

the open range between January 1 and July 1, contrary to Section 3403, R. C. M., 1935.

June 16, 1939.

Mr. Paul Raftery  
Secretary, Montana Livestock  
Commission  
The Capitol

Dear Mr. Raftery:

You have requested my opinion upon the question whether bulls may be permitted to run at large within grazing districts from January 1st to July 1st.

Section 3403, R. C. M., 1935 provides:

"\* \* \* and no bull shall be turned upon, or allowed to run at large upon any such public highways, open range or national forest reserve between January 1st and July 1st of each and every year."

Sections 3405 and 3406 fix the penalty for violation thereof.

We find nothing in the grazing law which in any way removes grazing districts from the operation of these statutes, if they come within the description given in the statute. Such grazing districts are organized for the purpose of utilization, conservation, restoration and improvement of forage resources, and not for the purpose of withdrawing lands within the grazing districts from the operation of the general laws regarding the breeding of livestock, which the Legislature has determined to be necessary and desirable.

We suggest that the facts regarding the violation of Section 3403 be placed before the county attorneys and complaints be made to them since they are the law enforcement officers of their respective counties.

**Opinion No. 78.**

**Livestock—Grazing Districts—Bulls  
Running at Large.**

**HELD:** Bulls are not permitted to run at large in grazing districts within