

**Funds Received From U. S. Derived From Grazing Permits,  
Etc. Apportionment, of Funds Received From U. S.**

Under the provisions of Sec. 3, Chap. 118, of the Laws of the Eleventh Legislative Assembly, a county having within its boundaries a portion of some U. S. forest reserve is entitled to such portion of moneys paid to the State by the Treasurer of the U. S., as the area in such county bears to the total area of the U. S. forest reserve situated within the State. And a county having no portion of a forest reserve within its boundaries would not be entitled to any of the moneys paid by the Treasurer of the United States to the State of Montana out of forest reserve income.

June 5th, 1913.

Hon. Dan J. Heyfron,  
County Attorney,  
Missoula, Montana.

Dear Sir: :

I beg to acknowledge receipt of your communication of May 31st, 1913, in which you ask for my opinion as to the proper apportionment of funds turned over by the Secretary of the Treasury of the United States to the State of Montana, arising from grazing permits and timber sales upon the various forest reserves situated in this state.

In this connection I call your attention to Sec. 3 of Chap. 118 of the Session Laws of the Eleventh Legislative Assembly, found at page 165, Laws of 1908. Under the provisions of this act each county which has within its boundaries a portion of some United States forest reserve, is entitled to such portion of the moneys as are paid to the State of Montana by the Treasurer of the United States under the act of congress of May 23rd, 1908, as the area of forest reserve in such county bears to the total area of United States forest reserve situated within the state.

As a result of this provision a county which has no forest reserve land within its boundaries would not be entitled to any portion of the moneys paid by the United States Treasurer from the income of forest reserves to the state.

Yours very truly,

D. M. KELLY,  
Attorney General.