## **HABITAT MONTANA**

REPORT TO THE 59TH MONTANA LEGISLATURE Montana Department of Fish, Wildlife and Parks

# A PORTFOLIO OF LAND CONSERVATION EFFORTS

ALL PROPERTIES FROM INCEPTION OF THE PROGRAM (1987) THROUGH DECEMBER 2004



Ninepipe WMA- Herak/Myre Addition **Lake County** 



**Blackfoot Clearwater WMA-Dryer Addition Powell County** 



**Bay Ranch Lewis & Clark County** 



**Brewer Property Custer, Powder River & Carter Counties** 



South Ranch **Valley County** 



Sieben/Rattlesnake Creek Lewis & Clark County
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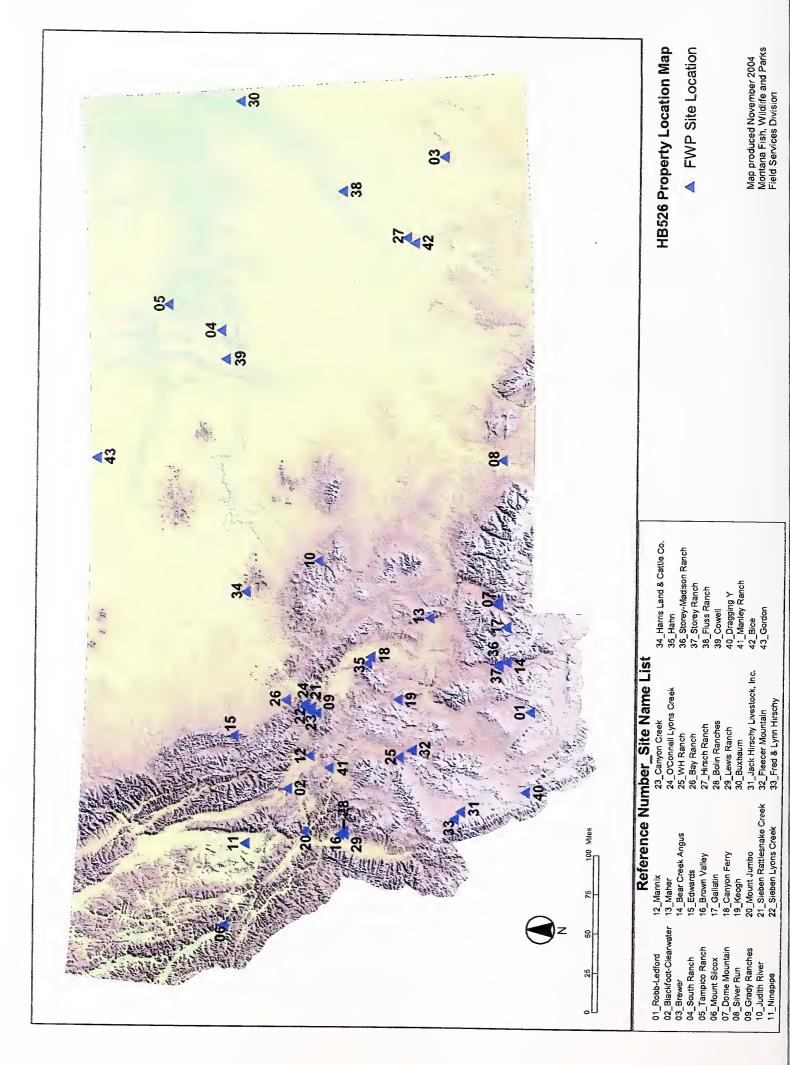
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### PURPOSE OF THE REPORT

The report summarizes actions relative to HB 526 (87-1-241 et seq. MCA) as passed by the 1987 Montana Legislature from the inception of the program to December 31,2004.

The program popularly known as Habitat Montana came into existence because of a need felt by the people of Montana. Montanans cherish their wildlife and outdoor opportunities. In order to keep wildlife abundant for the long-term, the necessities of life for wild animals need to be maintained. In other words, conservation of habitat is an important goal for Montanans to preserve their way of life.

Habitat Montana helps the people of the State maintain and produce wildlife habitat. It does so in a balanced fashion by maintaining the traditional agricultural uses of the land. After 17 years, the program has shown how wildlife and agriculture can coexist and benefit each other. The program has an installed client base that appreciates land conservation actions that will last for generations.



#### SUMMARY

HB526 - PROPERTIES \*\*
TO DATE (December 2004)

		1				Lease			Conservation	Conservation	
Site Name	Transaction Years	County	Fee Title HB526 Amount	Fee Title Other Funds	Fee Title Acres	HB526 Amount	Lease Other Funds	Lease Acres	Easement HB526 Amount	Easement Other Funds	CE Acres
					T====				r		
Robb-Ledford	1988	Beaverhead, Madison	\$1,840,000.00	\$170,000 TO RMEF FOR SERVICES EQUAL LAND VALUE EXCHANGE - DISPOSAL VALUE \$192,000	17,302	\$18,557.26	EOUAL LAND VALUE EXCHANGE-DISPOSAL VALUE \$192,000	10,796	None		None
Displife at Classicates	1989, 1999, OCT-2004, MAR-2004	Missoula, Powell	05.00.750.40	Denation \$50,000 Donation \$10,000 Donation \$540,000	7.052	Name	M 40	Name	64 500 005 00		
Blackfoot-Clearwater			\$5,264,756.10		7,653	None		None	\$1,598,965 00	Trade / Land Exchange	6,849
Brewer CE	1994	Powder River	\$1,100,000.00		In CE Now	None	***	None	None	Trace / Carlo Excitatigo	17,850
South Ranch CE	1994	Valley	None		None	None		None	\$575,000.00	H8 Amount Shows Additional Cost of Acquiring 3 Conservation Essements Over Land	18, <b>173</b> 3,803
Tampico Ranch CE	1994	Valley								Cost of Brewer Acquistion	.,
Mount Silcox	1990	Sanders	\$690,000.00	Donation \$39,000.00 Donation \$10,000.00	1,552	None		None	None		None
Would Olicox	1330	Curation	\$030,000.00	por and respond	1,552	None		None	None	ACQUIRED WITH TRANSFER OF NELSON PROPERTY BY RMEE	
Dome Mountain	1989, 1990	Park	\$1,478,925.25	\$49,150 TO RMEF FOR SERVICES	2,098	None	**	None	\$90,000.00	07/22/69. PURCHASED WITH HB526	160
Silver Run	1992	Carbon	\$457,274.00		639	None		None	None		None
Grady Ranches CE	1998	Lewis & Clark	None		None	None		None	\$2,350,000.00		12,932
Judith River	1992, 1999	Judith Basin	\$1,923,310.90		4,036	\$678.32	YEARLY LEASE FEE VARIES 2004 AMOUNT SHOWN.	463	None		None
			.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Pittman Robertson \$193,000 Pittman Robertson \$105,000 Pittman Robertson \$105,000 Other \$300							
Ninepipe	1993, 1997	Lake	\$722,200.00	Bonneville Power Administration \$25,000 Other \$85,000	651	None		None	None		None
Mannix CE	1994	Powell	None		None	None		None	\$350,000.00		3,000
Maher CE	1994	Gallatin	None		None	None		None	\$276,016.00		880
										A PORTION (4040 ACRES) WAS RESTATED AND SIZE WAS EXPANDED BY 640	
Bear Creek Angus CE	1994, 2001		None		None	None		None	\$1,658,000.00	DONATED ACRES	5,918
Edwards CE	1995	Lewis & Clark	None		None	None		None	\$118,700.00	Donation \$24,300.00	318
Brown Valley CE	1995, 2000	Ravallı	None	Pittman Robertson \$1,302,996	None	None		None	\$415,200.00		1,868
Gallatın	1995, 1999	Gallatin	\$438,475.11	Pittman Robertson \$12 429 34	1,120	None		None	None		None
Canyon Ferry	1996	Broadwater	\$250,000.00		129	None		None	None		None
Keogh CE	1996	Jefferson	None		None	None		None	\$450,000.00		7,106
Mount Jumbo	1996	Missoula	\$279,000.00	Other \$1,000	120	None		None	None		None
Sieben Rattlesnake Creek CE	1996	Lewis & Clark	None		None	None		None	\$1,086,690.00		10,867
Sieben Lyons Creek CE	1996	Lewis & Clark	None		None	None		None	\$404,000.00		4,040
Canyon Creek	1996	Lewis & Clark	\$663,000.00		2,210	None	1010	None	None		None
O'Connell Lyons Creek CE	1996	Lewis & Clark	None	<u></u>	None	None		None	\$415,384.00	40	4,154
WH Ranch CE	1996	Deer Lodge	None		None	None		None	\$315,000.00		1,584
Bay Ranch CE	1996 1997, 1999,	Lewis & Clark	None		None	None		None	\$580,350.00		3,869
Hirsch Ranch CE	2002	Custer	None	***	None	None		None	\$802,172.00		13,337
Bolin Ranches CE	1997	Ravallı	None		None	None		None	\$1,155,288.00	Other \$41,923 INCLUDE TITLE	5,204
Lewis Ranch CE	1997	Ravallı	None		None	None		None	\$34,410.00	INSURANCE CLOSING FEE OR RECORDING FEES	155
Buxbaum CE	1997	Richland	None		None	None		None	\$255,000.00		6,045
Jack Hirschy Livestock, Inc.CE	1997	Beaverhead	None	••	None	None		None	\$1,250,000.00		9,469
Fleecer Mountain	1998	Silver Bow	\$180,000.00		71	\$8,000.00	Pritman Robertson Project # 2866	0.14	None		None
Fred & Lynn Hirschy CE	1998	Beaverhead	None		None	None		None	\$150,000.00	RECORDING FEES, TITLE	1,360
Harris Land & Cattle Co. CE	1998	Chouteau	None		None	None		None	\$1,500,000.00	INSURANCE ETC \$1 502 392 00	10,013
Hahn CE	1998	Broadwater	None		None	None		None	\$250,000.00		1,685
Storey-Madison Ranch CE	1998	Madison	None	***	None	None		None	\$450,000 00		1,605
Storey Ranch CE	1998	Madison	None		None	None		None	\$500,000.00		1,922
Fluss Ranch CE	2000	Praine	None		None	None		None	\$700,000.00		13,851
Cowell CE	2001	Phillips	None		None	None	***	None	\$360,000.00		4,489
Dragging Y CE	2001	Powell,	None		None	None	400	None	\$2,000,000.00	Other \$135,000	14,650
Manley Ranch CE	2001	Granite	None		None	None		None	\$82,160.00	Other \$608,048	4,636
Bice CE	2002	Custer	None	•••	None	None		None	\$1,217,842.00		13,440
Gordon Cattle CE	2003	Blaine	None		None	None		None	\$945,000.00		15,157
	T	OTALS >	\$15,286,941.36		37,581	\$27,235.58		11,259	\$22,335,177.00		220,389
** Does Not Incl	ude Histor	ric Leases ar	nd Operation an	d Maintenance Costs	6						

## **HISTORY**

The "Habitat Montana Program" is the result of legislation passed in 1987 (HB 526) in which portions of several big game licenses were earmarked for the protection of wildlife habitat, particularly 'important habitat that is seriously threatened' (HB526 Statement of Intent). The rules must ensure that acquired interests in habitat lands are reasonably distributed around the state in accordance with the statewide habitat acquisition plan.

The Montana Dept. of Fish, Wildlife and Parks has been involved with conserving habitat for wildlife benefit since 1940. For many years there was no specific funding source to participate in the fundamental need to acquire, protect and manage important wildlife habitat. When dollars were available land was purchased and became part of the department's wildlife management areas.

In the 1980's, conservationists discussed the possibility of specific funding for the department in order to acquire important habitat on a consistent basis, and to have funding when important habitat became available. The 1987 Montana Legislature saw the introduction of HB 526, which would be funded by fees from hunting licenses. The debate in the legislature was between those who did not want the Department buying land and those who saw habitat as the foundation for the future. The compromise by the legislature was authority given to the Department to acquire interest in land, with the legislature directing the agency to attempt conservation easements or lease before fee title purchase. Fee title purchase was still allowed because the legislature understood the seller of land would determine which method was in his best interests.

HB 526 became reality generating about \$2.8 million per year for acquiring interest in "important habitat that is seriously threatened". Approximately 92% of revenue for this program comes from nonresident hunting licenses.

From the very beginning, the Department tried to implement the intent of the legislation, but its success was limited. The reason was twofold; the Department was unfamiliar with easements and needed to develop its expertise on implementing this conservation tool; and secondly, landowners were skeptical of easements. These two problems no longer exist.

The first year that funding was available; the Department purchased two properties in fee title, the Robb/Ledford Wildlife Management Area (WMA) and an addition to the Blackfoot-Clearwater WMA.

In 1989, the second year of operation, two additional WMA's were purchased. A major effort to acquire a conservation easement on the Brewer Ranch changed to a fee title purchase at the request of the landowner. The department assured the FWP Commission that easement terms would be placed on the Brewer property and then sold. This happened five years later.

In 1990, FWP purchased its first wildlife easement (160 acres as part of Dome Mountain Wildlife Management Area). In 1992, FWP made an agreement with a landowner to enter into a five-year management agreement which both parties hoped would lead to an easement, which did happen in 1998.

A major threshold was crossed in 1994 with the success of exchanging the Brewer property, with easement terms in place, for an easement on Page/Whitham property north of Fort Peck Reservoir. Interest in the agricultural community accelerated with the involved landowner answering many questions from interested landowners. Since then, the department has had a variety of projects to choose from.

In 1989, HB720 mandated a social/economic impact analysis be completed with each acquisition. With each acquisition, at the required public meeting, three documents are made available; an Environmental Assessment, a Management Plan, and a Social/Economic Assessment.

The 1991 Legislature directed FWP to review its habitat program. The department hired two consultants, Econ, Inc. to look at FWP administrative functioning for the program; and Canyon Consulting, Inc., to evaluate public participation in the program.

Canyon Consulting suggested, in Sept.1992, implementing a policy that showed the public benefits from the habitat program. The Commission adopted a policy through the ARM rule process, directing FWP to provide the following public benefits:

- Conserve and enhance land, water and wildlife
- Contribute to hunting and fishing opportunities
- Provide incentives for habitat conservation on private land

- Contribute to non-hunting recreation
- Protect open space and scenic areas
- Promote habitat-friendly agriculture
- Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses.

One of Econ's main recommendations, to develop a comprehensive statewide plan, was acted upon and completed in 1994, the 'Statewide Habitat Plan, an implementation of FWP Commission Habitat Montana Policy'.

In 1993, the Wildlife Division Administrator asked for a habitat mapping effort from the Wildlife Managers to discern which habitats were the most at risk. The habitats defined in the Statewide Plan are 1) Montane Forest 2) Intermountain Grassland 3) Riparian 4) Shrub-Grassland 5) Prairie Forest 6) Prairie Grassland. In a display of unanimity, every region identified Intermountain Grassland; Riparian, and Shrub-Grassland as the habitats most in need of attention. The Goal Statement in the Statewide Habitat Plan says: "Beginning in October 1993, for the next two years, the intermountain grassland, shrub-grassland, and riparian ecosystems will be the focus of wildlife habitat acquisitions, with the objective of conserving approximately 10% of each of these ecosystems". In October of 1995 this goal was still considered valid and was to continue until 2006.

In 1998, FWP Commission asked for an internal audit of the conservation easements. This was divided into two sections, a review of the legal aspects of the easements; and a review of the rigor of the baseline inventory reports. Fifteen easements were chosen by the legal audit contractor, Knight, Masar and Harris, Attorneys at Law. The contractor working on baselines did likewise. The audit, delivered in 1999, showed no major problems with the easements and baseline. In 2000, the other 15 easements were reviewed, again, no major problems. The major author of the report, Robert Knight, came before the Commission to answer questions. He said the language and form of the easements were up to date, and saw no specific problems. There is constant discussion between the wildlife division; legal unit and lands unit on the formulation of new easements to adapt to changing concerns and continuing experience.

The 2001 Legislature directed the department to provide landowners the option of a TERM easement at the time negotiations were initiated. There is an interest in the agricultural community for the program to benefit more landowners similar to a farm program either as a leasing program or for a hunter access program. Since 2001, seven projects have been initiated and or accomplished. None of the landowners took advantage of the term easement provision. Term easements do not provide estate or income tax benefits.

Montana sportsmen have long considered the Habitat Montana Program essential to their interests, and without their support this program would not exist today. Conservation organizations have often partnered with the department to protect tracts of important habitat for our mutual benefit.

Partners are Rocky Mountain Elk Foundation; The Nature Conservancy; Pheasants Forever; The Confederated Salish-Kootenai Tribe; United States Forest Service; United States Bureau of Land Management; The Blackfoot Challenge; Montana Wildlife Federation; Butte Skyline Sportsmen's Club and Anaconda Sportsmen. As well as Montana Audubon; Five Valleys Land Trust, Rock Creek Land Trust and a variety of other land trusts.

As of December 2004, FWP holds 36 (Habitat Montana) wildlife easements covering 220,000 plus acres costing in excess of \$22 million. Sixteen purchases added 37,000 acres to fee title ownership costing over \$15 million, as well as 11,000 plus acres of leases (\$27,000 annually).

Early efforts focused on expanding existing wildlife management areas such as the Blackfoot-Clearwater (deer and elk winter range), Judith (elk winter range) and Ninepipe (wetlands/waterfowl and pheasant habitat) or acquiring new WMA's such as Robb/Ledford (elk winter range), Dome Mtn.(elk winter range) and Mt. Silcox (Bighorn Sheep winter range).

Gradually, the focus was on important habitat types such as big sagebrush-grassland (Brewer; South Ranch; Fluss; Cowell; Peters); riparian (Hirsch, Bice) and intermountain grassland (Maher; Bolin; Sieben Ranch; and Hirschy Ranch) as examples.

Landowners have sold FWP easements for a variety of reasons: to allow their heirs to be able to afford to buy the ranch; for family estate planning; to ensure a place for the public to recreate, especially for hunting; to enlarge the agricultural operations; and to pay off debt.

The major easement terms center around both PROTECTION AND MANAGEMENT of the Land.

**PROTECTION**: This means terms such as No Subdivision and building on the land. Normal farming practices continue, but no new fields are developed. No commercial activities other than those appropriate to the agricultural practices. Mining practices must not negatively impact conservation values of the land.

MANAGEMENT: This means management maintains vegetation, both upland and riparian. This includes actions such as developing and implementing livestock grazing systems, and access for the recreating public. All agricultural practices continue, but in a way that maintains or enhances the conservation values purchased through the easement.

**TAXES**: In tax year 2004, FWP paid \$267,369 in lieu of taxes payments on its WILDLIFE lands. (For wildlife lands, FWP will pay to the county in which the land resides "a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen". (87-1-603)

OPERATION/MAINTENANCE: Twenty percent of the dollars generated by '526' legislation is used for operation and maintenance of ALL department wildlife lands. The amount available per year is approximately \$500,000, the majority of which is used for fence maintenance, road maintenance, and weed control on department fee ownership lands. The major cost on easements is to initially implement the livestock grazing system, which can involve fence construction and replacement, and water improvements including pipelines. Each year the Wildlife Program completes an average of 15 projects at a cost of approximately \$400,000. In addition, approximately \$30,000 is spent each year to monitor compliance with each wildlife conservation easement held by the department.

The Wildlife Division administers 720,365 acres of land (2005 Land Inventory book), which is 93% of all Department land: 51% are easements; 14% are leases and 35% are fee title. HB 526 lands total 269,229 acres of which 82% are easements; 4% lease; and 14% are fee title.

## **ACCOMPLISHMENTS**

In the Clark Fork Drainage over 1,500 acres were purchased, with some of the value donated by the landowner, to conserve bighorn sheep habitat adjacent to the town of Thompson Falls.

In the Mission Valley, over 650 acres of precious wetlands habitat have been added to the Ninepipe Wildlife Management Area with the assistance of the Confederated Salish-Kootenai Tribe.

In the Bitterroot, one of the most developed valleys in the state, one fee and three conservation easements enhance deer/elk winter habitat and open space on over 7,000 acres. (Mt. Jumbo; Brown Valley; Lewis; Bolin)

In the Bighole Valley, over 10,000 acres of elk and moose habitat received easement protection when FWP worked with the Hirschy family.

Four additions to the Blackfoot-Clearwater WMA over the last 15 years (the 2,960 acre Dreyer Property; the 859 acre purchase from the Rocky Mountain Elk Foundation; the 6,849 acre easement with the Montana Dept. Natural Resources and Conservation; and the fee title purchase of 3,834 acres of Plum Cr. land) will provide protection of a critical migration corridor for elk and other large mammals between the WMA (winter range) and summer range on national forest lands. These actions will ensure for posterity the usefulness and productivity of the wildlife management area. Likewise, the Edwards easement, one of the smallest properties, ensures an important and accessible corridor between the Bob Marshall Wilderness and the Sun River Wildlife Management Area.

The Manley and Mannix Intermountain Grassland easements border the Garnet Mountains on the west and north providing 7,636 acres of winter and spring habitat for elk. The WH Ranch easement near Anaconda added 1,584 acres of deer and elk winter range. A 71-acre in-holding was added to Fleecer WMA.

In the Madison Valley, the Bear Cr. Angus Ranch easement; the Storey Ranch easement and the Storey-Madison Ranch easement add 9,400 acres to the conservation work of many organizations and landowners for elk winter habitat. West of the Gravelly Range is the Robb/Ledford WMA, comprised

of 17,302 acres in fee and 10,796 in lease. This Intermountain Grassland adds to the areas elk winter range and helps complete the year round habitat of the Gravelly Mountain Range for elk.

In the Gallatin, FWP was a partner with the Rocky Mountain Elk Foundation, U.S. Forest Service and others on land trades that benefited both private and public lands. FWP's contribution was a purchase of 1,120 acres that were added to the Gallatin WMA.

In the Yellowstone Valley, Dome Mountain Wildlife Management Area was enlarged by almost 100% to help accommodate resident elk as well as elk from Yellowstone Park's northern herd during severe winters.

The Keogh easement, north of Whitehall, adds 7,106 acres of Intermountain Grassland.

The Sieben; O'Connell, Grady, and Bay Ranch easements north of Helena, plus the Canyon Creek WMA, encompasses more than 38,000 acres of elk and deer winter range and habitat for wildlife ranging from grizzly bear to gray partridge. These easements occur in a wildlife movement corridor that stretches along the Rocky Mountain Front from Glacier National Park to the Gates of the Mountains Wilderness and island mountain ranges east of the Missouri River.

Canyon Ferry WMA added 129 acres on the west side of Pond Four to conserve riparian habitat and provide nesting cover. The Hahn easement, west of Canyon Ferry, added 1,685 acres of Intermountain Grassland for deer.

The Maher easement, 880 acres on the west face of the Bridger Mountain Range, helps maintain mule deer winter range in an area of intensive housing developments.

The Silver Run WMA, south of Red Lodge, is a 639-acre Intermountain and Sagebrush-Grassland wildlife management area for wintering elk.

FWP's oldest wildlife management area, Judith River WMA, was almost doubled in size (adding 4,000 acres) for the benefit of deer and elk wintering habitat. The Judith borders the Little Belt Mountains containing a big game population that provides high levels of recreation.

Maintaining important habitats for the benefit of a variety of wildlife species requires vegetation diversity. The 10,000 acre easement in the Highwood Mountains(Harris Land & Cattle) and the 6,000 acre easement in eastern Montana(Buxbaum) emphasize deciduous woody vegetation, (i.e.) woody draws that benefit many wildlife species.

Pro-active work in eastern Montana has made the Department a leader in sage grouse conservation by providing sagebrush protection to approximately 65,000 acres as well as an additional 6,500 acres in southwestern Montana. (Brewer; South Ranch; Cowell; Fluss; Hirsch; Bice Dragging Y)

In the continuing effort to conserve the most productive wildlife habitat (riparian/woody draws/wetlands), 14 miles of the Tongue River bottomland have been conserved, as well as 10 miles along the Milk River as part of the 3,800 acre Tampico easement. The latest easement, the Gordon Ranch, encompasses 15,000 acres with 652 acres of wetlands included.

The Legislative direction to conserve "important habitats that are seriously threatened", while spreading such projects geographically across Montana, is a challenge that involves a diversity of habitats and people. It is a challenge worth pursuing.

# CLARK FORK DRAINAGE





NAME: MT. SILCOX WMA

**DATE OF ACQUISITION**: 1990

TYPE OF ACQUISITION: Fee title

**COST OF ACQUISITION**: \$690,000 plus a \$10,000 donation from The Nature Conservancy and

\$39,000 from the landowner.

HABITAT TYPE: Montane Forest

PURPOSE: Winter/Spring habitat for Bighorn Sheep

**LOCATION**: Sanders County

ACREAGE: 1,552 acres

MANAGEMENT ACTIVITIES: Livestock grazing on the flat part of the WMA, not the slopes. The

grazing helps with managing non-native vegetation, particularly

spotted knapweed. Herbicides are also applied.

1. Conserve and enhance land, water and wildlife:

The WMA purchase protects the property as sheep habitat for perpetuity.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

No

4. Contribute to non-hunting recreation:

WMA open April to Dec.

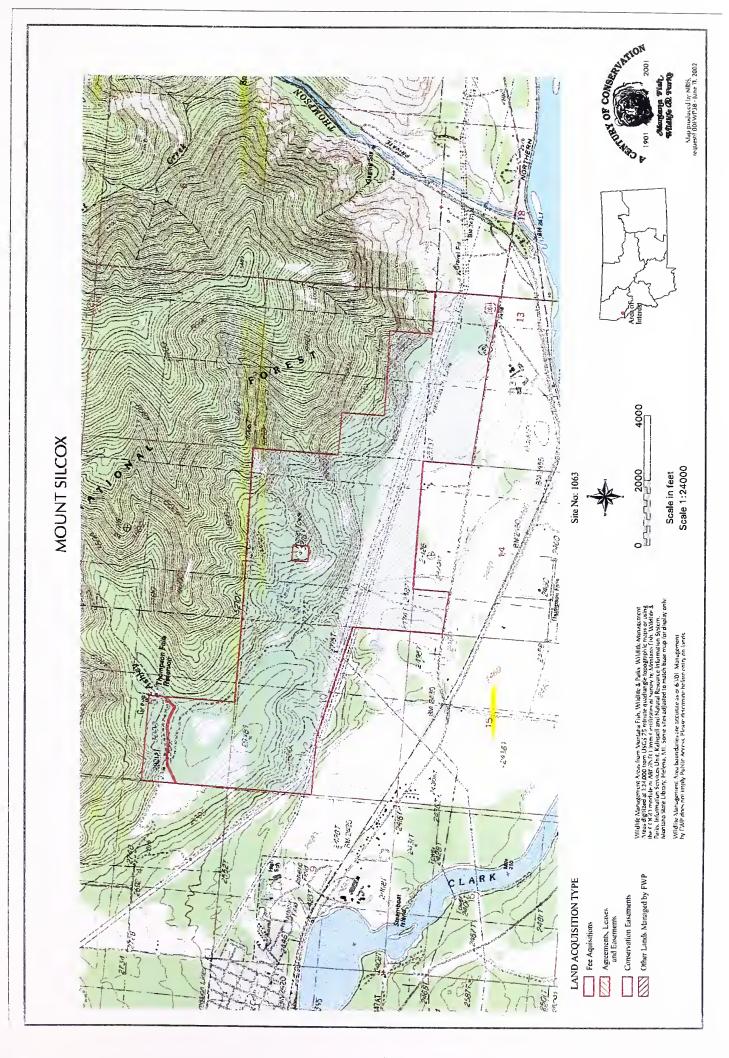
5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

Yes, livestock grazing allowed

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses. Payment in lieu of taxes at 100% of tax rate



# **MISSION VALLEY**





NAME: ADDITION TO NINEPIPE WMA (ALLEN PROPERTY)

**DATE OF ACQUISITION: 1993** 

TYPE OF ACQUISITION: Fee

**COST:** \$176,500

**HABITAT TYPE:** Wetland habitat and restoration potential for additional wetlands

PURPOSE: to add to the wetland complex of Ninepipe WMA

**LOCATION:** Lake County

ACREAGE: 155 acres

**MANAGEMENT ACTIVITIES:** Sharecrop farming; wetland restoration; weed control; fence maintenance.

1. Conserve and enhance land, water and wildlife:

This fee title purchase adds to conservation of wetland habitat

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

No

4. Contribute to non-hunting recreation:

WMA open summer through fall.

5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

Yes, a farming sharecrop arrangement

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Both objectives are accomplished.



**NAME:** ADDITION TO NINEPIPE WMA (HERAK/MYRE)

**DATE OF ACQUISITION:** 1997

**TYPE OF ACQUISITION:** Fee Title (75% Fed. Aid)

**COST:** \$544,000

**HABITAT TYPE:** Wetlands

PURPOSE: Conserve wetland/waterfowl habitat

**LOCATION:** Lake County

ACREAGE: 320 acres

MANAGEMENT ACTIVITIES: Restoration of wetland property becomes part of Ninepipe WMA

**MAJOR EASEMENT TERMS: N/A** 

1. Conserve and enhance land, water and wildlife:

Land is incorporated into Ninepipe Wildlife Management Area.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

N/A

4. Contribute to non-hunting recreation: Yes, significant wildlife viewing

5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

N/A

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses: FWP pays fees n lieu of taxes at 100% rate.



**NAME:** ADDITION TO NINEPIPE WMA (PALMER)

**DATE OF ACQUISITION: 2001** 

**TYPE OF ACQUISITION:** Fee

COST: \$342,000 plus \$110,000 from Wildlife Mitigation and Migratory Bird Stamp funds

**HABITAT TYPE:** Wetlands

PURPOSE: Maintain wetlands and associated upland for duck and pheasant production.

**LOCATION:** Lake County

**ACREAGE:** 106 acres

MANAGEMENT ACTIVITIES: Fence maintenance; weed control; restoration of wetlands.

1. Conserve and enhance land, water and wildlife:

The purchase protects this additional 106 acres as productive wildlife habitat.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

No

4. Contribute to non-hunting recreation:

WMA open summer through fall.

5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

No

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Payments made in lieu of taxes at 100% of tax rate



**NAME:** ADDITION TO NINEPIPE WMA (PHEASANTS FOREVER)

**DATE OF ACQUISITION: 2003** 

**TYPE OF ACQUISITION:** Fee

**COST:** \$68,000

**HABITAT TYPE:** Wetlands

PURPOSE: Maintain wetlands and associated upland for duck and pheasant production

**LOCATION:** Lake County

**ACREAGE:** 70 acres

MANAGEMENT ACTIVITIES: Restoration of wetlands; weed control; fence maintenance.

1. Conserve and enhance land, water and wildlife:

The purchase protects this additional 70 acres as productive wildlife habitat

2. Contribute to hunting and fishing opportunities: Yes, WMA open for hunting.

3. Provide incentives for habitat conservation on private land:

No

4. Contribute to non-hunting recreation: WMA open summer through fall.

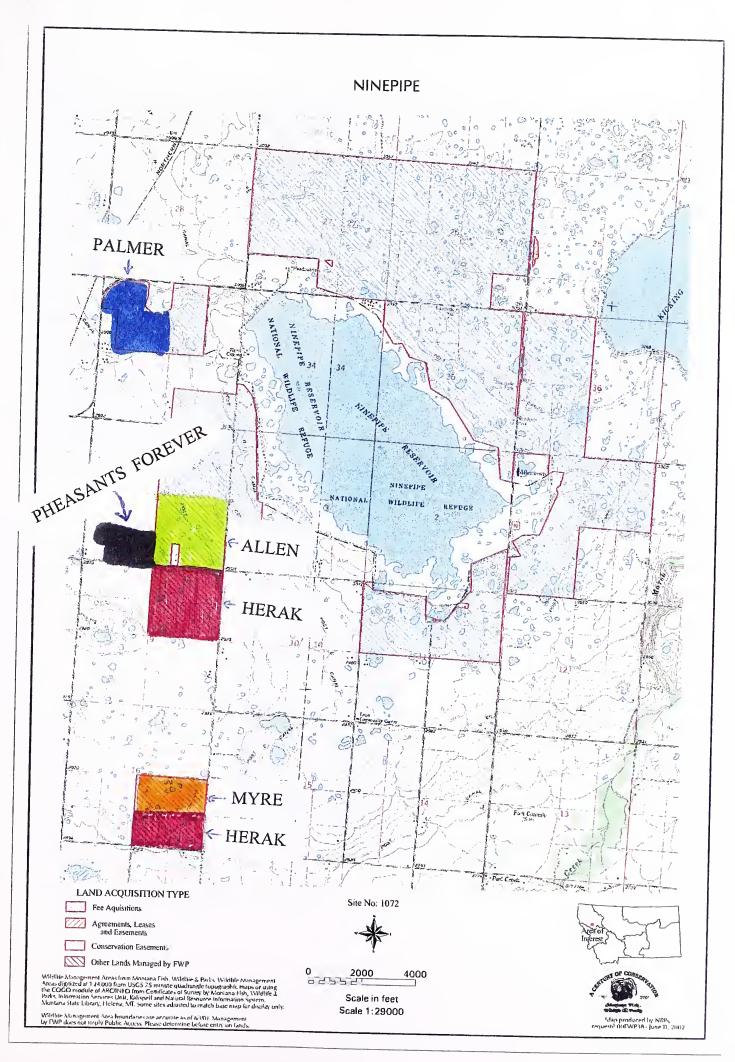
5. Protect open space and scenic areas: Yes, land in state ownership.

6. Promote habitat friendly agriculture:

No

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Payments are made.



# **BITTERROOT VALLEY**





NAME: MT. JUMBO

**DATE OF ACQUISITION**: 1996

TYPE OF ACQUISITION: Fee title

**COST**: \$279,000

HABITAT TYPE: Intermountain Grassland

PURPOSE: Conserve elk winter range

**LOCATION**: Missoula County

ACREAGE: 120 acres

MANAGEMENT ACTIVITIES: Weed control is the major activity.

MAJOR EASEMENT TERMS: not applicable

- 1. Conserve and enhance land, water and wildlife: Yes, part of a larger conservation effort
- 2. Contribute to hunting and fishing opportunities:

No

3. Provide incentives for habitat conservation on private land:

4. Contribute to non-hunting recreation:

Yes, viewing, as well as hiking the mountain in summer.

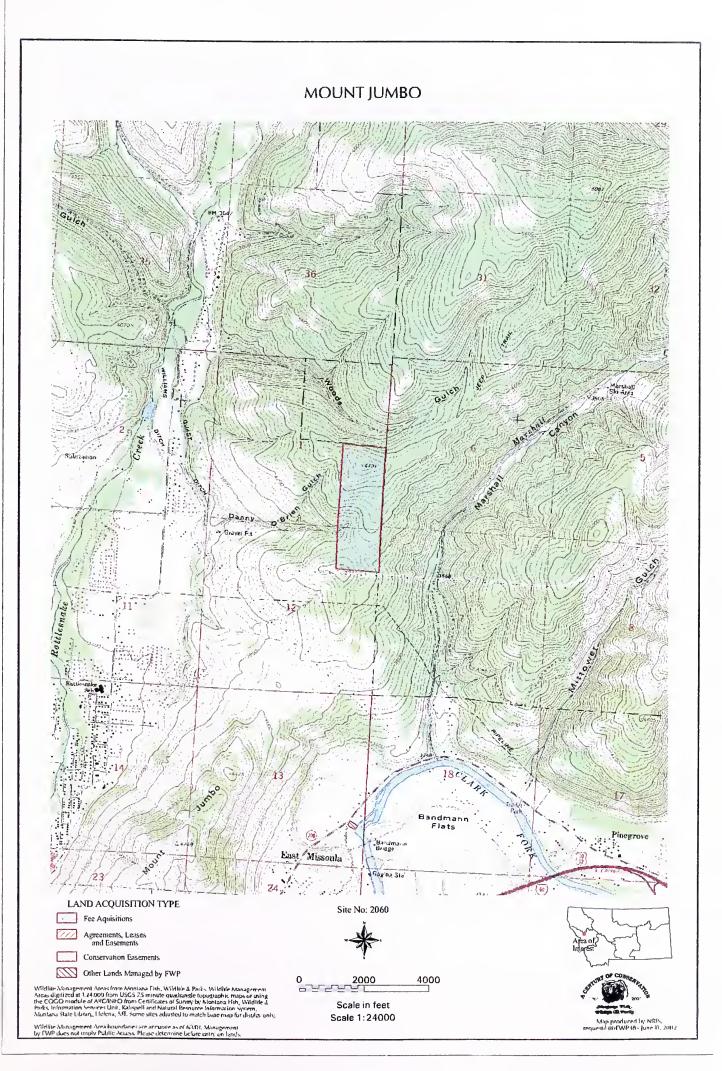
5. Protect open space and scenic areas:

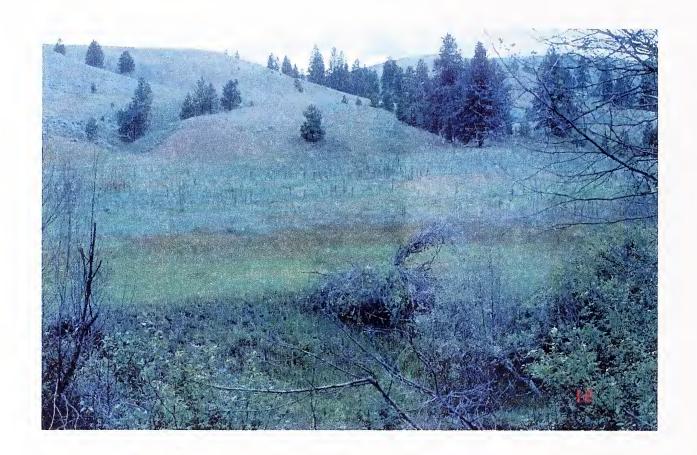
Yes

6. Promote habitat friendly agriculture:

Not applicable

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses: Payments in lieu of taxes paid at 100% rate.





**NAME: BROWN VALLEY** 

**DATE OF ACQUISITION**: 1995

TYPE OF ACQUISITION: Conservation easement

**COST**: \$400,000

HABITAT TYPE: Intermountain Grassland

PURPOSE: Conserve elk winter range and expand effectiveness of the Threemile Wildlife

Management Area.

LOCATION: Ravalli County

ACREAGE: 1,800 acres

MANAGEMENT ACTIVITIES: none

MAJOR EASEMENT TERMS: Prohibit subdivision

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities: At discretion of landowner.

3. Provide incentives for habitat conservation on private land:

Landowner now work with FWP on a livestock grazing system

4. Contribute to non-hunting recreation:
At discretion of landowner

5. Protect open space and scenic areas: Yes

6. Promote habitat friendly agriculture:
Same activity as before easement

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



**NAME: BROWN VALLEY ADDITION** 

**DATE OF ACQUISITION: 2000** 

TYPE OF ACQUISITION: Conservation easement

**COST**: \$15,200

HABITAT TYPE: Intermountain Grassland

PURPOSE: Add to the existing Brown Valley easement to Conserve elk winter range and expand

effectiveness of the Threemile Wildlife Management Area.

LOCATION: Ravalli County

ACREAGE: 68 acres

MANAGEMENT ACTIVITIES: Mrs. Brown working with FWP to develop a grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision

1. Conserve and enhance land, water and wildlife

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

At discretion of landowner.

3. Provide incentives for habitat conservation on private land:

None

4. Contribute to non-hunting recreation:

At discretion of landowner

5. Protect open space and scenic areas:

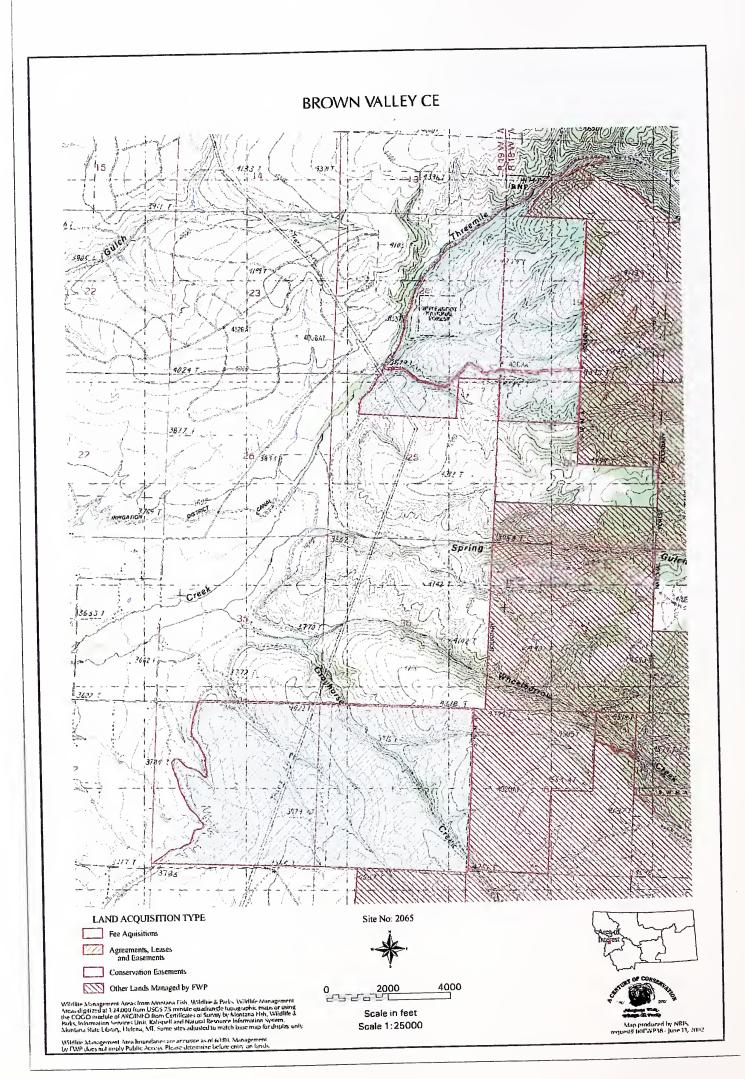
Yes

6. Promote habitat friendly agriculture:

Mrs. Brown working with FWP to implement a grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME:** BOLIN RANCH

**DATE OF ACQUISITION**: 1997

TYPE OF ACQUISITION: Conservation easement

**COST**: \$1,197,211

HABITAT TYPE: Intermountain Grassland/Montane Forest

**PURPOSE**: Conserve elk winter range

LOCATION: Ravalli County

**ACREAGE**: 5,204 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system; Manage forest

within planned tree density levels.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing continues; Forest

management continues; Public hunting allowed; Wildlife viewing

allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities: Yes, open for all fall hunting seasons.

res, open for an fair numing seasons.

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

Yes, public has access to Land from June 15 to Dec.1 for wildlife viewing and hunting

5. Protect open space and scenic areas:

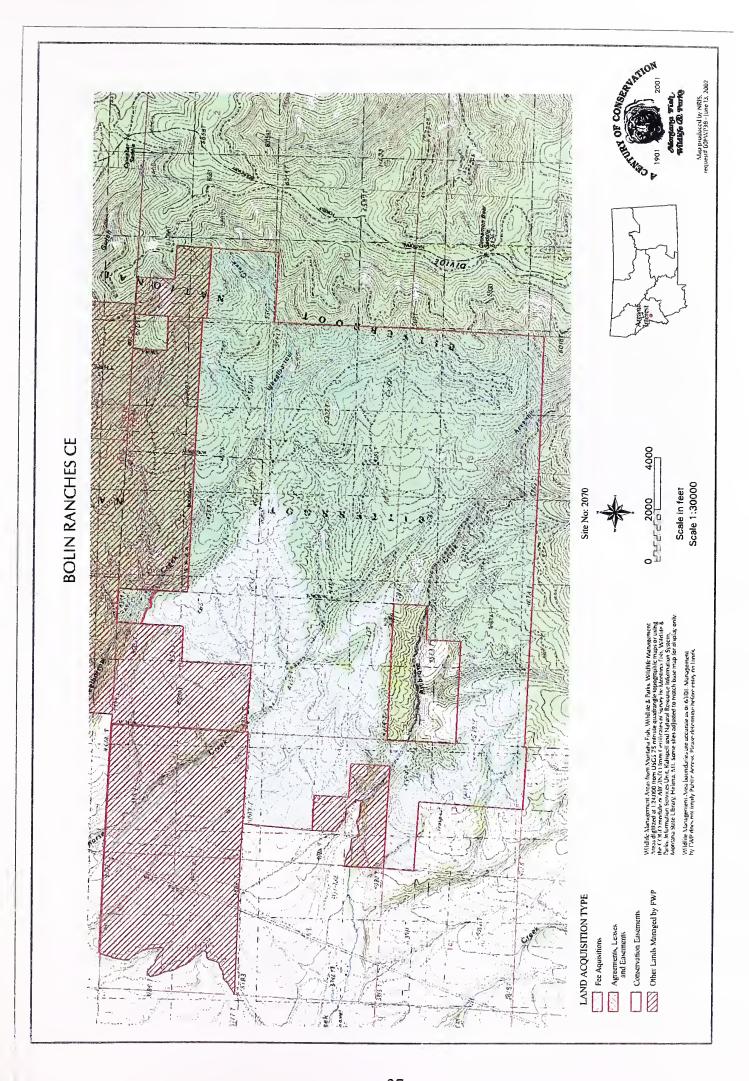
Yes, no subdivision except for agricultural purposes

6. Promote habitat friendly agriculture:

Planned grazing system/ managed logging of timber.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME**: LEWIS RANCH

**DATE OF ACQUISITION**: 1997

TYPE OF ACQUISITION: Conservation easement

**COST**: \$34,410

HABITAT TYPE: Intermountain Grassland

PURPOSE: Conserve elk winter range

LOCATION: Ravalli County

ACREAGE: 155 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

Yes, by walk-in only and monitored by FWP because of small size

3. Provide incentives for habitat conservation on private land: Small acreage limits possibilities

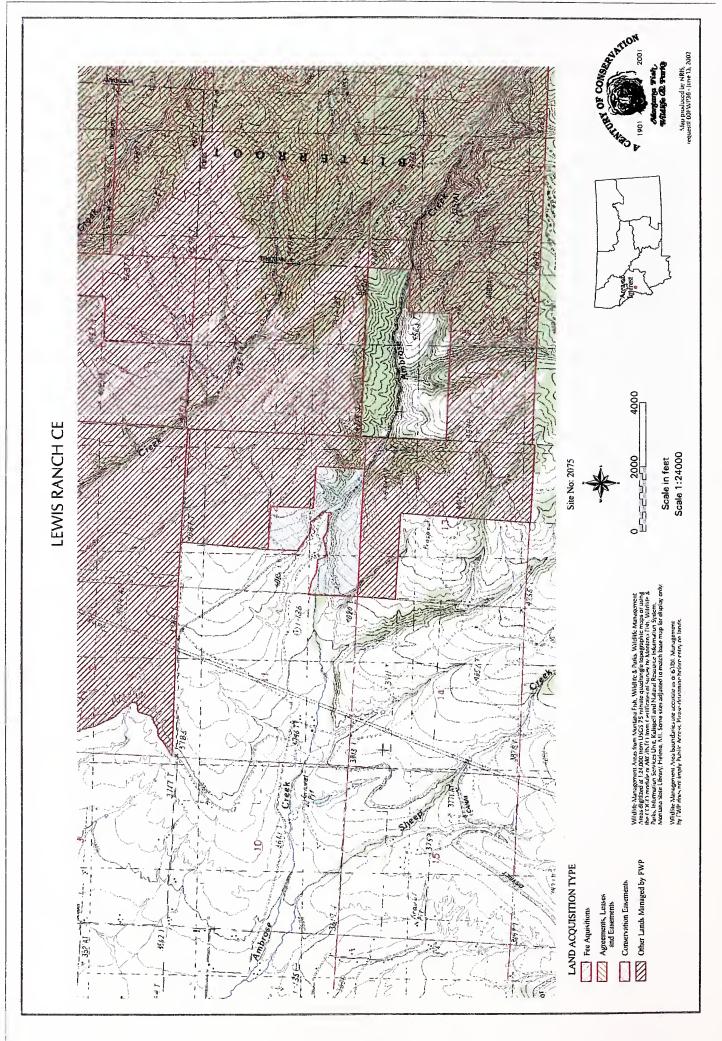
4. Contribute to non-hunting recreation:
At discretion of landowner

5. Protect open space and scenic areas: Yes

6. Promote habitat friendly agriculture:
Planned grazing system, i.e. AUM limitation

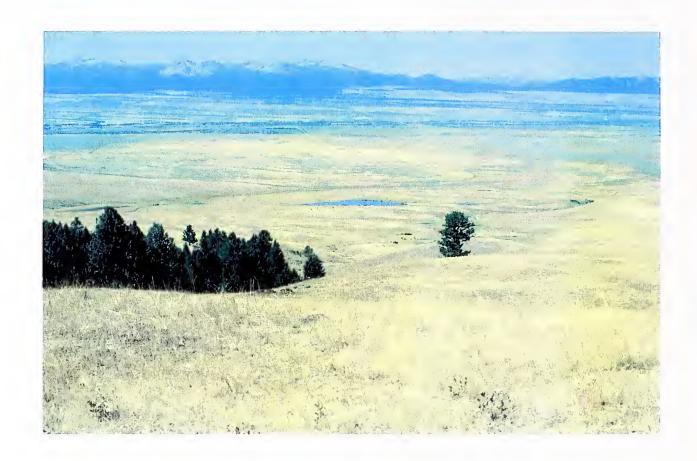
7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



## **BIGHOLE VALLEY**





**NAME:** JACK HIRSCHY RANCH

**DATE OF ACQUISITION: 1997** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$1,250,000

**HABITAT TYPE:** Intermountain Grassland

**PURPOSE:** Conserve elk winter range

**LOCATION:** Beaverhead County

ACREAGE: 9,469 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, 10 persons per day during archery season; 22 persons per day during general season, if such demand exists

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

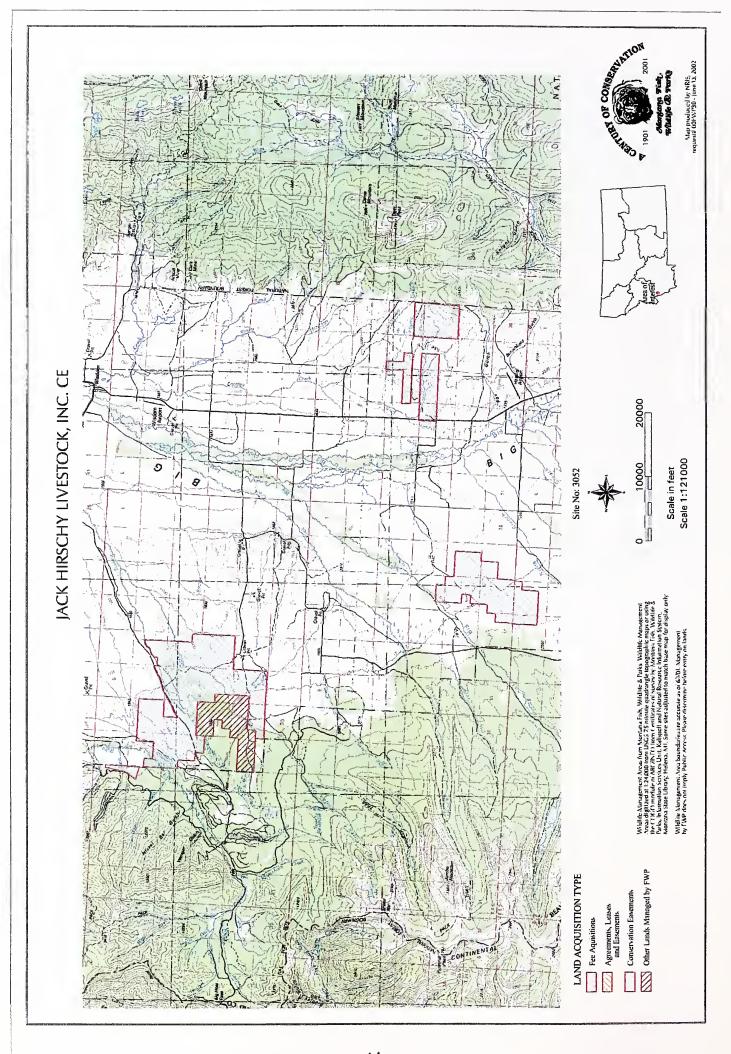
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

Planned grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





NAME: FRED & LYNN HIRSCHY (MOOSE CR.)

**DATE OF ACQUISITION: 1998** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$150,000

HABITAT TYPE: Intermountain Grassland

**PURPOSE:** Conserve elk winter range

**LOCATION:** Beaverhead County

**ACREAGE:** 1360 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, walk-in hunting. 4 persons per day during archery season and 8 persons per day during general season if such demand exists.

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

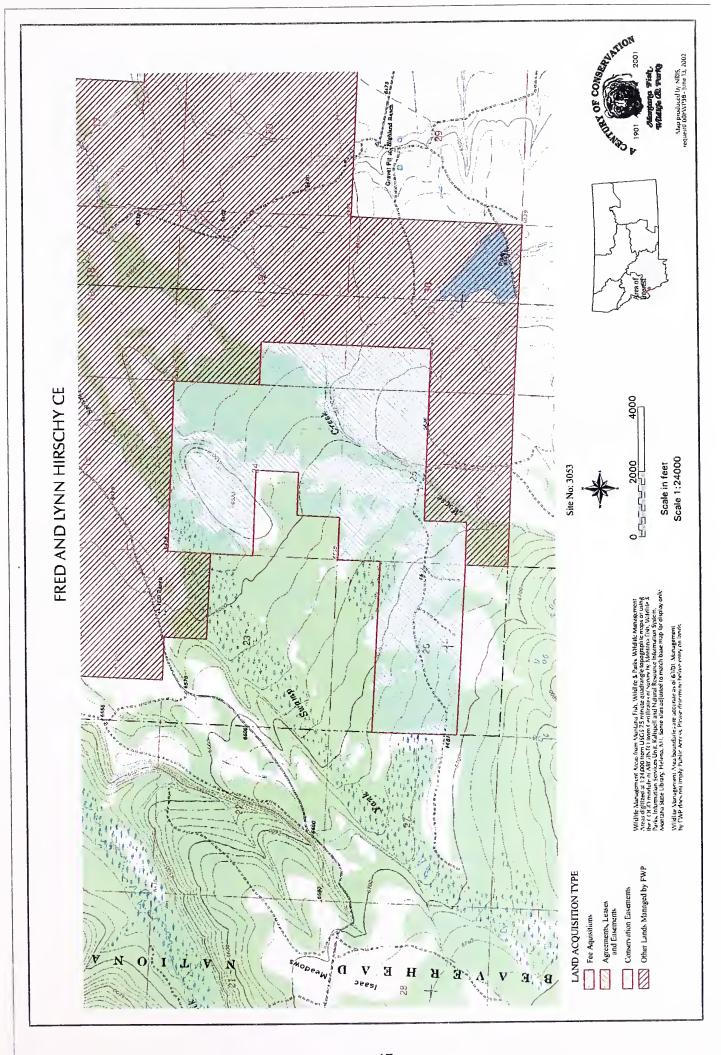
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

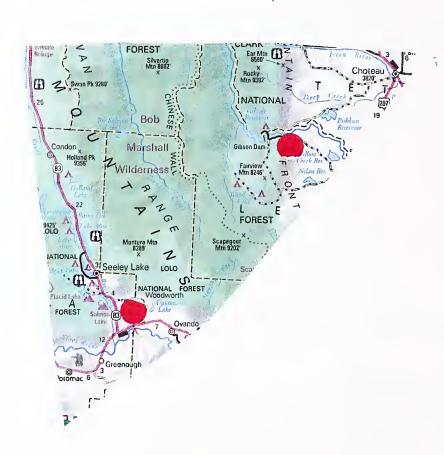
Planned grazing system.

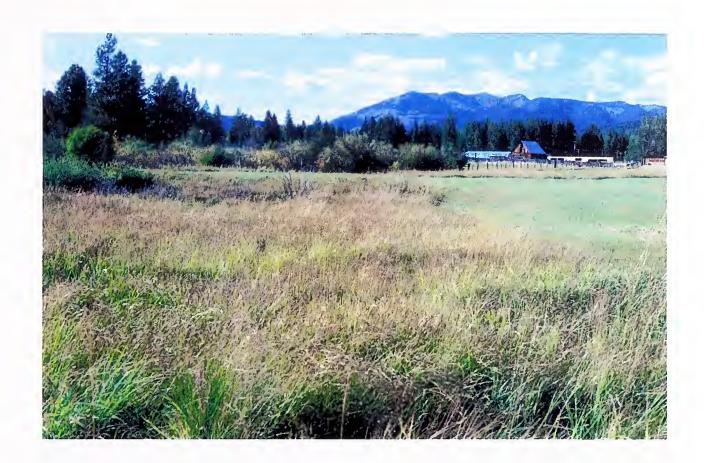
7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



# BLACKFOOT-CLEARWATER EDWARDS EASEMENT on the east front





NAME: BLACKFOOT-CLEARWATER WMA (DREYER ADDITION)

**DATE OF ACQUISITION**: 1989

TYPE OF ACQUISITION: Fee

**COST**: \$1,464,756

**HABITAT TYPE**: Montane Forest

PURPOSE: Corridor between Wildlife Management Area and National Forest

LOCATION: Powell County

ACREAGE: 2,960 acres purchased; 18,650 leased from Plum Cr. and DNRC.

MANAGEMENT ACTIVITIES: Agricultural activities have continued through a sharecropper, while ensuring easy passage of elk and other wildlife to and from the

WMA.

1. Conserve and enhance land, water and wildlife:

Purchase of wildlife corridor accomplishes this. Water conservation practices applied to keep water in Cottonwood Creek.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

Yes, see # 6

4. Contribute to non-hunting recreation:

Yes, WMA open to public May 15 through November

5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

Yes, established a rest-rotation grazing system on the WMA, which incorporates other land to include wildlife habitat values. Hay fields also kept in production.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

This is done.



NAME: BLACKFOOT-CLEARWATER WMA (R.M.E.F ADDITION)

**DATE OF ACQUISITION: 1999/2000** 

TYPE OF ACQUISITION: Fee title

COST: \$500,000 plus a \$600,000 donation by Rocky Mountain Elk Foundation

**HABITAT TYPE:** Montane Forest

**PURPOSE:** Conserve deer and elk winter range

**LOCATION:** Missoula County

ACREAGE: 859 acres

**MANAGEMENT ACTIVITIES:** Property became part of Blackfoot-Clearwater WMA.

**MAJOR EASEMENT TERMS:** N/A

1. Conserve and enhance land, water and wildlife: Yes, land now part of Blackfoot-Clearwater WMA

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

N/A

4. Contribute to non-hunting recreation:

Yes

5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

N/A

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

FWP makes payments in lieu of taxes at 100% of tax rate.



NAME: BLACKFOOT-CLEARWATER WMA (DNRC EASEMENT)

**DATE OF ACQUISITION: 2004** 

TYPE OF ACQUISITION: Conservation Easement

**COST:** \$1,598,965

**HABITAT TYPE:** Montane Forest and Riparian

**PURPOSE:** An attempt to reduce conflicting objectives within the Blackfoot-Clearwater WMA by

managing the forest to meet both DNRC and FWP objectives.

**LOCATION:** Missoula and Powell Counties

**ACREAGE:** 6,849 acres

MANAGEMENT ACTIVITIES: Forest Management for FWP's wildlife habitat objectives and DNRC's

trust fiduciary responsibilities.

MAJOR EASEMENT TERMS: No subdivision allowed; no filling of wetlands/riparian habitat,

recreation allowed to same extent as on rest of wildlife management

area.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, easement is incorporated into management of the Wildlife Management Area and has same hunting seasons

3. Provide incentives for habitat conservation on private land:

No, landowner is State of Montana, Dept. Natural Resources and Conservation

4. Contribute to non-hunting recreation:

Yes, WMA is open from May 15 to end of November

5. Protect open space and scenic areas:

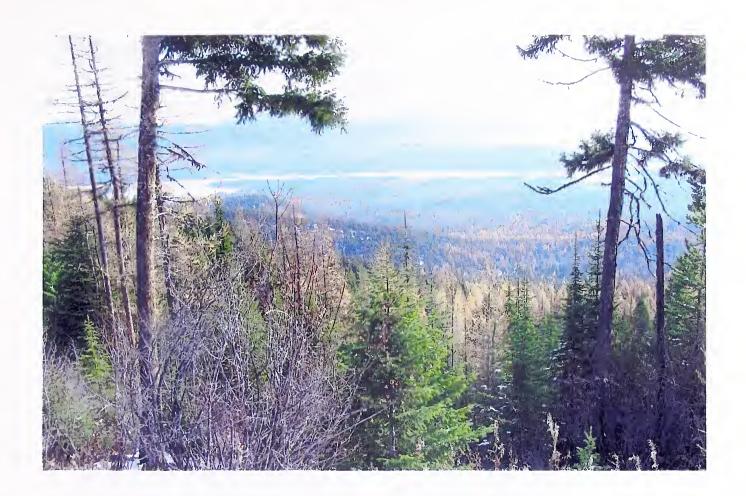
Yes, no subdivision allowed.

6. Promote habitat friendly agriculture:

Promote continued forest management.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

DNRC's trust fiduciary responsibility is maintained.



NAME: BLACKFOOT-CLEARWATER WMA (PLUM CREEK ADDITION)

**DATE OF ACQUISITION: 2004** 

TYPE OF ACQUISITION: Fee

**COST:** \$3,300,000

**HABITAT TYPE:** Montane Forest and Riparian

**PURPOSE:** To block up ownership of the wildlife management area in order to keep it a functioning unit.

Plum Cr. Timber Company was selling this property.

**LOCATION:** Missoula and Powell Counties

ACREAGE: 3,834

MANAGEMENT ACTIVITIES: Land becomes part of wildlife management area.

1. Conserve and enhance land, water and wildlife: The land becomes part of the Blackfoot-Clearwater wildlife management area.

2. Contribute to hunting and fishing opportunities: Yes, land is open to hunting as part of WMA.

3. Provide incentives for habitat conservation on private land: No, land is part of WMA.

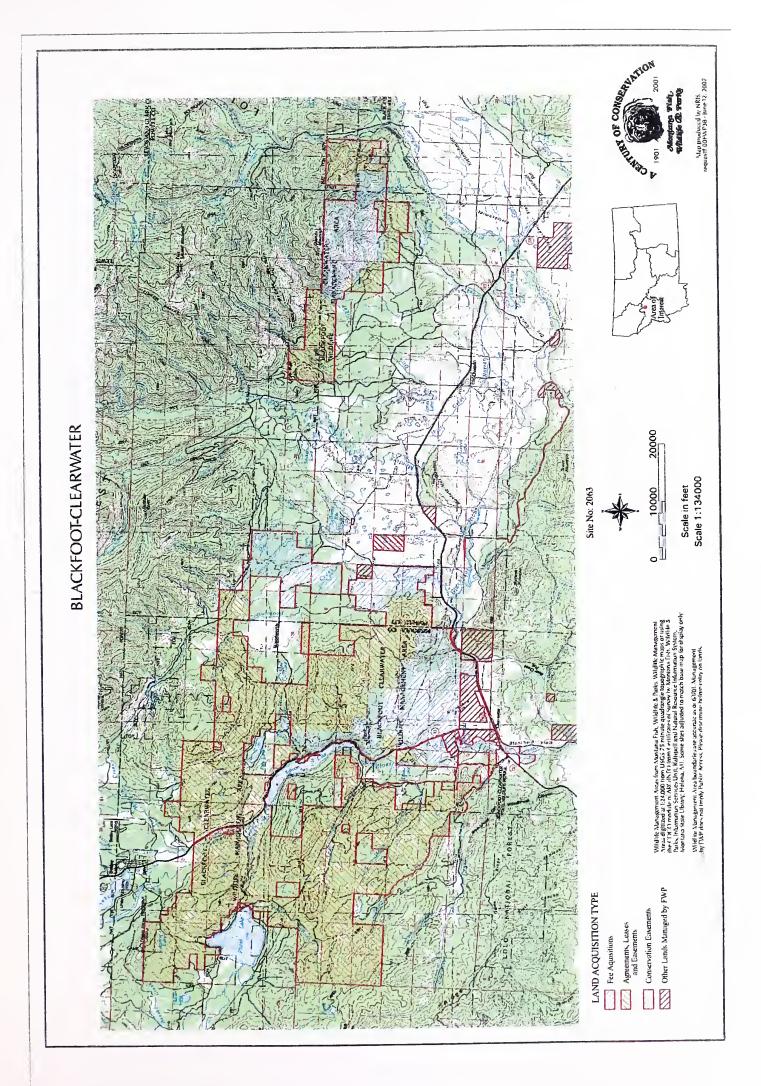
4. Contribute to non-hunting recreation: Yes, land open May 15 to November 30.

5. Protect open space and scenic areas: Yes, as part of WMA.

6. Promote habitat friendly agriculture:
Promote continued forest management.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Promote continued forest management compatible with wildlife species objectives.





**NAME: EDWARDS PROPERTY** 

**DATE OF ACQUISITION: 1995** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$118,700 Rocky Mountain Elk Foundation donated an addition \$10,000 and the Edwards

donated \$14,300 in value.

HABITAT TYPE: Intermountain Grassland

PURPOSE: Conserve a large animal movement corridor between Wilderness Areas/National Forests and

the Sun River Wildlife Management Area.

**LOCATION:** Teton County

ACREAGE: 318 acres

**MANAGEMENT ACTIVITIES:** none

MAJOR EASEMENT TERMS: Prohibit additional subdivision

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Indirectly, there is no hunting provision in the easement.

3. Provide incentives for habitat conservation on private land:
Not identified in this easement.

4. Contribute to non-hunting recreation:
At landowners discretion

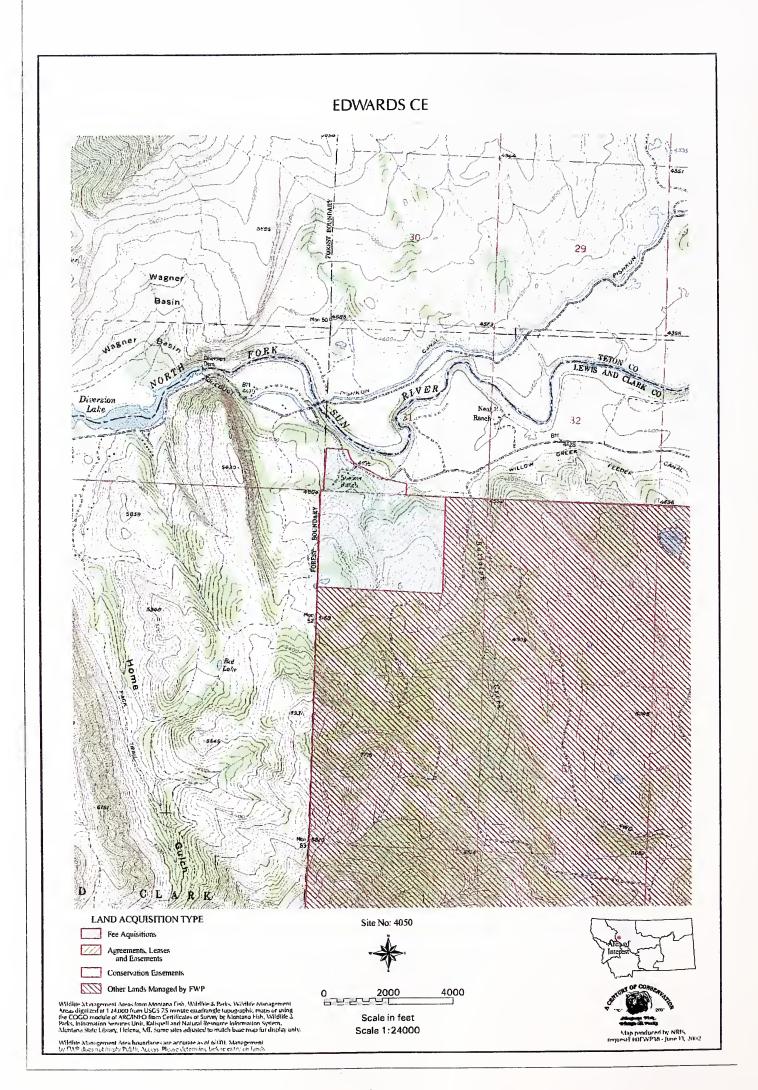
5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:
No agriculture on this property.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



### **MANNIX AND MANLEY EASEMENTS**





**NAME:** MANNIX PROPERTY

**DATE OF ACQUISITION**: 1994

**TYPE OF ACQUISITION**: Conservation easement

**COST**: \$350,000

HABITAT TYPE: Intermountain Grassland and Sagebrush-Grassland

PURPOSE: Conserve sagebrush-grassland and elk winter range

LOCATION: Powell County

ACREAGE: 3,000 acres

MANAGEMENT ACTIVITIES: Planned public hunting access.

MAJOR EASEMENT TERMS: Prohibit subdivision; planned public hunting

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

Yes, first five days of general big game hunting season reserved for landowner; then two parties of no more than three persons may hunt each day of the general big game hunting season

3. Provide incentives for habitat conservation on private land:

Yes, limit on sagebrush control

4. Contribute to non-hunting recreation:

At landowner's discretion

5. Protect open space and scenic areas:

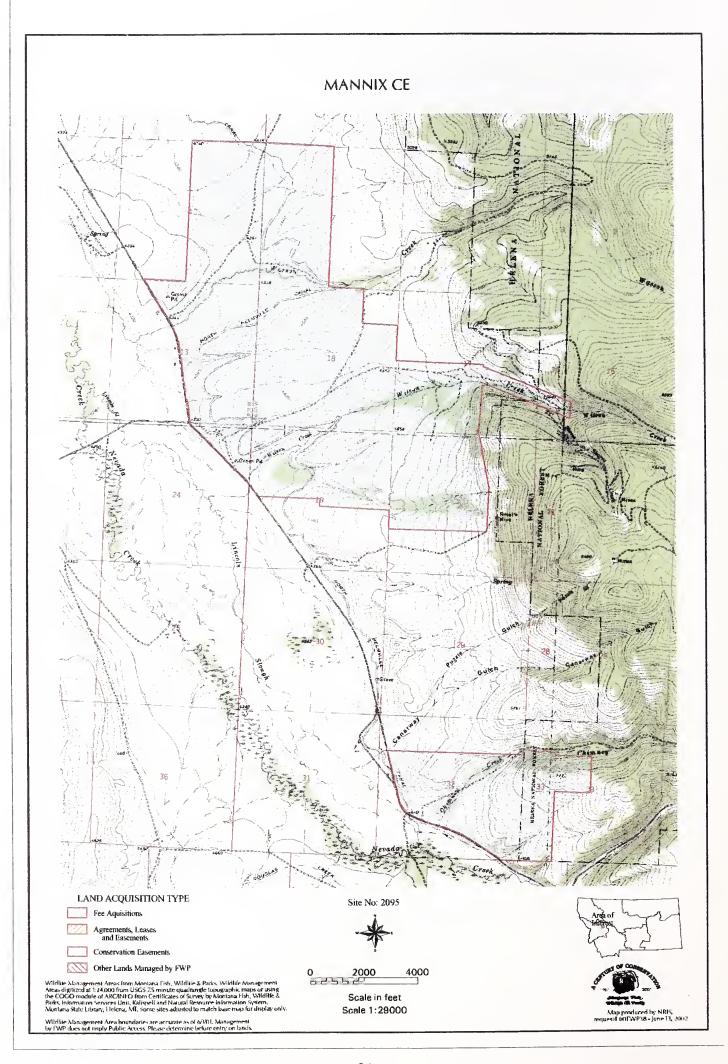
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

AUM restriction on livestock

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME: MANLEY RANCH** 

**DATE OF ACQUISITION: 2001** 

TYPE OF ACQUISITION: Conservation easement

COST: \$82,160 of '526' dollars plus other funding sources (Montana Agricultural Heritage \$135,000 and Mt. Dept. Justice Natural Resource Damage Program \$608,048) and substantial donation by

landowner

HABITAT TYPE: Shrub-Grassland/Riparian/Montane Forest

PURPOSE: Conserve Shrub-Grassland/Riparian/Montane Forest for fall-winter-spring habitat for 300 to 800 elk and yearlong habitat for mule deer as well as other wildlife.

**LOCATION:** Granite and Powell Counties

**ACREAGE:** 4,636 acres

MANAGEMENT ACTIVITIES: Planned livestock grazing system.

MAJOR EASEMENT TERMS: No removal of native vegetation and/or draining of any wetland or

riparian area; no subdivision, except for agricultural purposes; continue

agricultural operations, including timber harvest.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, a minimum of 350 hunter days on the land during fall hunting season, when such demand exists.

3. Provide incentives for habitat conservation on private land:

Purchased easement is incentive to maintain sagebrush; aspen and willows; livestock grazing.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

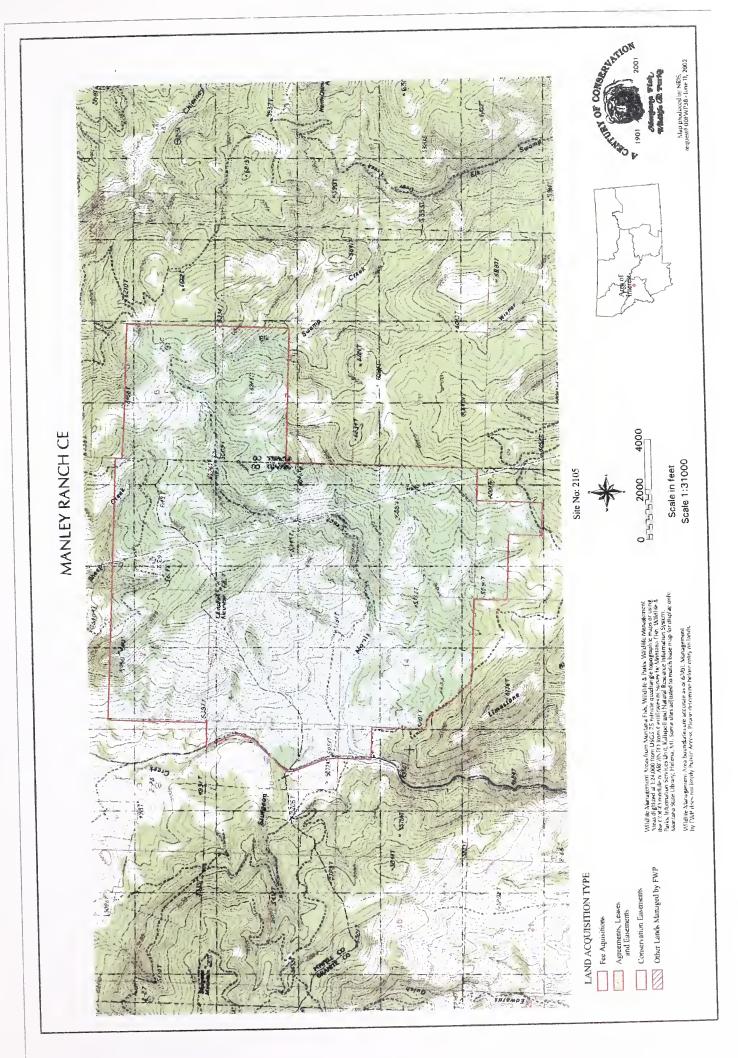
Yes, land will stay as an undivided unit, except landowner may sell land if land stays in agricultural use.

6. Promote habitat friendly agriculture:

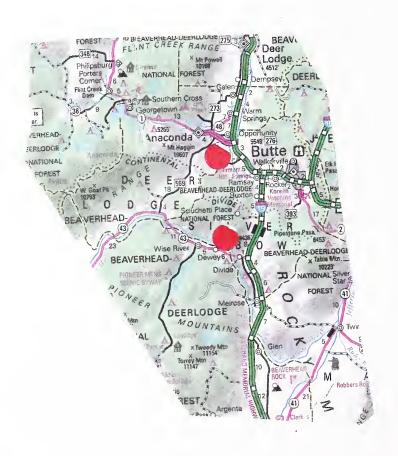
A planned livestock grazing system has been implemented as part of easement.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



# BUTTE COUNTRY WH RANCH EASEMENT ADDITION TO FLEECER WMA





NAME: WH RANCH

**DATE OF ACQUISITION: 1996** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$315,000

**HABITAT TYPE:** Intermountain Grassland

**PURPOSE:** Conserve elk winter range

**LOCATION:** Deer Lodge County

ACREAGE: 1584 acres

MANAGEMENT ACTIVITIES: Manage livestock within grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Public hunting allowed; Livestock grazing.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, four parties of no more than three persons may hunt Land each day of fall hunting season

3. Provide incentives for habitat conservation on private land:

Livestock grazing system that integrates with wildlife management area.

4. Contribute to non-hunting recreation:

At discretion of landowner

5. Protect open space and scenic areas:

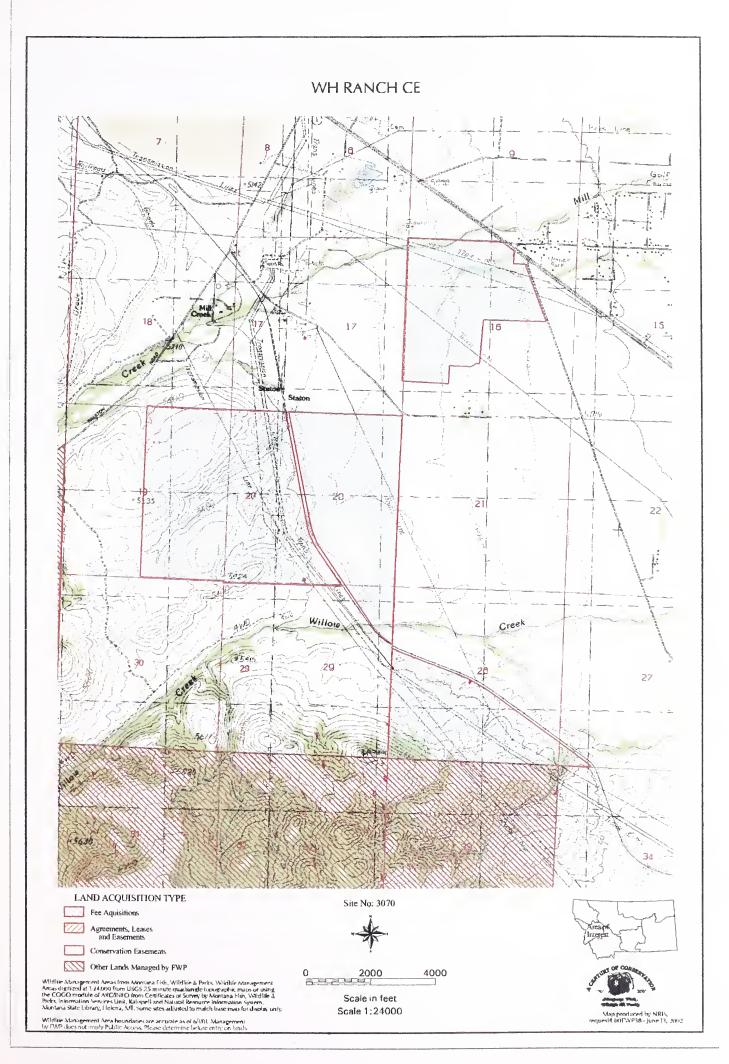
Yes, subdivision prohibited

6. Promote habitat friendly agriculture:

Establishes a vegetation and wildlife friendly livestock grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME: FLEECER INHOLDING** 

**DATE OF ACQUISITION: 1998** 

**TYPE OF ACQUISITION:** Fee Title

**COST:** \$180,000

HABITAT TYPE: Intermountain Grassland

**PURPOSE:** Conserve elk winter range

**LOCATION:** Silver Bow County

ACREAGE: 71 acres

MANAGEMENT ACTIVITIES: Addition to Fleecer Wildlife Management Area

**MAJOR EASEMENT TERMS: N/A** 

1. Conserve and enhance land, water and wildlife:

Yes

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

N/A

4. Contribute to non-hunting recreation:

Yes

5. Protect open space and scenic areas:

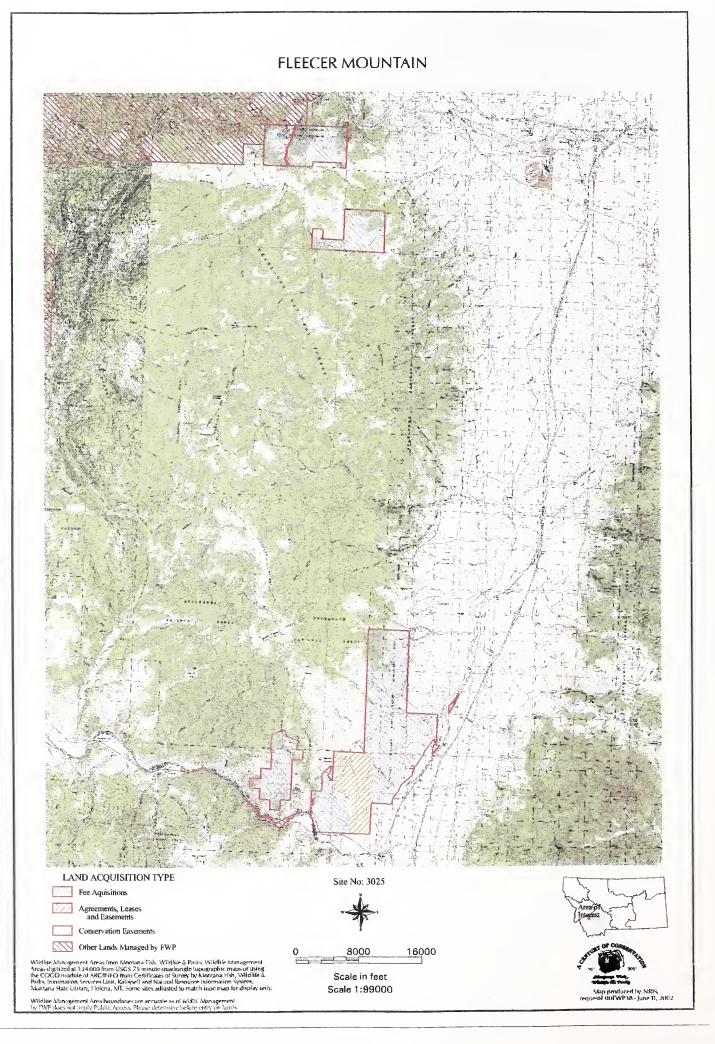
Yes

6. Promote habitat friendly agriculture:

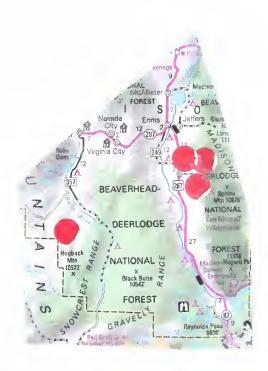
Planned grazing system on Fleecer and adjacent private property.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

FWP makes payments in lieu of taxes equal to tax rate.



### **MADISON VALLEY**





NAME: BEAR CREEK ANGUS

**DATE OF ACQUISITION: 1994** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$1,658,000

**HABITAT TYPE:** Intermountain Grassland

**PURPOSE:** Conserve elk winter range, adding to Bear Cr. WMA.

**LOCATION:** Madison County

ACREAGE: 5,278 acres

MANAGEMENT ACTIVITIES: Public hunting system, FWP and landowners work closely to manage

migratory elk population.

MAJOR EASEMENT TERMS: Prohibit subdivision; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:
Yes, the public's access shall be during all hunting season

3. Provide incentives for habitat conservation on private land:
Possibilities for habitat conservation exists.

4. Contribute to non-hunting recreation: At discretion of landowner.

5. Protect open space and scenic areas:
Yes subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture: Possibilities exist.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



**NAME: BEAR CREEK ANGUS ADDITION** 

**DATE OF ACQUISITION: 2001** 

TYPE OF ACQUISITION: Conservation easement

**COST:** Donation

**HABITAT TYPE:** Intermountain Grassland

PURPOSE: Conserve elk winter range, adding to Bear Cr. WMA.

**LOCATION:** Madison County

**ACREAGE:** 640 acres

MANAGEMENT ACTIVITIES: Public hunting system, FWP and landowners work closely to manage

migratory elk population

MAJOR EASEMENT TERMS: Prohibit subdivision; Public hunting allowed; addition was received as

part of negotiated change on Original easement.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:
Yes, the public's access shall be during all hunting seasons

3. Provide incentives for habitat conservation on private land: Possibilities for habitat conservation exists.

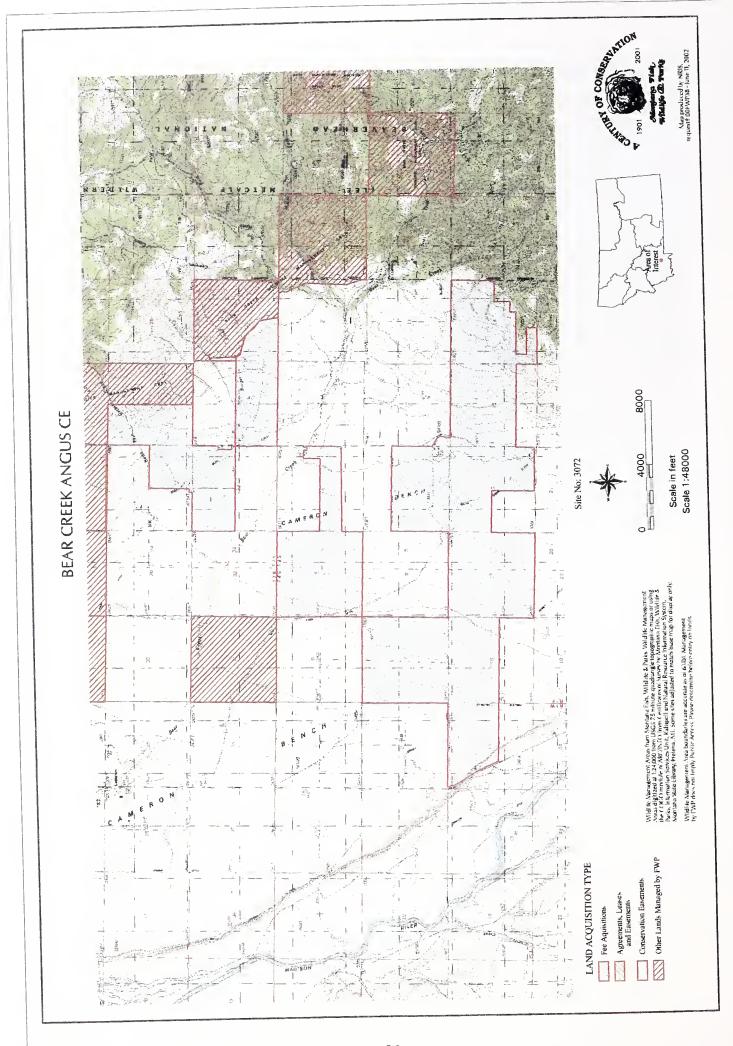
4. Contribute to non-hunting recreation:
At discretion of landowner.

5. Protect open space and scenic areas:
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture: Possibilities exist.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME:** STOREY RANCH

**DATE OF ACQUISITION: 1998** 

**TYPE OF ACQUISITION:** Conservation easement

**COST:** \$500,000

HABITAT TYPE: Intermountain Grassland

**PURPOSE:** Conserve elk winter range

**LOCATION:** Madison County

ACREAGE: 1,922 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:
Yes, public shall have access during all hunting seasons

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

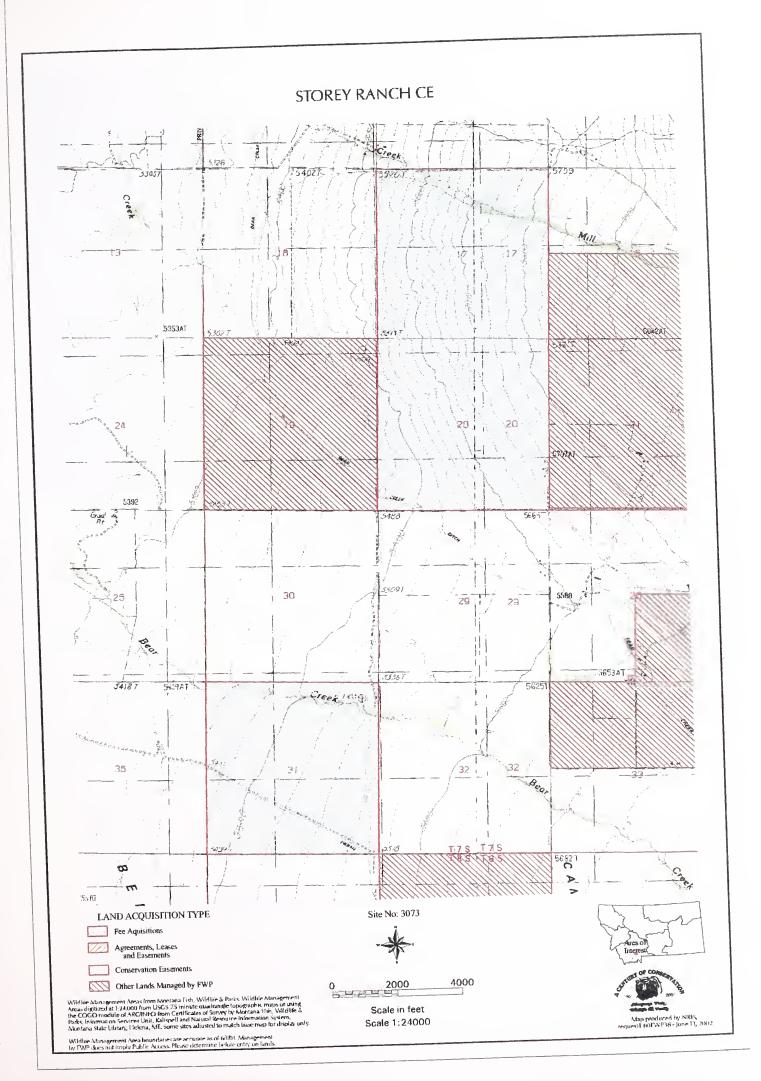
4. Contribute to non-hunting recreation: At discretion of landowner.

5. Protect open space and scenic areas:
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture: Planned grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





NAME: STOREY-MADISON RANCH

**DATE OF ACQUISITION: 1998** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$450,000

**HABITAT TYPE:** Intermountain Grassland

**PURPOSE:** Conserve elk winter range.

LOCATION: Madison County

ACREAGE: 1,605 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:
Yes, public shall have access during all hunting seasons

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

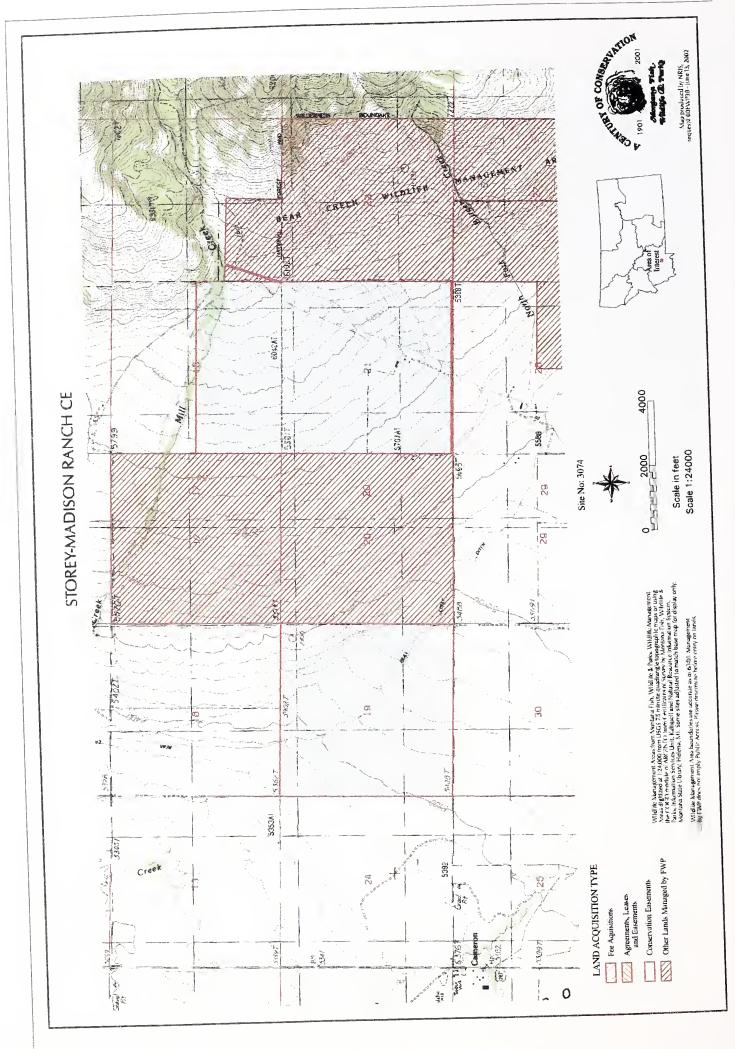
4. Contribute to non-hunting recreation: At discretion of landowner.

5. Protect open space and scenic areas:
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture: Planned grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





NAME: ROBB/LEDFORD WILDLIFE MANAGEMENT AREA

**DATE OF ACQUISITION: 1988** 

TYPE OF ACQUISITION: Fee

**COST:** \$2,000,000

**HABITAT TYPE:** Intermountain Grassland

**PURPOSE:** Elk winter range, the area winters 400 elk.

**LOCATION:** Madison and Beaverhead Counties

ACREAGE: 17,302 acres purchased; 10,796 acres DNRC annual lease; 6,802 acres BLM

**MANAGEMENT ACTIVITIES:** 

Major management activity has been continuation of livestock grazing As of 2004 a planned grazing system will be in place to manage the allowable annual use of 1,000 domestic animal units. Photo-points have shown vegetation community improvement. Contracted services with Paul Hansen of the Montana Riparian Association have shown functional and improving riparian habitat. Upland habitat vegetation monitoring is in place.

MAJOR EASEMENT TERMS: N/A

1. Conserve and enhance land, water and wildlife: Purchase of winter range accomplishes this.

2. Contribute to hunting and fishing opportunities:

Yes, WMA open to hunting

3. Provide incentives for habitat conservation on private land:

No

4. Contribute to non-hunting recreation:

Yes, WMA open to public May 15th to December 1st.

5. Protect open space and scenic areas:

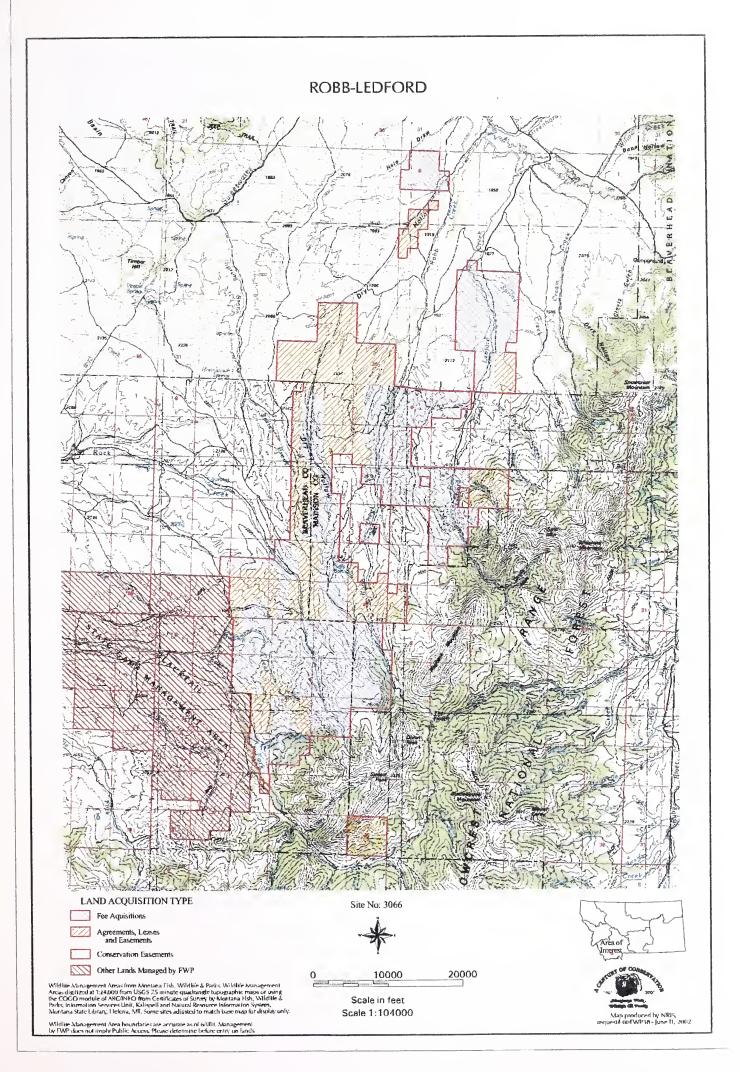
Yes, WMA is owned in fee

6. Promote habitat friendly agriculture:

Yes, established a rest-rotation grazing system on WMA, at an expense to sportsmen in excess of \$250,000.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

FWP makes payments in lieu of taxes on real property at 100% of tax rate



## **GALLATIN VALLEY**





NAME: GALLATIN WMA (PORCUPINE ADDITION AND TAYLOR FORK ADDITION)

**DATE OF ACQUISITION:** 1995 and 1999

**TYPE OF ACQUISITION:** Fee title (75% Federal Aid)

**COST:** \$438,475 (PR-\$1,315,425)

**HABITAT TYPE:** Montane Forest

**PURPOSE:** Conserve elk winter range

**LOCATION:** Gallatin County

ACREAGE: 1,120 acres

MANAGEMENT ACTIVITIES: Part of Gallatin Wildlife Management Area.

**MAJOR EASEMENT TERMS: N/A** 

1. Conserve and enhance land, water and wildlife:
Yes, property added to Gallatin Wildlife Management Area

2. Contribute to hunting and fishing opportunities:

Yes, WMA is open for hunting

3. Provide incentives for habitat conservation on private land:

N/A

4. Contribute to non-hunting recreation:

Yes

5. Protect open space and scenic areas:

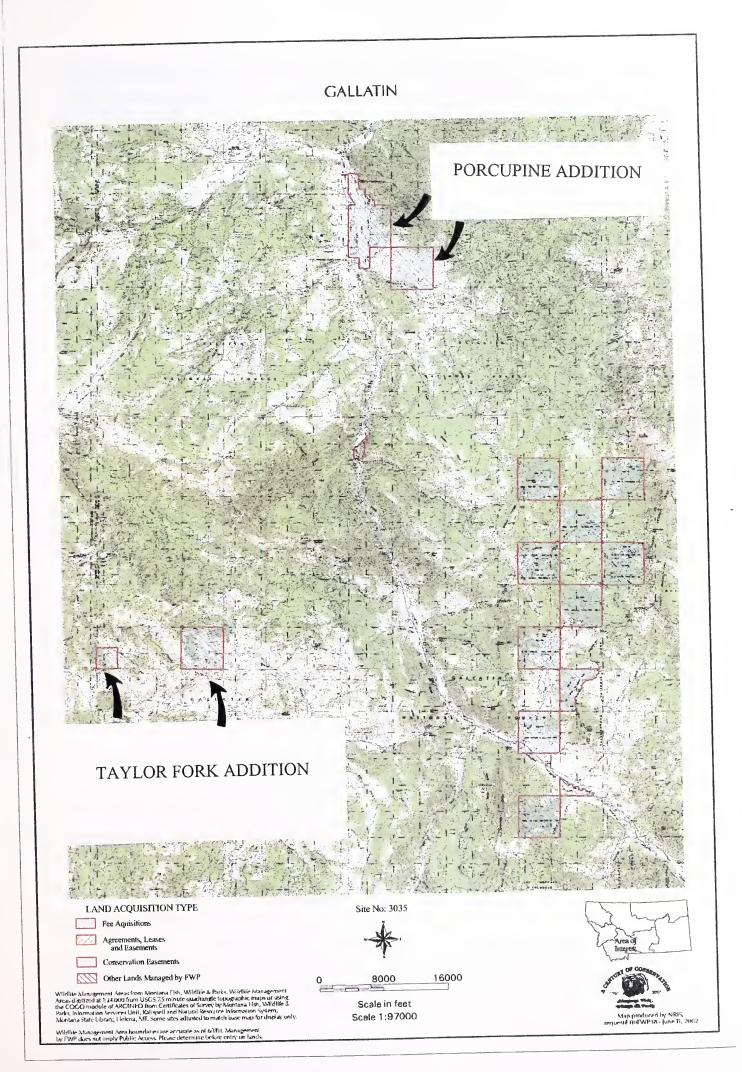
Yes, this effort was part of a bigger land transaction between U.S. Forest Service and a private timber company

6. Promote habitat friendly agriculture:

N/A

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

FWP pays in lieu of taxes at \$100% of tax rate.



## YELLOWSTONE VALLEY





**NAME:** DOME MOUNTAIN W.M.A.

DATE OF ACQUISITION: 1989/1990

TYPE OF ACQUISITION: Fee and easement

**COST:** \$1,540,200 for fee and \$90,011 for easement

HABITAT TYPE: Intermountain Grassland

**PURPOSE:** Elk winter range

LOCATION: Park County

ACREAGE: 2,098 acres fee title and 160 acres easement

MANAGEMENT ACTIVITIES: Maintaining fence, roads and weed control work and a sharecropper

contract on an existing cultivated field. The native vegetation is monitored with vegetation transects to watch for changes in the plant

community.

1. Conserve and enhance land, water and wildlife:

The WMA purchase protects this as elk winter habitat for perpetuity.

2. Contribute to hunting and fishing opportunities:

WMA is open to hunting.

3. Provide incentives for habitat conservation on private land:

Not directly, there has been a sharecropper agreement on an existing cultivated field.

4. Contribute to non-hunting recreation:

WMA open summer through fall.

5. Protect open space and scenic areas:

Yes

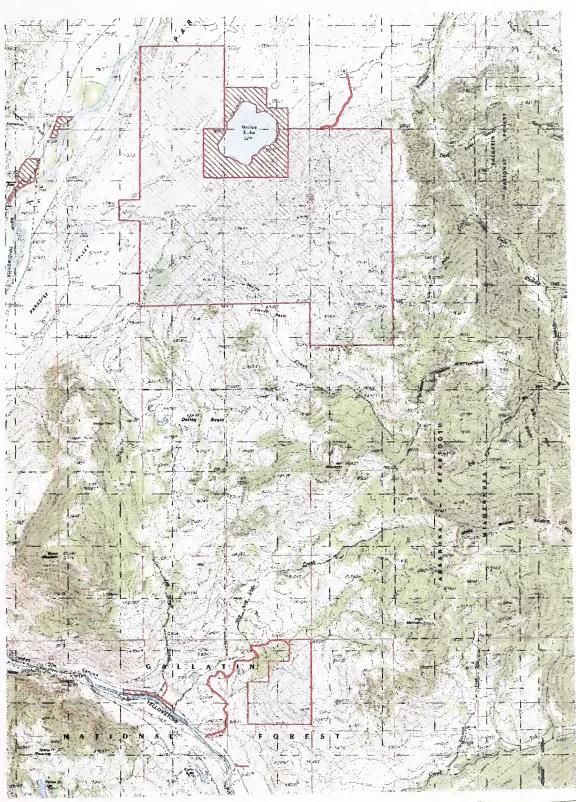
6. Promote habitat friendly agriculture:

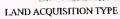
Yes, a sharecrop agreement exists on a cultivated field.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

In lieu of taxes are paid.

# DOME MOUNTAIN





Fee Aquisitions

Agreements, Leases and Easements

Conservation Easements

Other Lands Managed by FWP

Wildlife Management Areas from Montana Fish, Wildlife & Parks, Wildlife Management Areas digitized at 1:24,000 from USGS 25 minute quadrangle topographic maps or using the COGO module of ARCINHO from Certificates of Survey by Montana Msh, Wildlife & Parks, Information Servers, Unit, Rollegell and Natural Recovery information System, Montana State Library, Helena, Mf. Some sites adjusted to match base map for display only.

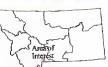
Wildlife Management Area boundaries are accurate as of 6/1/01. Management

Site No: 3058





Scale in feet Scale 1:49000





Map produced by NRIS,

## NORTH OF WHITEHALL KEOGH C.E.





**NAME: KEOGH PROPERTY** 

**DATE OF ACQUISITION: 1996** 

TYPE OF ACQUISITION: Conservation easement

COST: \$450,000

HABITAT TYPE: Intermountain Grassland

PURPOSE: Conserve elk winter range

LOCATION: Jefferson County

ACREAGE: 7,106 acres

MANAGEMENT ACTIVITIES: Follow grazing provisions.

MAJOR EASEMENT TERMS: Prohibit subdivision; Public hunting allowed; Conserve prairie dog town.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities: Yes, 250 persons allowed to hunt on Land each year

3. Provide incentives for habitat conservation on private land: Sagebrush cannot be manipulated

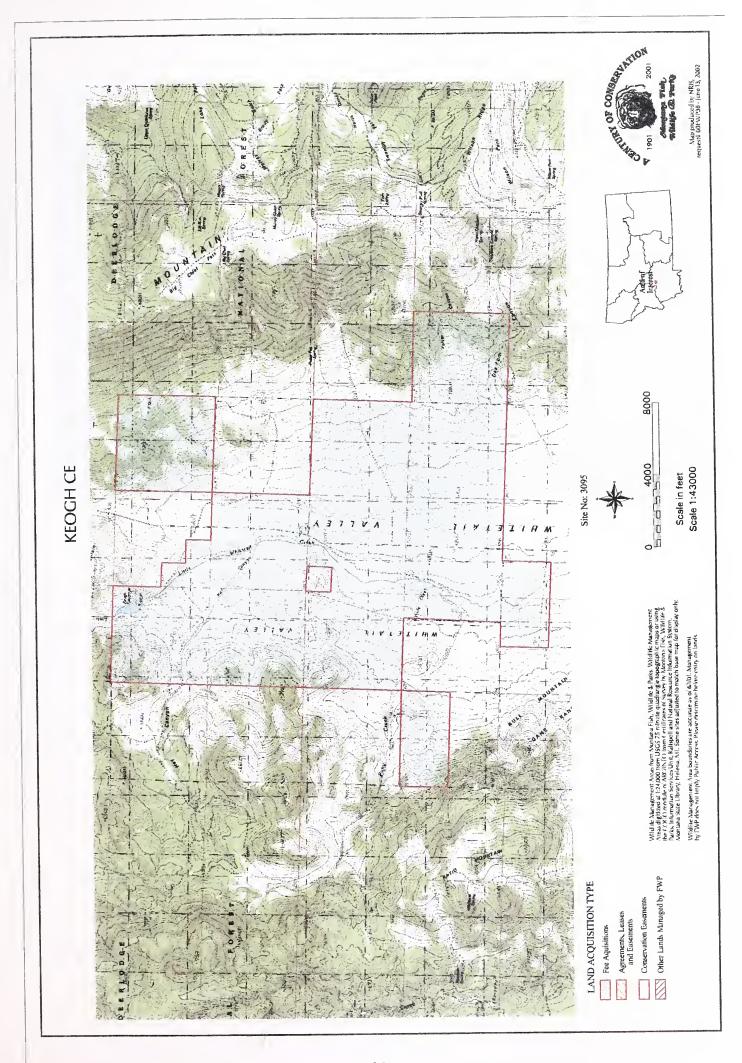
4. Contribute to non-hunting recreation: At discretion of landowner.

5. Protect open space and scenic areas:
Yes, subdivision prohibited except for agricultural purposes

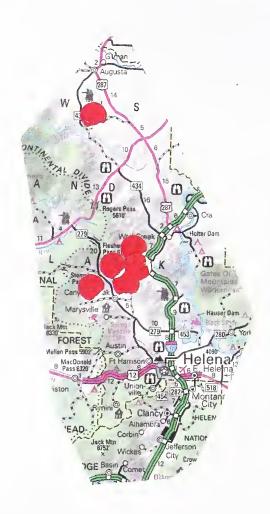
6. Promote habitat friendly agriculture:
Standard agricultural practices continue; livestock AUM restriction

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



## NORTH OF HELENA





NAME: CANYON CREEK WILDLIFE MANAGEMENT AREA

**DATE OF ACQUISITION: 1996** 

**TYPE OF ACQUISITION:** Fee Title

**COST:** \$663,000

**HABITAT TYPE:** Intermountain Grassland

PURPOSE: Conserve elk winter range

**LOCATION:** Lewis and Clark County

ACREAGE: 2,210 acres

MANAGEMENT ACTIVITIES: Manage as elk winter range – weed control; road access; fence repair

**MAJOR EASEMENT TERMS: N/A** 

1. Conserve and enhance land, water and wildlife:

Land is managed as a wildlife management area focusing on vegetation and wildlife.

2. Contribute to hunting and fishing opportunities: WMA is open for hunting.

3. Provide incentives for habitat conservation on private land:

N/A

4. Contribute to non-hunting recreation:

Yes, WMA open May 15 to December 1

5. Protect open space and scenic areas:

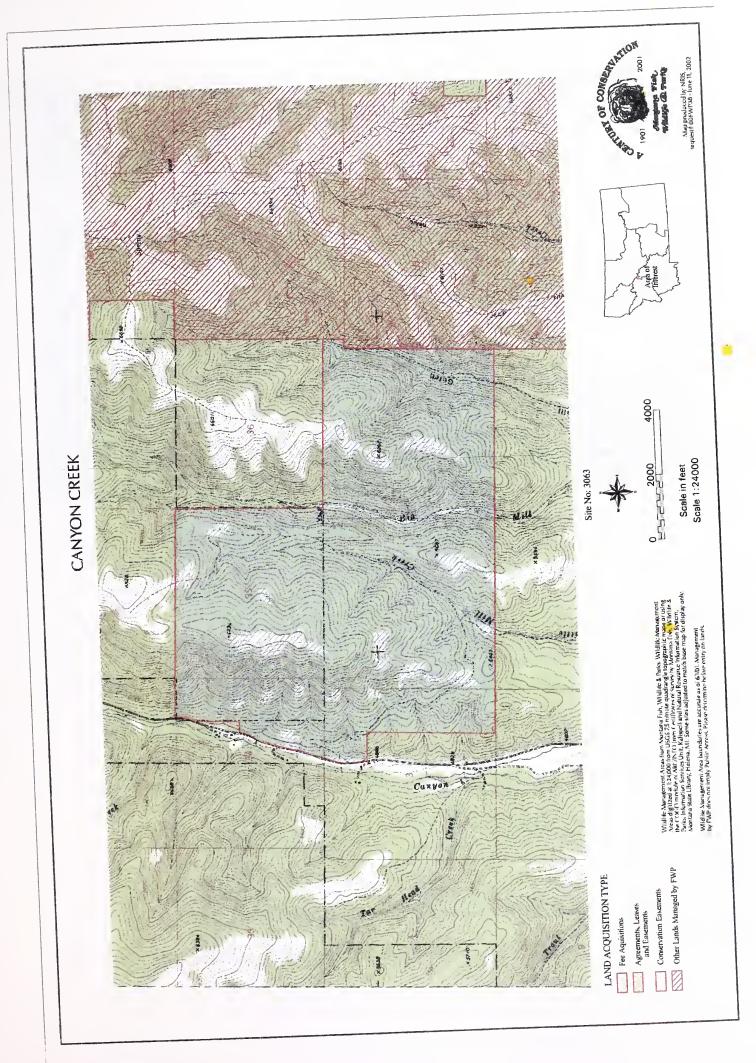
Yes

6. Promote habitat friendly agriculture:

Yes, by helping Sieben Ranch meet their objectives.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Department pays in lieu of taxes at 100% of the tax rate.





NAME: SIEBEN – RATTLESNAKE CREEK

**DATE OF ACQUISITION: 1996** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$1,086,690

**HABITAT TYPE:** Intermountain Grassland

**PURPOSE:** Conserve elk winter range

**LOCATION:** Lewis and Clark County

ACREAGE: 10,867 acres

**MANAGEMENT ACTIVITIES:** Manage livestock within aum limits.

MAJOR EASEMENT TERMS: Prohibit subdivision; Public hunting allowed; Livestock grazing.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, 30 persons may hunt on Land each day of the fall hunting seasons

3. Provide incentives for habitat conservation on private land:

Discussions with landowner on opportunity for livestock grazing system has taken place; control of sagebrush prohibited

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

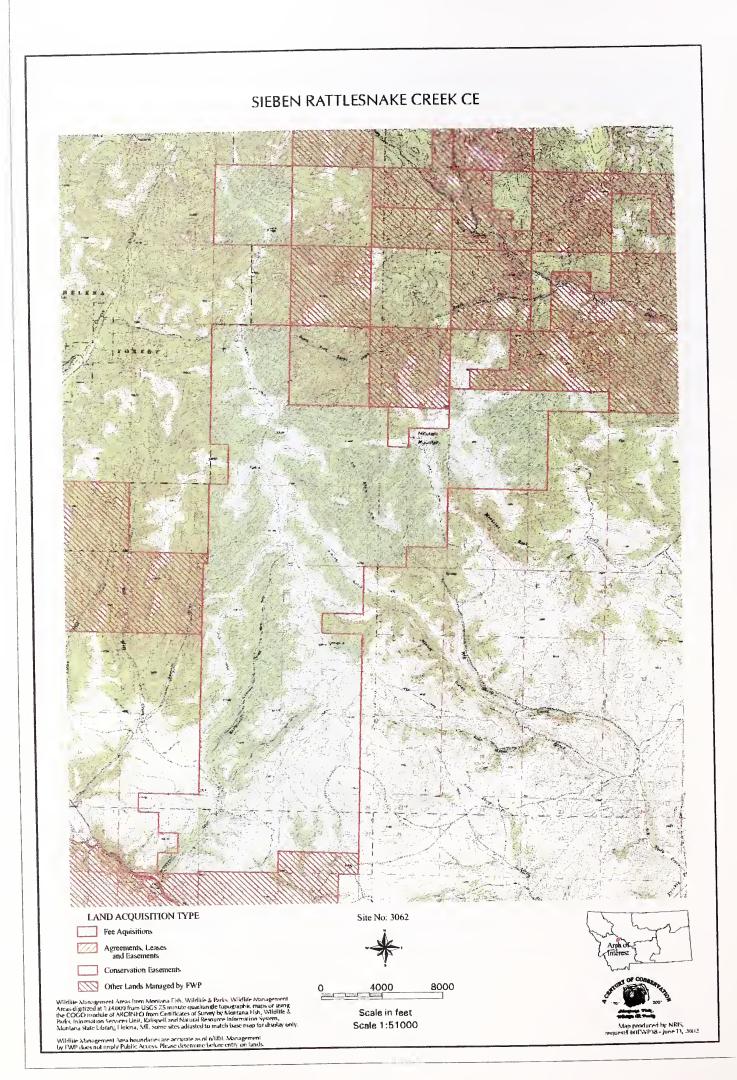
Yes, subdivision prohibited except for agricultural purposes

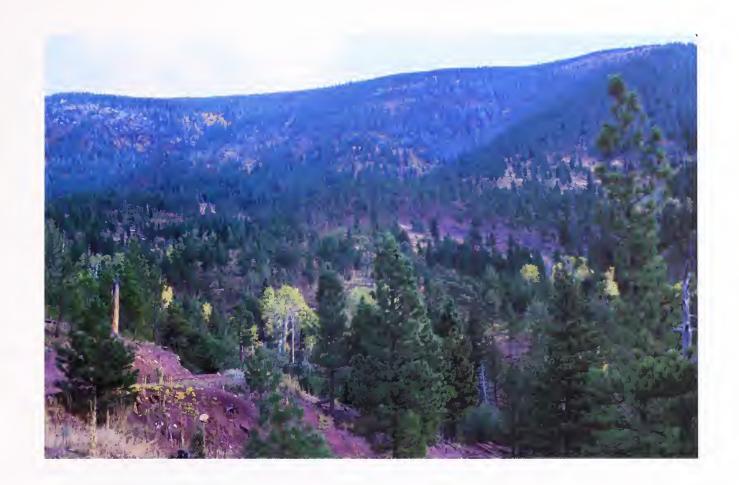
6. Promote habitat friendly agriculture:

Possible grazing system, presently an AUM restriction; timber may be harvested using Best Management Practices

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





NAME: SIEBEN – LYONS CREEK

**DATE OF ACQUISITION: 1996** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$404,000

**HABITAT TYPE:** Intermountain Grassland/Montane Forest

**PURPOSE:** Conserve elk winter range

LOCATION: Lewis and Clark County

ACREAGE: 4,040 acres

MANAGEMENT ACTIVITIES: Manage livestock within AUM limits.

MAJOR EASEMENT TERMS: Prohibit subdivision Public hunting allowed; Livestock grazing

allowed; Timber harvest allowed with department input.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, 20 persons per day may hunt on Land during all hunting seasons

3. Provide incentives for habitat conservation on private land:

Discussions with landowner on opportunity for livestock grazing system has taken place.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

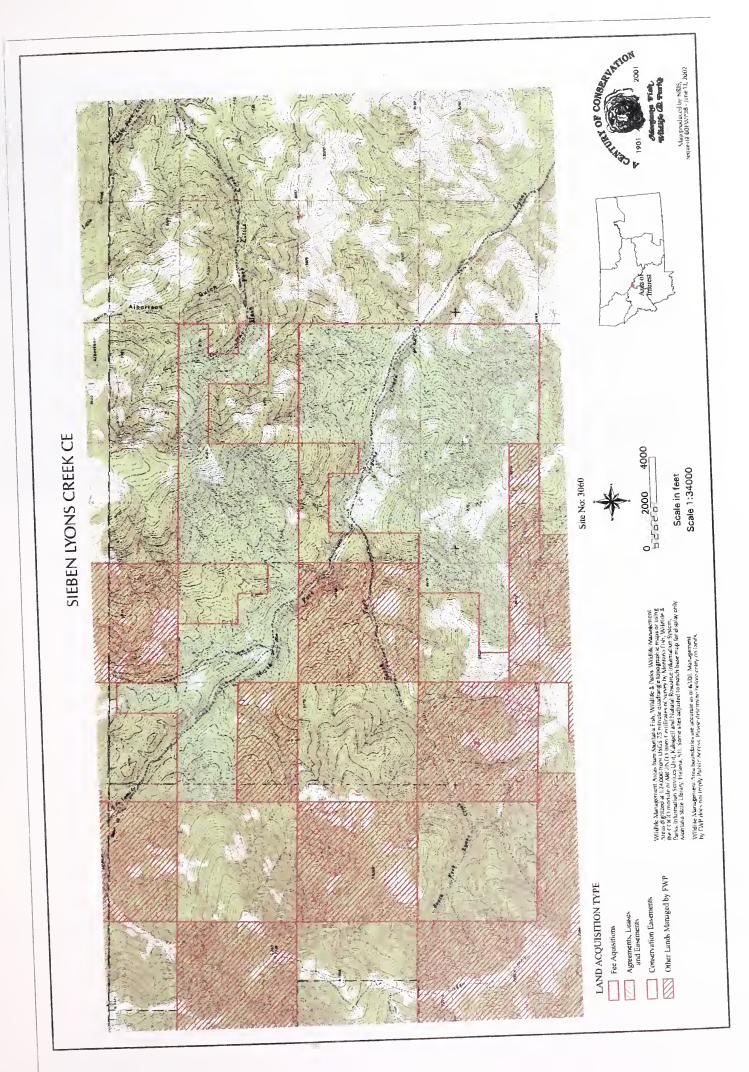
Yes, subdivision prohibited except for agricultural purposes. Two additional residences allowed in specific location

6. Promote habitat friendly agriculture:

Possible grazing system; logging allowed following Best Management Practices

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch, livestock grazing and timber harvest will continue.





**NAME:** O'CONNELL-LYONS

**DATE OF ACQUISITION: 1996** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$415,384

HABITAT TYPE: Intermountain Grassland/Montane Forest

**PURPOSE:** Conserve elk winter range

LOCATION: Lewis and Clark County

ACREAGE: 4,154 acres

**MANAGEMENT ACTIVITIES:** Manage livestock within aum limits.

MAJOR EASEMENT TERMS: Prohibit subdivision; Public hunting allowed; Livestock grazing may

continue; Timber harvest may continue.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, 20 persons per day during each day of fall hunting season is required if such demand exists.

3. Provide incentives for habitat conservation on private land:

Opportunity for livestock grazing system may exist.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

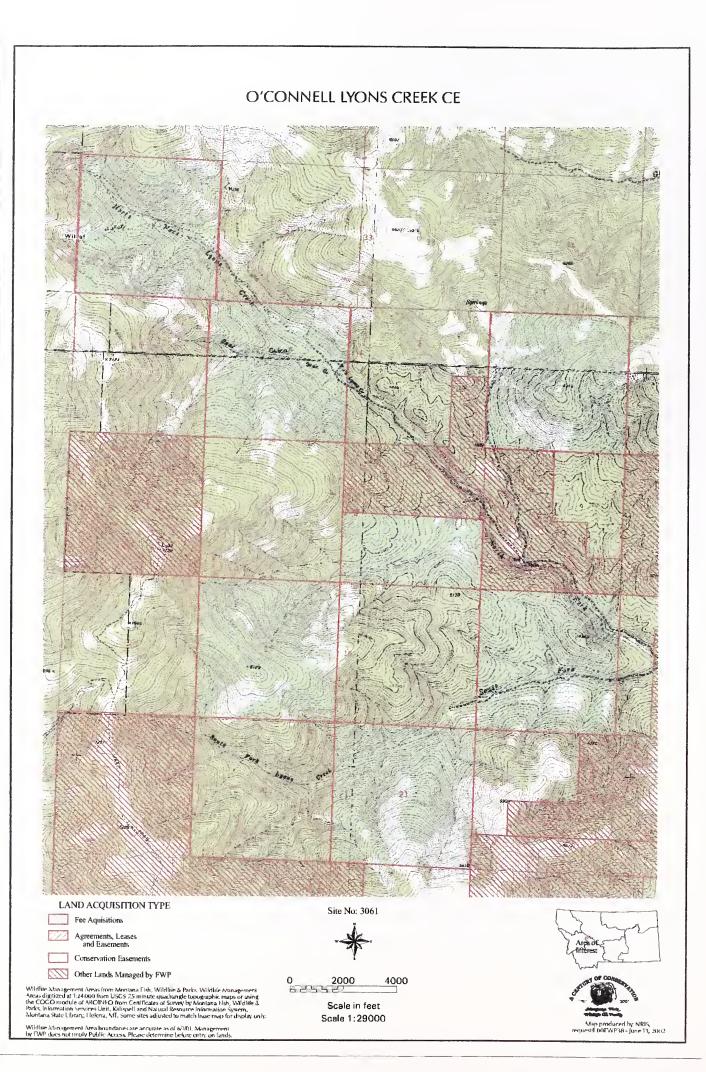
Yes, prohibit subdivision except for agricultural purposes. Two new residences allowed in designated areas with a home building area not to exceed 5 acres per house.

6. Promote habitat friendly agriculture:

Possible grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME: GRADY RANCH** 

**DATE OF ACQUISITION: 1998** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$2,350,000

HABITAT TYPE: Intermountain Grassland

**PURPOSE:** Conserve elk winter range

**LOCATION:** Lewis and Clark County

ACREAGE: 12,932 acres

MANAGEMENT ACTIVITIES: Timber management with objectives including wildlife.

**MAJOR EASEMENT TERMS:** Prohibit subdivision; Timber management; Public hunting allowed; restriction on sagebrush control; livestock AUM restriction

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, 475 persons may hunt on Land each year yielding approximately 1,425 hunter days.

3. Provide incentives for habitat conservation on private land:

Continuation of timber management with objectives for wildlife.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

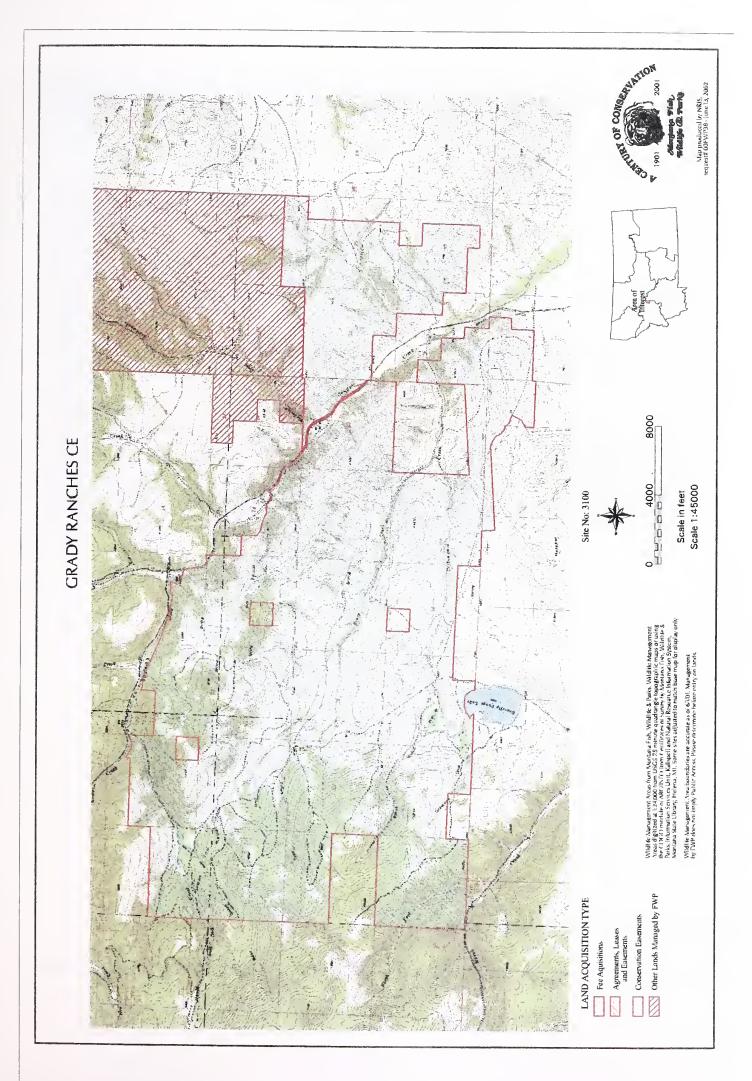
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

Possibility of planned grazing system

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME**: BAY RANCH

**DATE OF ACQUISITION**: 1996

TYPE OF ACQUISITION: Conservation easement

**COST**: \$580,350

HABITAT TYPE: Intermountain Grassland

**PURPOSE**: Conserve elk winter range

LOCATION: Lewis and Clark County

ACREAGE: 3,869 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

Yes, from October 1 to the last day of the general big game hunting season, Landowner must allow two hunting parties of no more than three persons to hunt on Land each Wednesday, Thursday, Friday and Saturday.

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

At discretion of landowner

5. Protect open space and scenic areas:

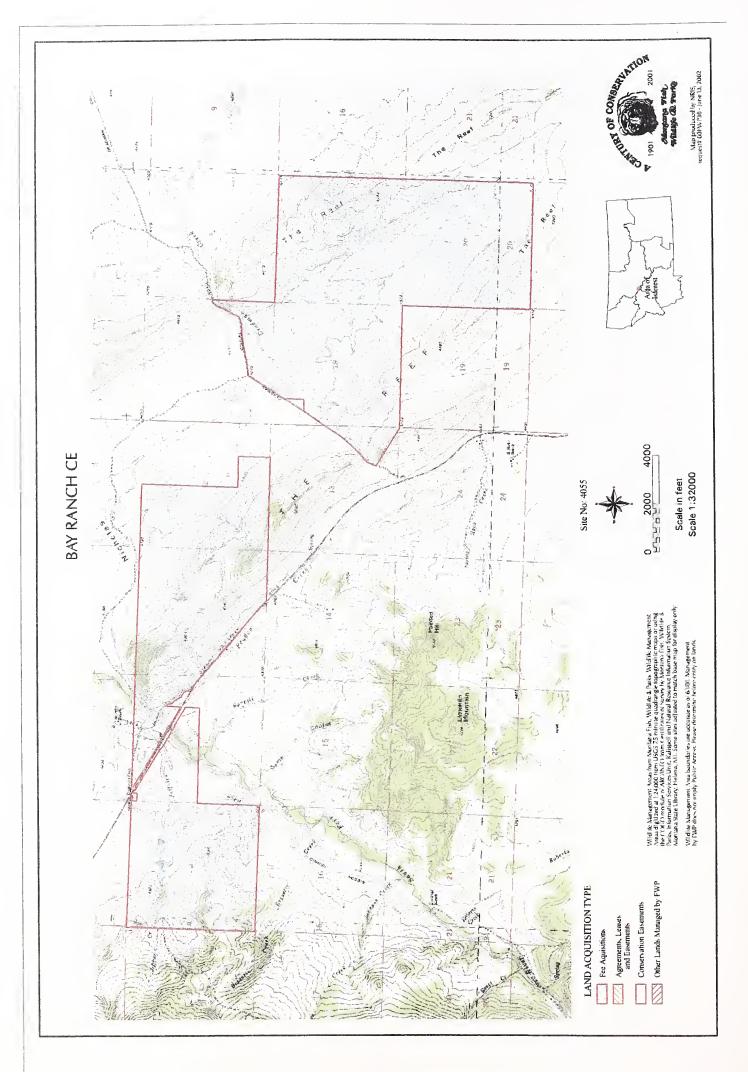
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

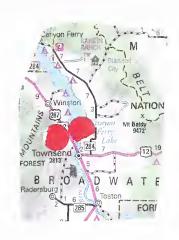
Planned grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



# NEAR TOWNSEND CANYON FERRY WMA HAHN EASEMENT





NAME: CANYON FERRY WMA ADDITION (51 RANCH)

**DATE OF ACQUISITION: 1996** 

TYPE OF ACQUISITION: Fee title

COST: \$250,000 plus a 40-acre BLM land trade

**HABITAT TYPE:** Grassland

**PURPOSE:** To prevent residential subdivision adjacent to wildlife management area

LOCATION: Broadwater County

ACREAGE: 129 acres

MANAGEMENT ACTIVITIES: Incorporated in Canyon Ferry WMA, i.e. hunting, bird watching;

walking, canoeing

MAJOR EASEMENT TERMS: not applicable

1. Conserve and enhance land, water and wildlife:

Yes, incorporated into Canyon Ferry WMA. Weed control; habitat enhancement; pond water level maintenance

2. Contribute to hunting and fishing opportunities:

Yes, part of Canyon Ferry WMA

3. Provide incentives for habitat conservation on private land:

N/A

4. Contribute to non-hunting recreation:

YES, excellent wildlife viewing. WMA is open all year

5. Protect open space and scenic areas:

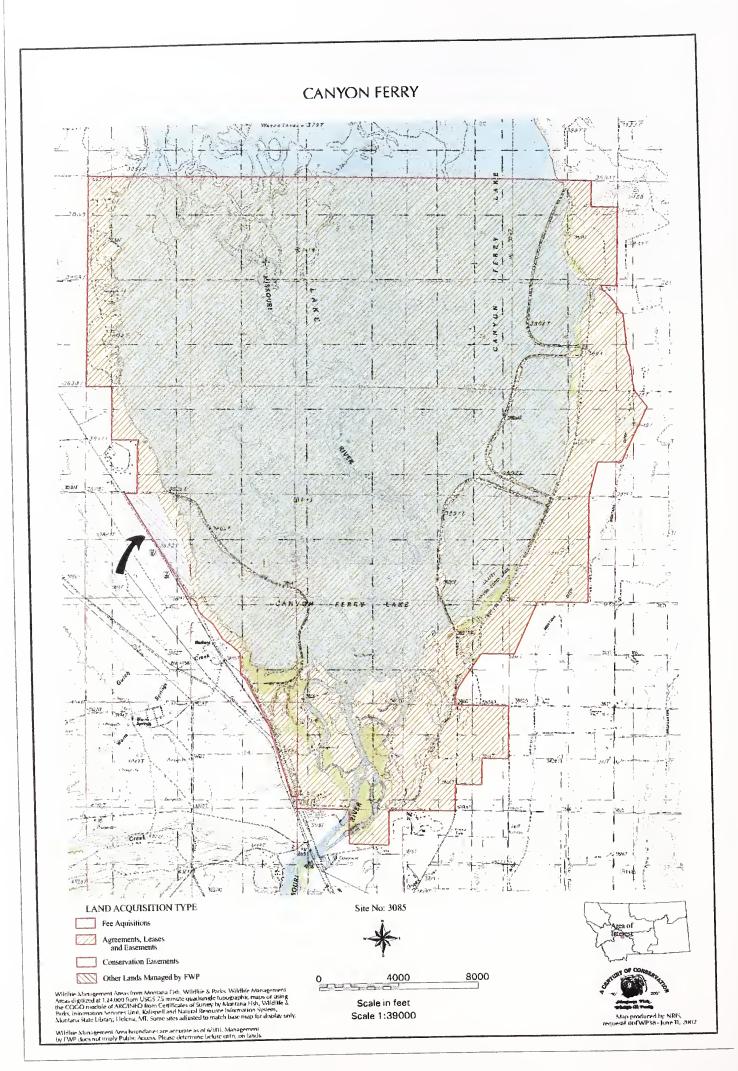
YES

6. Promote habitat friendly agriculture:

N/A

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

FWP makes payments in lieu of taxes at 100% the tax rate.





**NAME:** HAHN RANCH

**DATE OF ACQUISITION: 1998** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$250,000

HABITAT TYPE: Intermountain Grassland

**PURPOSE:** Conserve deer and elk winter range

**LOCATION:** Broadwater County

ACREAGE: 1,685 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:
Yes, at least 400 hunter days are allowed during fall hunting seasons

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

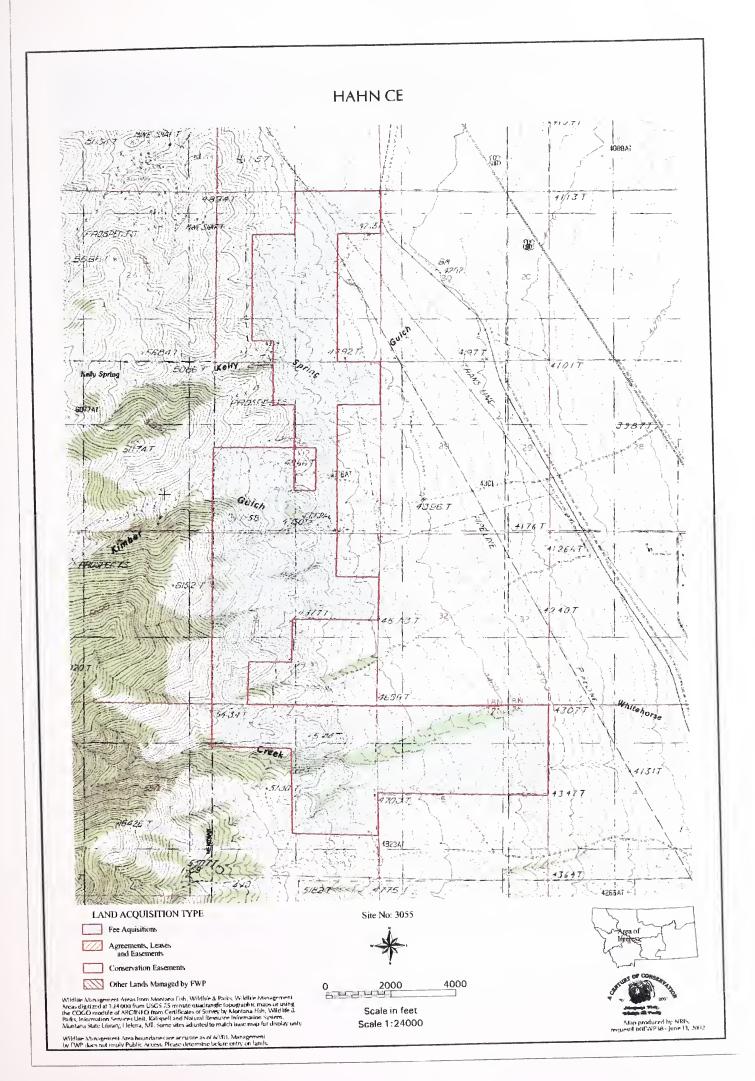
4. Contribute to non-hunting recreation: At discretion of landowner.

5. Protect open space and scenic areas:
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture: Planned grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



# **BRIDGER MOUNTAINS**





**NAME: MAHER PROPERTY** 

**DATE OF ACQUISITION: 1994** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$276,016 The Mahers donated a considerable amount of the value.

**HABITAT TYPE:** Intermountain Grassland

**PURPOSE:** Conserve mule deer winter range

**LOCATION:** Gallatin County

ACREAGE: 880 acres

MANAGEMENT ACTIVITIES: Livestock grazing; public hunting system.

MAJOR EASEMENT TERMS: Graze up to 690 aums of livestock per year; Prohibit subdivision; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, during spring black bear season: one party of no more than two persons may hunt on Land each day. During the big game archery season: one hunting party of no more than two persons will be allowed to hunt big game and game birds each day. During the fall general hunting season: up to six parties of no more than two persons in each party may hunt the Land each Saturday and Sunday; up to 15 parties on no more than two person each will be allowed to hunt on Land each day, Monday through Friday.

3. Provide incentives for habitat conservation on private land:

The Mahers were generous donors of considerable monetary value to see this land remain deer habitat

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

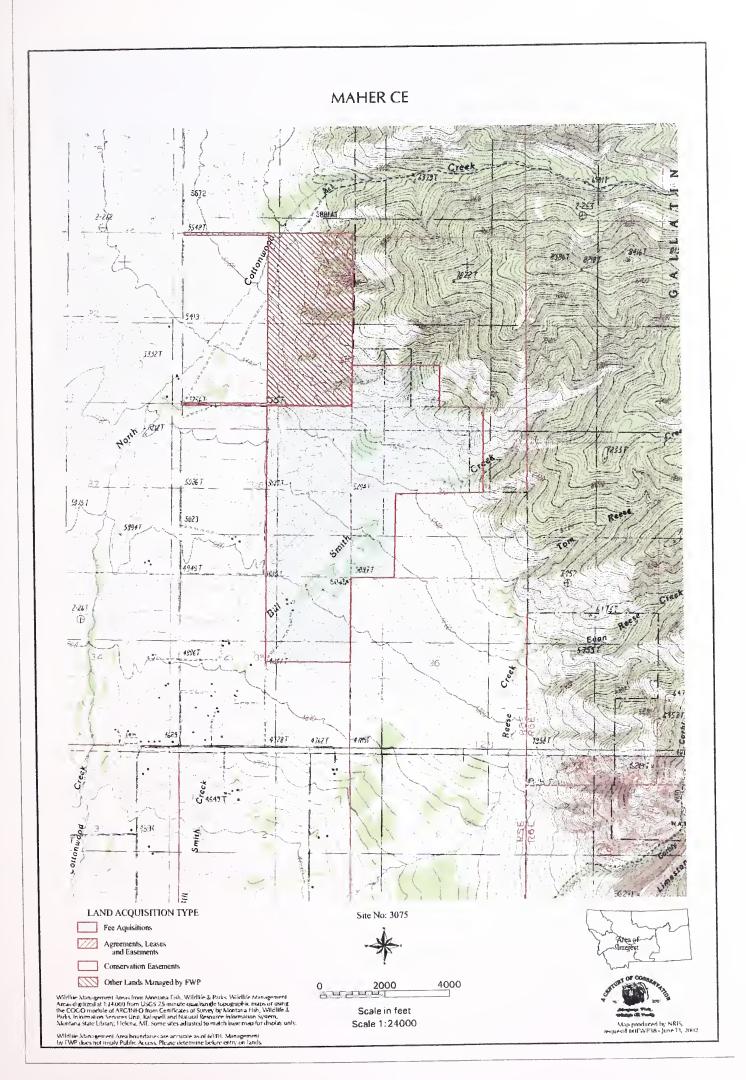
Yes, subdivision prohibited except for agricultural purposes. One additional residence may be built within a designated building area

6. Promote habitat friendly agriculture:

A negotiated easement term on number of livestock aums per year.

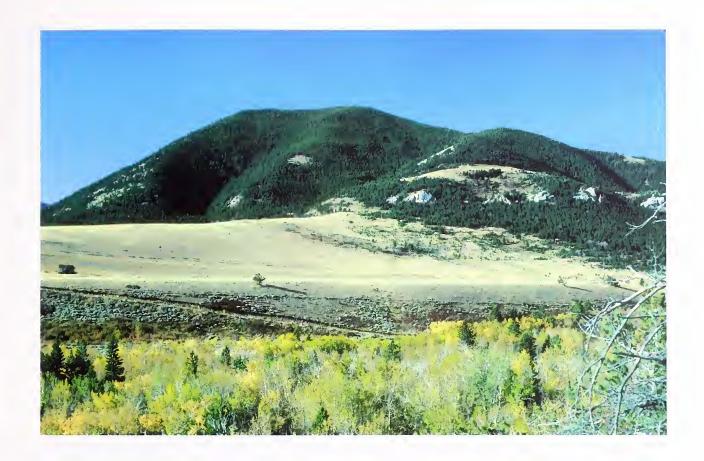
7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



# **RED LODGE**





NAME: SILVER RUN WMA (formerly Point of Rocks)

**DATE OF ACQUISITION: 1992** 

TYPE OF ACQUISITION: Fee

**COST:** \$457,274

HABITAT TYPE: Intermountain Grassland

PURPOSE: Elk winter range

LOCATION: Carbon County

ACREAGE: 639 acres

MANAGEMENT ACTIVITIES: Fence maintenance and weed control.

1. Conserve and enhance land, water and wildlife:

The WMA purchase protects this as elk winter habitat for perpetuity.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

No

4. Contribute to non-hunting recreation:

WMA open summer through fall.

5. Protect open space and scenic areas:

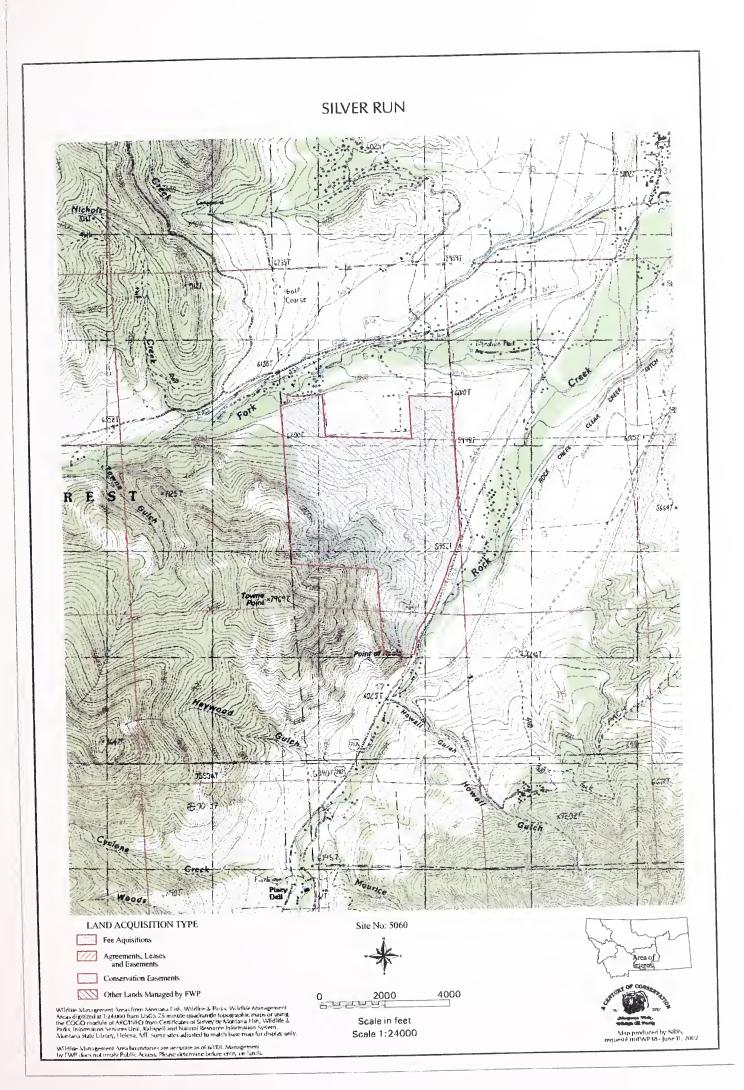
Yes

6. Promote habitat friendly agriculture:

No

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Payments are made.



# JUDITH (LITTLE BELT MOUNTAINS)





NAME: JUDITH WMA (ROGERS ADDITION)

**DATE OF ACQUISITION: 1992** 

TYPE OF ACQUISTION: Fee

COST: \$785,650

**HABITAT TYPE**: Intermountain Grassland

PURPOSE: Add to existing Judith River WMA to increase elk winter range

LOCATION: Judith Basin County

ACREAGE: 1,893 acres

MANAGEMENT ACTIVITIES: A rest-rotation livestock grazing system. Rogers have right to

graze 333 aums annually for 25 years with right to renew for

additional 25 years.

1. Conserve and enhance land, water and wildlife:

The WMA purchase protects this as elk winter habitat for perpetuity.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land:

No

4. Contribute to non-hunting recreation:

WMA open summer through fall.

5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

Yes, a planned livestock grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Both objectives are accomplished.



NAME: JUDITH WILDLIFE MANAGEMENT AREA (HUGHES ADDITION)

**DATE OF ACQUISITION: 1999** 

TYPE OF ACQUISITION: Fee title

**COST**: \$1,137,661

HABITAT TYPE: Intermountain Grassland

PURPOSE: Conserve deer and elk winter range

LOCATION: Judith Basin County

ACREAGE: 2,143 acres

MANAGEMENT ACTIVITIES: Property became part of the Judith Wildlife Management Area,

weed control, road and fence maintenance are major work effort

**MAJOR EASEMENT TERMS: N/A** 

1. Conserve and enhance land, water and wildlife:
Yes, land now part of Judith Wildlife Management Area.

2. Contribute to hunting and fishing opportunities: Yes, WMA is open for hunting

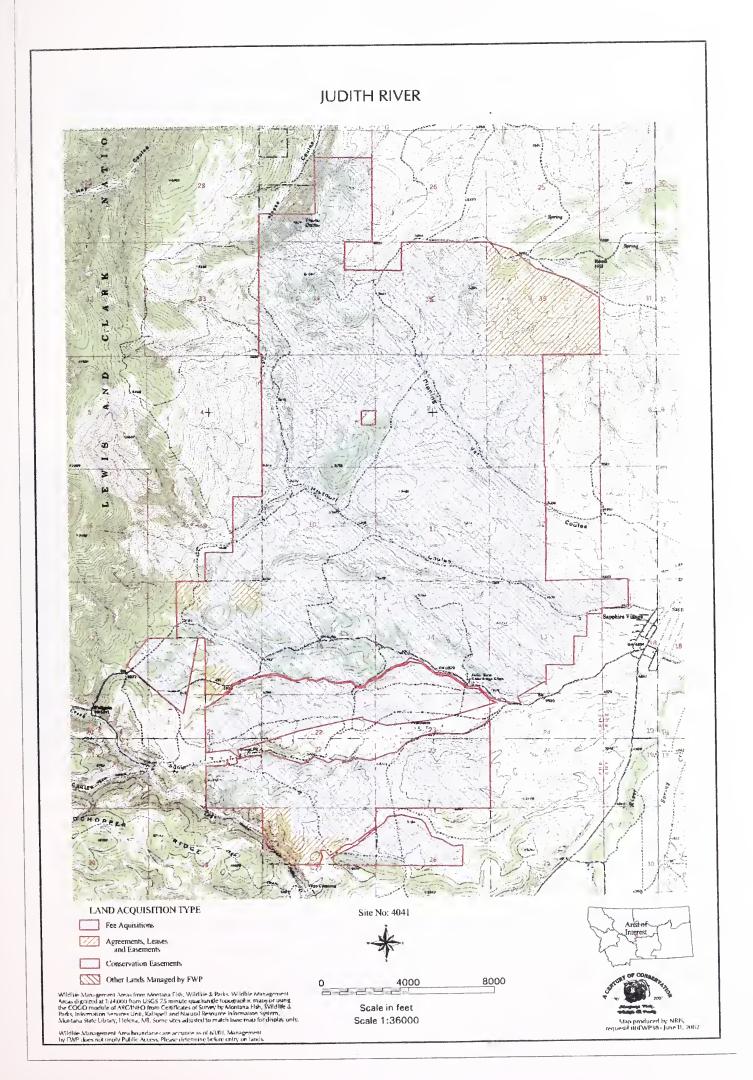
3. Provide incentives for habitat conservation on private land: N/A

4. Contribute to non-hunting recreation:
Yes, WMA open from May 15 to December 1 each year

5. Protect open space and scenic areas:
Yes, land became part of Judith River WMA

6. Promote habitat friendly agriculture: N/A

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses: FWP makes payments in lieu of taxes at 100% of tax rate.



### **VEGETATION DIVERSITY**

## HARRIS LAND AND CATTLE IN HIGHWOOD MTNS.

# BUXBAUM adjacent to SOUTH DAKOTA BORDER







NAME: HARRIS LAND & CATTLE COMPANY

**DATE OF ACQUISITION: 1998** 

TYPE OF ACQUISITION: Conservation easement

**COST**: \$1,500,000

**HABITAT TYPE**: Riparian/woody draw/sagebrush-grassland mix

PURPOSE: Conserve riparian/woody draw/sagebrush-grassland habitats

**LOCATION**: Choteau County

ACREAGE: 10,013 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing continues; Public hunting allowed; the removal or control of shrub species browsed by wildlife is prohibited; timber cutting follows Best Management Practices

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

Yes, the Landowner must allow at least four hunting parties of no more than three persons in each party to hunt Friday, Saturday, Sunday and Monday of each week, except prior to general big game rifle season no more than two of the parties can be bird hunters. At the start of the general big game rifle season, Landowner must allow three parties of no more than three person per party to hunt on Friday, Saturday, Sunday and Monday of each week. During the general big game rifle season, no more than one of the parties can be bird hunters.

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

At discretion of landowner

5. Protect open space and scenic areas:

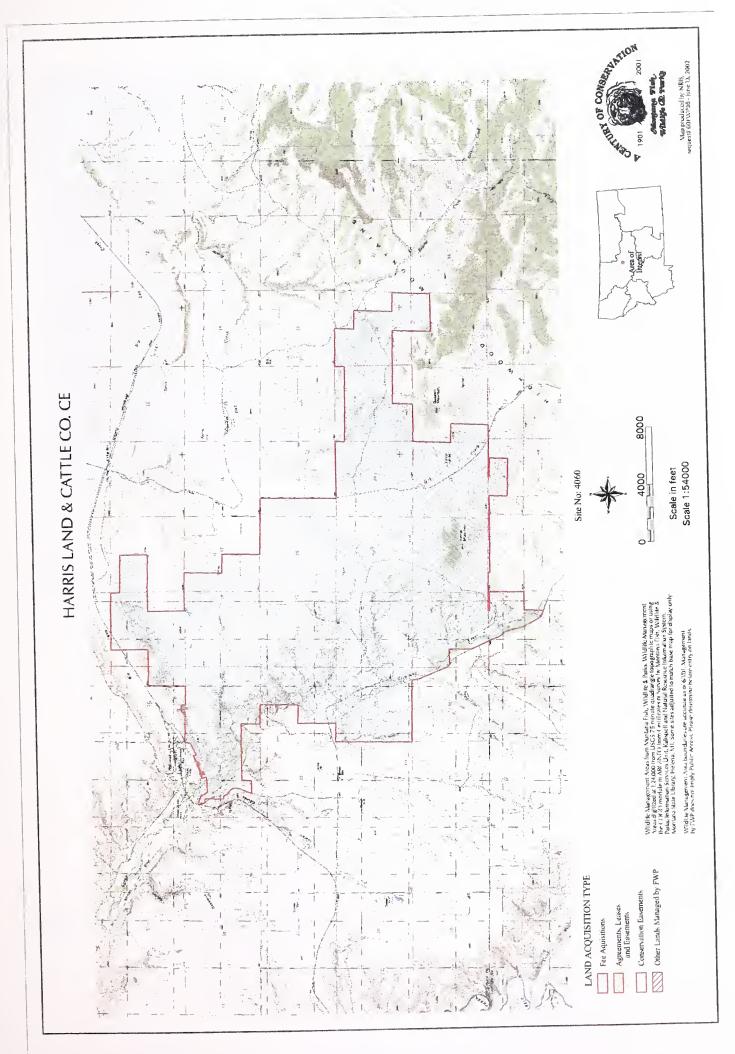
Yes, subdivision of less than 640 acres is prohibited. Three new residences allowed

6. Promote habitat friendly agriculture:

Planned grazing system; timber logging following Best Management Practices

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME:** BUXBAUM RANCH

**DATE OF ACQUISITION: 1997** 

TYPE OF ACQUISITION: Conservation easement

**COST**: \$255,000

HABITAT TYPE: Prairie Grassland/Woody draws

PURPOSE: Conserve Prairie grassland and woody vegetation

LOCATION: Richland County

ACREAGE: 6,045 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing continues; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

Yes, Landowner must allow at least 115 persons hunting for a minimum of 360 hunter days for upland and migratory birds; and 50 persons hunting for a minimum of 150 hunter days for deer and antelope, all during the fall seasons

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

At discretion of landowner

5. Protect open space and scenic areas:

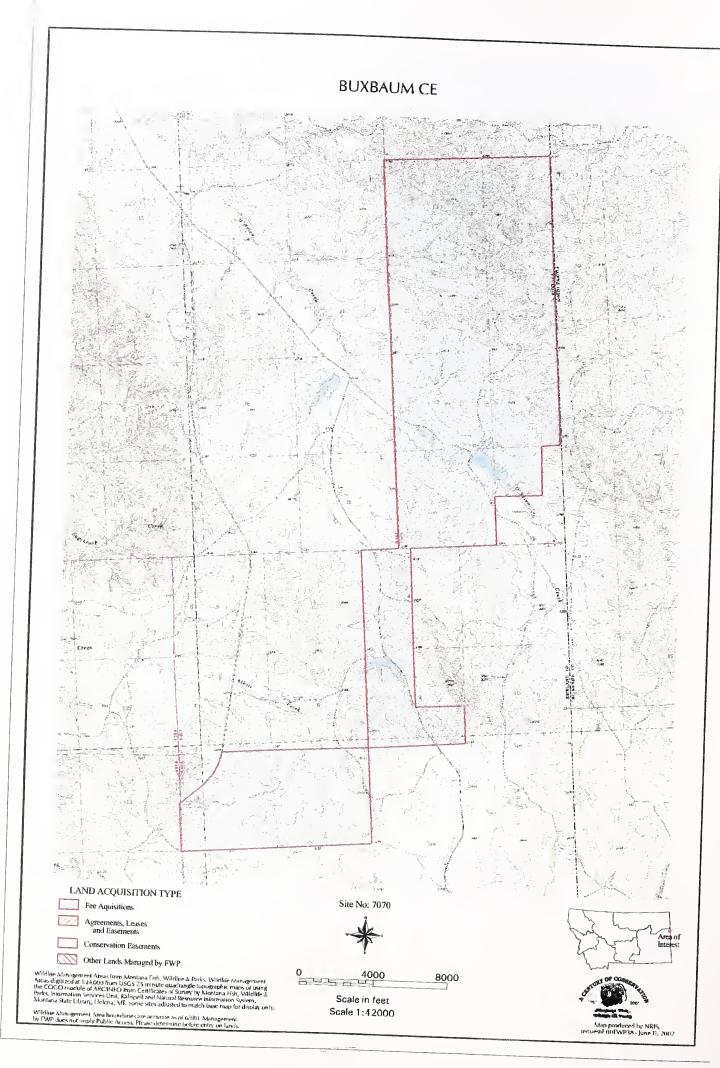
Yes, subdivision prohibited except for agricultural purposes

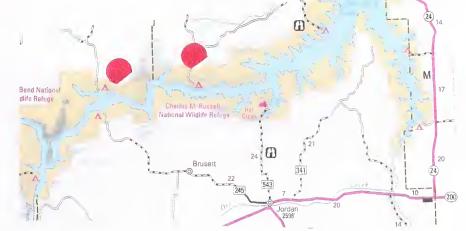
6. Promote habitat friendly agriculture:

Planned grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

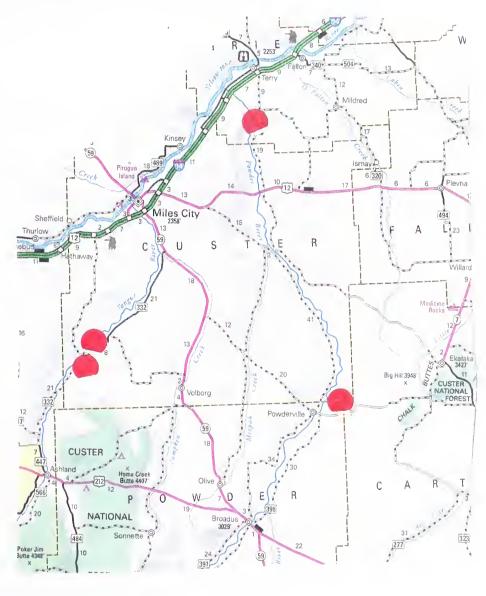
The landowner pays taxes as a working ranch.





### **SAGEBRUSH CONSERVATION**

### **Eastern and Southwestern Montana**







NAME: BREWER

**DATE OF ACQUSITION: 1990/1994** 

TYPE OF ACQUISTION: Initially a fee title purchase later became a conservation easement in return

for easement on additional property.

COST OF ACQUISITION: Initially \$1.1 million for fee title.

HABITAT TYPE: Sagebrush-Grassland

PURPOSE: Conservation of sagebrush-grassland vegetation

LOCATION: Custer; Powder River and Carter Counties

ACREAGE: 17,850 acres fee

MANAGEMENT ACTIVITIES: Major activity was the establishment of a rest-rotation grazing

system to manage the vegetation. This has been highly successful. The BLM has performed a range evaluation and gave very high

scores for the condition of the rangeland.

MAJOR EASEMENT TERMS: Prohibit subdivision; prohibit additional cultivation; prohibit

removal of sagebrush; allow livestock grazing per grazing system; allow public hunting. In 1994, the Brewer Property plus \$575,000 was exchanged with the Page/Whitham Cattle Co. for an easement on 18,173 acres of sagebrush-grassland in Valley Co. and 3,803 acres of Milk River bottomland in Valley Co. Even though FWP relinquished fee title of the Brewer property, it retained an

easement on the property.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

Yes, the Landowner will allow the following minimum numbers of hunters each year for hunting birds and big game: 120 hunters for 360 hunter days for deer; 80 hunters for 240 hunter days for antelope; 100 hunters for 200 hunter days for upland and migratory birds

3. Provide incentives for habitat conservation on private land:

Yes, see # 6

4. Contribute to non-hunting recreation:

Possible

5. Protect open space and scenic areas:

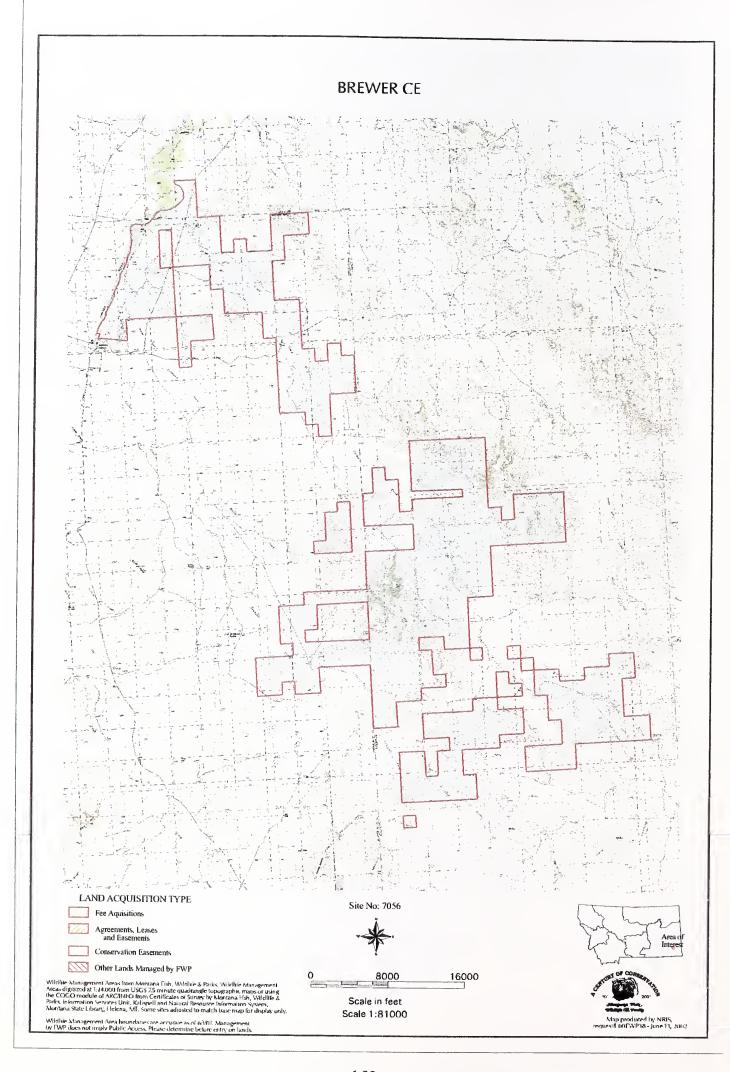
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

Yes, established a rest-rotation grazing system. This system has benefited the land and the cattle producer.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

This is done while property was FWP fee title. Now fee title is in private hands as a working ranch and taxes paid by landowner.





NAME: SOUTH RANCH

**DATE OF ACQUISITION: 1994** 

TYPE OF ACQUISITION: Conservation easement

**COST:** Brewer property with easements attached plus \$575,000

HABITAT TYPE: Sagebrush-grassland; Woody draws

**PURPOSE:** Conservation of the sagebrush-grassland habitat.

**LOCATION:** Valley County

ACREAGE: 18,173 acres

**MANAGEMENT ACTIVITIES:** A rest-rotation grazing system to manage vegetation; a hunting

management system through block management.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing per planned grazing system;

Prohibit sagebrush destruction; Public hunting per block management;

not additional cultivation.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, the Landowner will allow the following minimum number of hunter access to Land each year: 200 hunters for 800 hunter days for deer; 60 hunters for 300 days for elk; 200 hunters for 600 days for antelope; 5 hunters for 25 days for mountain lion; 125 hunters for 500 days for upland and migratory birds

3. Provide incentives for habitat conservation on private land:

Yes, see #6 and prohibition on manipulation of sagebrush

4. Contribute to non-hunting recreation:

At discretion of Landowner

5. Protect open space and scenic areas:

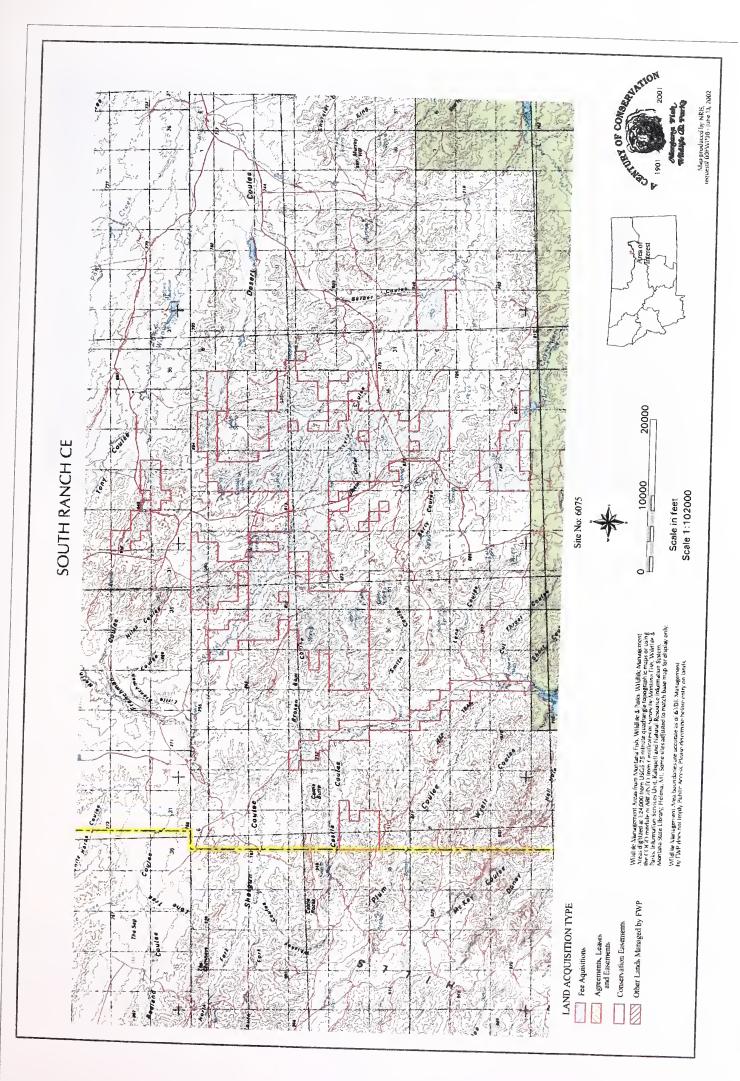
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

Yes, established a rest-rotation grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





NAME: COWELL RANCH

**DATE OF ACQUISITION**: 2001

TYPE OF ACQUISITION: Conservation easement

**COST**: \$360,000

HABITAT TYPE: Sagebrush-Grassland

**PURPOSE**: Conservation of the sagebrush-grassland plant community and associated wildlife,

particularly, sagegrouse.

**LOCATION**: Phillips County

ACREAGE: 4,489 acres

MANAGEMENT ACTIVITIES: planned livestock grazing system

MAJOR EASEMENT TERMS: no removal of sagebrush and/or draining of any wetland or riparian

area; no subdivision; maintain two prairie dog sites at 96 and 60 acres respectively; add three additional single family agricultural residences; maintain replace all existing agricultural buildings and

structures; develop/maintain a fish pond.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:

Yes, a minimum of 165 persons to hunt on Land during fall hunting season, when such demand exists.

3. Provide incentives for habitat conservation on private land:

Purchased easement is incentive to maintain sagebrush; prairie dog colonies; livestock grazing.

4. Contribute to non-hunting recreation:

At discretion of landowner

5. Protect open space and scenic areas:

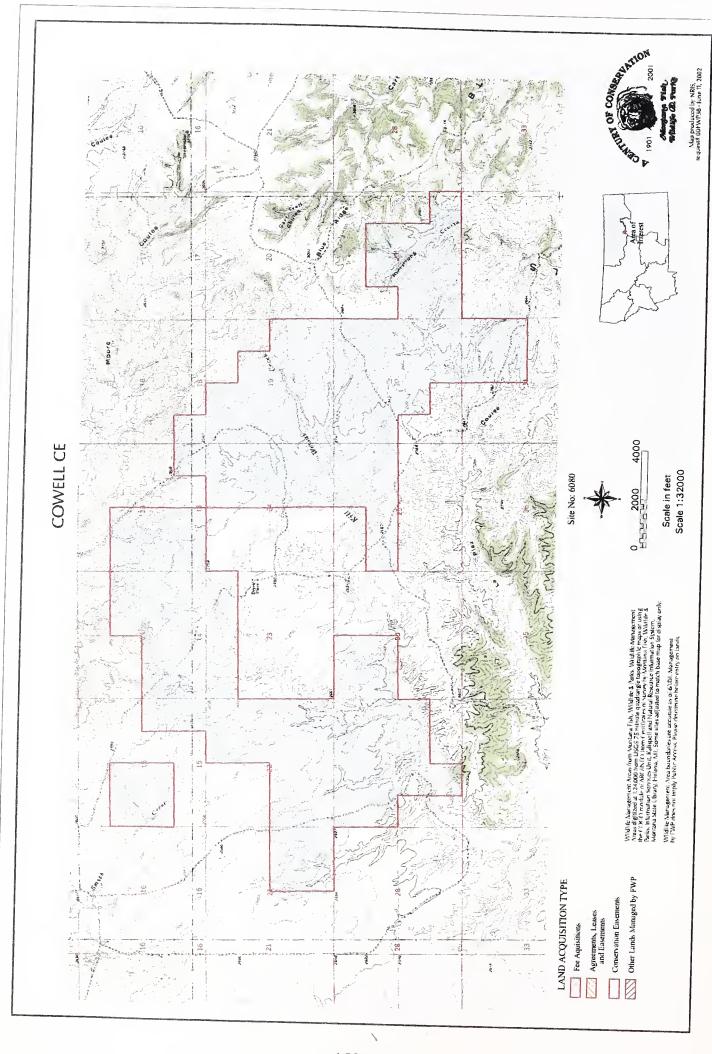
Yes, land will stay as an undivided unit.

6. Promote habitat friendly agriculture:

A planned livestock grazing system has been implemented as part of easement.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME:** FLUSS RANCH

**DATE OF ACQUISITION: 2000** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$700,000

**HABITAT TYPE:** Sagebrush-grassland; riparian/river breaks

**PURPOSE:** Conserve sagebrush-grassland; riparian/river breaks for the plants and animals that live there.

LOCATION: Prairie County

ACREAGE: 13,851 acres

MANAGEMENT ACTIVITIES: A wildlife friendly livestock grazing system.

MAJOR EASEMENT TERMS: Subdivision prohibited; livestock grazing allowed; public hunting

allowed.

1. Conserve and enhance land, water and wildlife:

Yes, easement terms protect conservation values.

2. Contribute to hunting and fishing opportunities:

Yes, landowner must allow a minimum of 450 hunters spending 1,350 hunter days each year on the Land for the spring and fall hunting seasons

3. Provide incentives for habitat conservation on private land:

Department implementation of planned grazing system.

4. Contribute to non-hunting recreation:

At landowner discretion

5. Protect open space and scenic areas:

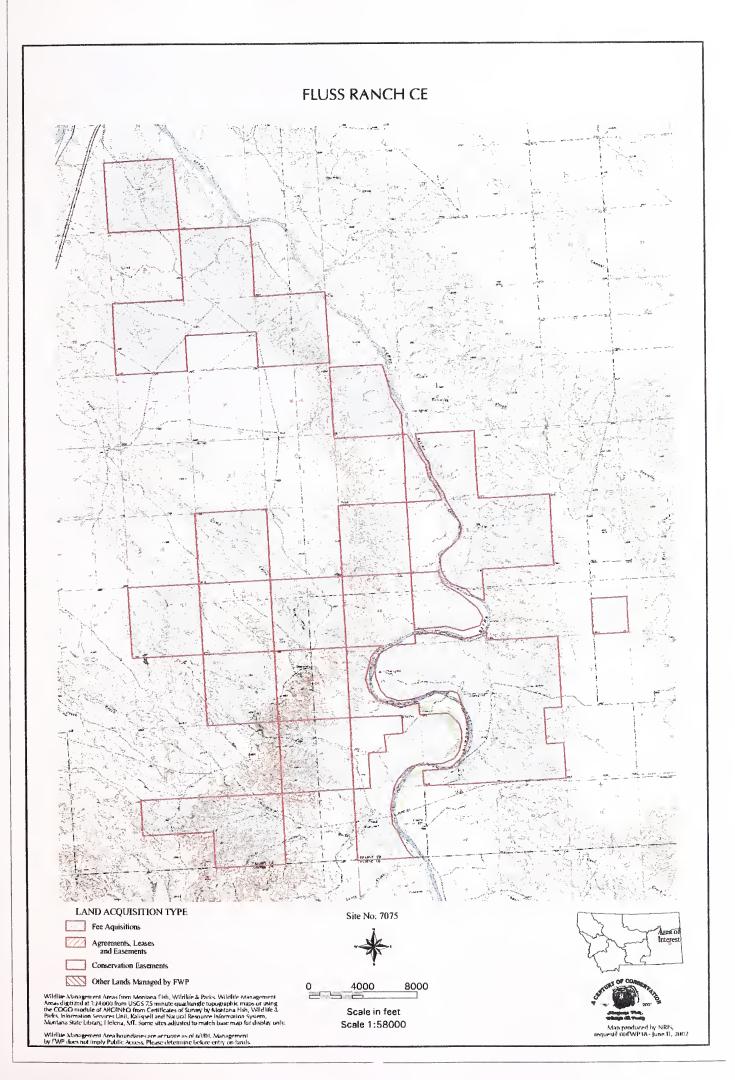
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

Wildlife friendly livestock grazing system.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Working ranch pays taxes.





NAME: HIRSCH RANCH

**DATE OF ACQUISITION: 1997** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$585,000

**HABITAT TYPE:** Riparian/sagebrush-grassland.

**PURPOSE:** Conserve habitats of concern: riparian and sagebrush-grassland.

**LOCATION:** Custer County

ACREAGE: 8,909 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing; Maintain cottonwood riverbottom; Public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, landowner must allow a minimum of 400 persons to hunt on Land during all fall hunting seasons providing approximately 1,200 hunter days

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

Planned grazing system; planned rotation for agricultural crops and alfalfa fields.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, whiledemonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



**NAME: HIRSCH EASEMENT ADDITION** 

**DATE OF ACQUISITION:** 1999

TYPE OF ACQUISITION: Conservation easement

**COST:** \$83,000

HABITAT TYPE: Sagebrush-grassland/riparian/plains forest (ponderosa pine)

PURPOSE: Conserve habitat of concern: sage-grassland; riparian; plains forest.

**LOCATION:** Custer County

ACREAGE: 1,760 acres

MANAGEMENT ACTIVITIES: Planned, vegetation and wildlife friendly grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; Livestock grazing system benefiting wildlife; Public hunting allowed.

1. Conserve and enhance land, water and wildlife: Yes, easement protects conservation values.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land: Implementation of planned grazing system.

4. Contribute to non-hunting recreation:

At landowner's discretion

5. Protect open space and scenic areas:

Yes

6. Promote habitat friendly agriculture:

Livestock grazing system; crop types on irrigated land.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Landowner pays taxes of a working ranch.



NAME: HIRSCH EASEMENT SECOND ADDITION

**DATE OF ACQUISITION: 2002** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$134,172

**HABITAT TYPE:** Sagebrush-grassland/riparian/plains forest (ponderosa pine)

PURPOSE: Conserve habitat of concern: sage-grassland; riparian; plains forest.

LOCATION: Custer County

ACREAGE: 2,668 acres

**MANAGEMENT ACTIVITIES:** Planned, vegetation and wildlife friendly grazing system.

Prohibit subdivision; Livestock grazing system, benefiting wildlife; Public hunting allowed. **MAJOR EASEMENT TERMS:** 

1. Conserve and enhance land, water and wildlife:
Yes, easement protects conservation values.

2. Contribute to hunting and fishing opportunities:

Yes

3. Provide incentives for habitat conservation on private land: Implementation of planned grazing system.

4. Contribute to non-hunting recreation:

At landowner's discretion.

5. Protect open space and scenic areas:

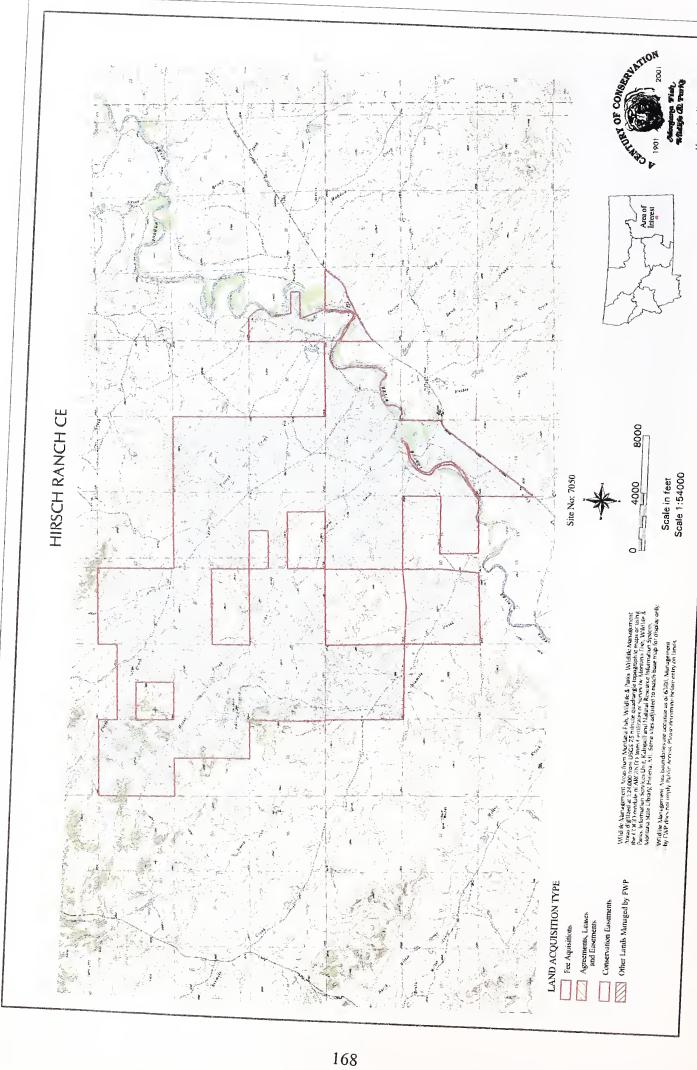
Yes

6. Promote habitat friendly agriculture:

Livestock grazing system; crop types on irrigated land.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

Landowner pays taxes of a working ranch.





**NAME:** BICE RANCH

**DATE OF ACQUISITION**: 2002

TYPE OF ACQUISITION: Conservation easement

**COST**: \$1,217,842

**HABITAT TYPE**: Riparian/sagebrush-grassland/plains forest(ponderosa pine)

PURPOSE: Conserve habitats of concern: riparian; sagebrush-grassland; plains forest

LOCATION: Custer County

ACREAGE: 13,440 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; planned livestock grazing system; maintain

cottonwood river-bottom; public hunting allowed.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife

2. Contribute to hunting and fishing opportunities:
Yes, 650 hunters allowed for 2000 hunter days during the fall hunting seasons

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:
At discretion of landowner

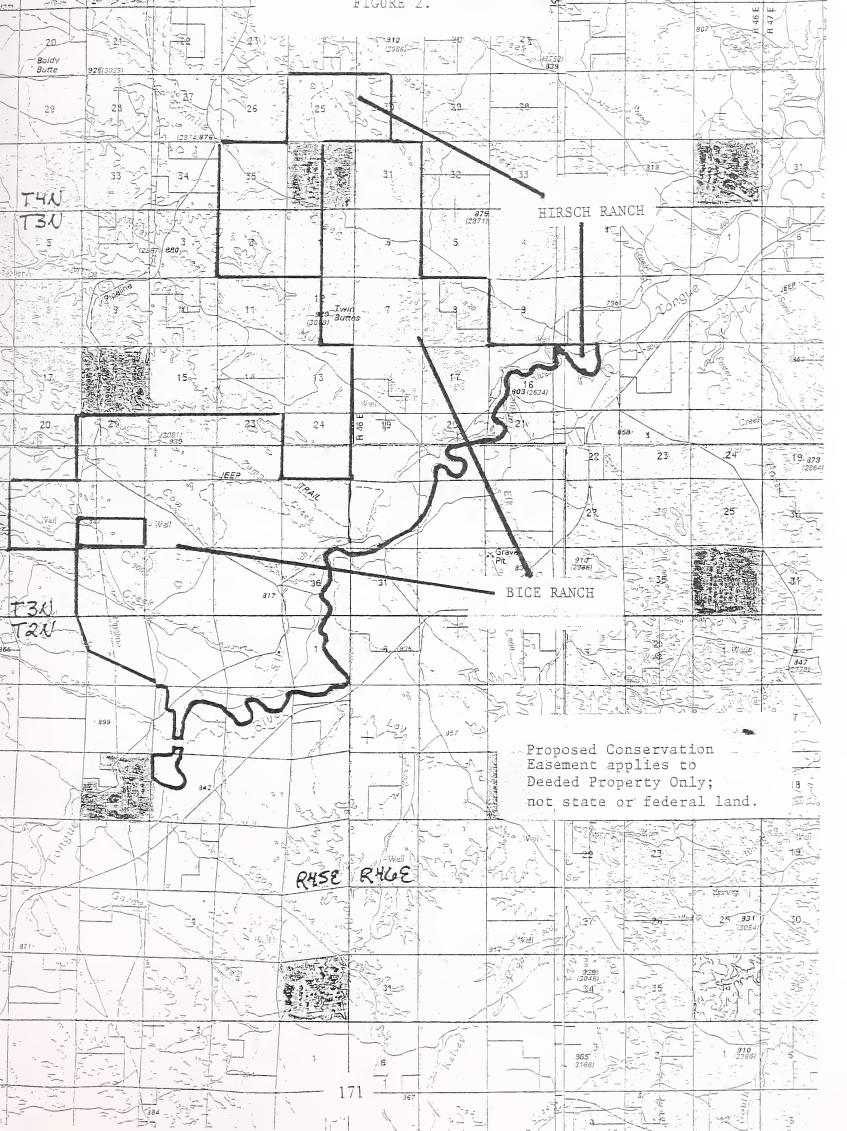
5. Protect open space and scenic areas:

Yes, Landowner may divide the Land into no more than 4 parcels and each parcel must consist of at least 320 acres

6. Promote habitat friendly agriculture:
Planned grazing system; planned rotation for agricultural crops and alfalfa fields.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





NAME: PETERS RANCH (DRAGGING Y)

**DATE OF ACQUISITION: 2001** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$2,000,000

HABITAT TYPE: Sagebrush-Grassland/Riparian/Intermountain Grassland

PURPOSE: Conserve Sagebrush-Grassland/Riparian/Intermountain Grassland habitats for wintering sage

grouse; antelope and elk, and yearlong habitat for these and other species.

LOCATION: Beaverhead County

**ACREAGE:** 14,650 acres

MANAGEMENT ACTIVITIES: Planned livestock grazing system.

MAJOR EASEMENT TERMS: No removal of sagebrush and/or draining of any wetland or riparian

area; no subdivision, except for agricultural purposes; continue agricultural operations; maintain aspen and willow vegetation.

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, a minimum of 1,300 hunter days on the land during fall hunting season, when such demand exists. Mr. Peters allows access through his property to USFS land.

3. Provide incentives for habitat conservation on private land:

Purchased easement is incentive to maintain sagebrush; aspen and willows; livestock grazing.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

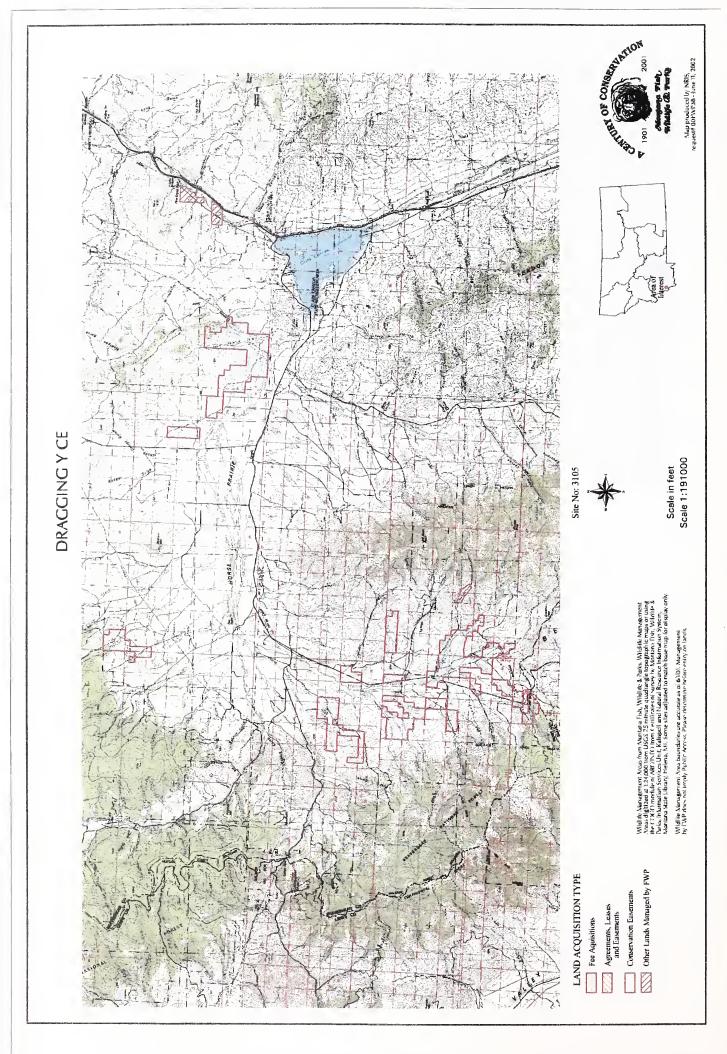
Yes, land will stay as an undivided unit, except landowner may sell land if land system stays in agricultural use.

6. Promote habitat friendly agriculture:

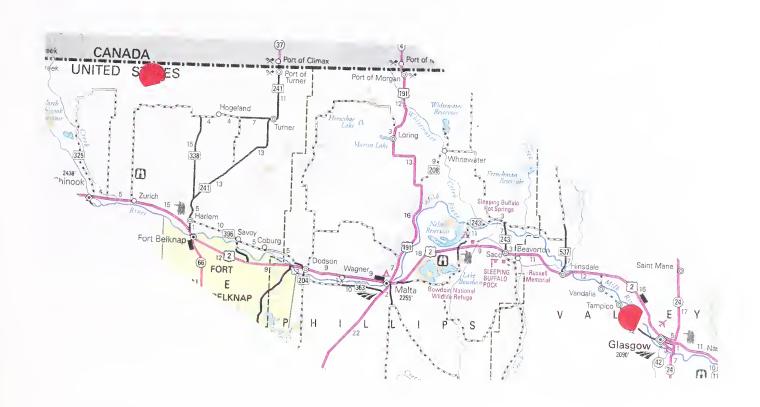
A planned livestock grazing system has been implemented as part of easement.

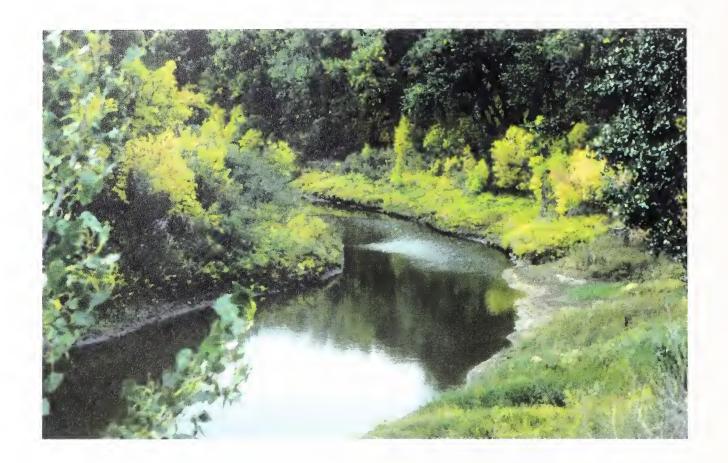
7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.



### EASTERN MONTANA RIPARIAN/WETLAND AND PRAIRIE GRASSLAND





NAME: TAMPICO PROPERTY

**DATE OF ACQUISITION:** 1994

TYPE OF ACQUISITION: Conservation easement

**COST:** This property is part of the exchange for the Brewer property. Therefore cost is part of what is stated under the SOUTH RANCH property, the Brewer property fee title with easement attached plus \$575,000.

**HABITAT TYPE:** Riparian

**PURPOSE:** Conserve the valued wildlife habitat associated with riparian vegetation.

LOCATION: Valley County

ACREAGE: 3,803 acres

MANAGEMENT ACTIVITIES: A planned livestock grazing system; maintenance of oxbow and

associated wetland vegetation; a planned public hunting system; haying plan on 350 acres to benefit wildlife and management of

vegetation on irrigation ditches.

MAJOR EASEMENT TERMS: Prohibit subdivision; grazing of livestock per grazing plan; prohibit

removal of cottonwood trees and other riparian vegetation; planned public hunting system; cultivation of additional land prohibited.

#### **FWP COMMISSION DIRECTION:**

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, hunting opportunity is as follows: 100 hunters for 300 hunter days for deer; 5 hunters for 25 days for wild turkey; 100 hunters for 350 hunter days for upland and migratory birds

3. Provide incentives for habitat conservation on private land:

Yes, see #6

4. Contribute to non-hunting recreation:

At discretion of landowner

5. Protect open space and scenic areas:

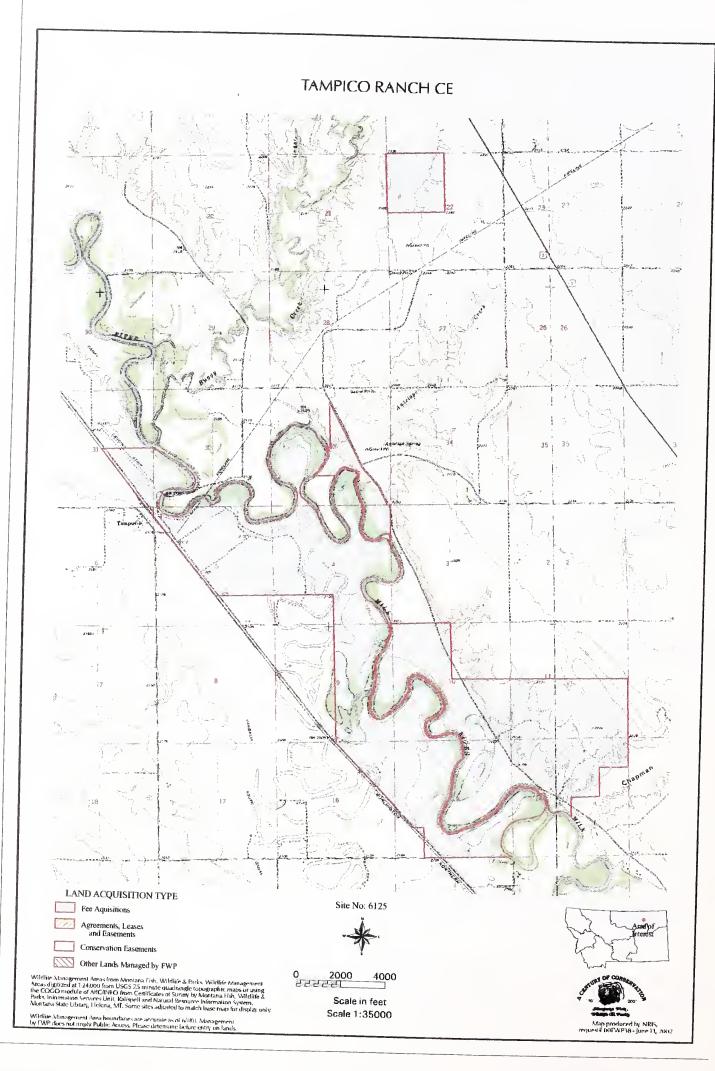
Yes, subdivision prohibited except for agricultural purposes

6. Promote habitat friendly agriculture:

Yes, established a rest-rotation grazing system. This system has benefited the land and the cattle producer.

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.





**NAME:** GORDON RANCH

**DATE OF ACQUISITION: 2003** 

TYPE OF ACQUISITION: Conservation easement

**COST:** \$945,000

**HABITAT TYPE:** Plains grassland with associated pothole wetlands

**PURPOSE:** Conserve habitats of concern: a large block of native grassland with associated wetlands.

LOCATION: Blaine County

ACREAGE: 15,157 acres

MANAGEMENT ACTIVITIES: Manage livestock within planned grazing system.

MAJOR EASEMENT TERMS: Prohibit subdivision; planned livestock grazing systems; maintain

wetlands and native prairie; public hunting allowed.

#### **FWP COMMISSION DIRECTION:**

1. Conserve and enhance land, water and wildlife:

The easement language protects and conserves land, water and wildlife.

2. Contribute to hunting and fishing opportunities:

Yes, 450 hunter days during the fall hunting seasons each year

3. Provide incentives for habitat conservation on private land:

Vegetation and wildlife friendly grazing system in place.

4. Contribute to non-hunting recreation:

At discretion of landowner.

5. Protect open space and scenic areas:

Yes, the Border Unit may be divided into two parcels; the Fifteen Mile Unit must stay as one parcel

6. Promote habitat friendly agriculture:

Planned grazing system

7. Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses:

The landowner pays taxes as a working ranch.

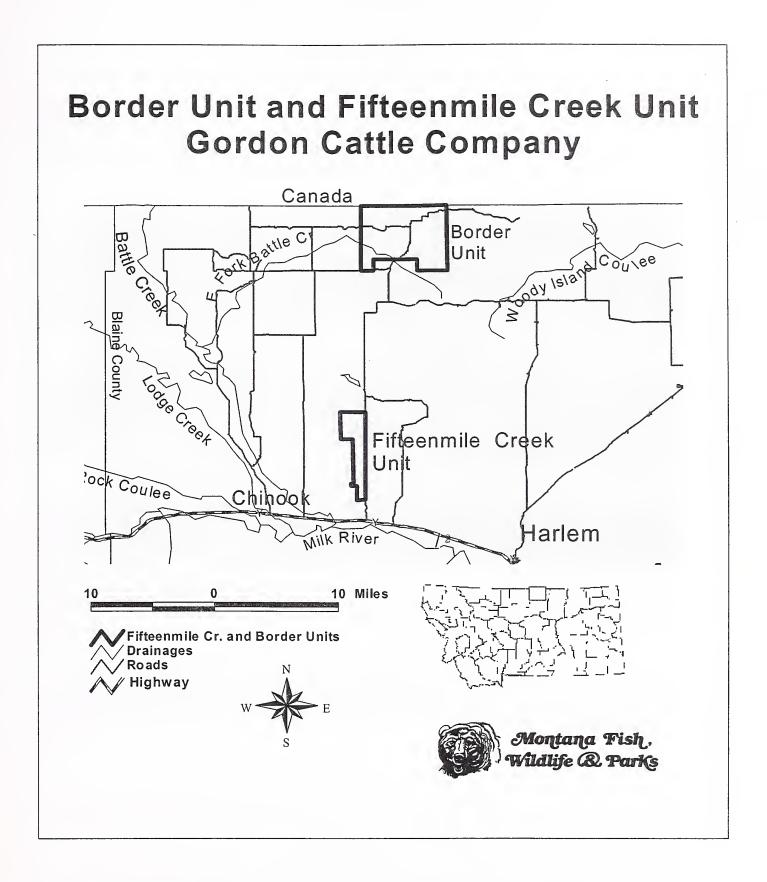


Figure 1. The Border and Fifteen Mile Creek Units - Gordon Cattle Company Conservation Easement lands, Blaine County, Montana.

#### **Partnerships**

Even though the purpose of HB 526 is to conserve "important habitat where it is seriously threatened", the objectives of the program, i.e. the benefits of the program, are often compatible with objectives from other land conservation and management organizations. For example,

American Farmland Trust since 1980 has helped win permanent protection for over a million acres of farmland. Their work and strategies unite farmers, environmentalists and policymakers. Their three strategies are 1. Protect the best land through publicly funded agricultural conservation easement programs; 2. Plan for growth with agriculture in mind through community planning; 3. Keep the land healthy for farmland through encouraging stewardship and conservation practices.

Montana's '526' program helps keep family farm and ranchlands in business. The program is seem by progressive landowners as a way to meet their agricultural objectives and also benefit wildlife and its habitat, which is a value they share with the sporting public who funds '526'.

Montana Land Reliance is a private, nonpartisan land trust established in 1978. MLR strives to provide permanent protection for ecologically and historically important private lands and in doing so to enrich the positive relationship between these lands and Montana's diverse communities. Conservation of the lands that support agriculture, fish and wildlife resources and open space is their top priority. MLR holds 557 easements encompassing 530,000 acres.

Three of the benefits of Montana's '526' program are to promote habitat friendly agriculture; conserve and enhance land, water and wildlife; and protect open space and scenic areas. These objectives are almost identical to the objectives of the Montana Land Reliance.

Rocky Mountain Elk Foundation has a mission of ensuring the future of elk, other wildlife and their habitat. In support of this mission the Elk Foundation is committed to Conserving, restoring and enhancing natural habitats;

Promoting the sound management of wild, free-ranging elk, which may be hunted or otherwise enjoyed;

Fostering cooperation among federal, state and private organizations and individuals in wildlife management and habitat conservation; and

Educating members and the public about habitat conservation, the value of hunting, hunting ethics and wildlife management.

The Elk Foundation has been a partner with FWP on several habitat projects by providing moral/political support; facilitation of process; and both temporary and permanent funding. Their mission and strategies fit well with the wildlife and habitat conservation efforts of the Habitat Montana Program.

The Nature Conservancy has been working since 1951 to protect nearly 117 million acres worldwide. Their Mission is to preserve the plants, animals, and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. TNC feels their success stems from working closely with communities, businesses and people like you; using a science based plan that achieves tangible results; and applying a non-confrontational approach.

TNC has been a partner with FWP on several habitat projects by providing facilitation of the process or temporary funding. Their mission of protecting lands and waters fits well with '526' benefit of conserving and enhancing land, water and wildlife.

SPORTMEN'S AND CONSERVATION GROUPS OF MONTANA, such as Pheasants Forever; The Confederated Salish-Kootenai Tribe; The Blackfoot Challenge; Montana Wildlife Federation; Butte Skyline Sportsmen's Club and Anaconda Sportsmen. As well as Montana Audubon; Five Valleys Land Trust, Rock Creek Land Trust and a variety of other land trusts. The Conservation Fund, Trust for Public Lands and the Foundation for North American Wild Sheep have worked with the Department on a number of land projects.

All of the above groups have either helped facilitate a habitat project; provided funding, or provided political support for individual projects or the entire program.

### APPENDIX I

#### STATEMENT OF INTENT

#### **HOUSE BILL 526**

#### House Fish and Game Committee

(The following is the text of the Statement of Intent as adopted by the 50th Legislature).

House Bill 526 requires a statement of intent because Section 1 requires the fish arid game commission to adopt rules establishing its policy regarding wildlife habitat acquisitions provided for by this act.

It is the intent of this act to provide a means for the department of fish, wildlife and parks to acquire an interest in land for the purpose of protecting and enhancing wildlife habitat. Such interest in land must be gained by the purchase of leases, conservation easements, or fee title. While it is preferable to acquire such interest through lease or conservation easement, the legislature acknowledges that the willing seller will determine the manner by which such interest is obtained and thus provides for all three alternatives.

It is intended that the rules will address policy considerations for making acquisitions generally, as well as establishing procedures for determining in each case of a proposed acquisition whether the interest will be acquired.

It is intended that the commission identify habitat needs by administrative region and compile these needs in a consolidated statewide habitat acquisition plan. The rules must ensure that acquired interests in habitat lands are reasonably distributed around the state in accordance with the statewide habitat acquisition plan <u>AND THAT EMPHASIS IS PLACED UPON THOSE AREAS WHERE IMPORTANT HABITAT IS SERIOUSLY THREATENED.</u>

It is intended that the department exercise good land management practices on all land, acquired, and multiple uses of such land when not detrimental to its value as wildlife habitat are specifically authorized. The department shall identify management objectives for each proposed acquisition, analyze potential impacts to adjacent private land resulting from those objectives and develop plans to address such impacts.

A public hearing must be held in the area of each proposed acquisition after the required analysis has been completed by the department, for the purpose of obtaining comment from the interested public. The analysis and related public concerns are to be presented to the fish and game commission prior to its final action on any acquisition of interest and also to the board of land commissioners if that body is required to make a decision on the proposal under 87-1-209.

The policy and an analysis for each proposal acted upon in a biennium must be presented to the members of both the house and senate fish and game committees when they next meet in regular session.

#### **STATUTES**

#### 87-1-241. (Temporary) Acquisition of wildlife habitat -- rules.

- (1) Before acquisition of any interest in land for the primary purpose of securing wildlife habitat the commission shall by rule establish a policy for making such acquisitions. With regard to any specific acquisition the policy shall provide for a comprehensive analysis of:
- ooooo(a) the wildlife populations and use currently associated with the property;
- ooooo(b) the potential value of the land for protection, preservation, and propagation of wildlife;
- (c) management goals proposed for the land and wildlife populations, and where feasible, any additional uses of the land such as livestock grazing or timber harvest:
- (d) any potential impacts to adjacent private land resulting from proposed management goals, and plans to address such impacts;
- (e) any significant potential social and economic impacts to affected local governments and the state, including but not limited to impacts on:
- (i) tax revenue available for the operation of taxing jurisdictions within the county;
  - (ii) services required to be provided by local governments;
  - (iii) employment opportunities within the counties;
  - (iv) local schools; and
  - (v) private businesses supplying goods and services to the community;
- (f) a land maintenance program to control weeds and maintain roads and fences; and
  - (g) any other matter considered necessary or appropriate by the commission.
- (2) The analysis made of any proposed acquisition must be made available for review by each owner of land adjacent to the property that is the subject of analysis, and to any member of the public. A public hearing must be held in the affected area after the analysis has been made available to the public. (Terminates March 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

History: En. Sec. 1, Ch. 598, L. 1987; amd. Sec. 1, Ch. 515, L. 1989.

87-1-242. (Temporary) Funding for wildlife habitat. (1) The amount of money specified in this subsection from the sale of each hunting license or permit listed must be used exclusively by the commission to secure, develop, and maintain wildlife habitat, subject to appropriation by the legislature:

(a) Class B-10, nonresident combination, \$77;

(b) Nonresident antelope, \$20;

(c) Nonresident moose, \$20;

(d) Nonresident mountain goat, \$20;(e) Nonresident mountain sheep, \$20;

(f) Class D-1, nonresident mountain lion, \$20;

(g) Nonresident black bear, \$20; (h) Nonresident wild turkey, \$10;

(i) Class AAA, combination sports, \$7;

(i) Class B-11 nonresident deer combination, \$200.

(2) Twenty percent of any increase in the fee for the Class B-7 license or any license or permit listed in subsection (1), except outfitter-sponsored Class B-10 and Class B-11 licenses subject to variable pricing under 87-1-268, must be allocated for use as provided in subsection (1).

(3) Eighty percent of the money allocated by this section, together with the interest and income from the money, must be used to secure wildlife

habitat pursuant to 87-1-209.

(4) Twenty percent of the money allocated by this section must be used as follows:

(a) up to 50% a year may be used for development and maintenance of

real property used for wildlife habitat; and

(b) the remainder and any money not allocated for development and maintenance under subsection (4)(a) by the end of each odd-numbered fiscal year must be credited to the account created by 87-1-601(5) for use in the manner prescribed for the development and maintenance of real property used for wildlife habitat. (Terminates March 1, 2006--secs. 1, 2, Ch. 241, L. 1993; sec. 6, Ch. 544, L. 1999.)

**History:** En. Sec. 2, Ch. 598, L. 1987; amd. Sec. 11, Ch. 598, L. 1987; amd. Sec. 11, Ch. 636, L. 1987; amd. Sec. 1, Ch. 319, L. 1991; amd. Sec. 5, Ch. 459, L. 1995; amd. Sec. 80, Ch. 7, L. 2001.

#### Compliler's Comments

Extension of Termination Date: Section 1, Ch. 241, L. 1993, amended Sec. 12, Ch. 598, L. 1987, to provide that the wildlife habitat acquisition program terminated March 1, 2006. Section 2, Ch. 241, L. 1993, amended sec.3 Ch 319, L. 1991, to provide that the wildlife habitat acquisition program terminates March 1, 2006.

#### 87-1-243 through 87-1-245 reserved.

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WILDLIFE

12.9.508

Sub-Chapter 5

Wildlife Habitat Acquisition

12.9.501 PURPOSE (IS HEREBY REPEALED) (History: Sec. <u>87-1-241</u> MCA; IMP, Sec. <u>87-1-241</u>, 87-1-242 MCA; NEW, 1988 MAR p. 880, Eff. 5/13/88; REP, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.502 STATEWIDE HABITAT ACQUISITION PLAN (IS HEREBY REPEALED) (History: Sec. 87-1-241 MCA; IMP, Sec. 87-1-242 MCA; NEW, 1988 MAR p. 880, Eff. 5/13/88; REP, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.503 DETERMINATION OF INTEREST IN LAND (IS HEREBY REPEALED) (History: Sec. 87-1-241 MCA; IMP, Sec. 87-1-242 MCA; NEW, 1988 MAR p. 880, Eff. 5/13/88; REP, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.504 MANAGEMENT OBJECTIVES AND PRELIMINARY MANAGEMENT PLANS (IS HEREBY REPEALED) (History: Sec. <u>87-1-241</u> MCA; IMP, Sec. <u>87-1-241</u>, <u>87-1-242</u> MCA; NEW, 1988 MAR p. 880, Eff. 5/13/88; REP, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.505 PUBLIC HEARING (IS HEREBY REPEALED) (History: Sec. 87-1-241 MCA; IMP, Sec. 87-1-241, 87-1-242 MCA; NEW, 1988 MAR p. 880, Eff. 5/13/88; REP, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.506 PRESENTATION OF PRELIMINARY MANAGEMENT PLAN AND PUBLIC INPUT (IS HEREBY REPEALED) (History: Sec. <u>87-1-241</u> MCA; IMP, Sec. <u>87-1-241</u>, <u>87-1-242</u> MCA; NEW, 1988 MAR p. 880, Eff. 5/13/88; REP, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.507 APPROVAL OF ACQUISITION AND FINAL MANAGEMENT PLAN (IS HEREBY REPEALED) (History: Sec. 87-1-241 MCA; IMP, Sec. 87-1-241, 87-1-242 MCA; NEW, 1988 MAR p. 880, Eff. 5/13/88; REP, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.508 MISSION (1) These rules establish the policy of the fish, wildlife and parks commission for the acquisition of wildlife habitat by the department of fish, wildlife and parks. This policy is popularly known as Habitat Montana. Habitat Montana is a key tool in achieving the department's mission as stated in the vision document adopted by the commission in November, 1992:

(a) The Montana department of fish, wildlife and parks, and fish, wildlife and parks commission provide for the stewardship of the fish, wildlife, parks and recreational resources of Montana, while contributing

to the quality of life for present and future generations.

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12.9.509 FISH, WILDLIFE, AND PARKS

(2) Through Habitat Montana, the commission and department will establish a statewide wildlife habitat system which will conserve our wildlife resources and pass them intact to future generations. (History: Sec. 87-1-241 MCA; IMP, Sec. 87-1-241, 87-1-242 MCA; NEW, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.509 GOALS (1) The goals for Habitat Montana are:

- (a) conservation of Montana's wildlife populations and natural communities via management strategies that keep them intact and viable for present and future generations; maintain wildlife population levels that sustain or enhance current recreational opportunities; and maintain diverse geographic distribution of native wildlife populations and their habitats;
- (b) conservation of Montana's land and water resources in adequate quantity and quality to sustain ecological systems;
- (c) implementation of habitat management systems that are compatible with and minimize conflicts between wildlife values and traditional agricultural, economic and cultural values. Habitat Montana will enhance Montana's quality of life and be compatible with the conservation of soil, water and existing biological communities. (History: Sec. <u>87-1-241</u> MCA; IMP, Sec. <u>87-1-241</u>, <u>87-1-242</u> MCA; NEW, 1994 MAR p. 3095, Eff. 12/9/94.)
- 12.9.510 BENEFITS (1) The commission intends Habitat Montana to deliver the following services and benefits:
  - (a) conserve and enhance land, water and wildlife;
  - (b) contribute to hunting and fishing opportunities;
  - (c) provide incentives for habitat conservation on private land;
  - (d) contribute to non-hunting recreation;
  - (e) protect open space and scenic areas;
  - (f) promote habitat-friendly agriculture; and
- (g) maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses. (History: Sec. 87-1-241 MCA; IMP, Sec. 87-1-241, 87-1-242 MCA; NEW, 1994 MAR p. 3095, Eff. 12/9/94.)
- 12.9.511 APPLICATION (1) While this Habitat Montana policy specifically relates to funds acquired under 87-1-241 and 87-1-242, MCA, the Montana fish, wildlife and parks commission directs that these guidelines also apply, where appropriate, to all of the department's wildlife habitat acquisition programs. These include:
  - (a) moose and bighorn sheep habitat acquired with license auction funds;
- (b) properties acquired in mitigation for habitat lost as a result of construction projects conducted by the Bonneville power administration and other agencies;

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WILDLIFE

12.9.512

(c) waterfowl habitat. (History: Sec. <u>87-1-241</u> MCA; IMP, Sec. <u>87-1-241</u>, <u>87-1-242</u> MCA; NEW, 1994 MAR p. 3095, Eff. 12/9/94.)

12.9.512 IMPLEMENTATION (1) The commission directs the department to complete a comprehensive statewide habitat plan and to execute that plan within the following parameters:

(a) The department will identify specific staff responsible for implementation of Habitat Montana and

establish procedures for accomplishing program goals.

- (b) The department will develop draft criteria for identifying important habitats that are seriously threatened. The commission will adopt these criteria through a process that includes public review and comment.
- (c) Utilizing the natural heritage database and information from other government agencies and cooperators, the department will identify habitat protection priorities within each eco-region. This analysis will recognize the contribution of habitat protected by other agencies and organizations. Regional habitat priorities will then be compiled into a consolidated statewide plan.

(d) The department will develop uniform guidelines for the preparation of site-specific management plans. These criteria will be applicable to management of lands in which the department acquires an interest and

to cooperative habitat projects located on lands in other ownership.

- (e) Prior to acquiring any interest in land for the primary purpose of securing wildlife habitat, the department will comply with the requirements of <u>87-1-241</u>, MCA, by conducting an environmental assessment analyzing:
  - (i) the wildlife populations and use currently associated with the property;
  - (ii) the potential value of the land for protection, preservation, and propagation of wildlife;
- (iii) management goals proposed for the land and wildlife populations and, where feasible, any additional uses of the land such as livestock grazing or timber harvest;
- (iv) any potential impacts to adjacent private land resulting from proposed management goals and plans to address such impacts;
- (v) any significant potential social and economic impacts to affected local governments and the state, including but not limited to impacts on:
  - (A) tax revenue available for the operation of taxing jurisdictions within the county;
  - (B) services required to be provided by local governments;
  - (C) employment opportunities within the counties;
  - (D) local schools; and
  - (E) private businesses supplying goods and services to the community.

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#### 12.9.512 FISH, WILDLIFE, AND PARKS

- (vi) a land maintenance program to control weeds and maintain roads and fences; and
- (vii) any other matter considered necessary or appropriate by the commission.
- (f) The department will develop monitoring and evaluation systems to track program success as well as the public's changing desires.
- (g) It is preferable to acquire interests in habitat through conservation easement or lease. However, the legislature has acknowledged that the willing seller will determine the manner by which such interest is obtained and thus has provided for acquisition by fee title as well. The most effective use of capital and operational funds must be determined on a case by case basis. The commission encourages the department to utilize other methods such as land exchanges, conservation buyers and easement exchanges to meet the habitat Montana program objectives.
- (h) The department will use certified appraisals or other appropriate analysis performed by department staff to determine the value of land or interest in land to be acquired.
  - (i) Funds for wildlife habitat acquisition shall be invested in habitat in a timely manner, as accrued.
- (j) In some cases the mission of habitat Montana may be most efficiently accomplished through actions of non-profit organizations, landowners, other government agencies, or through partnerships with such entities. To gain the greatest value from partnership opportunities, the department will establish procedures for working cooperatively and non-competitively with them.
- (k) The department will establish procedures to account for habitat Montana income and expenditures through the state accounting, budget, human resource system (SABHRS). In addition to project expenditures for which accounting reports are currently available, the department will account for administrative costs associated with implementation of this policy.
- (l) The commission directs the department to emphasize continuing communication with the legislature, state land board and the public to maintain awareness of, and support for, habitat Montana.
- (m) The commission expects to adopt a comprehensive statewide habitat plan, incorporating each of the above elements, prior to October, 1994. The review process for this draft plan will include a public comment period of at least 60 days in length. (History: 87-1-241, MCA; IMP, 87-1-241, 87-1-242, MCA; NEW, 1994 MAR p. 3095, Eff. 12/9/94.)

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# HABITAT MONTANA A PORTFOLIO OF LAND CONSERVATION EFFORTS

