

COMMISSIONERS APPROVAL

BURROWS *JB*

FOSS

CHILCOTT *Q*

IMAN *JR*

STOLTZ *RS*

Members Present.....Commissioner Jeff Burrows, Commissioner Suzy Foss, Commissioner Greg Chilcott, Commissioner J.R. Iman and Commissioner Ron Stoltz

Date.....April 5, 2013

Minutes: Glenda Wiles

► The Board met at 9:00 a.m. for a public hearing on the Holloron Ranch Open Lands Bond Program. Present was Planner Kevin Waller, Deputy County Attorney Howard Recht, Deputy County Attorney Dan Browder, Bitterroot Land Trust Director Gavin Rickleffs, Applicants Mike and Amanda McArthur & John Holloron.

Kevin presented a Request for Commission Action Staff Report by Power Point (see attached).

Gavin also presented a power point presentation dovetailing Kevin's presentation which included location; agricultural corridor; 80% soils of importance; natural springs and near other open lands conservation easements; 168 acres with two acres of building envelope; current use actively utilized for agricultural production (118 acres in pasture and 50 acres in grain, alfalfa & hay); yield and productivity of this parcel; Holloron Family Homestead history; conservation values and benefits to the community; Value appraised at \$489,675 with matching contributions at \$338,675 leaving the total request from the Open Lands Program at \$15',000 (1.5% of total Bond dollars).

Public Comment:

Steve Powell discussed the identification of this parcel and the commitment of the family to share this parcel as open space. He is in favor of this proposal.

Chuck Burreis is a neighbor to this parcel and he is in favor of this open lands proposal noting they are wonderful neighbors.

Bob Popham lives in the area and complimented this project in the open lands program and the agriculture on this parcel.

Alan Maki addressed the economic value of the farm land; agricultural production which included raising cattle and their yield at market.

Dave Schultz supports this project and presented his written comments.

Tonya Bloom supports the Open Lands Bond Program noting this parcel is a perfect example of the program's intent. She thanked the family and the community that came to support this program.

Judy Griffin comes from a long line of farmers and she supports this project. She owns a dairy farm and is concerned about the continued agriculture in the valley.

Lesli Maki supports this project noting the hard work that comes with ranching and agricultural land.

Clyde Griffin owns a dairy on Holloron Road and has lived there all of his life. This project is important to the community and to the family who set aside this property for this open lands project.

Commissioner Chilcott made a motion to approve the proposal at funding level requested. Commissioner Foss seconded the motion. Discussion: Commissioner Chilcott stated he appreciated the family's discussion with the Board on the site visit and their commitment to this program. Commissioner Foss appreciates the commitment of the family and how Gavin worked hard on the process. Commissioner Iman appreciates the willingness of the family to give to the community, and to keep the large parcel in agricultural production which helps all the neighboring agricultural parcels. He considers this a gift to the people and the county. **All voted "aye". (5-0)**

► The Board met at 10:00 a.m. for a public hearing on the Lazy J Cross Ranch Open Lands Bond Program. Present was Planner Kevin Waller, Deputy County Attorney Howard Recht, Deputy County Attorney Dan Browder, Applicant Sterling Wetzsteon, daughters Kerry, Julie and Jill Wetzsteon and Bitterroot Land Trust Director Gavin Rickleff.

Kevin presented a Request for Commission Action by power point presentation (see attached).

Gavin also presented a power point presentation which included the Location; Historic aspect of the meeting place of Lewis & Clark and the Salish Indians; Big game winter ranch; Fish habitat due to the East Fork and Bitterroot River; Property description which includes 1,080 acres with maximum of three splits with a home site on each, 10 parcels ranging in size of 40-270 acres; (the current use which shows 635 acres actively being utilized for ag production, 300 acres for dry land pasture, 335 acres of irrigated pasture and hay meadow and 445 acres of upland range); Block Management program which has the entire property being enrolled in the management allowing for access to adjacent public land and access throughout the ranch (200 hunting days per year); Importance of the outdoor recreation and tourism as well as farming and ranching which this parcel includes; History of the Lazy J Cross since 1889; the Conservation values which includes the working agricultural land, open space, range land; Community benefits which

include the scenic open space from Highway 93; Project funding (appraised value \$1,318,175 with matching contribution at \$968,175 with a total request from the Open Lands Bond Program at \$350,000 (3.5% of total Bond). Gavin noted the diversity of the conservation values on this parcel and the community support for this project.

Public Comment:

Dan Hulls, Right to Farm and Ranch Board Member stated the Open Lands Bond Program had overwhelming support of the county and the citizens of Ravalli County. He felt this particular project is just what they envisioned.

Dave Roecker President Ravalli County Fish Wildlife (RCFW) stated it is important to keep this parcel in a conservation easement and the RCFW Association whole heartedly supports this project.

Mike McArthur spent some of his younger days fishing on the Wetzcon Properties. He is in support of this.

Rob Johnson, previous Ravalli County Extension Agent has known this property since the 1970's which includes an abundance of wildlife. He salutes the family and the program and noted it helps the surrounding agricultural properties as well.

Neal Maki schooled with the Wetzsteon's and noted the importance of raising cattle in the Sula Basin.

Steve Powell commented on the Open Lands Program which include working lands, water quality and wildlife habitat which this parcel includes. Steve addressed his tenure as a County Commissioner and the importance of planning, which was not always shared by his constituents in the 1980's early 1990's. These conservation easements are an important part of the valley's future and he sees the benefit of having these parcels support each other in agriculture and wildlife.

Tonya Bloom commented that the scenic value of this property is very important as well.

Bob Popham stated agriculture is important no matter where it is location. Sixty years ago he and others played in the rivers on this ranch.

Alan Maki addressed the beef cattle that thrive in the Sula Basin which is important to our economy.

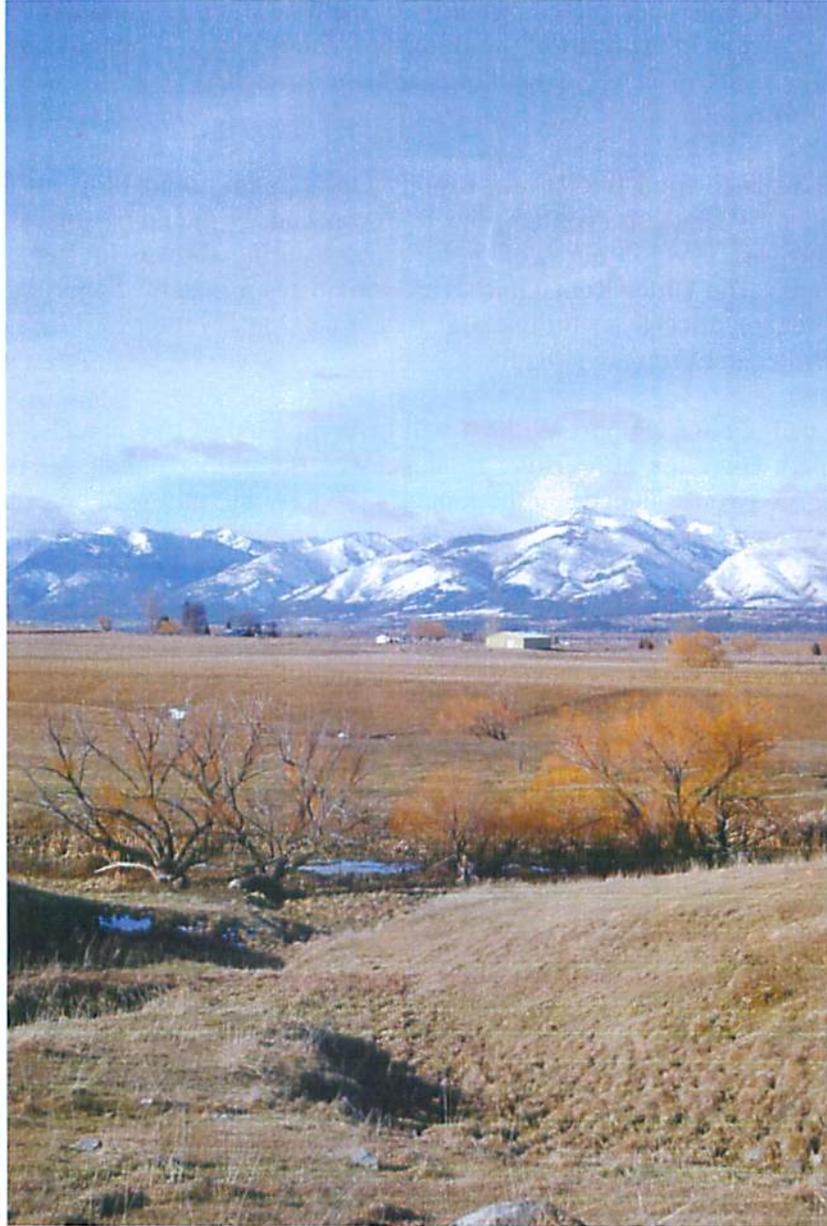
Andy Maki worked for the Forest Service while in college and most of his time was spent up the East Fork. He realizes the benefits of this area for working farms and ranching which helps the tourism, fishing and hunting industry.

Heather Meli works for the Bitterroot River Water Forum and works in the Sula Basin. The name Wetzsteon has a wonderful reputation in the valley and the water conservation and preservation for all water users is important.

Commissioner Foss made a motion to approve the Lazy J Conservation Easement at the values put forth. Commissioner Chilcott seconded the motion contingent upon successful sale of open lands bonds. (Note: This project will exceed the bonds that were purchased so more bonds will need to be sold in order to support this project. However there is sufficient bonds left in the bond program). **Commissioner Foss concurred with that as part of her motion.** Discussion: Commissioner Iman asked if other financing would be accepted for this project while the other bonds were sold. Commissioner Chilcott felt it prudent to talk to the county's bond agent and counsel, and he would not support borrowing, but the county could fund the difference of bond dollars available from the reserves until the bonds are sold. Commissioner Stoltz stated he talked with Chief Financial Officer Murphy and feels they need to make sure the funding is contingent upon successful bond sales. Commissioner Chilcott stated this project is diverse and it covers all aspects of the open lands idea, basically it is the perfect 'Charlie Russell Painting'. He feels the Wetzsteons are good stewards and give to their neighbors and he likes this project and appreciates the family matching what the citizens are paying for. Commissioner Foss agreed the funding needs to be contingent upon the sale of bonds. Commissioner Iman thanked the Wetzsteon Family. He went there many times as a child and knows the importance of the land. He appreciates the match funds from other agencies and nonprofit groups, which makes him realize people outside of Ravalli County recognize the importance of the program and this land. **All voted "aye" (5-0)**

Holloron Ranch

RAVALLI COUNTY OPEN LANDS PROGRAM
FULL APPLICATION



BITTER ROOT



LAND TRUST

I. Project Introduction

Jerry Holloron and Mike and Amanda McArthur, in partnership with the Bitter Root Land Trust, seek to permanently protect their family ranch, a 175 acre piece of prime agricultural ground in the Corvallis agricultural corridor. The Holloron Ranch is situated approximately 2 miles northeast of Corvallis and is comprised primarily of cattle pasture, hay and alfalfa meadows and grain fields. The ranch is in the heart of the Bitterroot Valley's most productive agricultural area, surrounded by thousands of acres of working farms and ranches. (see *Neighborhood Context Map, Appendix A.5*).

With financial assistance from the Ravalli County Open Lands Bond Program and the federal Farm and Ranchland Protection Program, the Holloron Family intends to place a conservation easement on approximately 168 acres of their ranch, securing forever its status as productive agricultural ground. The Bitter Root Land Trust anticipates a match of approximately 60% of the easement purchase price from the Natural Resource Conservation Service's (NRCS) Farm and Ranchland Protection Program (FRPP).

The Holloron Ranch Conservation Easement will be comprised of two parcels, with one 2-acre building envelope. There are no existing residences on the property that will be placed under easement. There are two residences on the family's property but they will be excluded from the conservation easement. These exclusions have been appropriately sited to minimize impact to the agricultural operation (see *Property Overview Map, Appendix A.2*).

The Holloron Family homesteaded the Ranch in the early 1900s and have been involved in the Valley's agricultural community ever since. The Holloron Family's desire to protect their ranch is strongly supported by their neighbors and will hopefully lead to further conservation easements in the area.

II. Applicant Pre-submission Worksheet

The Holloron Ranch is located in the agricultural corridor north of Corvallis. The property has been in the Holloron Family for over 100 years and has remained a productive agricultural operation due to their commitment to the land. As explained in a letter from Jerry Holloron and Mike and Amanda McArthur:

The Holloron family homesteaded the land in the early 1900s, and it was here that Elizabeth "Libbie" Holloron, on her own, raised five daughters and five sons through two world wars and the Great Depression. Her success was a result of the land's productivity and what must have been a tremendous amount of grit. Early on, Libbie seems to have expressed her opinion about the importance of keeping the ranch as a workable whole. A plat of Summerdale Orchards, dated September 8, 1908, shows the ranch, unsubdivided, surrounded on three sides by dozens of new 10-acre "orchard lots". Today, the ranch is still an island of open space, as surrounding areas, particularly to the east and north, have undergone rapid development.

Today, the property is comprised of approximately 175 acres spread across four parcels. Approximately 168 acres, spread across two parcels, will be permanently conserved under the proposed project. The primary conservation purpose is agriculture. The majority of the land is irrigated for hay and grain production or utilized as pasture for cattle.

The Holloron Ranch is roughly ½ mile from the Popham Ranch, whose conservation easement finalized in November 2012. These two projects will serve as a conservation catalyst in the neighborhood and help anchor long-term protection of one of the Bitterroot Valley's longest standing and most productive agricultural areas.



The view across the Holloron Ranch looking at the Bitterroot Mountains.

Applicants' Goals and Objectives

In placing a voluntary conservation easement on the Holloron Ranch, Jerry Holloron, Mike McArthur, Amanda McArthur, and the Bitter Root Land Trust propose to record a conservation easement on approximately 168 acres of high quality agricultural ground, limiting further development and conserving the following public benefits in perpetuity:

1. Open Space

The Holloron Ranch is north of Corvallis in Ravalli County, Montana (see attached aerial photo). There are currently no residences on the proposed 168 acre conservation easement. The property has scenic value due to its visibility from a variety of local roadways, including Holloron Lane, Summerdale Road and Popham Lane. The Holloron Ranch faces significant future development pressure. Surrounding areas, particularly to the east and north have undergone rapid development. Protecting the Holloron Ranch with a conservation easement will significantly limit any further development, maintain this substantial open space for current and future generations of Bitterroot residents, allow the opportunity for the continuation of traditional agricultural practices, and hopefully continue to build conservation momentum in the neighborhood.



The view across the Holloron Ranch looking at the Sapphire Mountains.



Looking downstream of Holloron Gulch towards the Bitterroot Mountains.

2. Working Agricultural Lands

The Holloron Family has been actively managing this ground as a productive farm for over a century. The Holloron Ranch is comprised of approximately 168 acres of irrigated pasture and cropland. Approximately 80% of the soils found on the property are soils of agricultural importance, including those classified as prime (29%), statewide (19%) and locally important (32%). The Holloron Family holds water rights to Holloron Gulch, the Big Ditch and the Hedge Ditch. The property is currently utilized to graze cattle and cultivate hay and grain.

3. Wildlife Habitat

The Holloron Ranch contains significant habitat for many terrestrial species. This habitat is located within Hunting District 261, which is one of only 13 districts in Montana that are managed specifically to produce older, larger-antlered, mule deer bucks for harvest. The ranch is in close proximity to the foothills of the Sapphire

Mountains and therefore enhances the value of this larger mule deer habitat. It is unique in that it provides habitat features, such as draws and slopes, which allow mule deer to make use of neighboring hayfields and riparian areas. Fox and the occasional moose will also make use of this valuable habitat. The wetlands in the southeast corner attract waterfowl and other birds, including sandhill cranes, blue herons, hawks, and eagles.

Exceptional Attributes of the Holloron Ranch:

1. Proximity to Other Working Agricultural Lands:

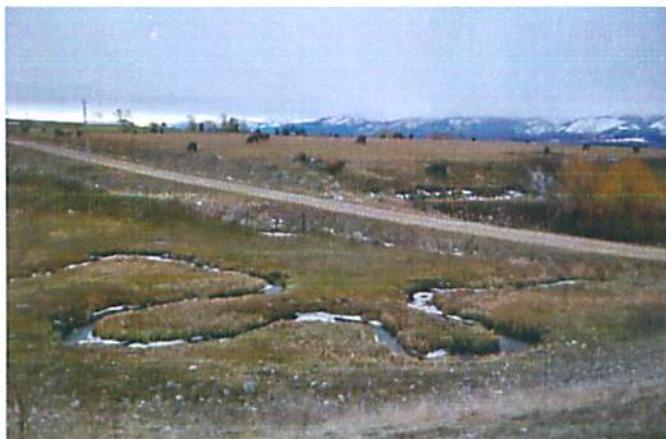
The Holloron Ranch is situated in the Corvallis agricultural corridor. The Holloron Family has been involved in this agricultural community since the early 1900s. Today, this neighborhood is home to many working farms and ranches and constitutes some of the most productive agricultural land in the Bitterroot Valley. The Holloron Ranch is within one mile of a number of working farms and ranches including, the Popham Ranch, Scanland Ranch, Griffin Dairy, Huls Dairy, Erickson Ranch and others, some of which are protected under conservation easement.



A spring associated with some of the wetlands in the southeast corner of the ranch.

2. Potential Catalyst for Additional Neighborhood Conservation:

Conservation of the Holloron Ranch will continue the momentum initiated by the finalization of the Popham Ranch Conservation Easement, in 2012. These two projects should inspire further agricultural conservation in the Corvallis agricultural area. Over the past few years, the Bitter Root Land Trust has been engaged in conservation discussions with other landowners in this neighborhood.



Holloron Gulch meandering through the northwest corner of the ranch towards the neighboring Ranch.

Future Monitoring and Maintenance:

Monitoring: Upon execution and recording of the Holloron Ranch Conservation Easement, Bitter Root Land Trust (BRLT) will assume the perpetual legal responsibility to enforce the terms of the conservation easement and build and maintain positive relationships with current and future landowners. BRLT has a history of

monitoring and enforcing the terms of its conservation easements, and can assure project partners

that the restrictions in the conservation easement will be upheld by committing the personnel and/or financial resources necessary to do so. BRLT maintains a dedicated Stewardship Account in order to ensure perpetual compliance with the terms of the easement. The funds set aside in this account have been specifically earmarked for use in covering the costs associated with annual monitoring as well as legal defense of the terms of the conservation easement in the event of a violation.

Prior to closing the Holloron Ranch Conservation Easement, BRLT will produce a comprehensive Baseline Report that will document the current condition of the property. The Baseline Report will be incorporated by reference into the conservation easement and is used by BRLT as baseline data to ensure that any subsequent degradation of the property can be clearly identified and corrected. BRLT carefully monitors each of its conservation easements annually, using the Baseline Report and previous years' monitoring reports to ensure compliance with the terms of the conservation easement. All monitoring activities are carefully documented using GPS, established photo points, and systematic forms. Dedicated staff, along with volunteer wildlife biologists, agricultural advisors and other professionals conduct the annual monitoring visits. In addition to the monitoring visit, frequent communication with the Holloron Family, or subsequent owners, will assure that the restrictions specified in the conservation easement are honored and that the resources protected by the conservation easement have not been degraded.

If BRLT becomes unable to steward its conservation easements, due to lack of capacity or its dissolution, we are able to assign our interest in conservation easements to another qualified conservation organization. BRLT requires, as a condition of transfer, that the conservation purposes of its conservation easements shall be enforced in perpetuity.

Maintenance: The Hollorons and McArthurs will continue to maintain the Ranch during their ownership of the property. Through the terms of the conservation easement and the Bitter Root Land Trust's annual monitoring, the Holloron Ranch will be maintained as open space that provides opportunities to continue traditional agricultural practices.

Legal Description and Ownership:

Currently, the ownership is in Jerry Holloron and Mike and Amanda McArthur's names but the land owners are going through the process of putting their land in a LLC (Holloron Ranch, LLC). This process should be complete in the very near future. The legal description that follows will change once the land is put into the LLC. One of the three parcels will be adjusted and excluded from the conservation easement, resulting in two parcels under easement.

Real property in the county of Ravalli, State of Montana, described as follows:

A tract of land in the SE ¼ of Section 22, the NW ¼ of Section 26, and the NE ¼ of Section 27, Township 7 North, Range 20 West, P.M.,M., Ravalli County, Montana and being more particularly described as Tract 6-D, Certificate of Survey No. 654080-R;

And

A tract of land in the Southeast one-quarter of the Northeast one-quarter of Section 27, Township 7 North, Range 20 West, P.M., M., Ravalli County, Montana and being more particularly described as Tract 6-C, Certificate of Survey No. 597724-F;

And

A tract of land in the W ½ of Section 26, Township 7 North, Range 20 West, P.M.,M., Ravalli County, Montana and being more particularly described as Tract 7-A, Certificate of Survey No. 600610-R.

III. Proposed Funding

Preliminary Appraised Value of Conservation Easement.....	\$445,000.00
Anticipated Costs:*	
Legal Review (landowner).....	\$ 7,500.00
Legal Review (BRLT).....	\$ 1,500.00
Appraisal.....	\$ 15,000.00
Baseline Study.....	\$ 1,750.00
Title Report/Commitment.....	\$ 2,500.00
Recording.....	\$ 250.00
Application.....	\$ 510.00
Printing	\$ 440.00
Project Facilitation (250 hours @ \$45.00/hour).....	\$11,250.00
Mineral Rights Report.....	\$ 750.00
Environmental Hazard Assessment.....	\$ 200.00
Closing.....	\$ 400.00
Survey.....	\$ 1,500.00
Project Assessment (25 hrs @ \$45.00).....	\$ 1,125.00
Total Anticipated Costs:.....	\$ 44,675.00*
Conservation Easement Value.....	<u>\$445,000.00</u>
Total Project Value(Easement Value + Total Anticipated Costs):.....	\$489,675.00
Total Compensation Request for CE (from all funding sources).....	\$333,700.00
Total Costs.....	<u>\$ 44,675.00</u>
Total Requested Compensation + Total Costs (Total Purchase Price)	\$378,375.00

Matching Contributions:

	<i>Amount</i>	<i>% of Total CE Value</i>	<i>% of Total Purchase Price</i>
BRLT Project Assessment (In-kind).....	\$ 1,125.00	NA	< 1%
BRLT Project Facilitation (Partial In-kind).....	\$ 3,750.00	NA	1%
Donated Easement Value (donated by landowner).....	\$111,300.00	25%	NA
Anticipated Cash Match (Natural Resources Conservation Service – Farm and Ranch Lands Protection Program).....	\$222,500.00	50%	60%
Total Matching Contributions:.....	\$338,675.00	75%	61%

Total Easement Value + Total Anticipated Costs.....	\$489,675.00		
(less Total Matching Contributions).....	<u>-\$338,675.00</u>		
Total Requested Payment from Open Lands Program:.....	\$151,000.00	or	\$900/acre

Open Lands Program Funding:

	<i>Amount</i>	<i>% of Total Purchase Price</i>
Total Requested Compensation for CE Purchase	\$151,000.00	39%

* A note on Project Costs: Anticipated Project Costs reflect the best estimates of the applicants at the time the application is submitted. These Anticipated Project Costs are provided solely to explain how the applicants' total requested Open Lands payment was developed. Actual project costs will differ somewhat from those estimated on this Proposed Funding worksheet. It is critical to note that, in the event this project is funded by the Open Lands program, all actual costs (except recording, title insurance, and closing costs) will be paid in advance of closing by the applicants, not by Open Lands Program Funds. The applicants are requesting \$151,000.00 in Open Lands Bond Funds for the purchase of this conservation easement.

IV. Completed Project Scoring Worksheet

Issue	Criteria	Possible points	Score	Comments
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General Attributes

GA 1	Size of property to be put in an easement			
	More than 400 acres	4		175 total acres, 168 acres of which will be placed under easement
	100 to 400 acres	3	3	
	25 to 99 acres	2		
	Less than 25 acres	1		

GA 2	Water rights			
	Retains senior water rights or adequate irrigation district shares and well-maintained conveyance system to sustain production/ conservation values	4	4	The Holloron Family holds shares of the Big Ditch and Hedge Ditch as well as rights out of Holloron Gulch. Together, these rights are capable of supporting property's agricultural operations.
	Retains junior waters rights or some irrigation district shares and an adequate conveyance system that generally maintains conservation values.	2		
	There are insufficient water rights or irrigation district shares and no conveyance system or the system is in disrepair.	0		

GA 3	Percent of land reserved for future home sites			
	<1%	4		One home site encompassing approximately 2 acres is reserved within the easement. See project narrative for a complete description.
	1%	3	3	
	2%	2		
	3 %	1		
	>4 %	0		

GA 4	Weed management			
	Property has effective weed management practices	4		See project narrative
	Property has partially effective weed management practices	2	2	
	Property has ineffective weed management practices	0		

Total General Attributes Category Score: 12 out of possible 16

Agriculture Resources

AR 1	Percent of soils classified as Prime/Statewide Importance or Unique/ Locally Significant	Over 50%	4	4	80% Soils of Importance including: Prime (29%), State (19%) and Local (32%) See <i>Soils of Agricultural Importance Map, Appendix A.3.</i>
		10 to 49%	2		
		0 to 9%	0		
AR 2	Percent of land that is irrigated or could potentially be irrigated	60 to 100%	4	4	Majority of the property is irrigated. Sprinkle irrigation are utilized in areas that are not sub-irrigated. See project narrative and <i>Agricultural Land Use Map, Appendix A.4</i>
		20 to 59%	2		
		0 to 19%	0		
AR 3	Animal Units potential under Best Management Practices	More than 100	3	3	See project narrative and <i>Supplemental Agricultural Documentation, Appendix B.3.</i>
		25 to 100	2		
		Less than 25	0		
AR 4	Irrigation	Sprinkled by gravity or gas/ electric pump, or flood Irrigated	4		Majority of the Holloron Ranch is sprinkle irrigated and the remainder is sub-irrigated. See <i>Agricultural Land Use Map, Appendix A.4.</i>
		Sub-irrigated	2	3	
		No irrigation	0		
AR 5	Crop/hay/timber production potential under Best Management Practices	e.g. >3 tons hay/acre or >60 bushels of grain/acre 25,000 – 15,000 board feet/acre	4	4	See yield description in Project Narrative. For a breakdown of crop locations, see <i>Agricultural Land Use Map, Appendix A.4.</i>
		e.g. 1.5 – 3 tons hay/acre or 25 – 60 bushels of grain/acre 14,999 – 10,000 board feet/acre	2		
		e.g. <1.5 tons hay/acre or <25 bushels of grain/acre 9,999 –0 board feet/acre	0		

AR 6	Integration of Best Management Practices	BMPs are fully integrated into the farm/ranch management	3		See Project Narrative
		BMPs are partially integrated into the farm/ranch management	2	2	
		No integration of BMPs in the farm/ranch management	0		

AR 7	Proximity to other operating farms/ranches	Surrounded by other farms/ranches	4		See project narrative and/or <i>Regional Neighborhood Context Map, Appendix A.5.</i>
		Contiguous to one or more farms/ranches	3	3	
		Within 1/4 mile of other farms/ranches	2		
		Within 1 mile of other farms/ranches	1		
		More than 1 mile to other farms/ranches	0		

AR 8	Proximity to other farms/ranches protected by conservation easement	Contiguous with other protected farms/ranches	4		Holloron Ranch is within 1/2 of the Popham Ranch Conservation Easement. See project narrative for a complete description of all protected farms and ranches in the immediate vicinity.
		Within 1/4 mile of other protected farms/ranches	3		
		Within 1/2 mile of other protected farms/ranches	2	2	
		Within 1 mile of other protected farms/ranches	1		
		More than 1 mile to other protected farms/ranches	0		

Total Agricultural Resources Category Score: 25 out of possible 30

Natural Attributes

NA 1	Percent of soils classified as hydric or typically associated with wetland or riparian areas	More than 50%	3		There are no NRCS defined hydric soils on the Holloron Ranch.
		10% to 50%	2		
		Less than 10%	0	0	

NA 2	Wildlife habitat			
	Property contains riparian areas, elk and mule deer winter range, special habitats, or provides linkage between such habitats.	4	3	The Holloron Ranch is rated highly by the Montana Fish, Wildlife & Parks because of valuable mule deer habitat due to features such as draws and slopes, which allow mule deer to make use of neighboring hayfields and riparian areas. <i>See Appendix B.3. and Wildlife Habitat Map, Appendix A.6</i>
	Property contains riparian areas or habitat for common species such as waterfowl, coyotes, or whitetail deer	2		
	Property contains little or no habitat for native species	0		

NA 3	Wildlife			
	Property is occupied seasonally or year-round by elk and mule deer, or animal species of concern.	4	4	The Holloron Family reports regular use of their Ranch by coyote, fox, mule deer, eagles, blue herons, sandhill cranes and the occasional moose or mountain lion. <i>See Appendix B.3</i>
	Property is occupied by common species such as waterfowl, coyotes, or whitetail deer	2		
	Property is occupied by few or no wildlife	0		

NA 4	Protection of river/ stream/creek quality			
	Property contains buffered native riparian systems	4		Holloron Gulch, a perennial stream, meanders through the property. See project narrative and <i>Overview Map, Appendix A.2.</i>
	Property contains perennial streams or buffers to adjacent watercourses.	3	3	
	Property contains natural perennial streams or watercourses.	2		
	Property contains natural ephemeral streams or watercourses.	1		
	Property contains little or no natural streams or watercourses.	0		

NA 5	Protection of wetlands and open water quality (e.g. lake, pond, marsh)			
	Property contains buffered native wetland or open water.	4		There are many springs throughout the southeast corner of the property, one of which does not typically freeze-up, and feeds a wetland dominated by cattails.
	Property contains perennial wetlands or open water, or it buffers adjacent water sources.	3	3	
	Property contains natural perennial wetlands or open water sources.	2		

Property contains natural seasonal wetlands or open water.	1		
Property contains little or no natural wetlands or open water.	0		

NA 6	Management that enhances or maintains habitat/wildlife/water if present	Management that enhances habitat/wildlife/water	3		The Holloron Family undertakes regular management of their pastures and fields, including weed treatment, irrigation, etc., all of which maintains, if not enhances, rangeland habitat.
		Management that maintains habitat/wildlife/water	2	2	
		No or little habitat/wildlife/water or no management to maintain it	0		

NA 7	Proximity to important wildlife or fisheries habitat, natural areas, or Important Bird Areas	Surrounded	4		Holloron Ranch is just over 2 miles from the Bitterroot River Important Bird Area (IBA).
		Contiguous to one or more	3		
		Within a 1/4 mile	2		
		Within a 1/2 mile	1		
		Greater than a mile	0	0	

NA 8	Proximity to other natural areas protected by conservation easements or to public lands	Contiguous	4		Holloron Ranch is within 1 mile from approximately 430 acres of State of Montana Land.
		Within a 1/4 mile	3		
		Within a 1/2 mile	2		
		Within a mile	1	1	
		Greater than a mile	0		

Total Natural Attributes Category Score: 16 out of possible 30

Additional Community Benefits					
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CB 1	Scenic values	The property can be viewed from a federal or state highway	3		Property is visible from Popham and Holloron Lanes and Summerdale Road.
		The property can be viewed from a county road	2	2	
		The property can only be viewed from a private road	0		

CB 2	Public policy	Management of the property consistently conforms with the intent and goals of federal, state,	3	3	See project narrative.

	county and local land use regulations, plans and policies.			
	Management of the somewhat conforms with the intent and goals of federal, state, county and local land use regulations, plans and policies.	2		
	Management of the property in no way conforms with the intent and goals of federal, state, county and local land use regulations, plans and policies.	0		

CB 3	Public access			
	Establishes or maintains public access to trails, public lands, or hunting and/or fishing	3		No public access will be provided.
	Establishes or maintains public access to 2 of the 3: trails, public lands, or hunting and/or fishing	2		
	Establishes or maintains public access to 1 of the 3: trails, public lands, or hunting and/or fishing	1		
	Does not establish or maintain public access	0	0	

Total Additional Community Benefits Category Score: 5 out of possible 9

Proposed Funding

PF 1	Landowner contribution			
	>50% of the value	3		The Hollorons are donating 25% (\$111,300) of the easement value. See <i>Project Funding Worksheet</i> , pg. 7.
	21 to 50% of the value	2	2	
	1-20% of the value	1		
	no contribution	0		

PF 2	Proposal partners			
	>81% of the cost	3		Total anticipated partner contribution is 60% of the total CE purchase price. See <i>page 7</i> .
	40 to 80% of the cost	2	2	
	20 to 39% of the cost	1		
	<20% of the cost	0		

PF 3	Matching "neighborhood" conservation easements			
	>100 acres contiguous to the proposed project	3		
	>100 acres within ¼ mile of the proposed project	2		

<100 acres and/or >1/2 mile from the proposed project	1		
No matching easement	0	0	

Total Proposed Funding Category Score: 4 out of possible 9

Special Attributes	
---------------------------	--

Describe any other unique or exceptional features of the property that should be considered as open land values. Up to 6 points may be awarded for special attributes.

<p>SA1. Preservation of a century old Ranch</p> <p>SA2. Continuation of neighborhood conservation</p> <p><i>For complete descriptions, see project narrative – Special Attributes.</i></p>	
--	--

Total Special Attributes Category Score: 2 out of possible 6

Project Name: Holloron Ranch

Total Score: 64

V. Project Scoring Narrative

1. General Attributes:

GA1. Size of Property to be put in an Easement: The Holloron Ranch is comprised of 175 deeded acres, of which approximately 168 acres will be conserved under the terms of the conservation easement proposed in this application. The easement property is comprised of two parcels, totaling approximately 128 acres and 40 acres. Approximately 7 acres will be excluded from the conservation easement as follows: two acres around one existing residence on Holloron Lane and approximately five acres around a second existing residence off of Libbie Lane. The attached *Overview Map (Appendix A.2)* depicts the entire Ranch.

GA2. Water Rights: The Holloron Family holds a variety of water rights, capable of meeting the demands of the agricultural operation. These rights include shares with the Big Ditch and Hedge Ditch Irrigation District, as well as rights to Holloron Gulch. It is the intent of the landowner that all appurtenant water rights remain with the property.

GA3. Percent of Land Reserved for Future Home Sites: Two residences currently exist on the property. Both of these residences will be excluded from the conservation easement. One building envelope of 2 acres will exist within the easement.

GA4. Weed Management: The Holloron Family and their lessee, the Ericksons, have been working to manage the weeds on the ranch. The property is spot sprayed, annually. The most common state listed noxious weeds that they are working to manage are spotted knapweed, and Canada thistle.

2. Agricultural Resources:

AR1. Percent of soils classified as Prime/Statewide Importance or Unique/ Locally Significant: Agriculturally significant soils occupy 80% of the Holloron Ranch (168 acres). This includes approximately 48.5 acres of Prime Farmland (29%), 32 acres of Soils of Statewide Importance (19%) and 54 acres of Locally Significant Soil (32%). See *Soils of Agricultural Importance Map, Appendix A.3*.

AR2. Percent of land that is irrigated or could potentially be irrigated: All of the Holloron Ranch is currently irrigated. Approximately 2/3's is sprinkle irrigated while the remaining portion is sub-irrigated. Irrigation water is sourced from the Big Ditch and the Hedge Ditch, which meanders through the property via Holloron Gulch when the headgate is opened. Holloron Gulch is also a perennial stream that the family holds water rights to. See *Agricultural Land Use Map, Appendix A.4* and *Overview, Appendix A.2*.

AR3. Animal Units potential under Best Management Practices: The portion of the Holloron Ranch to be placed under conservation easement contains approximately 168 acres of irrigated, crop and pasture land. Currently, about 110 of these acres (see *Agricultural Land Use Map, Appendix A.3*) are used to pasture cattle. The remaining acreage is reserved for crop production. For the purposes of this application, the AUM potential has been calculated for the entire acreage using the Natural Resource Conservation Service's Montana Grazing Animal Unit Month Estimator (see *Supplemental Agricultural Documentation, Appendix B.3*). Based on this formula, the Holloron Ranch could support upwards of 117 AUMs, placing it within the upper end of the scoring criteria.

AR4. Irrigation: The agricultural portions of the Holloron Ranch, including those in grain, hay and pasture, are sprinkled or sub irrigated throughout the growing season. In total, nearly all 168 acres of land to be conserved under the terms of the easement are currently irrigated. Water rights for irrigation are sourced from the Big Ditch, the Hedge Ditch, and Holloron Gulch. The Ranch's irrigated acreage is depicted on the *Agricultural Land Use Map, Appendix A.4*.

AR5. Crop/hay/timber production potential under Best Management Practices: Alfalfa yields averaged 5.5 tons/acre and wheat yields averaged 100 bushels/acre last year. Given these numbers, this property easily surpasses the upper end of the scoring criteria.

AR6. Integration of Best Management Practices: The Holloron Family has dedicated a lot of time, effort, and money to the integration of best management practices into operations on the Holloron Ranch. Management practices are aimed at enhancing the health and productivity of the ranch. Spot treatment of weeds takes place annually, crops are rotated to improve soil health, and rotational grazing is utilized to maintain and/or improve pasture health.

AR7. Proximity to other operating farms/ranches: The Holloron Ranch is contiguous with other working farms and ranches, including Griffin Dairy to the south and Erickson Ranch to the west. The aerial imagery used for many of the maps included in this application depicts the agricultural character of the area. The *Neighborhood Context Map, Appendix A.5*, in particular, shows the agricultural makeup of this area of the Valley.

AR8. Proximity to other farms/ranches protected by conservation easement: The Holloron Ranch is within ½ mile from the Popham Ranch, an active agricultural conservation easement held by the Bitter Root Land Trust. Approximately 2,500 acres of conservation easement ground are located within 2.5 miles of the Holloron Ranch. A portion of these easements are in agricultural production. See *Neighborhood Context Map, Appendix A.5*.

3. **Natural Attributes:**

NA1. Percent of soils classified as hydric or typically associated with wetland or riparian areas: The Holloron Ranch does not possess hydric soils. Holloron Gulch, a small, intermittent stream, meanders through the property. There is also a number of naturally occurring springs that flow into cattail dominated wetlands, one of which remains unfrozen year round.

NA2. Wildlife habitat: The Holloron Ranch contains significant habitat for many terrestrial species. This habitat is located within Hunting District 261, which is one of only 13 districts in Montana that are managed specifically to produce older, larger-antlered, mule deer bucks for harvest. The ranch is in close proximity to the foothills of the Sapphire Mountains and therefore enhances the value of this larger mule deer habitat. It is unique in that it provides habitat features, such as draws and slopes, which allow mule deer to make use of neighboring hayfields and riparian areas. There are also wetlands in the southeast corner of the property that attract waterfowl and other birds. See *Letter from Montana Fish, Wildlife & Parks, Appendix B.3 and Wildlife Habitat Map, Appendix A.6*.

NA3. Wildlife: Wildlife regularly utilizes the Holloron Ranch. Species often spotted include eagles, sandhill cranes, blue herons, hawks, fox, coyote, mule deer, whitetail deer, and the occasional moose and mountain lion. *See Letter from Montana Fish, Wildlife & Parks, Appendix B.3.*

NA4. Protection of river/stream/creek quality: Holloron Gulch meanders through the property (see *Overview Map, Appendix A.2* for the exact location of this stream). The Hedge Ditch, a supply branch of the Daly Ditch, also flows through the heart of the property and adds water to the perennial flow of Holloron Gulch. No other streams are present on the Ranch.

NA5. Protection of wetlands and open water quality (e.g. lake, pond, marsh): There are many springs throughout the southeast corner of the property, one of which very rarely freezes and feeds a cattail dominated wetland.

NA6. Management that enhances or maintains habitat/wildlife/water if present: The Holloron Family does not actively manage their Ranch for wildlife. That said, a number of their practices do contribute to improved habitat quality. Irrigation, weed treatment, and crop and cattle rotation all improve the quality of the rangeland habitat found on the ranch.

NA7. Proximity to important wildlife or fisheries habitat, natural areas, or Important Bird Areas: There are no important areas of wildlife or fisheries habitat within a mile of the Holloron Ranch. The Bitterroot River IBA is located just over two miles from the Ranch.

NA8. Proximity to other natural areas protected by conservation easements or to public lands: The Holloron Ranch is just under a mile from the western boundary of 430 acres of State of Montana Land. There are also approximately 2,500 acres of protected natural areas and public land within 2.5 miles of the Ranch. *See Neighborhood Context Map, Appendix A.5.*

4. **Additional Community Benefits:**

CB1. Scenic Values: The Holloron Ranch is visible to anyone passing through the agricultural area north of Corvallis. The Ranch is visible from Holloron Lane, Popham Lane, and Summerdale Road.

CB2. Public Policy: The Holloron Ranch consists of highly productive working agricultural rangeland. Protection of this important asset is consistent with both local and statewide policies.

The Board of County Commissioners (Board) of Ravalli County recognized the importance of working farms and ranches in Ravalli County when, on July 25, 2006, it passed and adopted Resolution No. 1946 stating, in part, “working farms and ranches in Ravalli County are a valuable resource worth protecting, helping the valley by managing growth, preserving open lands, protecting water quality and its sources, maintaining wildlife habitat, all while promoting the rural flavor, pristine views, and lifestyles residents enjoy.” Further, on December 5, 2007, the Board adopted Resolution No. 2256 establishing the Ravalli County Open Lands Bond. Specifically, Resolution No. 2256 identifies the goals of the Ravalli County Open Lands Bond Program as. “manag(ing) growth; preserv(ing) open lands, including working farms and ranches (and) . . . maintain(ing) wildlife habitat.” Conserving the Holloron Ranch directly reflects these stated goals.

The Montana Legislature has also articulated the importance of conserving critical open space lands, like the Holloron Ranch, in the express policies of the Montana Open Space Statutes. Specifically,

Montana Code Annotated § 76-6-102 (included in this Application as *Appendix B.1*) states: “The legislature finds that: (e) to lessen congestion and to preserve natural, ecological, geographical, and geological elements, the provision and preservation of open-space lands are necessary to secure park, recreational, historic, and scenic areas and to conserve the land, its biotic communities, its natural resources, and its geographical elements in their natural state.”

Protection of the Holloron Ranch supports the articulated goals of both state and local public policy.

CB3. Public access: This project does not anticipate public access.

5. Proposed Funding:

PF1 and PF2: See *Funding Worksheet*, p. 7.

PF3. Matching neighborhood easements: There are no additional matching conservation easement projects to mention at this time, though BRLT anticipates the protection of the Holloron Ranch will continue the conservation momentum in the Corvallis Agricultural Corridor and lead to other conservation successes in this neighborhood in the coming years.

6. Special Attributes:

SA1. Historic Value of the Holloron Ranch: The Holloron Family homesteaded this property in the early 1900s. Elizabeth “Libbie” Holloron raised five daughters and five sons, on her own, through two world wars and the Great Depression on this Ranch. Her success was a result of the land’s productivity and her determination. Libbie knew what she wanted for the property early on. A plat of Summerdale Orchards dated 10/8/1908 shows the Holloron Ranch surrounded on three sides by dozens of new 10-acre lots. The land has consistently been involved in agriculture for the last century. Throughout the years the family has raised beef and the land has been used for pasture and to raise feed such as alfalfa, barley, grass, and corn.

SA2. Continuation of neighborhood conservation: As mentioned previously, the Popham Ranch is in close proximity to the Holloron Ranch. The Popham Ranch Conservation Easement was finalized in late 2012. The Pophams and the Holloron Family have had many conversations with their neighbors concerning conservation easements and they both feel that there is considerable interest. The Bitter Root Land Trust anticipates working with neighboring properties in the Corvallis Agricultural Corridor in the future. The landowners in this area, that has immense conservation value have shown considerable support for all of the conservation easements in their neighborhood. See *Corvallis Agricultural Corridor Neighborhood Context Map, Appendix A.5*.

VI. Existing Encumbrances

Several existing encumbrances exist on the Holloron Ranch, none of which impact the conservation values that will be protected by the conservation easement. There are several right-of-way easements for utilities, irrigation, and county roads, generally located along existing county roads adjacent to the property, along property boundaries, or to existing buildings. Tract 5-A is subject to restrictive covenants associated with Summerdale Orchards. None of these covenants will impact the conservation values that will be protected by the conservation easement.

There is a mortgage associated with the property but will be assigned to a parcel that will be excluded from the conservation easement following the completion of the boundary adjustment currently underway. Following the boundary adjustment there will be no mortgages associated with the parcels within the conservation easement.

According to a mineral report compiled by First American Title Company out of Hamilton, MT, there are two mineral reservations on the Holloron Ranch. The areas of concern are the northeast 40 and the southeast 10. A mineral remoteness assessment has been ordered and is to be completed by a qualified geologist in the near future. His findings will be provided to the OLB as soon as they are complete.

Appendix A

Holloron Ranch Property Maps

A. 1, Property Location



A.2, Property Overview



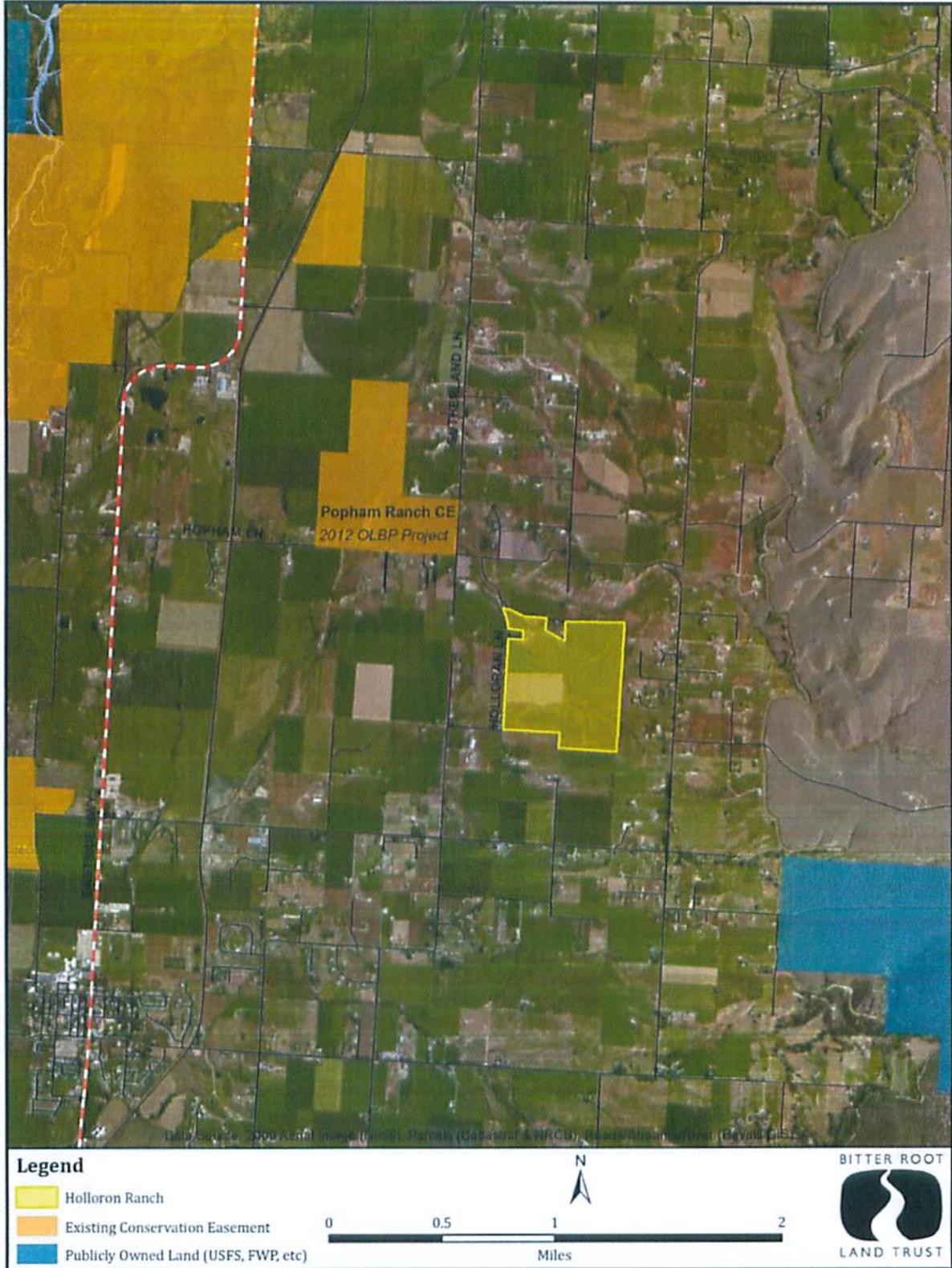
A.3, Soils of Agricultural Importance



A.4, Agricultural Land Use



A.5, Neighborhood Context Map



A.6, Wildlife Habitat



Appendix B

Supporting Documents

Other supporting documentation:

- B.1 MCA 76-6-102**
- B.2 NRCS Montana Grazing Animal Unit Month Estimator Worksheet**
- B.3 Letter from Montana Fish, Wildlife & Parks**

Appendix B.1

MCA 76-6-102

Montana Code Annotated - 2007

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 [MCA Contents](#)
 [Part Contents](#)
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76-6-102. Intent, findings, and policy. (1) The legislature, mindful of its constitutional obligations under Article II, section 3, and Article IX of the Montana constitution, has enacted the Open-Space Land and Voluntary Conservation Easement Act. It is the legislature's intent that the requirements of this chapter provide adequate remedies for the protection of the environmental life support system from degradation and provide adequate remedies to prevent unreasonable depletion and degradation of natural resources.

(2) The legislature finds that:

- (a) the rapid growth and spread of urban development are creating critical problems of service and finance for the state and local governments;
- (b) the present and future rapid population growth in urban areas is creating severe problems of urban and suburban living;
- (c) this population spread and its attendant development are disrupting and altering the remaining natural areas, biotic communities, and geological and geographical formations and thereby providing the potential for the destruction of scientific, educational, aesthetic, and ecological values;
- (d) the present and future rapid population spread throughout the state of Montana into its open spaces is creating serious problems of lack of open space and overcrowding of the land;
- (e) to lessen congestion and to preserve natural, ecological, geographical, and geological elements, the provision and preservation of open-space lands are necessary to secure park, recreational, historic, and scenic areas and to conserve the land, its biotic communities, its natural resources, and its geological and geographical elements in their natural state;
- (f) the acquisition or designation of interests and rights in real property by certain qualifying private organizations and by public bodies to provide or preserve open-space land is essential to the solution of these problems, the accomplishment of these purposes, and the health and welfare of the citizens of the state;
- (g) the exercise of authority to acquire or designate interests and rights in real property to provide or preserve open-space land and the expenditure of public funds for these purposes would be for a public purpose; and
- (h) the statutory provision enabling certain qualifying private organizations to acquire interests and rights in real property to provide or preserve open-space land is in the public interest.

History: En Sec. 2, Ch. 337, L. 1969; amd. Sec. 2, Ch. 489, L. 1975; R.C.M. 1947, 62-602(part); amd. Sec. 25, Ch. 361, L. 2003.

Provided by Montana Legislative Services

Appendix B.2

Montana Grazing Animal Unit Month Estimator (NRCS)

Appendix B.3

Letter from Montana Fish, Wildlife & Parks



Montana Fish, Wildlife & Parks

3201 Spurgin Road
Missoula, MT 59804
August 16, 2012

Mike McArthur
P. O. Box 115
Corvallis, MT 59828

Dear Mike,

Thank you for your interest in conserving your 170 acres of wildlife habitat in the foothills of the Sapphire Mountains. In response to your inquiry about the property's value as mule deer habitat, Montana Fish, Wildlife & Parks rates it highly.

This habitat is located within Hunting District 261—one of only 13 districts in Montana that are managed specifically to produce older, larger-antlered, mule deer bucks for harvest. It produces some of the largest bucks that are taken in Montana, and in 2011 almost 2,000 hunters applied for the 25 special permits to hunt there.

Your property is unique in that it provides habitat features, such as draws and slopes, which allow mule deer to make use of neighboring hayfields and riparian areas to obtain succulent forage. Because your property is so close to the open rangelands of the Sapphire foothills, it enhances the value of this larger mule deer habitat by offering a good number of deer daily or seasonal access to higher quality forage in the bottoms—this is especially valuable in summer when native rangelands are dry and does are lactating.

The mule deer habitat in Hunting District 261 and much of western Montana is not just public land, or large blocks of private. It is a conglomerate of multiple ownerships, parcels and land-uses that in combination contribute to the whole. Yours is one of the many pieces that makes the whole more productive.

Mike, I hope this addresses your question. Please feel free to contact me if you need any clarification. Thanks again for your interest and efforts.

Sincerely,

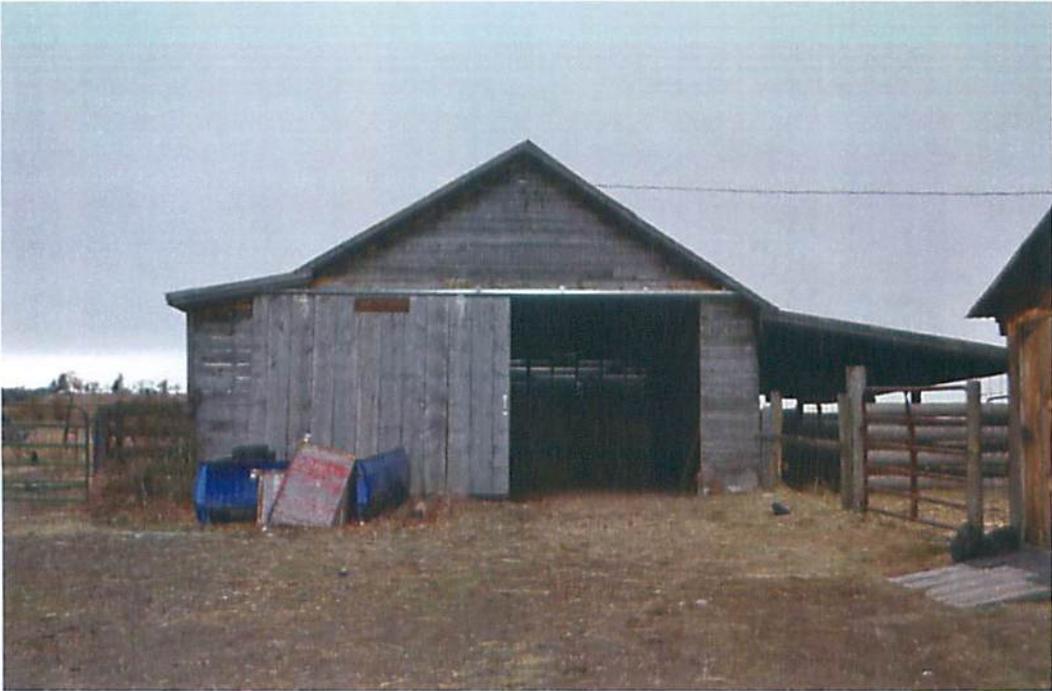
A handwritten signature in black ink, appearing to read "Mike Thompson". The signature is fluid and cursive.

Mike Thompson

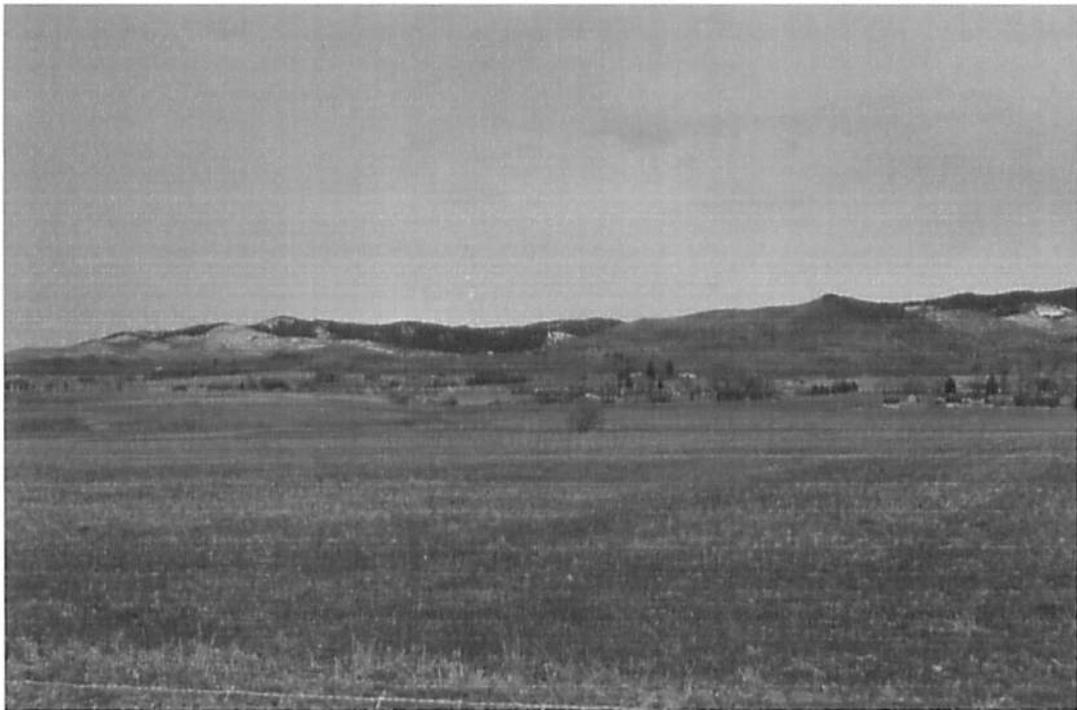
Regional Wildlife Manager

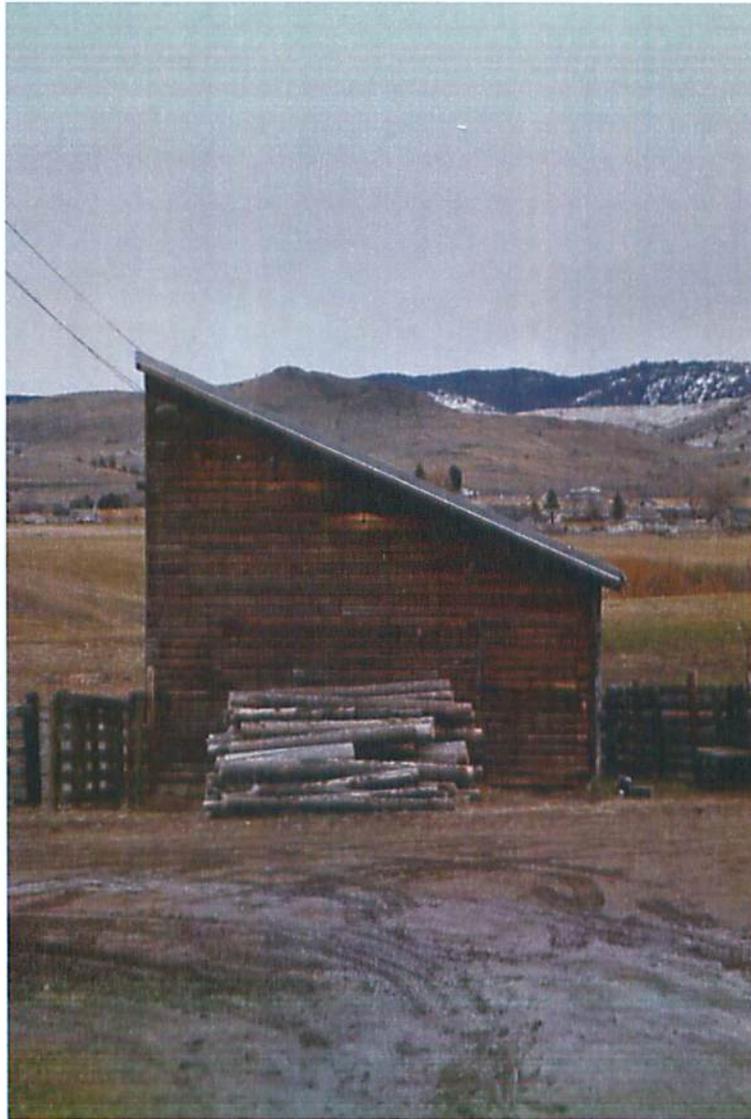
Appendix C

Property Photographs



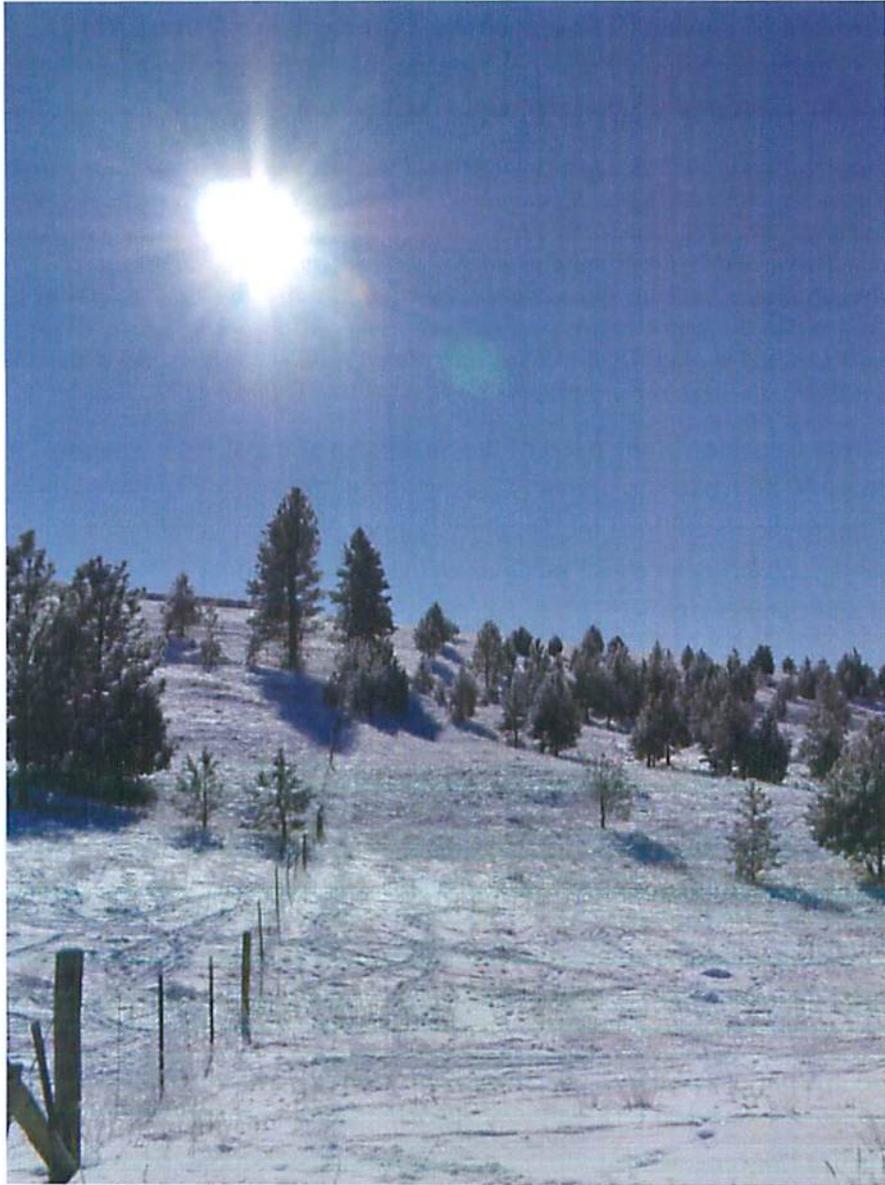






Lazy J Cross Ranch

RAVALLI COUNTY OPEN LANDS PROGRAM
FULL APPLICATION



BITTER ROOT



LAND TRUST

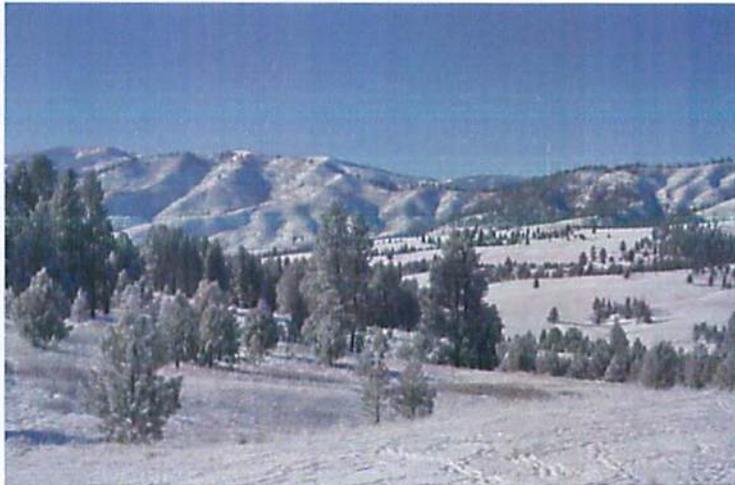
I. Applicant Pre-submission Worksheet

The Bitter Root Land Trust (BRLT) is working with Sterling Wetzsteon, owner of the Lazy J Cross Ranch, to permanently protect his family's 1,080 acres of open space, including agricultural land, forested acres, panoramic hilltop views, open meadows and pastures that support trophy elk and mule deer and roughly one mile of the East Fork of the Bitterroot River, a renowned trout stream. The property was originally homesteaded by the Wetzsteon Family in 1889 and has continued under Wetzsteon management ever since. In a recent letter to BRLT, Sterling expressed his desire to conserve his family's ranch:

Having been in the same family for several generations, the Bitter Root Land Trust can help ensure that this land will continue to be family owned for years to come. The Wetzsteon family homesteaded the land in 1889 and it was here that Edgar and Helen Wetzsteon worked a successful cattle ranch and raised five children ... As a tribute to our past generations of family, our goal is to ensure that the land remains intact and continues as a working ranch. We look forward to offering the public, the residents of the Sula basin and the wildlife in the area the opportunity to enjoy its true value as open space.

The Lazy J Cross is located in the heart of the Sula basin at Ross' Hole, roughly 2 miles east of the Sula Store. The 1,080 acre ranch is comprised of 10 parcels that run north-south from the river bottom to the foothills of the Sapphire Range. This conservation easement project will permanently conserve the entire ranch as an agricultural property, with limited reserved development and transfer rights.

The property possesses a diverse array of conservation values, running the entire gamut of Open Lands Program priorities. The lower 335 acres are high quality agricultural ground currently utilized for cattle pasture and hay cultivation. Roughly one mile of the East Fork of the Bitterroot River, a renowned native fishery, flows through this portion of the ranch. The upper reaches of the ranch are a mix of dry rangeland and pine forest that support trophy mule deer, elk and big horn sheep. The entire property is currently enrolled in the Block Management Program. Sterling wishes to ensure continued public hunting access in perpetuity through the terms of the conservation easement.



Applicants' Goals and Objectives

In placing a voluntary conservation easement on the Lazy J Cross Ranch, Sterling Wetzsteon and the Bitter Root Land Trust propose to record a conservation easement on approximately 1,080 acres of high quality agricultural ground and wildlife habitat, limiting further development and conserving the following public benefits in perpetuity:

1. Open Space with Scenic and Historic Value

The Lazy J Cross Ranch is located in the largely undeveloped Sula basin (see attached aerial photo). The only structures currently on the ranch are an assortment of agricultural buildings along East Fork Road. There is no residential use of the property at this time. The property has significant scenic value due to its undeveloped character. Lazy J Cross is visible from a variety of public roadways, including US Highway 93, East Fork Road, French Basin Road and Edwards Road.

The ranch is located in Ross' Hole, a historic meeting place of Lewis and Clark and the Salish Indians. Charles Russell's classic painting—"Lewis and Clark Meeting the Flathead Indians at Ross' Hole"—is set on the Lazy J Cross. Russell painted this masterpiece from the deck of the original Wetzsteon homestead cabin, from which the view remains largely the same today as it did at the time of the painting. Russell's work is on display in the House of Representatives Chamber at the Capital Building in Helena.

2. Working Agricultural Lands

The Wetzsteon Family has actively managed this ground as a productive ranch for over a century. The lower portion of the ranch contains roughly 335 acres of irrigated pasture and hay meadow, with an additional 15 acre of dryland pasture. Approximately 42% of the soils found on this portion of the ranch are soils of agricultural importance, including those classified statewide (12%) and locally important (30%). The upper portion of the ranch consists of roughly 750 acres of dry upland range, 300 acres of which are currently utilized for dryland pasture. The remaining 445 acres of upland range have been temporarily retired from active agricultural use due to extensive damage to fencing by elk. Though not currently in agricultural production, this acreage will remain available to future landowners who wish to utilize it for such purposes. The Lazy J Cross holds water rights, dating as far back as 1889, to the East Fork of the Bitterroot. Bob Wetzsteon, a cousin of Sterling's, currently manages the ranch.

3. Critical Wildlife Habitat

The Lazy J Cross Ranch is situated in the middle of some of Montana's most wild and scenic country. From the upper portion of the ranch, the Bitterroot Mountains are visible to the west and the Sapphire Mountains to the east, of which the ranch is a part. Beyond the Sapphire Range are the Anaconda-Pintler Wilderness and the Big Hole Valley.

The entire 1,080 acre ranch is elk and mule deer winter range. Elk make their way from the Big Hole Valley and Upper Clark Fork into the Sula Basin during the winter months. The ranch typically supports upwards of 300 head of elk throughout the year. In 2010, an estimated 600 head of elk grazed the river bottom during the winter months. Other wildlife utilizing this vast, undeveloped habitat include black bear, mountain lion, moose, mule deer, whitetail deer and a sizeable herd of Rocky Mountain Big Horn sheep.

Roughly one mile of the East Fork of the Bitterroot River runs through the lower portion of the ranch. The East Fork is a high value fishery resource that provides critical spawning habitat for native westslope Cutthroat Trout and Bull Trout. The stream also supports Brown, Rainbow, and Brook Trout. The stretch of the East Fork running through Ross' Hole supports hundreds of angler days per year, including both resident and visiting anglers.

Additional Conservation Attributes of the Lazy J Cross Ranch:

1. Public Hunting Access

Recreationally, the property is associated with fly-fishing, rafting, horseback riding, ATV exploration, archery and rifle hunting, hiking, snowmobiling, cross country skiing and snowshoeing. The Wetzsteon Family has a long tradition of allowing public access for hunting. In recent decades, the ranch has participated in the Block Management Program, supporting an average of 200 hunter days annually. Over 1,100 acres are currently available to the general public for hunting purposes, though access across the ranch to adjacent public lands is the most common use. The ranch shares over 3 miles of its border with the Bitterroot National Forest and State of Montana DNRC trust land. The Lazy J Cross Conservation Easement will secure permanent public access onto and across the ranch, guaranteeing that this public hunting amenity will be available to both Valley residents and tourists long into the future.

2. Proximity to High Value Open Space and Working Agricultural Lands:

The Lazy J Cross is located in Ross' Hole, which remains largely undeveloped. The majority of the adjacent private land is in 700+ acre ownerships. The property is completely surrounded by large, working ranches. The Sula basin retains much of the same open space character today as it had when Lewis and Clark passed through over 200 years ago.

Future Monitoring and Maintenance:

Monitoring: Upon execution and recording of the Lazy J Cross Conservation Easement, Bitter Root Land Trust (BRLT) will assume the perpetual legal responsibility of enforcing the terms of the conservation easement. We will also build and maintain positive relationships with current and future landowners. BRLT has a history of effectively monitoring and enforcing the terms of its conservation easements, and can assure project partners that the restrictions in the conservation easement will be upheld. BRLT maintains a dedicated Stewardship Account in order to sustain this perpetual obligation. The funds set aside in this account have been specifically earmarked for use in covering the costs associated with annual monitoring as well as legal defense of the terms of the conservation easement in the event of a violation.

Prior to closing the Lazy J Cross Conservation Easement, BRLT will produce a comprehensive Baseline Report that documents the current condition of the property. The Baseline Report is incorporated by reference into the conservation easement and used by BRLT as baseline data to ensure that any subsequent degradation of the property can be clearly identified and corrected.

BRLT carefully monitors each conservation easement annually, using the Baseline Report and previous years' monitoring reports to ensure compliance with the terms of the conservation easement. All monitoring activities are carefully documented using GPS, established photo points, and systematic forms. Dedicated staff—along with volunteer wildlife biologists, agricultural advisors and other professionals—conduct the annual monitoring visits. In addition to the monitoring visit, frequent communication with the Wetzsteons, and subsequent owners, will assure that the restrictions specified in the conservation easement are honored and that the resources protected by the conservation easement have not been degraded.

If BRLT becomes unable to steward its conservation easements, due to lack of capacity or its dissolution, we are able to assign our interest in conservation easements to another qualified conservation organization. BRLT requires, as a condition of transfer, that the conservation purposes of its conservation easements shall be enforced in perpetuity.

Maintenance: Sterling Wetzsteon will continue to own the property. He plans to continue leasing the property to Bob Wetzsteon. Through the terms of the conservation easement and the Bitter Root Land Trust's annual monitoring, the Lazy J Cross will be maintained as open space that provides opportunities to continue traditional agricultural practices.

Legal Descriptions:

Real property in the County of Ravalli, State of Montana, described as follows:

Parcel 1:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3; E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ of Section 10; SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 1 North, Range 19 West, P.M.M, Ravalli County, Montana

ALSO

The SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3; Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 2, Township 1 North, Range 19 West, P.M.M., Ravalli County, Montana

ALSO

The N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 34; W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 2 North, Range 19 West, P.M.M., Ravalli County, Montana

Deed Reference: Book 137 Deeds, page 12.

EXCEPTING AND RESERVING THEREFROM a tract of land as described and recorded in Book 160 Deeds, page 821 Certificate of Survey No.2356 and Certificate of Survey No. 1391.

ALSO EXCEPTING a tract of land described on Certificate of Survey No. 5619-R, more particularly described as follows: The NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15 Township 1 North, Range 19 West, P.M.M., Ravalli County Montana Deed Reference: Book 224 Deeds, page 521.

Parcel 2:

The SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34, Township 2 North, Range 19 West P.M.M., Ravalli County, Montana Recording reference Book 224 of Deeds, page 506.

II. Proposed Funding

Preliminary Appraised Value of Conservation Easement.....\$1,273,500.00

Anticipated Costs:*

Legal Review (BRLT& Landowner)..... \$ 6,000.00
 Appraisal..... \$ 15,000.00
 Baseline Study..... \$ 2,000.00
 Title Report/Commitment..... \$ 2,500.00
 Recording..... \$ 250.00
 Application..... \$ 510.00
 Printing \$ 440.00
 Project Facilitation (350 hours @ \$45.00/hour)..... \$15,750.00
 Mineral Rights Report..... \$ 500.00
 Environmental Hazard Assessment..... \$ 200.00
 Closing..... \$ 400.00
 Project Assessment (25 hrs @ \$45.00)..... \$ 1,125.00

Total Anticipated Costs:..... \$ 44,675.00*
 Conservation Easement Value..... \$1,273,500.00
 Total Project Value(Easement Value + Total Anticipated Costs).....\$1,318,175.00

Total Compensation Request for CE (from all funding sources)..... \$934,700.00
 Total Costs..... \$ 44,675.00
 Total Requested Compensation + Total Costs (Total Purchase Price) \$977,575.00

Matching Contributions:

		<i>% of Total Amount</i>	<i>% of Total CE Value</i>
<i>Purchase Price</i>			
BRLT Project Assessment (In-kind).....	\$ 1,125.00	NA	< 1%
BRLT Project Facilitation (Partial In-kind).....	\$ 8,250.00	NA	< 1%
Donated Easement Value (donated by landowner).....	\$338,800.00	27%	NA
Anticipated Cash Match (NRCS Farm and Ranch Program)	\$400,000.00	32%	41%
Anticipated Cash Match (MT Fish & Wildlife Cons Trust)	\$100,000.00	8%	10%
Anticipated Cash Match (Non-Profit Partners)	\$ 50,000.00	4%	5%
Anticipated Cash Match (Private Donors)	\$ 50,000.00	4%	5%
Committed Cash Match (Travelers for Open Land).....	\$ 10,000.00	1%	1%
<u>Anticipated Cash Match (TBD State Funding Source).....</u>	<u>\$ 10,000.00</u>	<u>1%</u>	<u>1%</u>
TOTAL MATCHING CONTRIBUTIONS:.....	\$968,175.00	NA	74%

Total Easement Value + Total Anticipated Costs..... \$1,318,175.00
 (less Total Matching Contributions)..... \$ 968,175.00
 Total Requested Payment from Open Lands Program:..... \$ 350,000.00 or \$325/acre

Open Lands Program Funding:

	<i>Amount</i>	<i>% of Total Purchase Price</i>
Total Requested Compensation for CE Purchase	\$350,000.00	36%

SEE NOTES ON NEXT PAGE

*** Note on Project Costs:** Anticipated Project Costs reflect the best estimates of the applicants at the time the application is submitted. These Anticipated Project Costs are provided solely to explain how the applicants' total requested Open Lands payment was developed. Actual project costs will differ somewhat from those estimated on this Proposed Funding worksheet. It is critical to note that, in the event this project is funded by the Open Lands program, all actual costs (except recording, title insurance, and closing costs) will be paid in advance of closing by the applicants, not by Open Lands Program Funds. The applicants are requesting \$350,000.00 in Open Lands Bond Funds for the purchase of this conservation easement.

Note on Matching Contributions: The matching contributions listed above represent the anticipated funding levels for this project. At the time of application, only the Traveler's for Open Land contribution is committed. The exact dollar amount of the other listed matching contributions may vary to a lesser or greater extent based on the success of each individual request. Should any specific funding source commit at a level different than listed above, Ravalli County's share of the Total Purchase Price will not change. BRLT is requesting Ravalli County's financial support for this project in the amount of \$350,000.00 or 26% of the Total Project Value.

III. Completed Project Scoring Worksheet

Issue	Criteria	Possible points	Score	Comments
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General Attributes

GA 1	Size of property to be put in an easement			
	More than 400 acres	4	4	1,079.38 Total Acres
	100 to 400 acres	3		
	25 to 99 acres	2		
	Less than 25 acres	1		

GA 2	Water rights			
	Retains senior water rights or adequate irrigation district shares and well-maintained conveyance system to sustain production/ conservation values	4	4	The Lazy J Cross Ranch holds surface water rights dating as far back as 1889, which are capable of supporting the agricultural operation. For more information see GA2 narrative and <i>Water Rights Abstracts, Appendix B.1.</i>
	Retains junior waters rights or some irrigation district shares and an adequate conveyance system that generally maintains conservation values.	2		
	There are insufficient water rights or irrigation district shares and no conveyance system or the system is in disrepair.	0		

GA 3	Percent of land reserved for future home sites			
	<1%	4		The easement will reserve three 10-acre home sites. See GA3 narrative for a complete description.
	1%	3		
	2%	2		
	3 %	1	1	
	>4 %	0		

GA 4	Weed management			
	Property has effective weed management practices	4		See GA4 narrative.
	Property has partially effective weed management practices	2	2	
	Property has ineffective weed management practices	0		

Total General Attributes Category Score: 11 out of possible 16

Agriculture Resources

AR 1	Percent of soils classified as Prime/Statewide Importance or Unique/ Locally Significant	Over 50%	4		~14% Soils of Importance: State (10%) and Local (4%) <i>See Soils Map, Appendix A.3.</i>
		10 to 49%	2	2	
		0 to 9%	0		
AR 2	Percent of land that is irrigated or could potentially be irrigated	60 to 100%	4		Roughly 31% (335 acres) of the property is flood irrigated. <i>Hydrologic Features Map, A.5</i>
		20 to 59%	2	2	
		0 to 19%	0		
AR 3	Animal Units potential under Best Management Practices	More than 100	3	3	See AR3 narrative and <i>Supplemental Agricultural Documentation, Appendix B.3.</i>
		25 to 100	2		
		Less than 25	0		
AR 4	Irrigation	Sprinkled by gravity or gas/ electric pump, or flood Irrigated	4	4	Roughly 335 acres of the Lazy J Cross are flood Irrigated. See <i>Hydrologic Features Map, Appendix A.5.</i>
		Sub-irrigated	2		
		No irrigation	0		
AR 5	Crop/hay/timber production potential under Best Management Practices	e.g. >3 tons hay/acre or >60 bushels of grain/acre 25,000 – 15,000 board feet/acre	4		Estimated hay yield for the lower 335 acres of irrigated ground under Best Management Practices is 2.75 tons/acre. See full description in AR5 narrative.
		e.g. 1.5 – 3 tons hay/acre or 25 – 60 bushels of grain/acre 14,999 – 10,000 board feet/acre	2	3	
		e.g. <1.5 tons hay/acre or <25 bushels of grain/acre 9,999 – 0 board feet/acre	0		
AR 6	Integration of Best Management Practices	BMPs are fully integrated into the farm/ranch management	3		See AR6 Narrative.
		BMPs are partially integrated into the farm/ranch management	2	1	
		No integration of BMPs in the farm/ranch management	0		

AR 7	Proximity to other operating farms/ranches	Surrounded by other farms/ranches	4	4	See AR7 narrative.
		Contiguous to one or more farms/ranches	3		
		Within 1/4 mile of other farms/ranches	2		
		Within 1mile of other farms/ranches	1		
		More than 1 mile to other farms/ranches	0		

AR 8	Proximity to other farms/ranches protected by conservation easement	Contiguous with other protected farms/ranches	4		Shining Mountain Ranch, a guest ranch that includes some agricultural production, is located roughly ¼ miles north of the Lazy J Cross. See <i>Neighborhood Conservation Map, Appendix A.6.</i>
		Within 1/4 mile of other protected farms/ranches	3		
		Within 1/2 mile of other protected farms/ranches	2		
		Within 1 mile of other protected farms/ranches	1		
		More than 1 mile to other protected farms/ranches	0	0	

Total Agricultural Resources Category Score: 19 out of possible 30

Natural Attributes

NA 1	Percent of soils classified as hydric or typically associated with wetland or riparian areas	More than 50%	3		20% NRCS defined hydric soil.
		10% to 50%	2	2	
		Less than 10%	0		

NA 2	Wildlife habitat	Property contains riparian areas, elk and mule deer winter range, special habitats, or provides linkage between such habitats.	4	4	Entire property is FWP classified elk, mule deer and bighorn sheep winter range. Property also possesses important habitat for mountain lion, black bear, fisher and other species. See NA2 narrative for a complete description.
		Property contains riparian areas or habitat for common species such as waterfowl, coyotes, or whitetail deer	2		
		Property contains little or no habitat for native species	0		

NA 3	Wildlife	Property is occupied seasonally or year-round by elk and mule deer, or animal species of concern.	4	4	Elk, mule deer and Rocky Mountain Big Horn sheep all make regular use of the Lazy J Cross. See NA3 narrative
		Property is occupied by common species such as waterfowl, coyotes, or whitetail deer	2		
		Property is occupied by few or no wildlife	0		

NA 4	Protection of river/stream/creek quality	Property contains buffered native riparian systems	4		Property contains roughly one mile of the East Fork of the Bitterroot River. See project narrative and <i>Hydrologic Features Map, Appendix A.5.</i>
		Property contains perennial streams or buffers to adjacent watercourses.	3	3	
		Property contains natural perennial streams or watercourses.	2		
		Property contains natural ephemeral streams or watercourses.	1		
		Property contains little or no natural streams or watercourses.	0		

NA 5	Protection of wetlands and open water quality (e.g. lake, pond, marsh)	Property contains buffered native wetland or open water.	4		Property contains no wetlands or open water. See project narrative.
		Property contains perennial wetlands or open water, or it buffers adjacent water sources.	3		
		Property contains natural perennial wetlands or open water sources.	2		
		Property contains natural seasonal wetlands or open water.	1		
		Property contains little or no natural wetlands or open water.	0	0	

NA 6	Management that enhances or maintains habitat/wildlife/water if present	Management that enhances habitat/wildlife/water	3		Upper 445 acres of the ranch are currently reserved for elk, mule deer, bighorn sheep and other species. See NA6 narrative for a complete description of management activities.
		Management that maintains habitat/wildlife/water	2	2	
		No or little habitat/wildlife/water or no management to maintain it	0		

NA7	Proximity to important wildlife or fisheries habitat, natural areas, or Important Bird Areas	Surrounded	4	4	The property contains roughly one mile of the East Fork, a Tier 1 Priority Aquatic Resource, and is wholly within critical elk, mule deer and bighorn sheep winter range. See NA7 narrative for a complete description of these important habitats.
		Contiguous to one or more	3		
		Within a 1/4 mile	2		
		Within a 1/2 mile	1		
		Greater than a mile	0		

NA 8	Proximity to other natural areas protected by conservation easements or to public lands	Contiguous	4		The 2,220 acre Shining Mountain Ranch is located roughly ¼ miles north of the Lazy J Cross. See <i>Neighborhood Conservation Map, Appendix A.6.</i>
		Within a 1/4 mile	3		
		Within a 1/2 mile	2		
		Within a mile	1	1	
		Greater then a mile	0		

Total Natural Attributes Category Score: 20 out of possible 30

Additional Community Benefits

CB 1	Scenic values				
	The property can be viewed from a federal or state highway	3	3	Property is highly visible from US Hwy 93, East Fork Rd, French Basin Rd and other local county roads. See CB1 narrative for more details.	
	The property can be viewed from a county road	2			
	The property can only be viewed from a private road	0			

CB 2	Public policy	Management of the property consistently conforms with the intent and goals of federal, state, county and local land use regulations, plans and policies.	3	3	See CB2 narrative.
		Management of the somewhat conforms with the intent and goals of federal, state, county and local land use regulations, plans and policies.	2		
		Management of the property in no way conforms with the intent and goals of federal, state, county and local land use regulations, plans and policies.	0		

CB 3	Public access	Establishes or maintains public access to trails, public lands, or hunting and/or fishing	3		Conservation easement terms will guarantee continuation of public access to both the ranch and adjacent public land for hunting. See CB3 narrative and <i>Supplemental Public Access Information, Appendix B.4</i>
		Establishes or maintains public access to 2 of the 3: trails, public lands, or hunting and/or fishing	2	2	
		Establishes or maintains public access to 1 of the 3: trails, public lands, or hunting and/or fishing	1		
		Does not establish or maintain public access	0		

Total Additional Community Benefits Category Score: 8 out of possible 9

Proposed Funding

PF 1	Landowner contribution	>50% of the value	3		27% Landowner donation (\$338,800.00) See <i>Project Funding Worksheet, pg. 6.</i>
		21 to 50% of the value	2	2	
		1-20% of the value	1		
		no contribution	0		

PF 2	Proposal partners	>81% of the cost	3		Total anticipated partner contribution (\$629,375.00) is 64% of the total CE purchase price. See <i>page 6.</i>
		40 to 80% of the cost	2	2	
		20 to 39% of the cost	1		
		<20% of the cost	0		

PF 3	Matching "neighborhood" conservation easements	>100 acres contiguous to the proposed project	3		There are no matching neighborhood conservations underway at this time.
		>100 acres within ¼ mile of the proposed project	2		
		<100 acres and/or >1/2 mile from the proposed project	1		
		No matching easement	0	0	

Total Proposed Funding Category Score: 4 out of possible 9

Special Attributes

Describe any other unique or exceptional features of the property that should be considered as open land values. Up to 6 points may be awarded for special attributes.

SA1. Neighborhood conservation leadership role

SA2. Historic Value

SA3. Matching Contributions Resulting in Substantial Value to County

For complete descriptions, see Special Attribute narratives below.

Total Special Attributes Category Score: 3 out of possible 6

Project Name: Lazy J Cross Ranch

Total Score: 65

IV. Project Scoring Narrative

1. General Attributes:

GA1. Size of Property to be put in an Easement: The Lazy J Cross Ranch is comprised of 1,079.38 deeded acres, all of which will be conserved under the terms of the conservation easement. The property is comprised of ten parcels ranging in size from 40 to 275 acres. All ten parcels will be protected by the conservation easement, with no excluded acreage. The attached *Lazy J Cross Ranch Overview Map (Appendix A.2)* depicts the configuration of the proposed conservation easement.

GA2. Water Rights: The Lazy J Cross Ranch holds surface water rights to the East Fork of the Bitterroot River and an unnamed tributary, with priority rights dating back to 1889. The water rights associated with the ranch are capable of meeting the irrigation and stock watering demands of the agricultural operation. The DNRC abstracts for each statement of claim are included in this application as *Appendix B.1*. It is the intent of the landowner that all appurtenant water rights remain with the property.

GA3. Percent of Land Reserved for Future Home Sites: Currently, there is no residential use on the Lazy J Cross Ranch. The Wetzsteons wish to reserve up to three distinct, 10 acre sites for future residential use. BRLT will work with the Wetzsteons in the coming months to site these three residential sites in appropriate locations that do not significantly impair the agricultural, habitat or scenic conservation values of the property. Aside from the three reserved residential sites, all additional residential development will be prohibited within the boundary of the conservations easement.

GA4. Weed Management: The primary weeds found on the ranch are knapweed and buttercup. Knapweed exists primarily on the dry upland portion of the ranch, which is typical for non-irrigated rangeland in this location. Buttercup is found primarily in the pasture and hay meadow portions of the ranch. In previous years, aerial spraying was used to control this species. Bob Wetzsteon, the agricultural lessee on the Lazy J Cross, plans to renew aerial spraying in the coming years, once a long term lease is in place. Other weeds—including leafy spurge, houndstongue and caraway—are spot sprayed on an as-needed basis.

2. Agricultural Resources:

AR1. Percent of soils classified as Prime/Statewide Importance or Unique/ Locally Significant: The Lazy J Cross Ranch contains approximately 147 acres of agriculturally significant soils (44% of the irrigated acreage; 14% of the total easement acreage), all of which are located in the river bottom area of the ranch. This includes approximately 105 acres of Soils of Statewide Importance (10%) and 42 acres of Locally Significant Soil (18%). *See Soils of Agricultural Importance Map, Appendix A.3.*

In addition to those soils formally classified as Prime, Statewide and Locally Important, the soils in the upland portion of the ranch are also quite productive. According to NRCS Soil Survey data, many of the upland soils are agriculturally valuable despite lacking formal soil of importance classifications.

AR2. Percent of land that is irrigated or could potentially be irrigated: Roughly 335 acres of the Lazy J Cross are irrigated, all of which are located in the river bottom portion of the ranch. The sole method of irrigation is flood, with water sourced from the East Fork of the Bitterroot and one of its unnamed tributaries. The lower portion of the ranch also benefits from exceptional

subirrigation. For more information on the irrigation practices at the Lazy J Cross Ranch, see the *Hydrologic Features Map, Appendix A.5* and the *Supplemental Water Rights Documentation, Appendix B.1*.

AR3. Animal Units potential under Best Management Practices: Currently, about 640 acres of the Lazy J Cross are in active agricultural production, though the entire ranch has supported agricultural production in the past and could do so again in the future. The lower portion of the ranch contains roughly 335 acres of pasture and seasonal hay meadow, the majority of which is flood irrigated. The upper portion of the ranch consists of roughly 750 acres of dry upland range, 300 acres of which are currently utilized for dryland pasture. The remaining 445 acres of upland range have been temporarily retired from active agricultural use due to extensive damage to fencing by elk. Though not currently in agricultural production, this acreage will remain available to future landowners who wish to utilize it for such purposes. Sterling and Bob Wetzsteon are currently exploring the possibility of restoring the fencing on the upper 445 acres to support cattle grazing.

In recent years, roughly 100 cow-calf pair grazed the lower 640 acres of the ranch for a duration of five months. The stocking rate and duration of grazing varies from year-to-year, depending on precipitation, impacts of elk browse and other factors. Generally speaking, however, it is safe to assume the property can support 100 pair on an annual basis.

Historically, the Lazy J Cross has supported upwards of 170 pair. This stocking rate was reached when the entire property, including the upper 445 acres, was fenced for cattle. A review of NRCS Soil Survey data (see *Supplemental Agricultural Documentation, Appendix B.3*), supports this maximum stock potential, suggesting the entire 1,079 acre ranch could support upwards of 840 AUMs, or 168 cow-calf pair for 5 months, under Best Management Practices. Given the lack of irrigation on the upper acreage, however, this estimate is likely a -bit high. Conversations with Bob Wetzsteon confirm this assumption. Regardless, the recent stocking rates reported by Bob for the lower 640 acres are sufficient to award the top score for this criteria.

AR4. Irrigation: Roughly 335 acres of pasture and seasonal hay meadow are flood irrigated throughout the growing season. Water rights for flood irrigation are sourced from the East Fork of the Bitterroot River and an unnamed tributary (see *GA2, Water Rights*). For a depiction of the irrigation regime, see the *Hydrologic Features Map, Appendix A.5*.

AR5. Crop/hay/timber production potential under Best Management Practices: Approximately 180 acres (54%) of the irrigated agricultural acreage are cultivated for one cutting of grass hay. Cattle then graze off what would be the second cutting. All of the hay ground is fertilized annually and flood irrigated. Bob Wetzsteon, lessee of the Lazy J Cross, reported 2012 yields totaling roughly 250 tons, or 1.4 tons/acre for one cutting. If the hay meadows were left to a second cutting, the cultivated acreage could probably produce up to 2.75 tons/acre under Best Management Practices.

AR6. Integration of Best Management Practices: The Lazy J Cross has partially integrated Best Management Practices, including annual fertilization, noxious weed treatment, and crop and cattle rotation to promote healthy grassland.

AR7 Proximity to other operating farms/ranches: The Sula basin is comprised of many large, working agricultural operations. The property is immediately adjacent to the Marvin Wetzsteon Family Ranch (east), the Sula Peak Ranch (west) and the Lone Cyprus Ranch (southwest). Shining Mountain Ranch (north), though primarily utilized as a guest ranch, is also in close proximity. The aerial imagery used for many of the maps included in this application depicts the agricultural

character of the area. The *Neighborhood Conservation Map (Appendix A.6)*, in particular, shows the agricultural continuity between the Lazy J Cross and adjacent properties.

AR8. Proximity to other farms/ranches protected by conservation easement: Shining Mountain Ranch, a 2,220 acre guest ranch, sits roughly ¼ miles north of the Lazy J Cross. Shining Mountain conducts limited agricultural activities, but is not necessarily a working agricultural operation. As a result, there are no conserved farms or ranches within a mile of the Lazy J Cross Ranch.

3. Natural Attributes:

NA1. Percent of soils classified as hydric or typically associated with wetland or riparian areas: The Lazy J Cross contains 216 acres (roughly 20%) of soil defined as potentially hydric by the NRCS. See *Hydrologic Features Map, Appendix A.5*.

NA2. Wildlife habitat: The Lazy J Cross possesses exceptional wildlife habitat. Situated in the middle of some of Montana's wildest country, the ranch connects the Bitterroot Mountains to the west, the Sapphire Mountains to the east, and the Anaconda-Pintler Wilderness and the Big Hole Valley beyond. The ranch shares over three miles of its border with the DNRC State Trust land and the Bitterroot National Forest. It is comprised of a diverse mix of habitat, including a native fishery and critical winter range for elk, mule deer and Rocky Mountain Big Horn sheep. The upland portion of the ranch is predominantly grassland range with intermittent pine and aspen forests. Elk regularly make their way from the Big Hole Valley and Upper Clark Fork into the Sula Basin during the winter months. Other wildlife utilizing this vast, undeveloped habitat include black bear, mountain lion, moose, mule deer, whitetail deer and a sizeable herd of Rocky Mountain Big Horn sheep. In addition to the terrestrial habitat, the ranch also contains roughly one mile of the East Fork of the Bitterroot River. The East Fork is a Tier I Aquatic Resource (*Comprehensive Plan, 2005*) that provides critical spawning habitat for native westslope Cutthroat Trout and Bull Trout. It also supports Brown, Rainbow, and Brook Trout. See *Habitat Map, Appendix A.6*.

NA3. Wildlife: As discussed above, the Lazy J Cross provides habitat for a variety of species, including a number of state listed species of concern. Wildlife known to use the property include elk, mule deer, white tail deer, moose, Rocky Mountain Big Horn sheep, black bear, mountain lion, wolverine, martin, five species of trout, goshawk, black-backed woodpecker, pileated woodpecker, downey woodpecker and flammulated owls. The ranch typically supports upwards of 300 head of elk at various times throughout the year. In 2010, an estimated 600 head of elk grazed the river bottom during the winter months. The ranch also supported one of the largest herds of Rocky Mountain Big Horn sheep in the state, until a recent pneumonia outbreak reduced the size of the population.

NA4. Protection of river/stream/creek quality: The Lazy J Cross includes a mile of the East Fork of the Bitterroot River, one of just five Tier I Aquatic Resources in the state (*Comprehensive Plan, 2005*). The East Fork supports both native trout species as well as the fishing industry that depends on them. In addition to the East Fork, the Lazy J Cross also includes the eastern flank of the Cameron Creek watershed, a critical East Fork tributary. See *Hydrologic Features Map, Appendix A.5*.

NA5. Protection of wetlands and open water quality (e.g. lake, pond, marsh): The Lazy J Cross possesses no wetlands or other open water features at this time. The lower portion of the ranch is predominantly comprised of potentially hydric soils, suggesting that wetlands could exist in this location if future landowners decide to return this area to a natural state. See *Hydrologic Features Map, Appendix A.5*.

NA6. Management that enhances or maintains habitat/wildlife/water if present: The upper 750 acres of the ranch are currently managed as elk habitat. This portion of the property is comprised of open rangeland, intermittent forest, numerous draws and other habitat favored by elk. The Wetzsteons do not currently graze stock on the uppermost 445 acres, opting instead to leave it as unfenced rangeland habitat for elk, mule deer, Rocky Mountain Big Horn sheep and other species. The middle 300 acres are a mix of habitat and dryland pasture. Large herds of elk are often found on this acreage, limiting the potential for cattle. The lower 335 acres of the ranch are managed for agricultural, including irrigation, fertilization and weed treatment, all of which improve the quality of habitat found on the ranch.

NA7. Proximity to important wildlife or fisheries habitat, natural areas, or Important Bird Areas: The Lazy J Cross is situated in the Southwest Montana Intermontane Basins and Valleys Focus Area, a critical conservation priority identified in *Montana's Comprehensive Fish & Wildlife Conservation Strategy (Comprehensive Plan, 2005)*. Generally speaking, this Focus Area consists of valleys that are located between mountain ranges and typically follow major stream courses. It supports critical wetlands and rivers as well as a mix of sagebrush grassland and riparian habitat. Coniferous forest and aspen stands in the wetter microsites dominate the higher elevations. The coniferous forest and adjacent sagebrush communities provide winter habitats for mule deer and elk, while the riparian bottoms provide yearlong habitat for white-tailed deer. The Lazy J Cross Ranch contains most, if not all, of these important habitat components.

The Bitterroot River, in particular, is identified in the *Comprehensive Plan (2005)* as a Tier 1 Aquatic Focus Area, making it one of just five rivers in the state with the greatest need for conservation. The East Fork of the Bitterroot is a primary headwater to the Bitterroot River system that supports numerous Tier 1 Species, including bull and westlope cutthroat. The cold, clear headwaters of the East Fork are a priority in the *Comprehensive Plan (2005)* due to the "abundance of native fish species, which are the targets of anglers from around the country."

Finally, the Lazy J Cross occupies a handful of high priority Montana Fish, Wildlife and Parks terrestrial species management areas, including the Sapphire Elk Management Unit (*Montana Statewide Elk Management Plan, 2005*) and the East Fork Bitterroot Bighorn Sheep Management Unit (*Montana Bighorn Sheep Conservation Strategy, 2010*). Though the majority of bighorn habitat in the East Fork Unit is found on public land, the plan notes that there are three smaller low-elevation areas (about 28% of the occupied area) that sheep favor year round, including just two areas of privately owned winter range. One of the privately owned winter range locations is found on the Lazy J Cross. The *Bighorn Strategy (2010)* recommends a set of habitat management strategies for the East Fork Bitterroot Unit, including continued work "with private landowners, Ravalli County, and particularly the Ravalli County Open Lands Board ... to conserve important bighorn habitat on private lands through the use of conservation easements."

NA8. Proximity to other natural areas protected by conservation easements or to public lands: The 2,200 acre Shining Mountain Ranch conservation easement is located roughly ¼ miles north of the Lazy J Cross Ranch. The ranch also shares roughly 3 miles of its boundary with State of Montana DNRC trust land and the Bitterroot National Forest to the north, south and east. See *Neighborhood Conservation Map, Appendix A.6*.

4. Additional Community Benefits:

CBI. Scenic Values: The Lazy J Cross Ranch is highly visible to anyone passing through the Sula area. The property affords significant scenic views from U.S. Highway 93, East Fork Road (State

Hwy 472) and a variety of additional county roads including French Basin Road, Edwards Road and Camp Creek Road.

CB2. Public Policy: The Lazy J Cross Ranch consists of productive working agricultural ranch land. Protection of this important asset is consistent with both local and statewide policies.

The Board of County Commissioners (Board) of Ravalli County recognized the importance of working farms and ranches in Ravalli County when, on July 25, 2006, it passed and adopted Resolution No. 1946 stating, in part, "working farms and ranches in Ravalli County are a valuable resource worth protecting, helping the valley by managing growth, preserving open lands, protecting water quality and its sources, maintaining wildlife habitat, all while promoting the rural flavor, pristine views, and lifestyles residents enjoy." Further, on December 5, 2007, the Board adopted Resolution No. 2256 establishing the Ravalli County Open Lands Bond. Specifically, Resolution No. 2256 identifies the goals of the Ravalli County Open Lands Bond Program as "manag(ing) growth; preserv(ing) open lands, including working farms and ranches (and) . . . maintain(ing) wildlife habitat." Conserving the Lazy J Cross Ranch directly reflects these stated goals.

The Montana Legislature has also articulated the importance of conserving critical open space lands, like Severson's Flying E Ranch, in the express policies of the Montana Open Space Statutes. Specifically, Montana Code Annotated § 76-6-102 states (see *Appendix B.2*): "The legislature finds that: (e) to lessen congestion and to preserve natural, ecological, geographical, and geological elements, the provision and preservation of open-space lands are necessary to secure park, recreational, historic, and scenic areas and to conserve the land, its biotic communities, its natural resources, and its geographical elements in their natural state."

Protection of the Lazy J Cross Ranch supports the articulated goals of both state and local public policy.

CB3. Public access: The Wetzsteon family has an established track record of allowing public access for recreation. Historically, the property is associated with fly-fishing, rafting, horseback riding, ATV exploration, archery and rifle hunting, hiking, snowmobiling, cross country skiing and snowshoeing. In recent decades, the ranch has participated in the Block Management Program, supporting an average of 200 hunter days annually. Over 1,100 acres are currently available to the general public for hunting purposes under this program, though access across the ranch to adjacent public lands is the most common use. The ranch shares over 3 miles of its border with the Bitterroot National Forest and State of Montana DNRC trust land. The terms of the Lazy J Cross Conservation Easement will secure permanent public access onto and across the ranch for hunting purposes, guaranteeing that this long-standing hunting amenity will be available to both Valley residents and tourists long into the future. For more information on current public access and a letter of support from Montana Fish, Wildlife and Parks, see *Supplemental Public Access Documentation, Appendix B.4*.

5. Proposed Funding:

PF1 and PF2: See *Funding Worksheet, p. 6*.

PF3. Matching neighborhood easements: There are no matching neighborhood conservation easements currently underway in the Sula neighborhood. Initial conversations with area landowners suggest that future conservation easements in the neighborhood are likely.

6. Special Attributes:

SA1. Historical Conservation Value: The Lazy J Cross has operated under Wetzsteon Family ownership since 1889. Today, the Wetzsteon name is synonymous with the Sula basin and Ross' Hole. Ross' Hole is well known as the historic meeting place of Lewis and Clark and the Salish Indians. Charles Russell's classic painting—"Lewis and Clark Meeting the Flathead Indians at Ross' Hole"—is set on the Lazy J Cross. Russell painted this masterpiece from the deck of the original Wetzsteon homestead cabin, from which the view remains largely the same today as it did at the time of the painting. Today, Russell's work is on display in the House of Representatives Chamber at the Capitol Building in Helena. Aside from the high value agricultural resources, habitat and scenic views, the Wetzsteon family has stated their desire to conserve the ranch for its historic value. Sterling writes that "the Wetzsteon family homesteaded the land in 1889 and it was here that Edgar and Helen Wetzsteon worked a successful cattle ranch and raised five children ... As a tribute to our past generations of family, our goal is to ensure that the land remains intact and continues as a working ranch."

SA2. Significant Number of Matching Contributions Resulting in Substantial Value to County: The preliminary appraised value for the Lazy J Cross Ranch conservation easement is \$1,273,500. Ravalli County's requested contribution to this project is \$350,000, which represents just 27% of the total conservation easement value. The Wetzsteon family has agreed to donate \$338,800 (26%) of their conservation value, representing a nearly dollar-for-dollar match of Ravalli County's contribution. BRLT anticipates the remaining portion of the purchase price (\$620,000 or 47% of the CE value) will come from as many as eight funding partners, including state and federal conservation programs, non-profit partners and private donors. The substantial landowner donation and large number of anticipated matching contributions make this project an exceptional value for the Ravalli County Open Lands Program.

SA3. Landowners' Leadership Role in Sula Neighborhood Conservation: The Wetzsteon Family has a long, culturally rich history in the Sula community. Since 1889, this family has been an anchor in the community. Their decision to pursue a conservation easement on the family ranch is a testament to their multi-generational commitment to agricultural production and stewardship. BRLT anticipates future conservation in this neighborhood as a result of their conservation leadership.

V. Existing Encumbrances

Several encumbrances exist on the Lazy J Cross Ranch, none of which negatively impact the conservation values that will be protected by the conservation easement. There are several rights-of-way easements for utilities, state and county roads and access to adjacent property. The following is a brief summary of the title exceptions listed in the Title Report prepared (dated December 31, 2012) by First American Title:

Exceptions 14-18 and 25 note reservations in the United States Patents. A review of the Patents found no reservations of concern.

Exception 19 notes any covenants, conditions, restrictions, easement, or other rights interests or claims disclosed in Instrument 226359 for Certificate of Survey No. 1391. A review of these documents found no issues of concern.

Exception 20 notes a 60-foot round Reciprocal Right-of-Way easement among adjacent landowners over and across a commonly shared corner. This easement is not a concern.

Exception 21 notes any covenants, conditions, restrictions, easement, or other rights interests or claims disclosed in Instrument 247477 for Certificate of Survey No. 2356. The only reservation of note is a standard right of way easement for East Fork Road.

Exception 22 notes any covenants, conditions, restrictions, easement, or other rights interests or claims disclosed in Certificate of Survey No. 4690. This Certificate of Survey does not apply to the subject property and will be removed from the listed exceptions.

Exception 23 notes any covenants, conditions, restrictions, easement, or other rights interests or claims disclosed in Instrument 414366 for Certificate of Survey No. 5466. A review of these documents found no issues of concern.

Exception 24 notes any covenants, conditions, restrictions, easement, or other rights interests or claims disclosed in Instrument 428496 for Certificate of Survey No. 5619. A review of these documents found no issues of concern.

Exceptions 26 and 28 notes a standard 20 foot wide easement to Ravalli County Electric Cooperative for the purposes of electric distribution lines and facilities. A review of this document found no issues of concern

Exception 27 notes a standard 15 foot wide easement granted to US West Communications (now CenturyLink, Inc.) for telecommunication transmission lines. A review of this document found no issues of concern.

Exception 29 notes any covenants, conditions, restrictions, easement, or other rights interests or claims disclosed in Instrument 443055 for Certificate of Survey No. 5775. The only reservation of note is a standard right of way easement for French Basin Road.

Exception 30 notes a 120' road and utility easement over and across the north end of Lazy J Cross ranch. This easement is commonly known as Trapper Creek Road. Though wider than most standard road and utility easements, this exception presents no significant issues.

Exception 31 notes a mortgage dated October 15, 2012 in the amount of \$1,200,000. The mortgage document specifically notes the intentions of Lazy J Cross, Inc. to pursue a conservation easement on the property and states that the "mortgagees expressly agree that if Mortgagor grants a conservation easement as referenced above to any organization which is qualified to hold conservation easements under Montana law, Mortgagees shall subordinate their rights in this Mortgage and in the Property to the conservation easement interest of the recipient organization."

Exceptions 32-39 have no impact on the proposed conservation easement.

VI. Mineral Rights Narrative

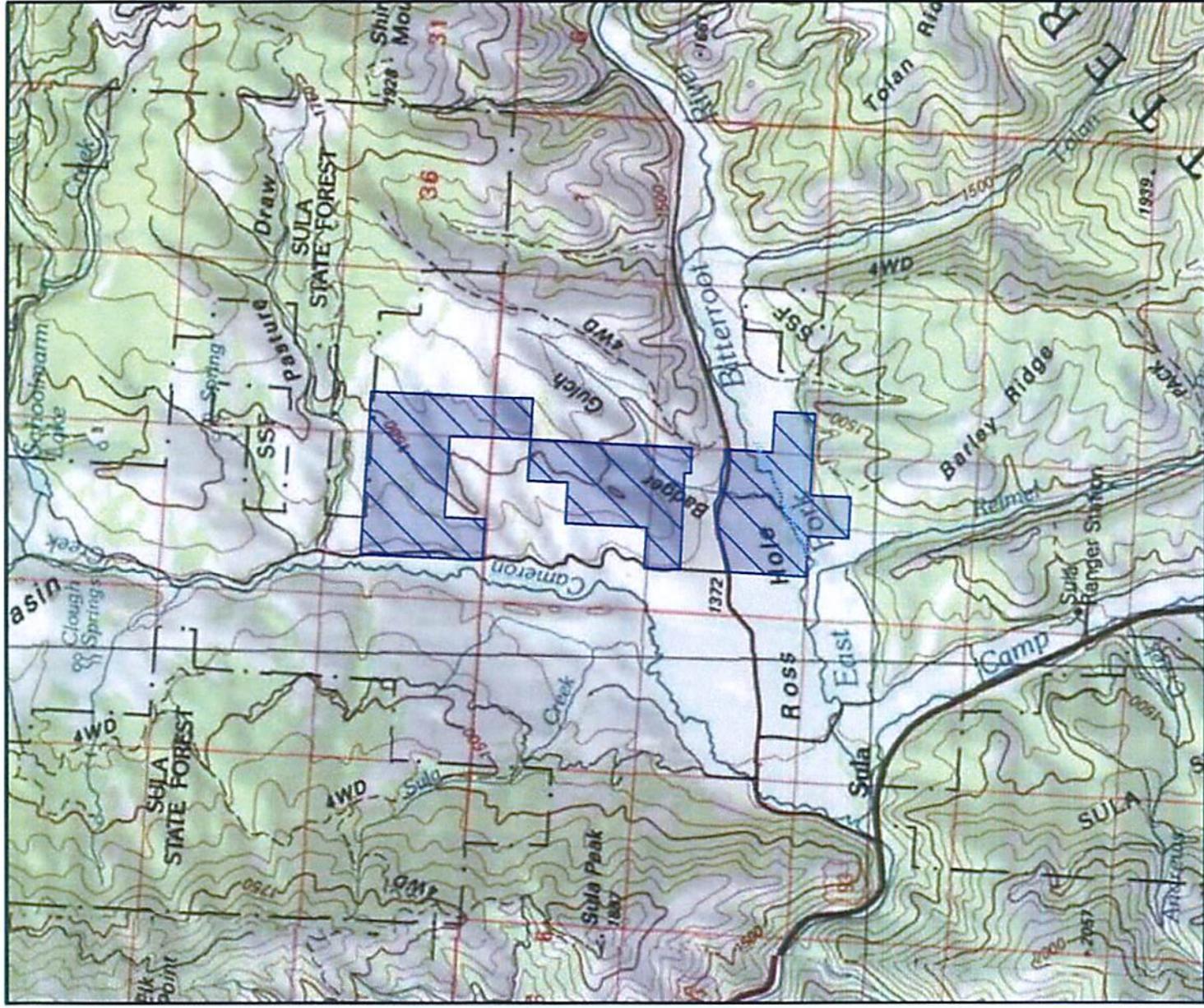
BRLT obtained a Mineral Guarantee (dated December 31, 2012) from First American Title, which is available at the Ravalli County Planning Department. The report noted evidence of mineral reservations and/or conveyances in two documents in the chain of title. A review of these two documents found that subsequent deeds in the chain of title first reserved, then later released mineral rights to the property. In the first deed (Book 105- 71, dated May 10, 1951), Paul and Grace Wetzsteon reserved "all timber on said lands, and mineral rights on said lands." In the subsequent quit claim deed (Book 161-301, dated February 18, 1982), Paul and Grace Wetzsteon "specifically released all of their interest in all the timber and mineral rights...reserved in Book 105, page 71." The legal descriptions in both deeds match. The mineral rights appear to remain with the land from this date forward. This Mineral Guarantee will be refreshed at the time of closing.

Appendix A

Lazy J Cross Ranch

Property Maps

A.1, General Location



Data Source: Topographic Image (ESRI), Parcels (Cadastral), Roads/Streams/River (Ravalli GIS)

Legend

 Lazy J Cross Ranch

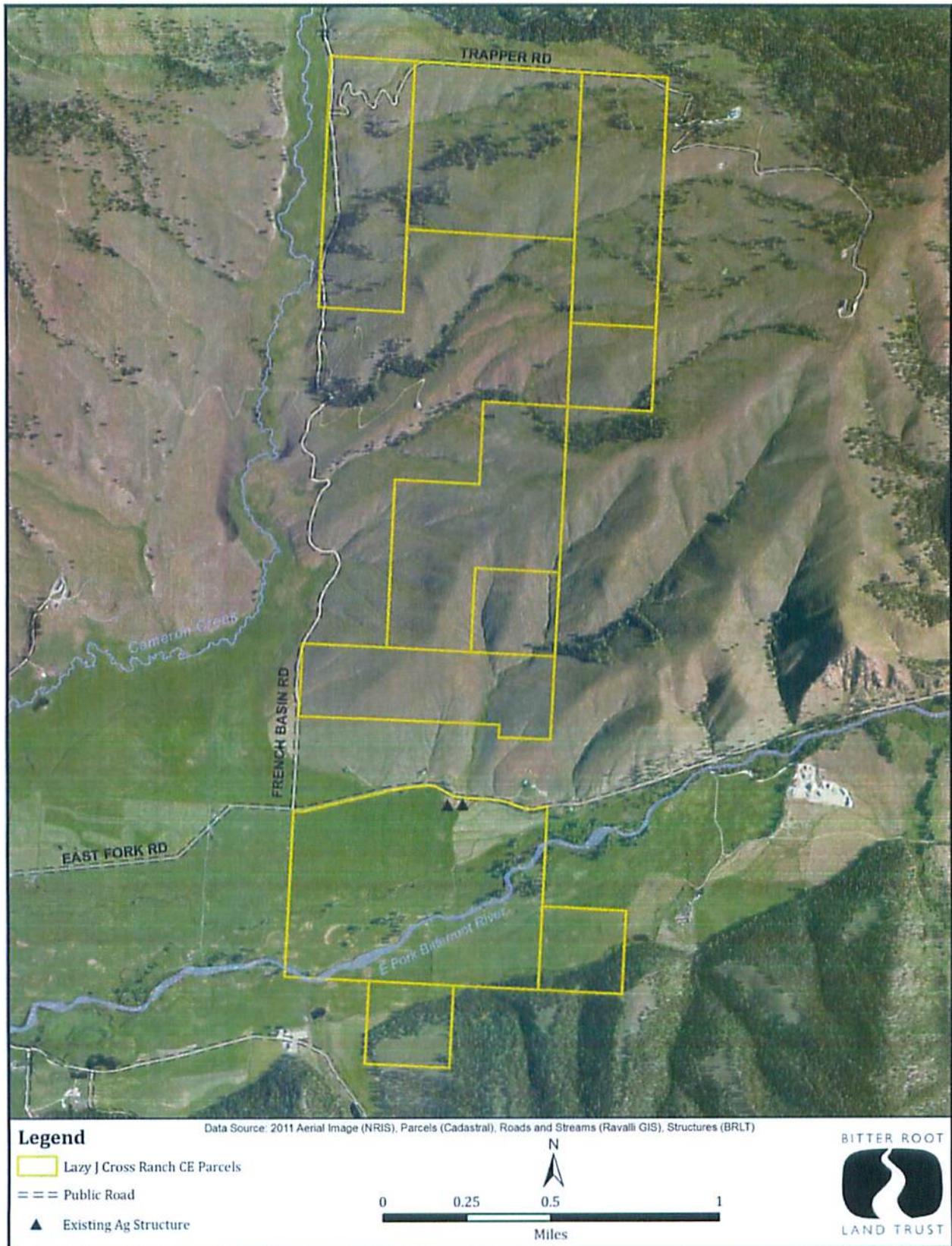


BITTER ROOT

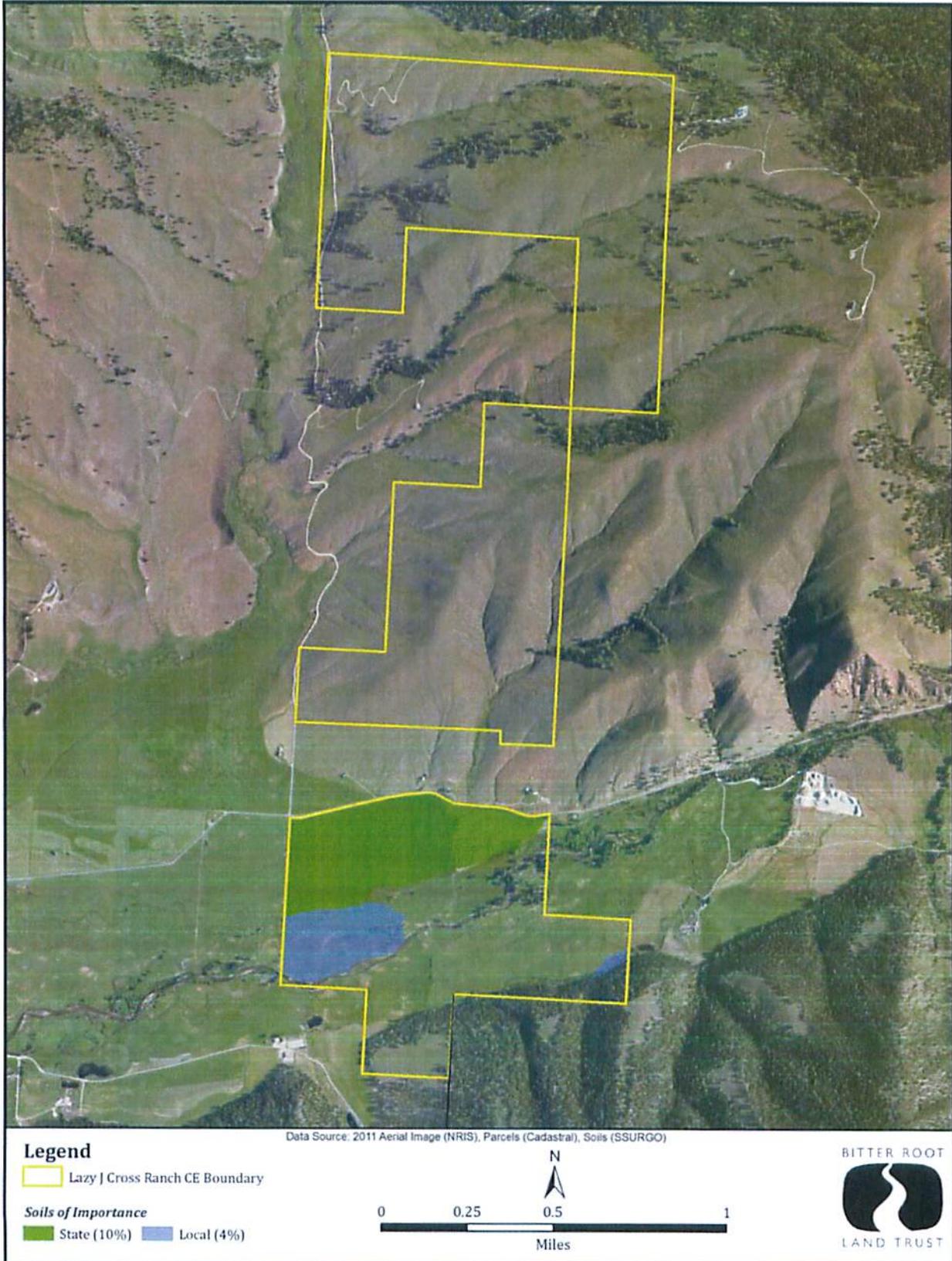


LAND TRUST

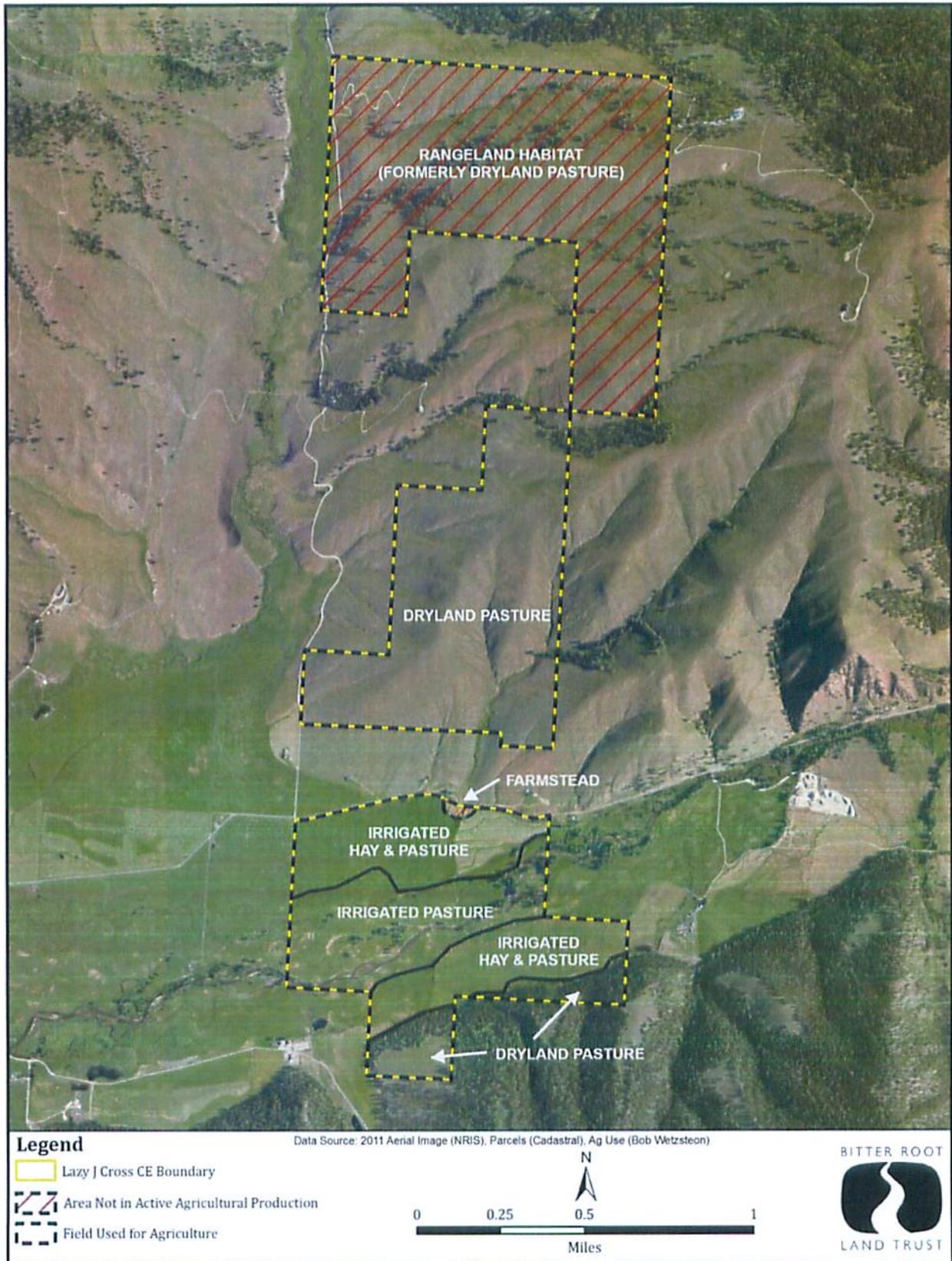
A.2, Lazy J Cross Ranch Overview



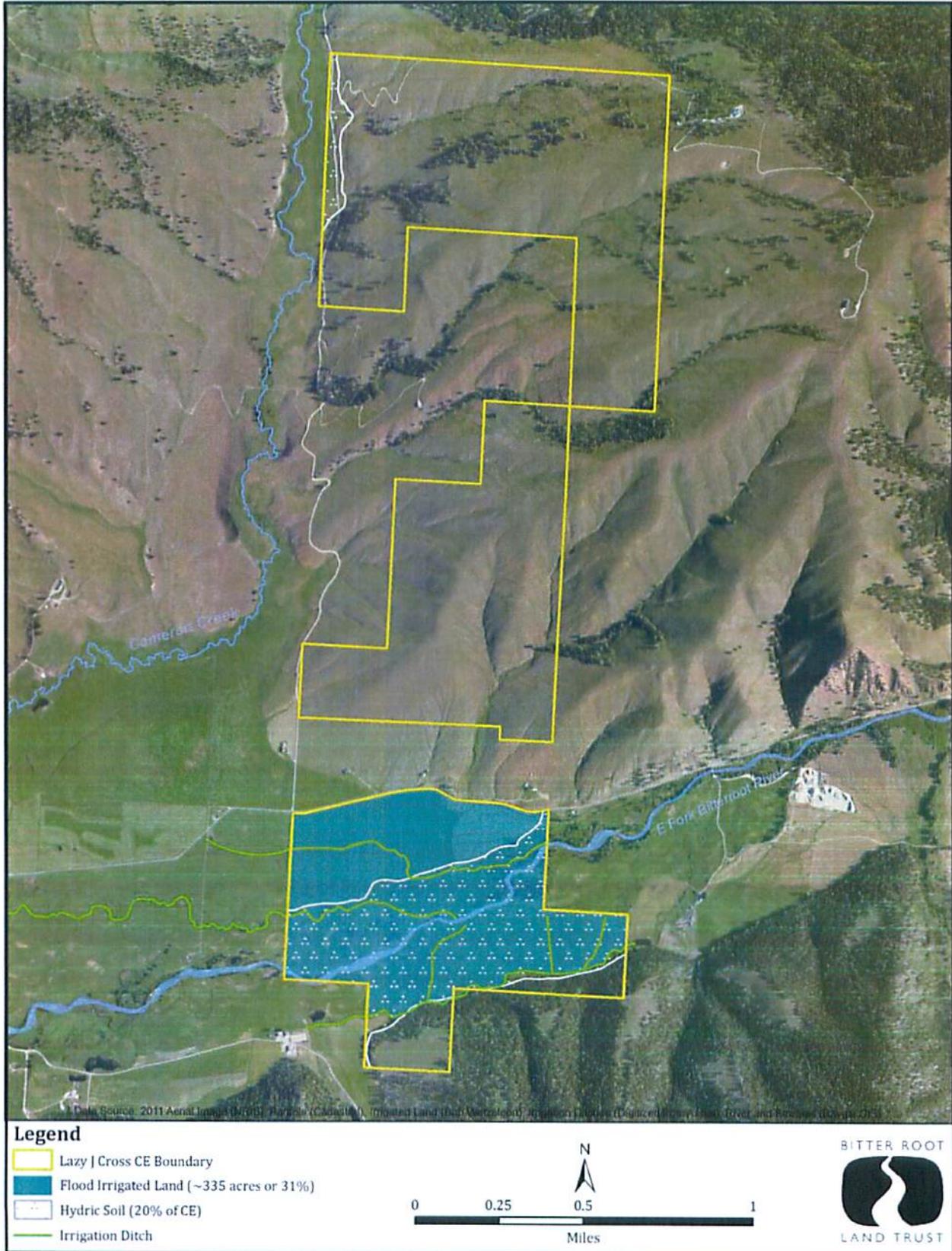
A.3, Agricultural Soils of Importance



A.4, Agricultural Land Use



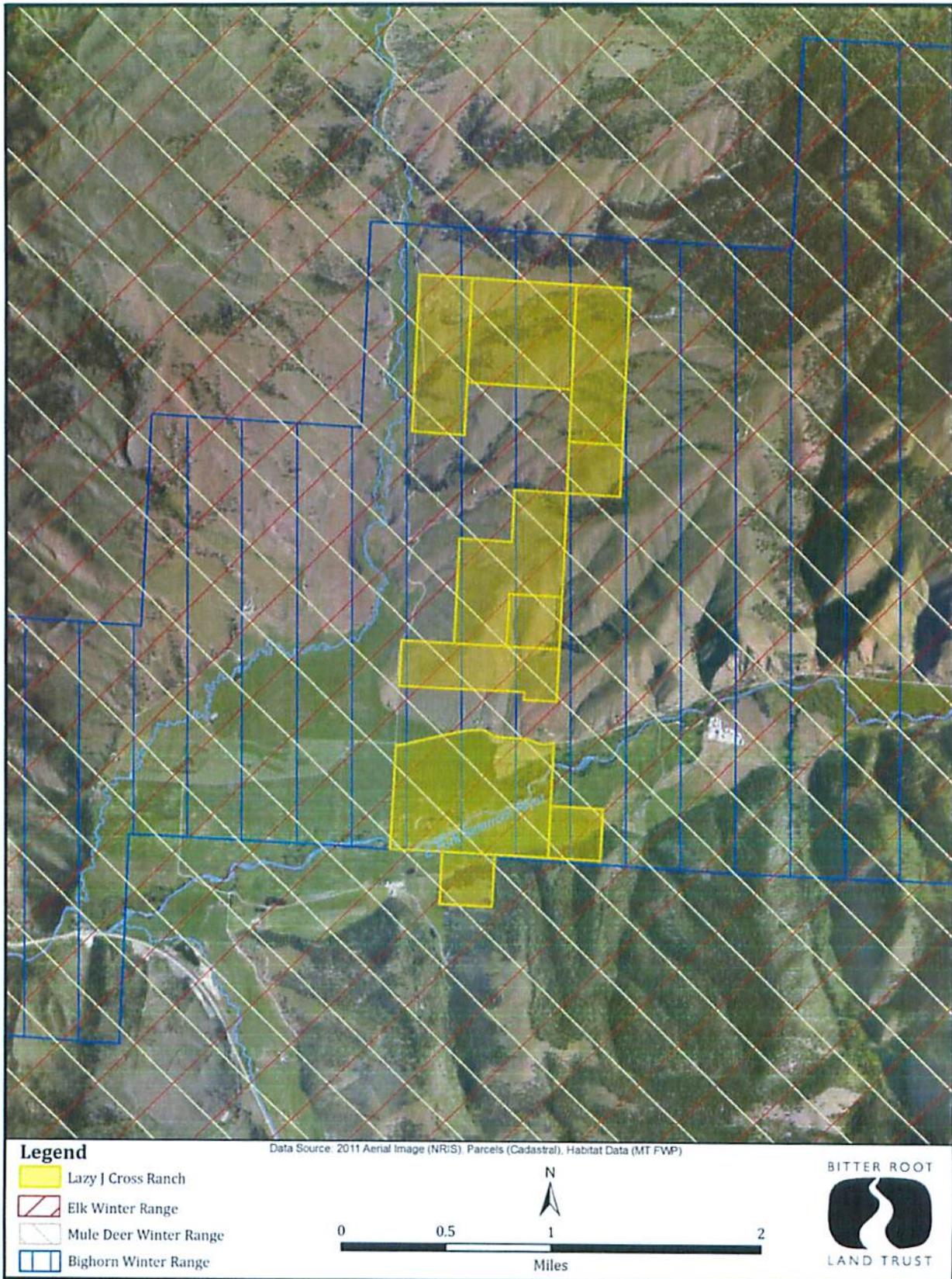
A.5, Hydrologic Features



A.6, Neighborhood Conservation



A.7, Habitat



Appendix B

Supporting Documents

Other supporting documentation:

- B.1 Water Rights
- B.2 MCA 76-6-102
- B.3 Supplemental Agricultural Documentation
- B.4 Supplemental Public Access Documentation

B.1

Water Rights

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
 1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76H 24835 00 STATEMENT OF CLAIM
Version: -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LAZY J CROSS RANCH INC
 PO BOX 34
 SULA, MT 59871

Priority Date: May 7, 1889
Enforceable Priority Date: May 7, 1889

Type of Historical Right: DECREE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 5.58 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 90.00

Source Name: BITTERROOT RIVER, EAST FORK
Source Type: SURFACE WATER

Points of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	10	1N	19W	RAVALLI
Period of Diversion: APRIL 15 to NOVEMBER 4						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT-MCCLINTIC-LORD (SLOUGH) DITCH A						
2		SENESE	10	1N	19W	RAVALLI
Period of Diversion: APRIL 15 to NOVEMBER 4						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (MIDDLE) DITCH B						
3		NESENW	11	1N	19W	RAVALLI
Period of Diversion: APRIL 15 to NOVEMBER 4						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (BIG) DITCH A						
4		SWNENE	11	1N	19W	RAVALLI
Period of Diversion: APRIL 15 to NOVEMBER 4						
Diversion Means: HEADGATE						
Ditch Name: PAGE-BENASH DITCH						

Period of Use: APRIL 15 TO NOVEMBER 4

Purpose (use): IRRIGATION
Place of Use: (6 total records)

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	13.00		S2SWNE	10	1N	19W	RAVALLI
2	10.00		S2SENE	10	1N	19W	RAVALLI
3	19.00		S2SENW	10	1N	19W	RAVALLI
4	16.00		N2NESW	10	1N	19W	RAVALLI

5	13.00	N2NESW	10	1N	19W	RAVALLI
6	19.00	N2NWSE	10	1N	19W	RAVALLI
Total:	90.00					

Geocodes/Valid: 13097110101010000 - Y 13097110101020000 - Y 13097110301010000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

24832-00 24834-00 24835-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

24832-00 24834-00 24835-00 30003662

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

24835-00 24839-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/10/89: MAXIMUM ACRES, PLACE OF USE, PRIORITY DATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
 1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76H 2507 00 STATEMENT OF CLAIM
Version: -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LAZY J CROSS RANCH INC
 PO BOX 34
 SULA, MT 59871

Priority Date: May 1, 1950
Enforceable Priority Date: May 1, 1950

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Maximum Flow Rate: 2.5 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 67.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BITTERROOT RIVER, EAST FORK
Source Type: SURFACE WATER

Points of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESW	11	1N	19W	RAVALLI
Period of Diversion: MAY 1 to SEPTEMBER 19						
Diversion Means: DITCH						
Ditch Name: ED WETZSTEON WASTE DITCHES						

Period of Use: MAY 1 TO SEPTEMBER 19

Purpose (use): IRRIGATION
Place of Use: (4 total records)

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	26.00		SWSW	11	1N	19W	RAVALLI
2	33.00		SESE	10	1N	19W	RAVALLI
3	6.00		E2SWSE	10	1N	19W	RAVALLI
4	2.00		N2N2NE	15	1N	19W	RAVALLI
Total:	67.00						

Geocodes/Valid:

Remarks:
 WASTE & SEEPAGE

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/10/89: MAXIMUM ACRES, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
 1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76H 30003669 STATEMENT OF CLAIM
Version: -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LAZY J CROSS RANCH INC
 PO BOX 34
 SULA, MT 59871

Priority Date: January 26, 1938
Enforceable Priority Date: January 26, 1938

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BITTERROOT RIVER, EAST FORK
Source Type: SURFACE WATER

Points of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENW	11	1N	19W	RAVALLI
Period of Diversion: MAY 15 to JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (BIG) DITCH A						
2		SENESE	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 to JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (MIDDLE) DITCH B						
3		NESWSE	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 to JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT-MCCLINTIC-LORD (SLOUGH) DITCH A						
4		S2	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 to JULY 7						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

Period of Use: MAY 15 TO JULY 7

Purpose (use): STOCK

Place of Use: (1 total records)

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				10	1N	19W	RAVALLI

Geocodes/Valid: 13097110301010000 - Y

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 99255-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 30003662, 30003669.

CLAIM WAS NOT INCLUDED IN THE BASIN 76HE TEMPORARY PRELIMINARY DECREE ISSUED 5/25/1998.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76H 24837 00 STATEMENT OF CLAIM
Version: -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LAZY J CROSS RANCH INC
PO BOX 34
SULA, MT 59871

Priority Date: June 1, 1895
Enforceable Priority Date: June 1, 1895

Type of Historical Right: DECREE

Purpose (use): STOCK

Maximum Flow Rate: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BITTERROOT RIVER, EAST FORK
Source Type: SURFACE WATER

Points of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	WETZSTEON-VOGHT-MCCLINTIC-LORD (SLOUGH) DITCH A					
2		SENESE	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	WETZSTEON-VOGHT (MIDDLE) DITCH B					
3		NESENW	11	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	WETZSTEON-VOGHT (BIG) DITCH A					
4		SWNESE	11	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	PAGE-BENASH DITCH					
5		SE	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		S2SESW	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

Period of Use: AUGUST 15 TO APRIL 19

Purpose (use): STOCK
Place of Use: (4 total records)

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	10	1N	19W	RAVALLI
2			E2SW	10	1N	19W	RAVALLI
3			SENW	10	1N	19W	RAVALLI
4			S2S2NE	10	1N	19W	RAVALLI

Geocodes/Valid: 13097110101010000 - Y 13097110101020000 - Y 13097110301010000 - Y

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

24834-00 24837-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76H 24839 00 STATEMENT OF CLAIM
Version: -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LAZY J CROSS RANCH INC
PO BOX 34
SULA, MT 59871

Priority Date: May 7, 1889
Enforceable Priority Date: May 7, 1889

Type of Historical Right: DECREE

Purpose (use): STOCK

Maximum Flow Rate: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BITTERROOT RIVER, EAST FORK
Source Type: SURFACE WATER

Points of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	WETZSTEON-VOGHT-MCCLINTIC-LORD (SLOUGH) DITCH A					
2		SENESE	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	WETZSTEON-VOGHT (MIDDLE) DITCH B					
3		NESENW	11	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	WETZSTEON-VOGHT (BIG) DITCH A					
4		SWNESE	11	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	HEADGATE					
Ditch Name:	PAGE-BENASH DITCH					
5		SE	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		S2SESW	10	1N	19W	RAVALLI
Period of Diversion:	AUGUST 15 to APRIL 19					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

Period of Use: AUGUST 15 TO APRIL 19

Purpose (use): STOCK
Place of Use: (6 total records)

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SWNE	10	1N	19W	RAVALLI
2			S2SENE	10	1N	19W	RAVALLI
3			S2SENW	10	1N	19W	RAVALLI
4			N2NESW	10	1N	19W	RAVALLI
5			N2NESE	10	1N	19W	RAVALLI
6			N2NWSE	10	1N	19W	RAVALLI

Geocodes/Valid: 13097110301010000 - Y

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

24835-00 24839-00

THE PRIORTIY DATE WAS AMENDED BY THE CLAIMANT ON 05/10/89.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
 1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76H 30003662 STATEMENT OF CLAIM
Version: -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LAZY J CROSS RANCH INC
 PO BOX 34
 SULA, MT 59871

Priority Date: January 26, 1938
Enforceable Priority Date: January 26, 1938

Type of Historical Right: USE

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Maximum Flow Rate: 14.65 CFS

Maximum Volume: 406.10 AC-FT
Climatic Area: 3 - MODERATE

Maximum Acres: 196.00

Source Name: BITTERROOT RIVER, EAST FORK
Source Type: SURFACE WATER

Points of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENW	11	1N	19W	RAVALLI
Period of Diversion: MAY 15 to JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (BIG) DITCH A						
2		SENESE	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 to JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (MIDDLE) DITCH B						
3		NESWSE	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 to JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT-MCCLINTIC-LORD (SLOUGH) DITCH A						

Period of Use: MAY 15 TO JULY 7

Purpose (use): IRRIGATION

Place of Use: (1 total records)

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	196.00			10	1N	19W	RAVALLI
Total:	196.00						

Geocodes/Valid: 13097110301010000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

24832-00 24834-00 24835-00 30003662

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 29188-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 30003662, 3003669.

CLAIM WAS NOT INCLUDED IN THE BASIN 76HE TEMPORARY PRELIMINARY DECREE ISSUED 5/25/1998.

STATE OF MONTANA
 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
 1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76H 30003669 STATEMENT OF CLAIM
Version: -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LAZY J CROSS RANCH INC
 PO BOX 34
 SULA, MT 59871

Priority Date: January 26, 1938
Enforceable Priority Date: January 26, 1938

Type of Historical Right: USE

Purpose (use): STOCK

Maximum Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BITTERROOT RIVER, EAST FORK
Source Type: SURFACE WATER

Points of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENW	11	1N	19W	RAVALLI
Period of Diversion: MAY 15 TO JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (BIG) DITCH A						
2		SESESE	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 TO JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT (MIDDLE) DITCH B						
3		NESWSE	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 TO JULY 7						
Diversion Means: HEADGATE						
Ditch Name: WETZSTEON-VOGHT-MCCLINTIC-LORD (SLOUGH) DITCH A						
4		S2	10	1N	19W	RAVALLI
Period of Diversion: MAY 15 TO JULY 7						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

Period of Use: MAY 15 TO JULY 7

Purpose (use): STOCK

Place of Use: (1 total records)

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				10	1N	19W	RAVALLI

Geocodes/Valid: 13097110301010000 - Y

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 99255-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 30003662, 30003669.

CLAIM WAS NOT INCLUDED IN THE BASIN 76HE TEMPORARY PRELIMINARY DECREE ISSUED 5/25/1998.

Appendix B.2

MCA 76-6-102

Montana Code Annotated - 2007

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

76-6-102. Intent, findings, and policy. (1) The legislature, mindful of its constitutional obligations under Article II, section 3, and Article IX of the Montana constitution, has enacted the Open-Space Land and Voluntary Conservation Easement Act. It is the legislature's intent that the requirements of this chapter provide adequate remedies for the protection of the environmental life support system from degradation and provide adequate remedies to prevent unreasonable depletion and degradation of natural resources.

(2) The legislature finds that:

- (a) the rapid growth and spread of urban development are creating critical problems of service and finance for the state and local governments;
- (b) the present and future rapid population growth in urban areas is creating severe problems of urban and suburban living;
- (c) this population spread and its attendant development are disrupting and altering the remaining natural areas, biotic communities, and geological and geographical formations and thereby providing the potential for the destruction of scientific, educational, aesthetic, and ecological values;
- (d) the present and future rapid population spread throughout the state of Montana into its open spaces is creating serious problems of lack of open space and overcrowding of the land;
- (e) to lessen congestion and to preserve natural, ecological, geographical, and geological elements, the provision and preservation of open-space lands are necessary to secure park, recreational, historic, and scenic areas and to conserve the land, its biotic communities, its natural resources, and its geological and geographical elements in their natural state;
- (f) the acquisition or designation of interests and rights in real property by certain qualifying private organizations and by public bodies to provide or preserve open-space land is essential to the solution of these problems, the accomplishment of these purposes, and the health and welfare of the citizens of the state;
- (g) the exercise of authority to acquire or designate interests and rights in real property to provide or preserve open-space land and the expenditure of public funds for these purposes would be for a public purpose; and
- (h) the statutory provision enabling certain qualifying private organizations to acquire interests and rights in real property to provide or preserve open-space land is in the public interest.

History: En. Sec. 2, Ch. 337, L. 1969; amd. Sec. 2, Ch. 489, L. 1975, R.C.M. 1947, 62-602(par.6); amd. Sec. 25, Ch. 361, L. 2003.

Provided by Montana Legislative Services

<http://data.opi.mt.gov/bills/mca/76/6/76-6-102.htm>

11/17/2008

Appendix B.3

Supplemental Agricultural Documentation

Appendix B.4

Supplemental Public Access Documentation



**Montana Fish,
Wildlife & Parks**

3201 Spurgin Road
Missoula, MT 59804

December 7, 2012

To Whom It Concerns:

This is a letter of support for the proposed conservation easement for the Lazy J Cross Ranch in Ravalli County near Sula, MT. The Lazy J Cross Ranch provides a home for a large variety of fish and wildlife, both game and nongame species. This ranch has also had its doors open to the general public for hunting for the past 17 years. In fact the Lazy J Cross Ranch has been enrolled in Montana Fish, Wildlife & Parks Block Management Program since its inception in 1996. Hunters appreciate and cherish this privilege that the Lazy J Cross has provided by leaving comments and notes of thanks on the sign in roster sheets provided at the entrance points. The Fish, Wildlife & Parks also appreciates and cherishes this opportunity for the public as it continues to provide a place for hunters to go and assists with the game management during the fall by means of walk-in hunting.

Enough cannot be said for placing a conservation easement on a Ranch that provides habitat for such a diverse amount of fish and wildlife and at the same time shares this with the general public. If you have any questions please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink that reads "Bart" followed by a stylized flourish.

Bart Morris
Block Management Program Coordinator, Region 2
(406)542-5560
bdmorris@mt.gov

Regulations for

LAZY J CROSS RANCH BMA

WETZSTEON RANCH BMA

#2
#1

Hunter Access Dates: September 1--November 25, 2012

Deer/ Elk Hunting District 270; Black Bear Management Unit 216

GENERAL INFORMATION

These Block Management Areas (BMAs) are located near the town of Sula in southern Ravalli County. Hunting on about 1,140 acres in the Lazy J Cross Ranch BMA and 700 acres in the Wetzsteon Ranch BMA is provided by private landowners.

These BMAs offer hunting opportunities for elk, mule deer, white-tailed deer, big horn sheep, black bear, wolf and mountain grouse. They also provide access to adjacent state lands and to Bitterroot National Forest lands in the Barley Ridge, Tolan Ridge and Bunch Gulch areas.

PERMISSION REQUIREMENTS

Separate registration is required to hunt each of these BMAs. Registering to access the Lazy J Cross BMA does not allow access or hunting on the Wetzsteon Ranch BMA or vice versa.

Each hunter is required to register *daily* at one of the sign-in boxes for the appropriate BMA *before* beginning to hunt on that BMA. The Lazy J Cross Ranch BMA has 2 sign-in boxes, and the Wetzsteon Ranch BMA has 3 sign-in boxes. Registration details are posted on site at the sign-in boxes.

HOW TO GET THERE

From US Highway 93 near Sula (about 17 miles south of Darby), turn onto the East Fork Bitterroot Road and proceed about:

For the Lazy J Cross Ranch BMA

→2 miles to the French Basin Road. Turn left (north) onto the French Basin Road to access the northern portion of this BMA and the sign-in box located approximately 2 miles north along this road.

→2.5 miles to the junction with the private ranch road that heads south and crosses the East Fork Bitterroot River.

For the Wetzsteon Ranch BMA

→3.3 miles and turn right, entering the Wetzsteon Ranch driveway; cross the bridge and proceed about ¼ mile and turn left (before the ranch house) to get to the parking areas.

REGULATIONS

1. Motorized vehicle travel is only allowed on roads listed as "Designated BMA Travel Route" or "County or other public road" on the accompanying map. If the Barley Ridge access road (road on Lazy J Cross Ranch, south of East Fork Bitterroot Road) becomes muddy, signs will be put up to advise hunters to walk.
2. Do not park any vehicle in such a manner as to obstruct traffic or block any gate.
3. Camping is not allowed on these BMAs.
4. It is unlawful to commercially outfit on these BMAs.
5. Failure to abide by the regulations for these BMAs can result in a trespass violation under MCA 45-6-203 and/or a violation of FWP Department or Commission orders or rules under MCA 87-6-201.

TO ENSURE YOUR FUTURE HUNTING PRIVILEGES ON THIS BMA, PLEASE OBEY THESE REGULATIONS AND RESPECT PRIVATE PROPERTY!

REPORT VIOLATIONS: During office hours, phone R-2 FWP. During evenings, weekends or holidays, call 9-1-1 or 1-800-TIP-MONT (1-800-847-6668).

[BMA 01 & 02--regs & map; 6-12-2012 TR]



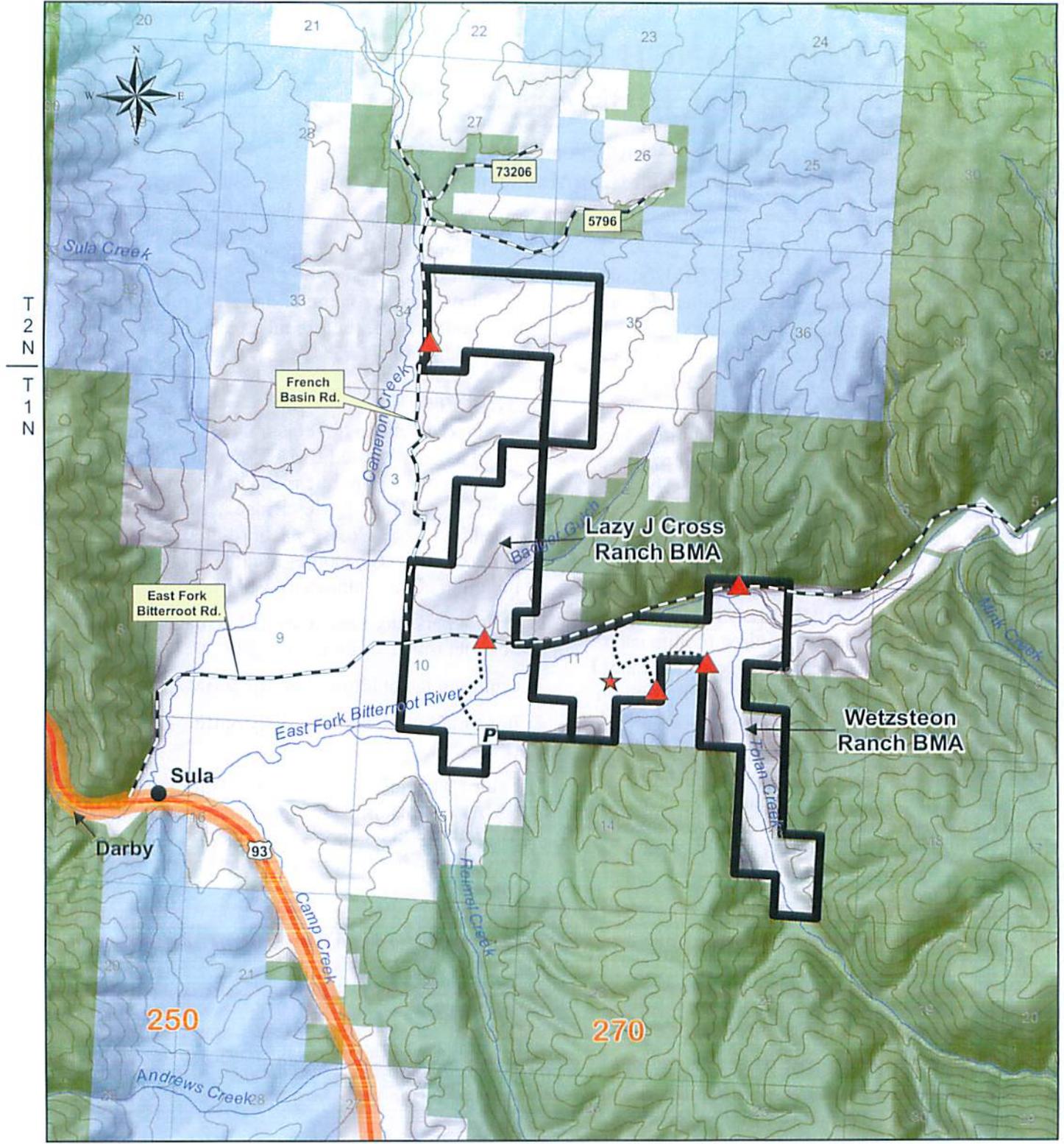
**Montana Fish,
Wildlife & Parks**

Region 2 Office

3201 Spurgin Road, Missoula, MT 59804-3101

Phone 406-542-5500

(M-F, 8 A.M.-5 P.M., excluding holidays)



Marvin Wetzsteon Ranch BMA #1
Lazy J Cross Ranch BMA #2
BMA Rules -- See Reverse Page

Disclaimer - This map is not intended to depict property ownership outside of the Block Management Area. Contact the appropriate land management agency for information on public land ownership and travel guidelines.

-  Block Management Area Boundary
-  US Forest Service
-  State School Trust (DNRC)
-  Private
-  Deer/Elk Hunting District and Boundary
-  Sign-in box
-  Ranch Headquarters
-  Parking Area
-  State Highway
-  County or Other Public Road
-  Designated BMA Travel Route

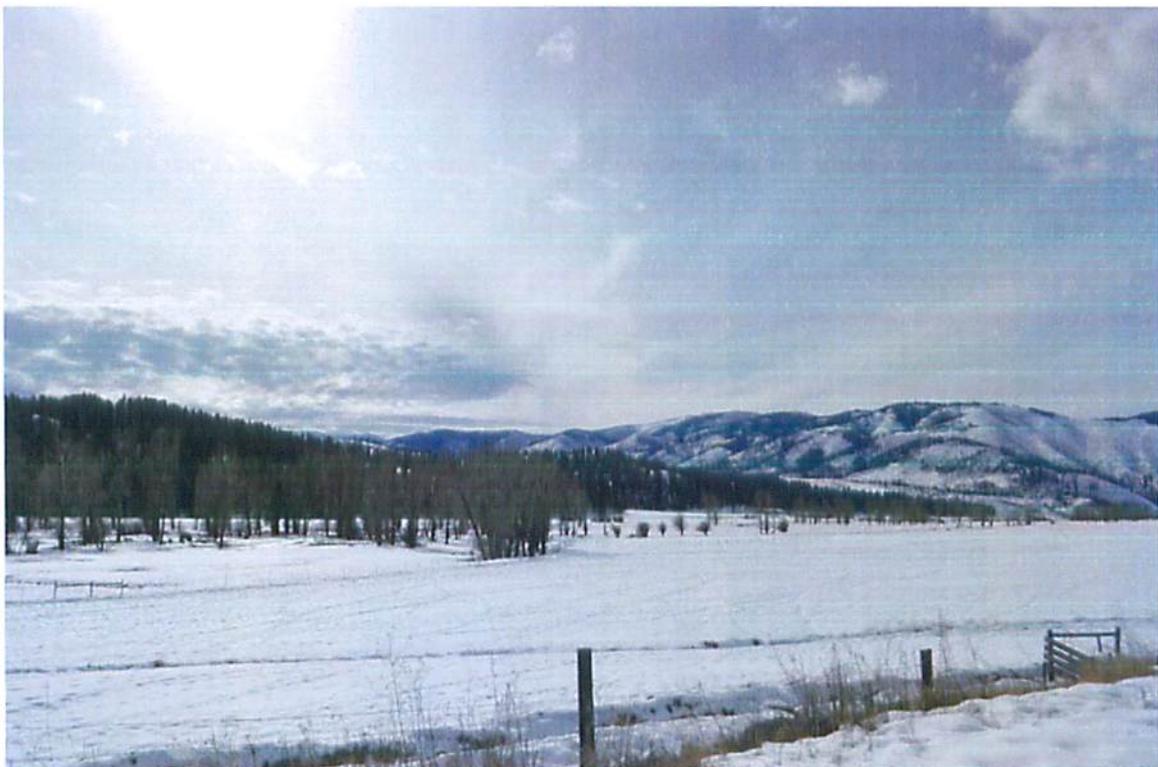


Appendix C

Property Photographs



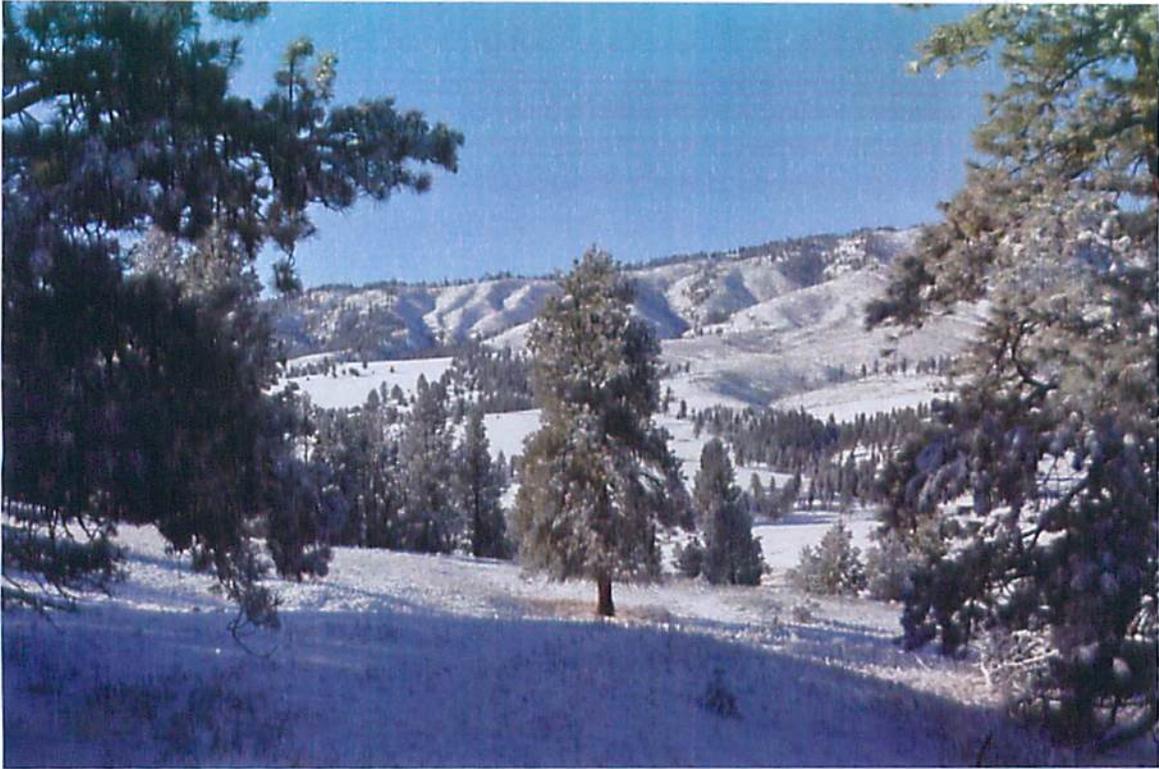
Views of the irrigated agricultural ground on the lower 335 acres of the Lazy J Cross Ranch.
Above: Cows are visible through the riparian vegetation near the southeast corner of the property
Below: A view west across the hay meadow, pasture and East Fork of the Bitterroot River.





Rocky Mountain Big Horn sheep grazing along the shoulder of East Fork Road. The Lazy J Cross is wholly within one of just two privately owned sections of big horn winter range. Winter range in the Sula area supports one of the largest herds of big horn sheep in the state. The Lazy J Cross Ranch conservation easement will preserve this critical habitat.





Views from the upper 445 acres of the ranch, near the north end of the Lazy J Cross.
Above: Though predominantly rolling rangeland, portions of the upper acreage are forested.
Below: A view west into the Cameron Creek drainage, commonly known as French Basin.

