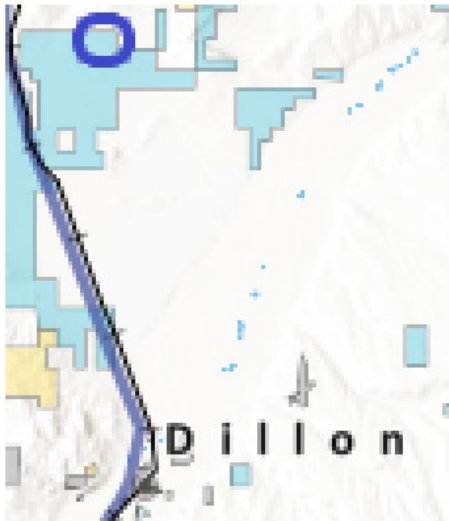
Item Summary:

Continuation of Vigilante Electric Cooperative, Inc. applications.

DNRC Recommendation:

The DNRC recommends approval of the application of Vigilante Electric Cooperative, Inc.

Application #19895



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Vigilante Electric Cooperative, Inc.
PO Box 1049
Dillon, MT 59725

Application No.: 19896
R/W Purpose: an overhead 7,200v power transmission line
Lessee Agreement: ok
Acreage: 1.71
Compensation: \$2,565.00
Legal Description: 30-foot strip through S2SE4, Sec. 23, Twp. 5S, Rge. 9W,
Beaverhead County

Trust Beneficiary: Pine Hills School

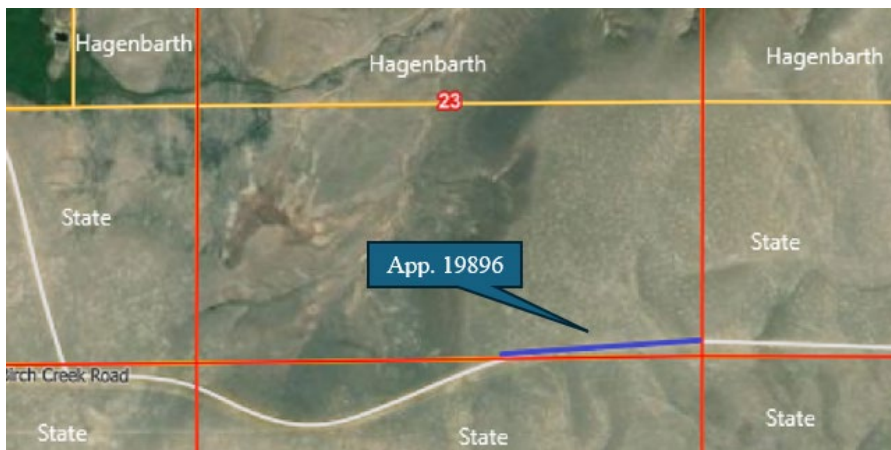
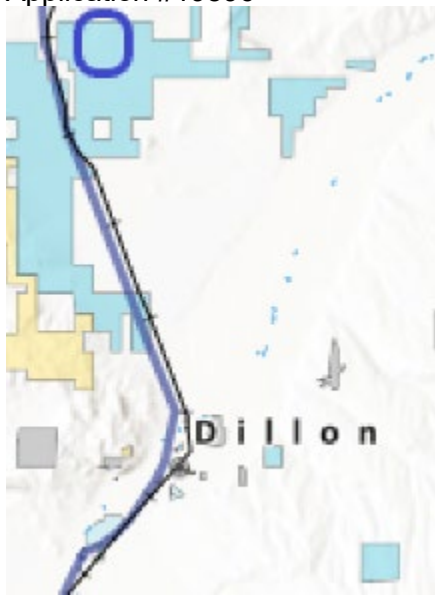
Item Summary:

Continuation of Vigilante Electric Cooperative, Inc. applications.

DNRC Recommendation:

The DNRC recommends approval of the application of Vigilante Electric Cooperative, Inc.

Application #19896



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Vigilante Electric Cooperative, Inc.
PO Box 1049
Dillon, MT 59725

Application No.: 19897
R/W Purpose: an overhead 7,200v power transmission line
Lessee Agreement: ok
Acreage: 2.55
Compensation: \$3,825.00
Legal Description: 30-foot strip through W2SE4, Sec. 22, Twp. 5S, Rge. 9W,
Beaverhead County

Trust Beneficiary: Pine Hills School

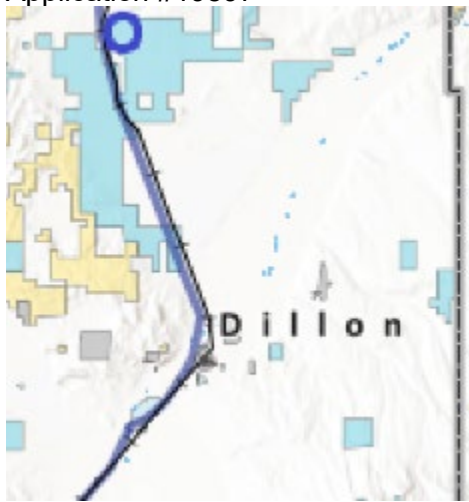
Item Summary:

Continuation of Vigilante Electric Cooperative, Inc. applications.

DNRC Recommendation:

The DNRC recommends approval of the application of Vigilante Electric Cooperative, Inc.

Application #19897



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: The United States of America
341 CES/CEIAP
39 78th Street North
Malmstrom AFB, MT 59402

Application No.: 19898
R/W Purpose: expansion of wastewater infrastructure
Lessee Agreement: ok
Acreage: 2.81
Compensation: \$3,091.00
Legal Description: a tract in E2SE4, Sec. 10, Twp. 18N, Rge. 4W,
Lewis and Clark County

Trust Beneficiary: Common Schools

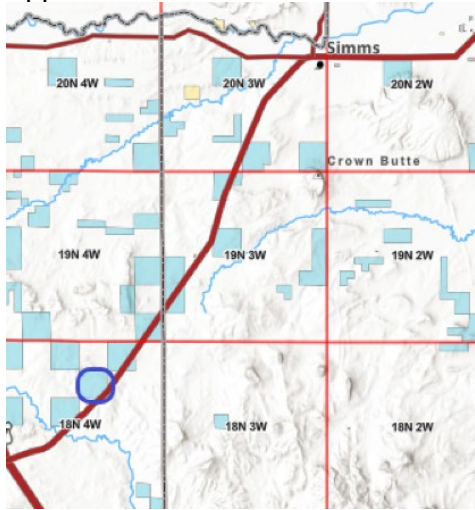
Item Summary:

The United States of America, Malmstrom AFB is requesting an easement for the expansion and upgrading of the current 60-year-old wastewater infrastructure servicing a Missile Alert Facility. The existing wastewater facility requires frequent and costly pumping, which is a significant challenge during the winter months. The proposed easement would be adjacent to an earlier issued easement for the existing wastewater lagoons associated with the missile facility and will eliminate critical environmental and health hazards from risk of overflow.

DNRC Recommendation:

The DNRC recommends approval of the application of The United States of America.

Application #19898



APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant: Dry Prairie Rural Water Authority
PO Box 577
Culbertson, MT 59218

Application No.: 19899
R/W Purpose: a 2-inch water distribution line
Lessee Agreement: ok
Acreage: 0.10
Compensation: \$100.00
Legal Description: 30-foot strip through NE4NE4, Sec. 16, Twp. 35N, Rge. 43E,
Valley County

Trust Beneficiary: Common Schools

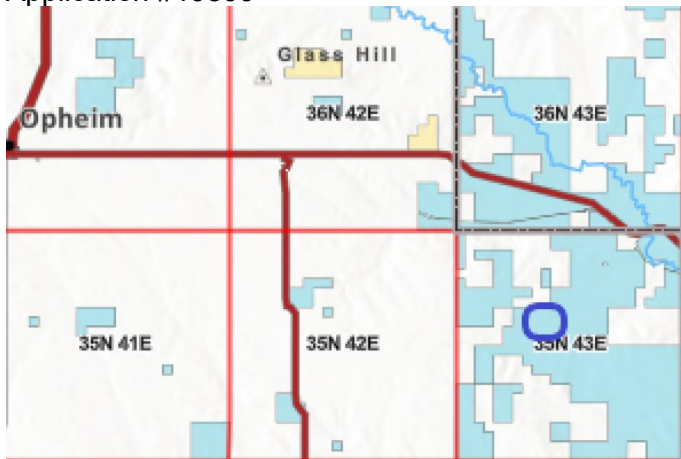
Item Summary:

Dry Prairie Rural Water Authority has requested an easement for a 2-inch water distribution pipeline to serve rural customers in northern Valley county. Due to the geography of the area, the absence of additional road infrastructure, and the increased cost of routing the proposed pipeline around state trust land no other routes were considered feasible.

DNRC Recommendation:

The DNRC recommends approval of the application of Dry Prairie Rural Water Authority.

Application #19899



0226-4

APPROVAL TO FILE

OBJECTIONS ON WATER RIGHTS

**Land Board Agenda Item
February 17, 2026**

0226-4 Approval to File Objections on Water Rights

Location: Park County and Sweetgrass Counties

Trust Beneficiaries: Common Schools

Trust Revenue: N/A

Item Summary:

In the examination of Basin 43BJ, during the Montana water adjudication process, department staff identified 18 statements of claim with at least one point of diversion located off state trust lands and at least one place of use on state trust lands. The State Board of Land Commissioners is not currently listed as an owner or co-owner on these water rights, even though it appears that a portion of each water right is appurtenant to state trust lands.

A table summarizing the claims grouped by claim type, owner, land description and supplemental rights is attached.

Pursuant to MCA 2-3-203(4), the board may go into closed session to discuss litigation strategy in relation to these statements of claim.

DNRC Recommendation:

The DNRC recommends the Land Board approve the request and grant the authority to file these objections through the water court.

Group	Water Right Number	Type	Total POU's	POUs on TL
1	43BJ 39520-00	Surface	5	1
2	43BJ 36408-00	Surface	5	1
	43BJ 36410-00	Surface	5	1
	43BJ 36411-00	Surface	5	1
	43BJ 36414-00	Surface	5	1
	43BJ 102807-00	Surface	2	1
3	43BJ 40294-00	Surface	12	4
	43BJ 40295-00	Surface	12	4
	43BJ40296-00	Surface	12	4
	43BJ 40297-00	Surface	12	4
	43BJ40299-00	Surface	12	4
	43BJ 40300-00	Surface	12	4
	43BJ 40301-00	Surface	12	4
	43BJ 40305-00	Surface	4	1
	43BJ 48933-00	Surface	3	1
	43BJ 48944-00	Surface	22	7
	43BJ 48946-00	Surface	22	7
	43BJ 48947-00	Surface	22	7

0226-5

BISON GRAZING PROPOSALS

**Land Board Agenda Item
February 17, 2026**

0226-5 Bison Grazing Proposals (Executive Session)

Location: State of Montana

Trust Beneficiaries: NA

Trust Revenue: NA

Item Summary:

Provide direction to DNRC regarding pending bison grazing proposals.

Pursuant to MCA 2-3-203(4), the board may go into closed session to discuss litigation strategy.

DNRC Recommendation:

Land Board provide direction to DNRC regarding pending bison grazing proposals.



February 2, 2025

Department of Natural Resources and Conservation
ATTN: Jocee Hedrick
613 NE Main Street
PO Box 1021
Lewistown, MT 59457

*hand delivered by
Beckie Williams on 2/24/2024*

Re: Notice of bison grazing on State Lease #6732; complete application for purposes of MEPA; application for improvements

Dear Jocee,

In 2024, American Prairie acquired 9,578 deeded acres in Phillips County. As part of this transaction, the Seller completed all required documentation to allow State Lease #6732 to be reassigned in connection with the conveyance. The lease was formally approved for reassignment to American Prairie effective July 17, 2024.

American Prairie manages an existing bison herd on lands immediately adjacent to the acquired property. As part of American Prairie's integrated grazing, restoration, and land stewardship program, American Prairie intends to expand that bison herd onto the newly acquired deeded lands and the associated state lease.

This letter serves as formal notice that bison and/or cattle will be grazing on State Lease #6732 in accordance with the lease and Montana law. Although the lease has historically been grazed by cattle, bison are not excluded from use under the lease. The authorized stocking rate for the lease remains 120 Animal Unit Months (AUMs), and American Prairie is not requesting any change to the authorized AUMs as DNRC has historically treated cattle and bison AUMs equally.

American Prairie is aware that, in some instances, DNRC requires an environmental review for changes in grazing use. For instance, in [Ravalli County Fish & Game Ass'n v. Montana Dep't of State Lands, 273 Mont. 371, 382, 903 P.2d 1362, 1370 \(1995\)](#), the Montana Supreme Court held that, once the Department of State Lands (now DNRC) learned that grazing had changed from cattle to sheep, DSL had a duty to fully comply with the Montana Environmental Policy Act (MEPA). *See also*, 36.25.127, ARM (requiring DNRC to examine environmental impacts under MEPA when a licensee requests a change to domestic sheep grazing).

Though American Prairie is aware of no statute or administrative rule requiring MEPA analysis for bison grazing, this letter puts DNRC on notice that it intends to begin bison grazing. For purposes of MEPA environmental review, this Notice constitutes a complete application as defined in § 75-1-220(4), MCA. That statute provides that a "complete application" means "an application for a permit, license, or

AMERICAN PRAIRIE

other authorization that contains all data, studies, plans, information, forms, fees, and signatures required to be included with the application sufficient for the agency to approve the application under the applicable statutes and rules.” I affirm that I have submitted all the required data, studies, plans, information for DNRC to process and approve American Prairie’s bison grazing on State Lease #6732. Under Montana law, MEPA’s timelines run from the date DNRC receives a complete application. Section 75-1-208(4), MCA.

If you disagree that American Prairie’s application is a complete application for purposes of MEPA, please provide written notification to me within 30 days, identifying any deficiencies or requests for additional information. If I do not receive written notification within 30 days, either confirming that the application is complete for bison grazing or notifying me of deficiencies or DNRC’s need for additional information, then the application shall be deemed complete for purposes of MEPA review, including MEPA’s timelines.

To align grazing rotations across deeded and leased lands, implement planned restoration and stewardship activities, and ensure accurate boundary control, American Prairie is also submitting this letter as a request for fence improvements along the boundaries.

The planned improvements are as follows (see attached map, and improvement request form for details):

- Rebuild approximately one (1) mile of fence along the south boundary; and
- Construct approximately one-half ($\frac{1}{2}$) mile of fence along the southern portion of the west boundary. The existing fence configuration currently encloses approximately 120 acres of a neighboring landowner’s property within DNRC trust lands. This work will correct that condition and restore the proper boundary alignment between private and state lands.

These actions will also ensure that livestock are properly contained, that grazing occurs within authorized boundaries, and that DNRC trust lands and neighboring properties are managed and protected as intended.

I believe I have included with this letter all the information that is required, but please let me know by March 3, 2026 if you need any additional information for DNRC’s records. Please also feel free to reach out to me by phone or email. My contact information is provided below.

Thanks,



Scott Heidebrink
Director of Landscape Stewardship
scott@americanprairie.org
406-589-6220

PO Box 908
Bozeman, MT 59771
406-585-4600

AmericanPrairie.org
55 of 58

MONTANA DEPARTMENT OF STATE LANDS IMPROVEMENTS REQUEST FORM

To expedite the processing of requests to place improvements on state lands, please complete the following, if applicable, and indicate on the plat the location of proposed improvements.

Type of improvements; (include type and amount of materials, number of acres, and approximate cost.)

Reconstruct 1 mile of fence to WL Friendly standards (south side)
Construct 1/2 mile of WL Friendly Fence (west side)

Are cost share funds being used for this project? YES / NO

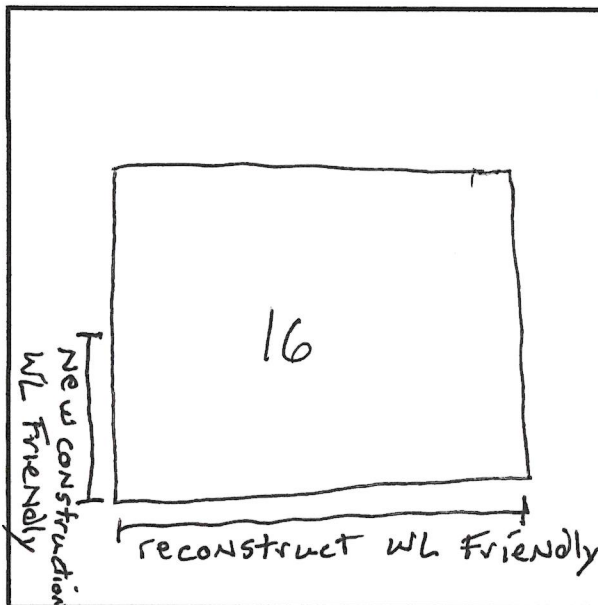
If yes, list source of cost share funding and the amount attributable to the improvements on this state land.

Source: _____

Amount: \$ _____

Total out-of-pocket expenses for these improvements on state land.

Amount \$ 5,117.62



Township 26 S Range 28 E / W Section 16
(Scale: 4" = 1 mile)

This agreement is made upon the express condition that the lessee shall assume all liability for any injury, property damage or loss by any persons, including such loss to any employee or property of lessee, its agents, or third persons, or to the lessee, from any cause or causes arising from placing the above-described improvements on state land. Lessee shall indemnify lessor and save, protect, defend, and hold lessor harmless from any and all liability, loss, damage, expense (including legal expenses and reasonable attorney fees), causes of action, suits, claims or judgments arising from injury to person or property or resulting from or based upon lessor's ownership of the property, which is the subject of this lease, from any cause or causes arising from placing the above-described improvement on state land, and shall, at lessee's own cost and expense, defend any and all suits which may be brought against lessor, either alone or in conjunction with others, upon any such liability or claim(s). Lessee shall satisfy, pay and discharge any and all judgments and fines that may be recovered against lessor in any such action(s).

This request form complies with the intent of Section 77-6-301, MCA, and ARM 36.25.125. Improvements placed on state lands without approval of the Department shall not be recognized as a valid improvement and not subject to the terms and conditions of arbitration.

I hereby request the Department's permission for the above-described practice.

[Signature] _____
Signature of Lessee/Licensee Date

Agreement (Lease) No. 6732

APPROVAL OF IMPROVEMENTS (Department Use Only)

MEPA Document Attached: YES / NO

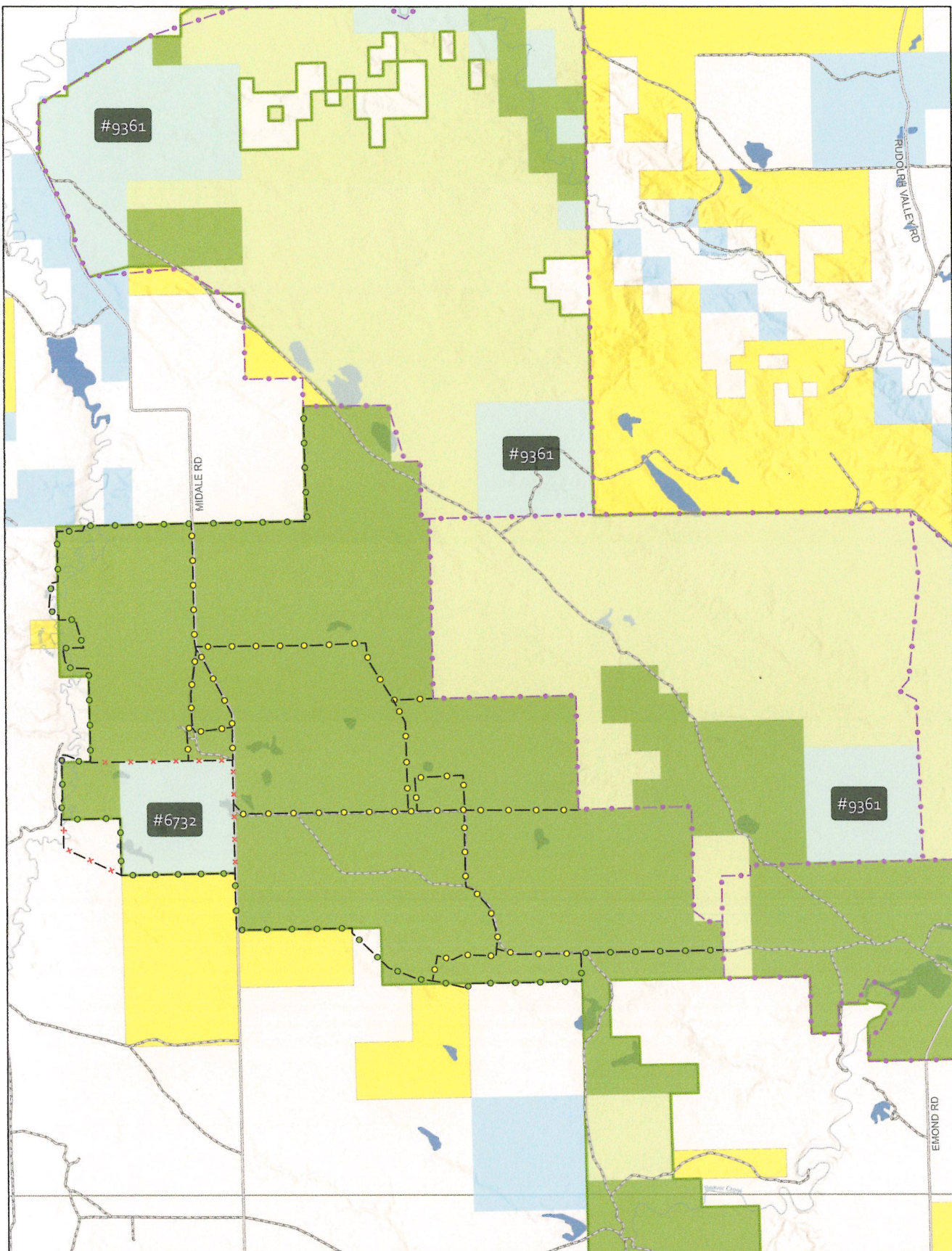
Water Rights Application Required: YES / NO Date Completed: _____ Initials: _____

RECOMMENDATIONS BY AREA LAND OFFICE:

DEPARTMENT OF NATURAL RESOURCES & CONSERVATION

Area Manager / Bureau Chief

Date



White Rock DNRC #6732

0 0.25 0.5 1 1.5 Miles



Fences

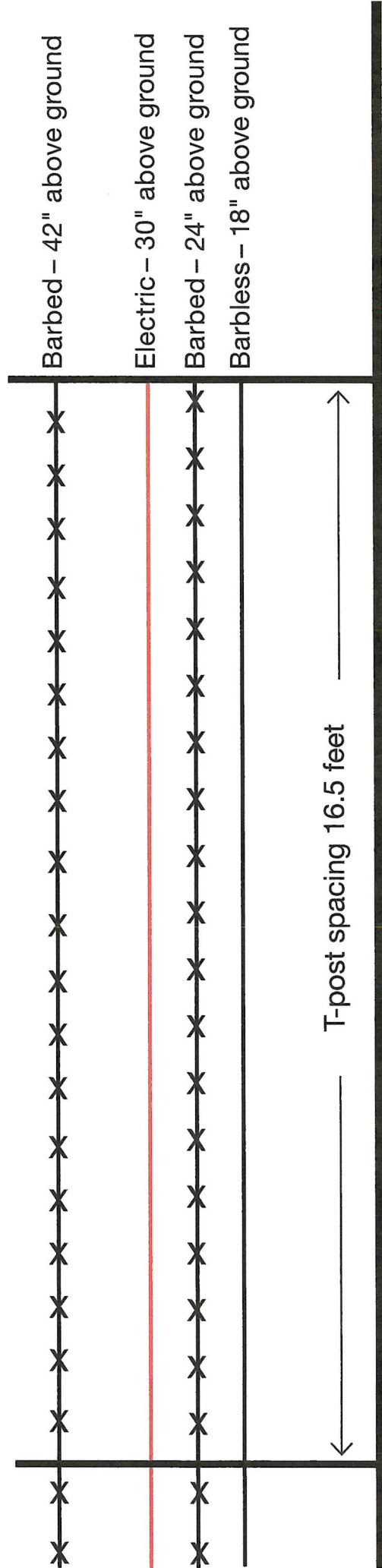
- Wildlife Friendly Perimeter Fence
- Interior Fence
- x- Remove Fence
- Existing Bison Pasture

AP Property Boundaries

- Deeded
- Leased

Other Land Ownership

- BLM
- Private (Non AP)
- State Of Montana



Fence diagram