



MONTANA GRASS CONSERVATION COMMISSION

P.O. Box 622 • Terry, Montana 59349

Montana Grass Conservation Commission

Zoom Meeting Agenda

July 18th, 2024 – 1:00 pm

Call to Order – Chairman, Richard Stuker

- A. Minutes from Montana Grass Conservation Commission previous meeting on June 28th, 2024, Zoom. – Action Item **Public Comment**
- B. Transfers from Indian Butte Coop State Grazing District – Action Item **Public Comment**
- C. Wayne Creek Cooperative State Grazing District By-Laws review. – Action Item **Public Comment**
- D. Mapping Project update. – Action Item **Public Comment**
- E. Other Projects – Informational – **Public Comment**
- F. Montana Grass Conservation Commission Executive Secretary Report – **Public Comment**
- G. Commissioner Ortega update on Memorandums of Understanding with Bureau of Land Management – Action Item – **Public Comment**
- H. Reorganization of Montana Grass Conservation Commission Board. – Action Item **Public Comment**
- I. Public Comment or any other business that comes before the Montana Grass Conservation Commission Board

MONTANA GRASS CONSERVATION COMMISSION

REGULAR ZOOM MEETING MINUTES FOR June 28th, 2024, 1:00 P.M.

Call to Order at 1:00 P.M.

Chairman Richard Stuker called for this zoom meeting to be recorded,

Directors Present:

- ❖ Richard Stuker
- ❖ Travis Brown
- ❖ Craig French
- ❖ Audra Ortega
- ❖ Sigrid Purgrud

Directors Absent:

- ❖ None

Others Present:

- ❖ Mark Bostrom –Department of Natural Resources and Conservation Operations Manager
- ❖ Stacey Barta – Department of Natural Resources and Conservation
- ❖ Ellie Brighton – Montana Association of State Grazing Districts Executive Secretary

A. Minutes from Regular zoom meeting on April 10th, 2024.

After review of the April 10th, 2024, regular meeting minutes, Craig French moved to approve the minutes as read, Sigrid Purgrud seconded the motion, motion passed. There was no discussion or public comment.

B. Approval of Funds for mapping project in conjunction with Montana state library. – Action Item.

Chairman Richard Stuker discussed the mapping project in conjunction with the Montana State Library and gave the Montana Grass Conservation Commission Commissioners a breakdown of the cost and timeframe for the project.

Audra Ortega moved to approve mapping project of the Montana Grass Conservation Commission and the Montana state library as presented, Craig French 2nd the motion, motion carried.

There was no public comment.

C. Montana Grass Conservation Commission budget update – Action Item

The new 2025 Montana Grass Conservation Commission budget was presented to the Commissioners. Chairman Richard Stuker, Executive secretary Sandra K. Brown, DNRC Operations Manager Mark Bostrom fielded questions that the Commissioners had on the budget. Questions were also answered on why the 2024 and the 2025 budget amounts and why the categories had the different amounts from one year to the next.

Craig French moved to approve the budget as presented, Audra Ortega 2nd the motion, motion passed.

There was no public comment.

D. Public comment or any other business that comes before the board.

Chairman Richard Stuker called for public comment. Hearing none he thanked all who participated in the call.

Audra Ortega moved to adjourn the meeting at 1:30 p.m., Sigrid Pugrud seconded the motion, motion passed.

No further business, meeting adjourned at 1:30 p.m.

Richard Stuker – Chairman

Hearing Before Indian Butte CSGD Board of Directors-May 7, 2024

The Hearing was called to order by President Jeff Willmore. Members and guests present were Jeff Willmore, Sue Willmore, Kirk Donsbach, Phil Schuman, Cathy Whitney, Casey Willmore and Rod McClure.

Application #1 by Kirk Donsbach to transfer grazing preference was examined by members present. Jeff Willmore asked for discussion. There were no objections. Rod McClure made a motion to approve Application #1. Phil Schuman seconded. The motion passed. Kirk Donsbach abstained from voting.

Application #2 by Kirk Donsbach to transfer grazing preference was examined by members present. Jeff Willmore asked for discussion. There were no objections. Phil Schuman made a motion to approve Application #2. Rod McClure seconded. The motion passed. Kirk Donsbach abstained from voting.

Application #3 by Kirk Donsbach to transfer grazing preference was examined by members present. Jeff Willmore asked for discussion. There were no objections. Rod McClure made a motion to approve Application #3. Phil Schuman seconded. The motion passed. Kirk Donsbach abstained from voting.

Casey Willmore applied for membership in Indian Butte CSGD and paid his membership fee and provided proof of ownership or control of base property. Rod McClure made a motion to approve Casey Willmore's membership pending the MT Grass Conversation Commission approval of Application #1. Phil Schuman seconded. The motion passed.

The Hearing was adjourned.

MONTANA GRASS CONSERVATION COMMISSION



APPLICATION FOR TRANSFER OF GRAZING PREFERENCES

TO: Indian Butte Cooperative State Grazing District
Roy, Montana

Kick Donsbach, as permittee, hereby makes application to transfer his preference in said State Grazing District based upon the ownership or control of dependent commensurate or commensurate property described as follows:

79.3 Preference (328 BLM AUMs - 207 OFAUMs)

T18N R22E Sec 2 Lot 3,4 SW4NW4
T19N R22E Sec 25 W2 SW4 Sec 26 E2 SW4 Sec 35 W2
T20N R25E Sec 9 E2 SW4 NW4, SE4NW4, N2 SW4, SE4
Sec 10 SW4 SW4

Fergus County MT

to other property which is of sufficient commensurability and described as follows:

T20N R24E sect 8 N¹/₂, N¹/₂, S¹/₂

Fergus County MT

Said permittee represents that he owns or has the control and use of the first described dependent commensurate or commensurate property and the preference attached thereto. And said applicant represents such transfer will not interfere with the stability of the livestock operations or with proper range management and will not effect adversely the established local economy, and said transfer does not effect any owner or encumbrancer whose consent is necessary hereto, except as herein stated. In any transfer of grazing preference from dependent commensurate or commensurate property controlled but not owned by the applicant, the applicant must have had control and use of the dependent commensurate or commensurate property and the grazing preference appurtenant to the property for 5 consecutive years and must have established and maintained the livestock operation upon which the dependency was established by use or priority immediately prior to the application for transfer.

Dated: 4/8/24

Kick Donsbach
Applicant

MONTANA GRASS CONSERVATION COMMISSION



NOTICE OF TIME AND PLACE OF HEARING

Notice is hereby given that Kirk Donsbach of Roy, Montana, as permittee under the undersigned cooperative state grazing district, has made and presented his application to the board of said district to allow his preference in said district which is based upon ownership or control of dependent commensurate property described as follows:

79.3 Preference (328 BLM AUM's, 207 district Furnished AUM's)
T18N R22E Sec 2 Lots 3,4, SW4NW4
T19N R22E Sec 25 W2SW4 Sec 26 E2SW4 Sec 35 W2
T20N R25E Sec 9 E2SW4NW4, SE4NW4, N2SW4, SE4.
Sec 10 SW4SW4 Fergus County, MT

to be transferred to other property of sufficient commensurability and described as follows:
T20N R24E Sec 8 N2, N2S2

Fergus County, MT

Now, therefore, pursuant to the direction of the board of the said grazing district, notice is hereby given that the directors of the said grazing district will on May 7, 2024 at 7:00 PM in Roy Fire Hall at Roy, Montana, shall fully hear and determine such application and the objections thereto if any.

Indian Butte
Cooperative State
Grazing District

Date: April 10, 2024 By: Cathy Whitney
Secretary

**AFFIDAVIT OF PUBLICATION
STATE OF MONTANA,
COUNTY OF CUSTER**

I, Margo Kelsey, Legal Specialist being first duly sworn, depose and say that I am the principal clerk of the publisher newspaper(s) listed below in general circulation; that I know from my personal knowledge that the Legal

AD#: 504655

Sort Text: montana grass conservation commissio...

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for:

Lewistown News-Argus

This Public Notice was printed and published in said newspaper(s) once each week, for 4 successive week(s); the first insertion being on 04/20/2024 and the last insertion being on 05/01/2024.

Total Cost: \$144.00

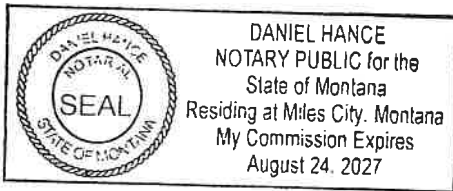
Margo Kelsey

Subscribed and sworn by Margo Kelsey
before me on:

On 2nd day of May, in the year of 2024

Daniel Hance

Notary Public for the State of Montana Residing at;
Miles City, Montana



**MONTANA GRASS CONSERVATION COMMISSION
NOTICE OF TIME AND PLACE OF HEARING**

Notice is hereby given that Kirk Donsbach of Roy, Montana, as permittee under the undersigned cooperative state grazing district, has made and presented his application to the board of said district to allow his preference in said district which is based upon ownership or control of dependent commensurate property described as follows:

79.3 Preference (328 BLM AUM's, 207 district Furnished AUMs)

T18N R22E Sec2 Lots 3, 4, SW4 NW4

T19N R22E Sec25 W2 SW4 Sec 26 E2 SW4 Sec35 W2

T20N R35E Sec9 E25 W4 NW4, SE4 NW4, N2SW4, SE4 Sec10 SW4 SW4 Fergus County, MT

to be transferred to other property of sufficient commensurability and described as follows: T20N R24E Sec8 N2, N2S2 Fergus County, MT

Now, therefore, pursuant to the direction of the board of the said grazing district, notice is hereby given that the directors of the said grazing district will on May 7, 2024 at 7:00 PM in Roy Fire Hall at Roy, Montana, shall fully hear and determine such application and the objections thereto if any.

Indian Butte Cooperative State Grazing District
Date: April 10, 2024
By: /s/ Cathy Whitney, Secretary
(Publish: April 20, 24, 27 & May 1, 2024)
504655
MNAXLP

#1

MONTANA GRASS CONSERVATION COMMISSION

P.O. Box 622 • Terry, Montana 59349

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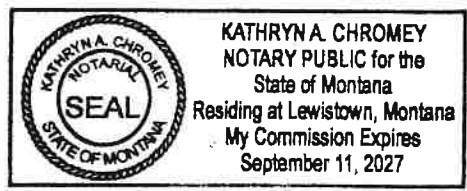
STATE OF MONTANA)
) SS
County of Fergus)

The undersigned of said county, being duly sworn, says that he/she is the duly qualified and acting Secretary of the Indian Butte Cooperative State Grazing District; that he/she is over the age of 21 years; that on the 19th day of April, 2024, he/she posted true and correct copies of the notice hereto attached in three of the most public places within said grazing district, to-wit:

One of the said copies on the GS Oil; one on the Roy Grocery; and one on the Roy Post Office, in said county.

Cathy Whitney
Secretary - Treasurer

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 19th DAY OF April, 2024.



Kathryn A Chromey
Notary Public for the State of Montana
Residing at Lewistown, Montana
My Commission expires 9-11-2027

MONTANA GRASS CONSERVATION COMMISSION



RESOLUTION

The application of Kirk Donsbach, a permittee under the Indian Butte Cooperative State Grazing District, duly presented to the Board of said District for the transfer of preferences in said District from the lands described as follows: 79.3 Preference (328 BLM AUM's, 207 district furnished AUM's)

T18N R22E Sec 2 Lots 3,4, SW4NW4
T19N R22E Sec 25 W2SW4 Sec 26 E2SW4 Sec 35 W2
T20N R25E Sec 9 E2SW4NW4, SE4NW4, N2SW4, SE4
Sec 10 SW4SW4 Fergus County, MT

to lands described as follows and which are of sufficient commensurability:

T20N R24E Sec 8 N2, N2S2
Fergus County, MT

and the Secretary of the Board, pursuant to the direction thereof, has given notice of said application and the time and place of hearing thereon as fixed by the Board, and a copy of said Notice, having been given to the applicant and having been published once a week for two successive weeks prior to such time and place of hearing in a newspaper published and generally circulated within the District and said Notice having been posted at least two full weeks prior to said time and place of hearing in three (3) public places within said District and the date of hearing being at least fifteen (15) days from the first publication of said notice, and due hearing having been had upon said application, and the same having been fully heard and determined and there being no objections thereto except as follows:

and the said application being found true, and there being no other owner or encumbrancer of the dependent commensurate or commensurate property from which the said transfer is sought, the said application is granted as applied for.

Dated: 5-7-2024 Indian Butte CSGD
Cooperative State Grazing District

By Jeff A. Willmar President
By Cathy Whitney Secretary

APPROVED: MONTANA GRASS CONSERVATION COMMISSION

By _____ Date: _____
Chairman
Montana Grass Conservation Commission

MONTANA GRASS CONSERVATION COMMISSION



APPLICATION FOR TRANSFER OF GRAZING PREFERENCES

TO: Indian Butte Cooperative State Grazing District
Roy, Montana

Kirk Donsbach, as permittee, hereby makes application to transfer his preference in said State Grazing District based upon the ownership or control of dependent commensurate or commensurate property described as follows:

8 Preference (54 DF ~~AR~~ AUMs)

Fergus
MT

T18N R22E Sec 2 Lot 3,4 SW4NW4
T19N R22E Sec 25 W2 SW4, Sec 26 E2SW4
T20N R25E Sec 35 W2
T20N R25E Sec 9 E2 SW4, NW4, SE4NW4, N2SW4, SE4 Sec 10 SW4 SW4

to other property which is of sufficient commensurability and described as follows:

T20N R22E Sec 25

Fergus County, MT

Said permittee represents that he owns or has the control and use of the first described dependent commensurate or commensurate property and the preference attached thereto. And said applicant represents such transfer will not interfere with the stability of the livestock operations or with proper range management and will not effect adversely the established local economy, and said transfer does not effect any owner or encumbrancer whose consent is necessary hereto, except as herein stated. In any transfer of grazing preference from dependent commensurate or commensurate property controlled but not owned by the applicant, the applicant must have had control and use of the dependent commensurate or commensurate property and the grazing preference appurtenant to the property for 5 consecutive years and must have established and maintained the livestock operation upon which the dependency was established by use or priority immediately prior to the application for transfer.

Dated: 4/8/24

[Signature]
Applicant

MONTANA GRASS CONSERVATION COMMISSION



NOTICE OF TIME AND PLACE OF HEARING

Notice is hereby given that Kirk Donsbach of Roy, Montana, as permittee under the undersigned cooperative state grazing district, has made and presented his application to the board of said district to allow his preference in said district which is based upon ownership or control of dependent commensurate property described as follows: 8 Preference (54 dist Furnished AUM's)
T18N R22E Sec 2 Lots 3,4, SW4NW4
T19N R22E Sec 25 W2SW4 Sec 26 E2SW4 Sec 35 W2
T20N R25E Sec 9 E2SW4NW4, SE4NW4, N2SW4, SE4
Sec 10 SW4SW4

Fergus County, MT

to be transferred to other property of sufficient commensurability and described as follows:

T20N R22E Sec 25

Fergus County, MT

Now, therefore, pursuant to the direction of the board of the said grazing district, notice is hereby given that the directors of the said grazing district will on May 7, 2024 at 7:00 PM in Roy Fire Hall at Roy, Montana, shall fully hear and determine such application and the objections thereto if any.

Indian Butte
Cooperative State
Grazing District

Date: April 10, 2024

By: Cathy Whitney
Secretary

**AFFIDAVIT OF PUBLICATION
STATE OF MONTANA,
COUNTY OF CUSTER**

I, Margo Kelsey, Legal Specialist being first duly sworn, depose and say that I am the principal clerk of the publisher newspaper(s) listed below in general circulation; that I know from my personal knowledge that the Legal

AD#: 504657

Sort Text: montana grass conservation commissio...

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for:

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This Public Notice was printed and published in said newspaper(s) once each week, for 4 successive week(s); the first insertion being on 04/20/2024 and the last insertion being on 05/01/2024.

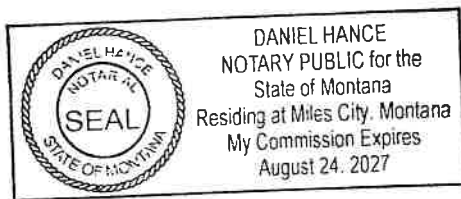
Total Cost: \$144.00

Subscribed and sworn by _____
before me on:

On 2nd day of May, in the year of 2024

Daniel Hance

Notary Public for the State of Montana Residing at;
Miles City, Montana



**MONTANA GRASS CON-
SERVATION COMMISSION
NOTICE OF TIME AND
PLACE OF HEARING**

Notice is hereby given that Kirk Donsbach of Roy, Montana, as permittee under the undersigned cooperative state grazing district, has made and presented his application to the board of said district to allow his preference in said district which is based upon ownership or control of dependent commensurate property described as follows:

8 Preference (54 dis Furnished AUM's)

T18N R22E Sec2 Lots 3, 4, SW4 NW4

T19N R22E Sec25 W2 SW4 Sec26 E2 SW4 Sec35 W2

T20N R25E Sec9 E2 SW4 NW4, SE4 NW4, N2 SW4,

SE4, Sec10 SW4 SW4 Fergus County

to be transferred to other property of sufficient commensurability and described as follows:

T20N R22E Sec25 Fergus County, MT

Now, therefore, pursuant to the direction of the board of the said grazing district, notice is hereby given that the directors of the said grazing district will on May 7, 2024 at 7:00 PM in Roy Fire Hall at Roy, Montana, shall fully hear and determine such application and the objections thereto if any.

Indian Butte Cooperative State Grazing District

Date: April 10, 2024

By: /s/ Cathy Whitney, Secretary

(Publish: April 20, 24, 27 & May 1, 2024)

504657

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MONTANA GRASS CONSERVATION COMMISSION

P.O. Box 622 • Terry, Montana 59349



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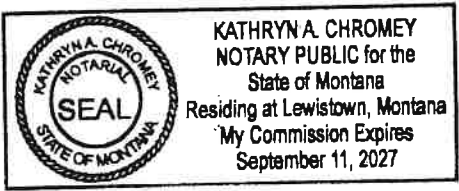
STATE OF MONTANA)
) SS
County of Fergus)

The undersigned of said county, being duly sworn, says that he/she is the duly qualified and acting Secretary of the Indian Butte Cooperative State Grazing District; that he/she is over the age of 21 years; that on the 19th day of April, 2024, he/she posted true and correct copies of the notice hereto attached in three of the most public places within said grazing district, to-wit:

One of the said copies on the GS Oil; one on the Roy Grocery; and one on the Roy Post Office, in said county.

Cathy Whitney
Secretary - Treasurer

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 19th DAY OF April, 2024.



Kathryn A Chromey
Notary Public for the State of Montana
Residing at Lewistown, Montana
My Commission expires 9-11-2027

MONTANA GRASS CONSERVATION COMMISSION



RESOLUTION

The application of Kirk Donsbach, a permittee under the Indian Butte Cooperative State Grazing District, duly presented to the Board of said District for the transfer of preferences in said District from the lands described as follows: 8 Preference (54 district furnished AUM's)

T18N R22E Sec 2 Lots 3,4, SW4NW4
T19N R22E Sec 25 W2SW4 Sec 26 E2SW4 Sec 35 W2
T20N R25E Sec 9 E2SW4NW4, SE4NW4, N2SW4, SE4
Sec 10 SW4SW4 Fergus County, MT

to lands described as follows and which are of sufficient commensurability:

T20N R22E Sec 25

Fergus County, MT

and the Secretary of the Board, pursuant to the direction thereof, has given notice of said application and the time and place of hearing thereon as fixed by the Board, and a copy of said Notice, having been given to the applicant and having been published once a week for two successive weeks prior to such time and place of hearing in a newspaper published and generally circulated within the District and said Notice having been posted at least two full weeks prior to said time and place of hearing in three (3) public places within said District and the date of hearing being at least fifteen (15) days from the first publication of said notice, and due hearing having been had upon said application, and the same having been fully heard and determined and there being no objections thereto except as follows:

and the said application being found true, and there being no other owner or encumbrancer of the dependent commensurate or commensurate property from which the said transfer is sought, the said application is granted as applied for.

Dated: 5-7-2024

Indian Butte

Cooperative State Grazing District

By Jeff A. Willmor President

By Cathy Whitney Secretary

APPROVED: MONTANA GRASS CONSERVATION COMMISSION

By _____ Date: _____

Chairman
Montana Grass Conservation Commission

MONTANA GRASS CONSERVATION COMMISSION



APPLICATION FOR TRANSFER OF GRAZING PREFERENCES

TO: Indian Butte Cooperative State Grazing District
Roy, Montana

~~Mr~~ Kirk Dornbach, as permittee, hereby makes application to transfer his preference in said State Grazing District based upon the ownership or control of dependent commensurate or commensurate property described as follows:

Gal Preference (55 BLM AUMS, Komarek pasture)
T19N R22E Sec 13 NE 4
T19N R23E Sec 7 Lots 1, 2, 3, 4 E 1/2 NW 1/4, SE 1/4 E 1/2 SW 1/4
Sec 18 Lots 1, 2, E 1/2 NW 1/4, NE 1/4

Fergus MT

to other property which is of sufficient commensurability and described as follows:

T19W R22E Sec 24 SE 1/4
T19N R23E Sect 19 ~~1~~, 6 Lots 3, 4 E 1/2 SW 1/4

Fergus MT

Said permittee represents that he owns or has the control and use of the first described dependent commensurate or commensurate property and the preference attached thereto. And said applicant represents such transfer will not interfere with the stability of the livestock operations or with proper range management and will not effect adversely the established local economy, and said transfer does not effect any owner or encumbrancer whose consent is necessary hereto, except as herein stated. In any transfer of grazing preference from dependent commensurate or commensurate property controlled but not owned by the applicant, the applicant must have had control and use of the dependent commensurate or commensurate property and the grazing preference appurtenant to the property for 5 consecutive years and must have established and maintained the livestock operation upon which the dependency was established by use or priority immediately prior to the application for transfer.

Dated: 4/8/24 Kirk Dornbach
Applicant

MONTANA GRASS CONSERVATION COMMISSION



NOTICE OF TIME AND PLACE OF HEARING

Notice is hereby given that Kirk Donsbach of Roy, Montana, as permittee under the undersigned cooperative state grazing district, has made and presented his application to the board of said district to allow his preference in said district which is based upon ownership or control of dependent commensurate property described as follows:

8.1 Preference (55 BLM AUM's) Komarek Pasture
T19 N R22E Sec 13 NE4
T19 N R23E Sec 7 Lots 1,2,3,4, E2NW4, SE4, E2SW4
Sec 18 Lots 1,2, E2NW4, NE4

Fergus County, MT

to be transferred to other property of sufficient commensurability and described as follows:

T19 N R22E Sec 24 SE4
T19 N R23E Sec 19 G Lots 3,4, E2SW4

Fergus County, MT

Now, therefore, pursuant to the direction of the board of the said grazing district, notice is hereby given that the directors of the said grazing district will on May 7, 2024 at 7:00 PM in Roy Fire Hall at Roy, Montana, shall fully hear and determine such application and the objections thereto if any.

Indian Butte

Cooperative State
Grazing District

Date: April 10, 2024

By: Cathy Whitney
Secretary

**AFFIDAVIT OF PUBLICATION
STATE OF MONTANA,
COUNTY OF CUSTER**

I, Margo Kelsey, Legal Specialist being first duly sworn, depose and say that I am the principal clerk of the publisher newspaper(s) listed below in general circulation; that I know from my personal knowledge that the Legal

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Lewistown News-Argus

This Public Notice was printed and published in said newspaper(s) once each week, for 4 successive week(s); the first insertion being on 04/20/2024 and the last insertion being on 05/01/2024.

Total Cost: \$144.00

Margo Kelsey

Subscribed and sworn by Margo Kelsey
before me on:

On 2nd day of May, in the year of 2024

Daniel Hance

Notary Public for the State of Montana Residing at;
Miles City, Montana

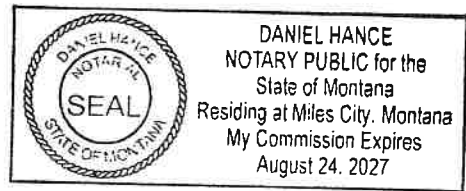
**MONTANA GRASS CON-
SERVATION COMMISSION
NOTICE OF TIME AND
PLACE OF HEARING**

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8.1 Preference (55 BLM Aums)
Komarek Pasture
T19N R22E Sec13 NE4
T19N R23E Sec7 Lots 1, 2, 3, 4, E2 NW4, SE4, E2 SW4
Sec18 Lots 1, 2, E2 NW4, NE4 Fergus County, MT
to be transferred to other property of sufficient commensurability and described as follows:
T19N R22E Sec24 SE4
T19N R23E Sec19 G Lots 3, 4, E2 SW4 Fergus County, MT

Now, therefore, pursuant to the direction of the board of the said grazing district, notice is hereby given that the directors of the said grazing district will on May 7, 2024 at 7:00 PM in Roy Fire Hall at Roy, Montana, shall fully hear and determine such application and the objections thereto if any.

Indian Butte Cooperative State Grazing District
Date: April 10, 2024
By: /s/ Cathy Whitney, Secretary
(Publish: April 20, 24, 27 & May 1, 2024)
504659
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MONTANA GRASS CONSERVATION COMMISSION

P.O. Box 622 • Terry, Montana 59349



AFFIDAVIT OF POSTING

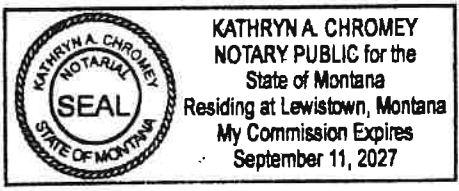
STATE OF MONTANA)
) SS
County of Fergus)

The undersigned of said county, being duly sworn, says that he/she is the duly qualified and acting Secretary of the Indian Butte Cooperative State Grazing District; that he/she is over the age of 21 years; that on the 19th day of April, 2024, he/she posted true and correct copies of the notice hereto attached in three of the most public places within said grazing district, to-wit:

One of the said copies on the GS OJ; one on the Roy Grocery; and one on the Roy Post Office, in said county.

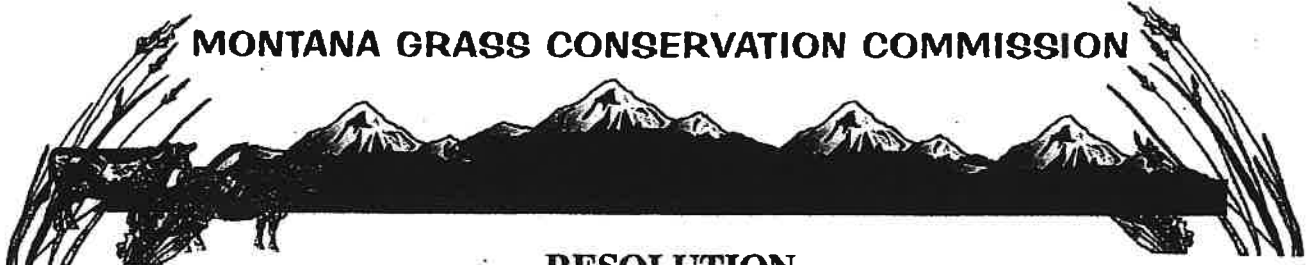
Cathy Whitney
Secretary - Treasurer

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 19th DAY OF April, 2024.



Kathryn A Chromey
Notary Public for the State of Montana
Residing at Lewistown, Montana
My Commission expires 9-11-2027

MONTANA GRASS CONSERVATION COMMISSION



RESOLUTION

The application of Kirk Donsbach, a permittee under the Indian Butte Cooperative State Grazing District, duly presented to the Board of said District for the transfer of preferences in said District from the lands described as follows: 8.1 Preference (55 BLM AUM's) Komarek Pasture
T19 N R22E Sec 13 NE4
T19 N R23E Sec 7 Lots 1, 2, 3, 4, E2NW4, SE4, E2SW4
Sec 18 Lots 1, 2, E2NW4, NE4
Fergus County, MT

to lands described as follows and which are of sufficient commensurability:

T19 N R22E Sec 24 SE4
T19 N R23E Sec 19 G Lots 3, 4, E2SW4
Fergus County, MT

and the Secretary of the Board, pursuant to the direction thereof, has given notice of said application and the time and place of hearing thereon as fixed by the Board, and a copy of said Notice, having been given to the applicant and having been published once a week for two successive weeks prior to such time and place of hearing in a newspaper published and generally circulated within the District and said Notice having been posted at least two full weeks prior to said time and place of hearing in three (3) public places within said District and the date of hearing being at least fifteen (15) days from the first publication of said notice, and due hearing having been had upon said application, and the same having been fully heard and determined and there being no objections thereto except as follows:

and the said application being found true, and there being no other owner or encumbrancer of the dependent commensurate or commensurate property from which the said transfer is sought, the said application is granted as applied for.

Dated: 5-7-2024 Indian Butte CSGD
Cooperative State Grazing District

By Jeff R. Willmar President
By Cathy Whitney Secretary

APPROVED: MONTANA GRASS CONSERVATION COMMISSION

By _____ Date: _____
Chairman
Montana Grass Conservation Commission

BY LAWS
WAYNE CREEK COOPERATIVE STATE GRAZING
DISTRICT
HARLEM, MONTANA

ARTICLE 1

QUALIFICATIONS FOR MEMBERSHIP, FEES, VOTING

SECTION 1. MEMBERSHIP:

- (a) Membership in the District is limited to persons, partnerships, corporations, and associations engaged in the livestock business who own or lease-forage producing lands within or near the district except that the agent of any persons, associations, partnership or corporation entitled to membership in the district, may become a member in place of his principal. If any agent becomes a member, his qualifications for membership and his obligations to and the privileges of the district shall be measured by those his principal would have had if he had elected to become a member. No agent and his principal shall both be members of the district unless such agent has individual qualifications for membership which are separable from and independent of those of his principal. Permittee members only shall be entitled to vote on all issues submitted to a vote of the members. No such member shall have more than one vote. Voting by proxy shall not be permitted. All members who possessed preferential grazing permits during the preceding grazing season or who possess such a permit at the time of voting shall be designated as permittee members.

When any member shall dispose of a part of the lands or leases owned by him so that another shall become the owner of such lands or

leases and acquire right to membership, then the rights and interests involved shall be determined by the Directors of the Wayne Creek State Grazing District with the approval of the Montana Grass Conservation Commission

- (b) MEMBERSHIP IN GOOD STANDING: A permittee member in good standing is a member of the district who owns or controls dependent commensurate property or commensurate property with an appurtenant grazing preference, and who has paid the usual grazing fees and assessment by the date required by the District, and who is in compliance with all rules and other requirements of the District. An individual or livestock producer operating on a temporary permit is not a member in good standing.

ARTICLE II

MEETINGS

SECTION 1. MEETING AND SPECIAL MEETINGS:

Annual meetings of this District shall be held at a place designated by a majority of the Board or President on the second Friday of January of each year or a date set by the president if there are extenuating circumstances requiring a change of date. Special meetings shall be held at such times and places as may be designated by the President or a majority of the Board of Directors. Written notices of all meetings of the District shall be sent to the last known address of each member by mail by the Secretary-Treasurer at least 10 days before the date of such meeting. Notices covering special meetings shall state the purpose for which said meeting is called. No business shall be transacted at a special meeting except as stated in the notice calling the same unless all members in good standing present at the meeting give their unanimous consent thereto in writing. In case of

emergencies, special meetings may be called upon less notice by notifying each member in good standing in person or by telephone.

SECTION 2. QUORUM:

No vote of the members shall be taken at any meeting unless a quorum of the members entitled to vote upon the issue is present. A quorum shall consist of five of the members who are in good standing at the time of the meeting.

ARTICLE III

ELECTION OF DIRECTORS

SECTION 1 ELECTION:

The Board of Directors shall consist of five permittee members of the District. The Board shall be elected from the permittee members. Elections shall be held during the annual meeting of the District.

SECTION 2 TERM OF OFFICE; VACANCIES:

A director so elected shall be elected for a five year term. A vacancy on the Board from whatever cause shall be filled from the permittees by the balance of the Board of Directors to serve until the next annual election at which time election shall be held in the regular manner to fill the vacancy for the unexpired remainder of the term.

SECTION 3 QUORUM:

Three Directors shall constitute a quorum in any meeting, but concurrence of at least three directors shall be required before any action taken by the Board shall be binding on the District. A Director is disqualified from voting upon any issue involving his preference permit or equitable interest in the assets of the District.

SECTION 4 NOTICE:

Notice of Directors' meetings shall be mailed or telephoned at least five (5) days prior to the date of the meeting excepting meetings may be held at any time upon consent of all directors who may not be in attendance at such meeting.

ARTICLE IV

SECRETARY -TREASURER, HOW CHOSEN, COMPENSATION AND SALARY OF DIRECTORS

SECTION 1 SECRETARY-TREASURER:

The Secretary-Treasurer shall be chosen and his\her compensation set by the Board of Directors.

SECTION 2 COMPENSATION OF DIRECTORS:

Members of the Board of Directors shall receive no compensation for their services as Directors, but may be reimbursed for their actual expenses while so employed. All bills for such expenses must be itemized.

ARTICLE V

DUTIES OF DIRECTORS

SECTION 1----GENERAL DUTIES

_____ The Board of Directors shall manage the business of the District, exercise its powers, conduct its affairs, and make such policies and procedures consistent with these By-Laws or of the laws of the State of Montana to properly carry out the purposes of the District.

SECTION 2-----DIRECTORS' MEETINGS:

The Board of Directors shall meet immediately after the annual meeting and elect from their number a President and Vice President. If necessary, additional meetings may be called at a time and a place chosen by the Board provided that the members of the District be given ample notice thereof.

SECTION 3-----SPECIAL MEETINGS:

Special meetings of the Board of Directors may be called at any time by the President or by a majority of the board.

SECTION 4-----ACCOUNTING OF FUNDS:

The Board of Directors shall require the Secretary-Treasurer to keep an accurate set of books, and to have the books of the District checked to the satisfaction of the Board at the expense of the District immediately following the close of the fiscal year and prior to the annual meeting of the members, such audit to be by a certified public accountant or other competent person approved by the District.

ARTICLE VI

DUTIES OF OFFICERS

SECTION 1-----DUTIES OF THE PRESIDENT:

The President shall:

- (a) Preside over all meetings of the District and of the Board of Directors.
- (b) Sign as President with the Secretary-Treasurer all notes, deeds, and other instruments on behalf of the District.
- (c) Call special meetings of the members of the District and of the Board of Directors.

- (d) In cooperation with the Secretary-Treasurer direct the affairs of the District, subject to the control of the Board of Directors.
- (e) Perform all other acts and duties usually required of the executive and presiding officer.

SECTION 2 DUTIES OF THE VICE PRESIDENT:

The Vice President shall perform all acts and duties of the President in his absence or inability to act.

SECTION 3 DUTIES OF THE SECRETARY-TREASURER:

The Secretary-Treasurer shall:

- (a) Keep a complete record of all meetings and conduct all correspondence of the District and of the Board of Directors.
- (b) Sign as Secretary-Treasurer with the president all notes, deeds, and other instruments on behalf of the District; sign all checks alone as Secretary-Treasurer.
- (c) Serve all notices required by these By-Laws.
- (d) Receive and disburse all funds and be the custodian of all property of the District. All disbursements shall be evidenced by a receipted, itemized statement.
- (e) Keep a complete record of all business of the District and make a full report of all matters and business pertaining to his\her office to the Board of Directors at any time requested and to the members at their annual meeting; make all reports requested of the Commission.
- (f) Permit members to inspect his\her books during any reasonable business hours.
- (g) Perform such other duties as may be required of him\her by the District, the Board of Directors, and these By-Laws.

ARTICLE VII

FINANCES

SECTION 1 FISCAL YEAR:

The fiscal year shall start on the first day of January and end on the thirty-first day of December.

SECTION 2 ANNUAL STATEMENTS:

Follow instructions of Section 4 of Article V of these By-Laws.

SECTION 3 GRAZING FEES:

The amount of grazing fees shall be set by the Board of Directors not later than the first day of March of each year, terms and conditions of payment to be set by the Board, provided however that no sum in excess of one hundred twenty five percent (125%) of the BLM fee shall be set unless approved by the permittee members of the District at a regularly called annual or special meeting.

SECTION 4 OPERATING EXPENSES:

In no one fiscal year shall the Board of Directors authorize the expenditure of an amount in excess of fifteen per centum of the gross amount collected during that year for grazing fees for the ordinary administrative expenses of conducting the affairs of the District. The ordinary administrative expenses of the District shall include such items as expense for car hire, allowance of Directors, salary of the Secretary-Treasurer, stamps, stationery, other office supplies and expense, and all other minor items not properly chargeable to the lease of or control of range.

SECTION 5 ASSESSMENTS:

An assessment is and shall be separable from and independent of grazing fees. Grazing fees are an annual charge based upon the number of animal units grazed or range utilized during the regular

grazing period by a permittee member. An assessment shall be for a particular purpose and shall be levied with the consent of a quorum of the membership as defined in Article 2, Section 2 of these By-Laws.

SECTION 6 EQUITABLE INTEREST OF MEMBERS IN DISTRICT ASSETS:

Section 76-16-414, MCA, Fifty-Sixth Legislative Session shall govern.

SECTION 7 DISTRICT AS AGENT:

The District may act under power of attorney as agent for any member or members for the purpose of acquiring range by lease.

ARTICLE VIII

GRAZING PREFERENCES

SECTION 1 HOW DETERMINED, OWNED AND CANCELLED:

Sections 76-16-401 through 76-16-409 and sections 76-16-412 and 76-16-13, MCA, Fifty-Sixth Legislative Session shall govern.

ARTICLE IX

AMENDMENTS

SECTION 1 HOW DONE:

These By-Laws may be amended or revised in any regular annual meeting or special meeting called for the purpose by a two-thirds vote of the permittee members present. The only notice of such meeting shall be that required under Article II of these By-Laws, providing such notice specifically sets forth the proposed amendments. Voting is to be by written ballot. The amended or revised By-Laws must be

submitted to the Montana Grass Conservation Commission for approval.

ARTICLE X

USE OF RANGE

SECTION 1 BY MEMBERS:

No member shall turn stock upon the range until granted a permit or sublease for the grazing period. The Board shall not issue a permit or sublease to any member until arrangements satisfactory to the Board have been made covering payments of all grazing fees.

SECTION 2 PENALTIES:

Section 76-16-311 through 76-16-319, MCA, Fifty-sixth Legislative Session shall govern.

ARTICLE XI

COMMENSURATE RATING

SECTION 1 COMMENSURABILITY:

All determinations of commensurability, dependent commensurability, or carrying capacity shall be made by the Board of Directors. The Board may cooperate with Federal, State, and County departments or agencies in making such determinations. For the purpose of these By-Laws, the carrying capacity of any land shall be the number of animal units such land can reasonably carry during the established grazing period, and the commensurability of any land or farm or ranch unit shall be the number of animal units for which it can normally provide feed during other than the established grazing period.

SECTION 2 COMMENSURATE RATING:

Commensurate rating will be based on the actual forage production, both cultivated and native, of the base property.

SECTION 3 DEPENDENT COMMENSURABILITY:

The dependent commensurability of each member's farm or ranch unit shall be classed as dependent as is necessary to support the animal units for which such farm or ranch unit has "prior use". (The dependent commensurability of any farm or ranch unit will then be numerically equal to either the commensurability or the prior use of such unit, depending upon which is the smaller.)

SECTION 4 DETERMINATION:

A determination shall be made of the average number of animal units which were grazed within the district in connection with each member's farm or ranch unit based on the current Term Permit and in accordance with the Term Permit.

ARTICLE XII

NOTICES TO PERMITTEE MEMBERS, MORTGAGEES OR OWNERS

SECTION 1 DISCONTINUANCE:

If for any reason it should become necessary for the District to discontinue in the whole or in part, the further use of the range by a permittee member through noncompliance with rules, regulations, by-laws, or otherwise, the matter will be referred to the real mortgage holder or the land owner of the permittee who may make compliance within sixty days and retain such permit or sublease with the commensurate land, provided that the said mortgagee or owner files with the Board of Directors of the District a statement indicating the

commensurate land upon which he holds the mortgage or of which he is the owner.

ARTICLE XIII

NON-USE PERMITS

SECTION 1 NON-USE PERMITS FOR DISTRICT OWNED LAND:

Whenever a permittee member is unable to utilize all or part of his grazing preference in any one year, the permittee shall notify the Secretary-Treasurer of the District of his application for a non-use permit. The Board of Directors shall have the power to grant a non-use permit to the permittee, but will charge the permittee the normal District fee.

Dated this 17 day of January, 2020

Karolee Cronk
Secretary

Scott VanVoorst
President



APPROVED: MONTANA GRASS CONSERVATION COMMISSION

By _____ Date: _____
Chairman
Montana Grass Conservation Commission

History and Authorities Source Document Project

Introduction:

The Montana Grass Conservation Commission plays an important role in carrying out the purpose of title 76 of Montana Code. Various statutes and regulations govern the administration of domestic livestock grazing in the state of Montana. There are currently around 135 million acres of federally reserved Taylor Grazing Act (TGA) Districts classified as Chiefly Valuable for Grazing and the Raising of Forage Crops (CVGD). These districts were carried forward under the Federal Land Policy and Management Act (FLPMA) with full force and authority.¹ Without extensive research federal lands permittees, state grazing districts, and counties do not have adequate access to the history and purpose of CVGD districts and the long extant authorities which govern their administration.

The commission proposes a project to document the history and purpose for which federal grazing districts were established and highlight federal, state, and local law and policy which governs the administration of grazing lands under the TGA, Public Rangeland Improvement Act (PRIA), Bankhead Jones and Farm Tenant Act, FLPMA, and applicable Code of Federal Regulations. This investment will provide benefits now and in the future by providing a source document which makes the history and authorities accessible to permittees, state grazing districts, and counties to better facilitate the conservation, protection, restoration, and proper utilization of grass, forage, and range resources of the state of Montana.²

Stakeholders:

The work product will primarily function as a source document to serve as an advisory tool for the commission to inform federal lands permittees, state grazing districts, and counties that are host to federal and/or state grazing districts. This, being a historical analysis and collection of existing law and policy may be of use for informing public and private interests in order to better understand the grazing systems within the state.

Context:

The purpose of this project is to make grazing laws and policies more accessible to local governments and grazing districts and provide better accountability to emerging federal policies in order that grazing privileges are adequately safeguarded. This is a document which is intended

¹ (Solicitor Clarification M-37008 2003) "Congress set apart the chiefly-valuable-for-grazing classification from other classifications by requiring the Secretary to adequately safeguard grazing privileges"

² MCA 76-16-102. Purpose. The purpose of this chapter is to provide for the conservation, protection, restoration, and proper utilization of grass, forage, and range resources of the state of Montana. . . provide for the stabilization of the livestock industry and the protection of dependent commensurate properties.

to be accessible to the general public in addition to county commissioners and grazing district officers.

Requirements:

This project can be accomplished with low to medium requirements to be useful for the purpose. It will require a thorough knowledge of the applicable laws (TGA, FLPMA, PRIA, etc.), excellent research, writing, and formatting skills, and capabilities to database digitally accessible information and references. There are two phases of this project.

1. (Primary) Development of a concise prose document telling the story, history, purpose, current situation, and opportunities to better serve the livestock industry. Include available mapping and other references in a concise format to provide utility to the reader.
2. (Secondary) Develop custom database of authorities and references that link into the prose document and is independently accessible for reference purposes.

Time:

This product will be of ongoing value and use for districts, counties, and permittees. The timeline of accomplishing the project is over a 7-to-12-month period. The document should be developed as a timeless source of information. But there is opportunity for some general maintenance to update certain changes in law or regulations over time.