

MINUTES OF THE LONG RANGE BUILDING COMMITTEE  
February 5, 1983

Side 6 The meeting was called or order at 2:00 p.m. in Room 104 of the Capitol Building.

Members present were Sen. Mark Etchart, Sen. Matt Hims1, Sen. Jack Haffey, Sen. Donald Ochsner, Rep. Rex Manuel, Rep. Francis Bardonoue, Rep. Gene Donaldson, Rep. Bob Thoft, and Rep. Steve Waldron. Sen. Bill Thomas was excused.

Also present were Curt Nichols of the Legislative Fiscal Analyst's Office and Ron Holliday, administrator of the Parks Division of the Department of Fish, Wildlife and Parks (DFWP).

(012) Mr. Holliday explained the reason for this hearing and the process through which all requests for coal tax funding must go to be considered (see Attachment 1).

GLENLAKE PARK PROPOSAL

The Bozeman/Gallatin County Recreation Board has proposed this 80 acre site adjacent to the City of Bozeman which includes a 20 acre pond. The owners, Glen Hash and Keith Beyl, are asking \$450,000 from the coal tax fund. If accepted, the City of Bozeman will donate 47 acres of adjacent land which would add frontage on both sides of the East Gallatin River to the part (see Attachment 2).

(071) Peg Hines presented written testimony on the Glenlake Park proposal (see Attachment 3). She noted that there was a landfill on the property ten years ago and there was a question as to contamination from the landfill. Ms. Hines presented a letter from Samuel Rogers stating his findings of a study he conducted on the site (see Attachment 4).

(157) Joanne Jennings, chairperson for the City Recreation Board, presented written testimony in support of Glenlake Park. Ms. Jennings reiterated the testimony of Ms. Hines that there is a need for this sort of park in the Bozeman area (see Attachment 5).

(215) Mary Vant Hull, Bozeman City Commissioner, spoke for the commission in supporting this proposal and submitted letters from the commission members and the Bozeman Area Chamber of Commerce for the committee's review (see Attachment 6).

(233) Ann Anderson, Bozeman City Commissioner, voiced her support for the Glenlake Park acquisition. She stated that if the property is not purchased for a park, it may go to other uses.

(255) Sen. Paul Boylan, District #38, and Sen. Dorothy Eck, District #39, stood in support of this project.

(263) Mike Aune answered questions from the committee regarding the exact location of the lake and what lands are included for the \$450,000 coal tax funds. Rep. Bardanouve asked if the city of Bozeman would be willing to provide the upkeep of the park. Commissioner Vant Hull stated that the city may not have the funding but would do whatever they could to maintain the park. She also stated that the park is a nice place to go fishing, skiing, and walking in its present state and would not necessarily need immediate improvement in order to be enjoyed.

(333) Rep. John Vincent, District #78, voiced his support for the acquisition of Glenlake Park. He stated that a lot of effort has gone into this proposal from the community and the outcome would not only benefit the people of Bozeman but anyone traveling through their valley. He further noted that Bozeman has not really benefitted from state park acquisitions in the past and he asked that the committee look favorably on this request.

#### BLACKFOOT RIVER RECREATION CORRIDOR Attachments 7 and 8

The Nature Conservancy has proposed the purchase of a conservation easement on State Forest lands along the Blackfoot River northeast of Missoula. This proposal would compensate the school trust for development values on the school trust lands and make their management perpetually consistent with private land along the river corridor on which conservation easements have been or will be granted. An appraisal for the easement is now underway and will be available by the time the legislature considers these proposals. An estimate of value provided by the Nature Conservancy is approximately \$100,000.

(375) Bob Kiesling, member of the Nature Conservancy, explained the study and process involved in this request. The Blackfoot River Recreation Corridor Management Plan (Attachment 7) is the first document of its kind. If it is approved, it will serve as a model for the whole nation.

The Missoula County Commission has donated the funding for the study and development of the management plan. The Missoula County Commission is on record as supporting this proposal.

The state lands included in this request are classified as timber lands. There are 126 acres included in this restricted zone.

Side 7

CLARK'S LOOKOUT  
Attachment 9

The Beaverhead County Commission has proposed this landmark of the Lewis and Clark expedition near Dillon as a future state monument. The owner, Tom Schiopen, is asking the 1982 appraised value for the 7.23 acre site which is \$58,600. The commission is also requesting an additional appropriation for \$174,968. Of this total, \$5,000 would be used for publicity expenses of the Clark's Lookout Committee to initiate a fund raising drive for financing a Bob Scriber bronze of Captain Clerk to be erected on the site. The remainder would be used for development of the site including a parking lot, picnic tables, and informational signs.

(073) Rex Meyers is a professor of Montana History at Western Montana College. He represented the Dillon Kiwanis Club and the Beaverhead County Museum Association. Mr. Meyers outlined the historic value of this piece of property and its close proximity to the Interstate and the town of Dillon.

(154) Bob Saindon is a past president of the Lewis and Clark Trail Heritage Foundation, a national foundation organized to promote the Lewis and Clark Expedition. He has traveled the expedition trail and feels this site is unique because a person can stand on the exact spot where William Lewis stood and can see the expedition trail from Beaverhead Rock to the Rattlesnake Cliffs.

(228) Edrie Vincent has been the liaison between the Beaverhead County Commissioners and the Lewis and Clark Trail Heritage Foundation. The site is for sale now but she feels if the State does not buy it now, it may be used for a gravel pit or for hotels and houses.

FISH HOMESTEAD

The Badlands Park Committee of Glendive has proposed a 2,374 acre expansion to Makoshika State Park to include the Fish family homestead. This site is on Fish Flat and contains two miles of Sand Creek bottom. The site is surrounded by public lands which make up Makoshika State Park. The owners, Jack and Jesse Engle are asking \$150 per acre for the site for a total of \$356,173. This

property was submitted to the 1981 Legislature as a portion of the Engle Ranch proposal. This portion was not funded, however.

(313) Rep. Marj Hart, District #55, expressed her support for the Fish Homestead acquisition to become part of the existing Makoshika State Recreation Area.

(350) Herman Hass provided written testimony supporting the Fish Homestead acquisition (see Attachment 10).

(395) Ron Johnson spoke in favor of the acquisition of the Fish Homestead to add to Makoshika Park and outlined his reasons behind his support (see Attachment 11). Mr. Johnson told the committee that the eastern part of Montana is very beautiful but needs more state parks so that tourists may enjoy this beauty. He submitted a list of some of the Glendive organizations that support this acquisition (see Attachment 12) and noted that, with the addition of the Fish Homestead, the scenic loop around Makoshika Park can again be used by tourists.

He noted that there is a youth camp in the park as well as an archery range, a campground, a natural amphitheater, and the largest dinosaur deposits ever discovered.

This area is in a large oil producing area and is growing in population. The addition of Fish Homestead would not require a lot of funds for development since it will be next to an existing park.

Side 8

LAKE ELMO  
Attachment 13

This 125 acre site which includes a 64 acre reservoir has been proposed by its owner, Loyd Kimble and cosponsored by the Lake Elmo Task Force. Adjacent to the City of Billings, Lake Elmo provides water based recreation including swimming, boating, and fishing. Mr. Kimble initially proposed the 1982 appraised value for the site which is \$3,570,000. However, the site has been reappraised. The purchase price of the second appraisal was \$2 million. The owner would donate \$400,000 of that total so the total cash buyout would be \$1.6 million.

There was a second alternative which would be for the purchase price of the lake and 60 feet of shoreline and 10.01 acres for \$1 million cash and a four year option with a \$100,000 land trade and a purchase price of \$600,000 for the remaining 42 acres over two bienniums.



(015) Rep. Les Kitselman, District #60, voiced his support for this proposal. He stated that this lake would benefit the handicapped, the elderly, and families--about 135,000 citizens. Lake Elmo is the nearest body of water to Billings and last summer generated \$52,000 in fees.

(058) Rod Shepard of the Lake Elmo Task Force presented his support for this proposal. He noted that this area comprises about one-fifth of Montana's population.

The lake is available now for purchase as a state park but this opportunity may not exist in the future. The reservoir has an easement that specifies the water should be within two feet of its high water mark except for the month of September. At the end of the summer, the reservoir is drained in order that the shore may be cleaned.

Rep. Bardanoue stated that he would be more inclined to accept this request if the maintenance was picked up by either the City of Billings or Yellowstone County. Mr. Shepard stated that there would be some contributions from local businesses but he did not have an amount for those contributions. He handed out letters of support from the Billings Community (Attachment 14) and some newspaper articles written about Lake Elmo (Attachment 15).

#### LES MASON MEMORIAL PARK

Van Gilchrist and Martin Gilman of Whitefish proposed this 7.15 acre site which includes Whitefish Lake frontage. The owners are asking the 1982 appraised value of the site which is \$800,000.

(355) Sen. Bob Brown, District #10, spoke in favor of this proposal. He told the committee that this area is in the middle of a lot of tourist attractions and Whitefish Lake does not have enough lakefront to offer these tourists.

(379) Martin Gilman, past president of the Whitefish Area Chamber of Commerce, voiced his support for this proposal (see Attachment 16). Mr. Gilman was one of the originators of this proposal and noted that this is the last piece of Whitefish Lake frontage that would be suitable for a park. Rep. Harp asked Mr. Gilman to use his name in support because Rep. Harp had a meeting to attend and could not speak for himself.

(468) Van Gilchrist, cosponsor of this proposal, gave his reasons for this proposal (see Attachment 17). Mr. Gilchrist voiced concern that Whitefish Lake is becoming a "rich man's lake" and that the shores are lined with private

homes which do not allow for public access. The rest of the lake is not suitable for beaches because of their steep grade.

The Whitefish area is a large tourist area due to its proximity to Glacier Park, Flathead Lake, Big Mountain Ski Resort, and the annual Winter Carnival. Mr. Gilman provided letters of support from the Whitefish community (Attachment 18) and a map of the lake (Attachment 19).

MICHAEL'S RANCH  
Attachment 20

The 511 acre Michael Ranch has been proposed by its owners as an addition to the Rosebud Battlefield State Monument. The heaviest fighting of the Rosebud battle occurred on Royal's Ridge which is contained in the proposed site. The site also contains over one mile of Rosebud Creek bottom. The owners are asking \$250,000 for the site. This \$250,000 includes the price of a house on the property and \$14,625 to equalize loss of value of 572 acres of Michael's Ranch that would be sold separately.

(670) Sen. Pat Regan, District #31, expressed her desire that the committee look favorably on this proposal. She feels this property has great historic value and would provide a valuable addition to the Rosebud Battlefield.

Side 6

(003) Jerry Jasmin, teacher at Lewis and Clark Junior High and history buff, works for the Park Service in the summer as a park ranger at Custer Battlefield, just forty miles from Rosebud Battlefield. He noted the historic value of the ranch and asked that the committee look favorably on this request. Mr. Jasmin also handed out some letters of support for this acquisition (see Attachment 21).

PRESTON B. MOSS MANSION

The city of Billings Community Development Department has proposed the acquisition of the historical home of Preston B. Moss, an early Billings banker and investor. The present owner, Miss Melville Moss, desires to preserve the home as a landmark to her father's contribution to the City of Billings and the State of Montana.

The 1982 appraised fair market value of the property is \$500,000. The owner, who is 86, would require a life estate. The value of the property subject to the life estate is \$241,150. The owner is willing to contribute \$138,650,

bringing the purchase price to \$102,500. The City of Billings will furnish \$25,500 of this price bringing the amount requested from coal tax funds to \$77,000.

(231) Tom McKerlick of the Billings Community Development Department presented this request to the committee. He noted that some of the original furnishings will be included in the purchase price.

Rep. Thoft wanted a firm commitment as to exactly what furniture would remain in the building.

There were some opponents to the Michael's Ranch proposal who did not get to testify. Vice Chairman Etchert opened the floor to opposing testimony on the Michael's Ranch.

(458) Rep. Marion Hanson, District #57, stated that a few days ago she would have been a proponent but due to the number of calls she received from area ranchers, she must be an opponent. Neighboring ranchers have voiced their concern to this acquisition because they feel the asking price is inflated and they are afraid that will jeopardize any appraisal value placed on surrounding ranches. They also felt the Department of Fish, Wildlife and Parks should not buy any more land in that area.

(485) Sen. Carroll Graham, District #29, also had to speak as an opponent for the same reasons as Rep. Hanson. He further stated that the neighboring ranchers stated that only a small part of the Rosebud battle took place on that ranch.

VAUGHN HOMESTEAD  
Attachment 22

The Robert Vaughn/Captain Couch Ranch and Nielsen Farm has been proposed as a Coal Tax park site by Perry Nielsen, a son/nephew of the owners. This homestead is listed on the National Register of Historic Sites. The owners, James C. Nielsen, Jr. and Sterlin C. Nielsen, are asking \$600,000 for the site which includes the buildings from the original ranch and approximately 200 acres of land. The site is located about one mile south of the town of Vaughn.

(548) Perry Nielsen gave the history and biographies of the owners of the homestead. He noted that the homestead has not been changed but the "big house" is in need of renovation. The big house was built in 1889 from sandstone that was quarried three miles away. The ranch is

Long Range Building Committee  
February 5, 1983  
Page 8

operational at this time. He noted that local Historical Societies have expressed an interest in restoring the homestead but he did not know to what extent. Some of the original furnishings would be donated as part of the purchase.

The hearing was closed to testimony and adjourned at 5:30 p.m.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read "Rex Manuel", written over a horizontal line.

Rex Manuel, Chairman

RM/lt

## VISITORS' REGISTER

HOUSE Gong Range Building COMMITTEE

BILL \_\_\_\_\_

Date February 5, 1983

SPONSOR \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
<del>Edg. Hines</del>	<del>Bozeman Rec Bd</del>	<del>Glen Lake Park</del>	<del>✓</del>	
<del>Jeanne Jennings</del>	<del>Bozeman</del>	<del>Glenlake Park</del>	<del>✓</del>	
<del>Hine Fowler Anderson</del>	<del>Bozeman (city commissioner)</del>	<del>Glenlake Park</del>	<del>✓</del>	
<del>MICHAEL J. AUNE</del>	<del>BOZEMAN</del>	<del>GLENLAKE PARK</del>	<del>✓</del>	
<del>Mary Van't Hull</del>	<del>Bozeman City Comm</del>	<del>'</del>	<del>✓</del>	
<del>BOB KIESLING</del>	<del>HELENA</del>	<del>BLACKFOOT RIVER</del>	<del>✓</del>	
<del>Steve Elliott</del>	<del>Billings, MT</del>	<del>Lake Elmo Task Force</del>	<del>✓</del>	
<del>Bob Shepherd</del>	<del>Billings, MT</del>	<del>Lake Elmo Task Force</del>	<del>✓</del>	
<del>Doc Myers</del>	<del>Deer</del>	<del>Clark</del>	<del>✓</del>	
<del>Balderson</del>	<del>Helena</del>	<del>Clark</del>	<del>✓</del>	
<del>W. J. Vart</del>				
<del>Shirley Felt</del>	<del>Idaho</del>		<del>✓</del>	
<del>Karl Johnson</del>	<del>COLENDICE</del>	<del>Fish Homestead</del>	<del>✓</del>	
<del>Walter J. Johnson</del>	<del>Whitfish</del>	<del>Les Mason Park</del>	<del>✓</del>	
<del>Van H. McIntosh</del>	<del>Whitefish-Rural</del>	<del>Les-Mason Park</del>	<del>✓</del>	
<del>Tam McKirdick</del>	<del>Billings</del>	<del>City of Billings</del>	<del>✓</del>	
<del>Maria Huns</del>	<del>Ashland</del>	<del>District 57</del>		<del>✓</del>
<del>Erroy Nielsen</del>	<del>Vernon</del>		<del>✓</del>	
<del>Shirley Gasser</del>	<del>Billings</del>	<del>Michaels Ranch</del>	<del>✓</del>	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## **THE COAL TAX AND THE STATE PARK SYSTEM**

The 44th State Legislature in 1975 earmarked a portion of the coal severance tax revenue for the acquisition of park lands described under 23-1-102 MCA. This legislation (15-35-108 MCA) earmarked 1¼% of the coal tax revenue for park acquisition collected through June 30, 1979, to be placed in a trust and legacy account, of which only the interest can be spent. A constitutional amendment changed the allocation formula by earmarking 25% of the entire account to a permanent trust in 1977 and another 25% beginning July 1, 1979. Other formula changes not affecting the Parks Trust are to be effective July 1, 1983.

As of July 1, 1979, 5% of the coal tax revenue which was not set aside for the permanent 50% trust was earmarked for the Trust and Legacy Account replacing the previous percentages. Only the interest accrued from the Parks Trust and Legacy Account may be expended after July 1, 1979. Also the 1977 Legislature authorized an amendment to the coal tax allowing expenditures for managing areas acquired under this authority as units of the State Park System in order to make them usable by the public. All expenditures must be authorized by the Legislature.

### **LEGISLATION CHANGED THE COAL TAX PARKS LAW**

Prior to 1979, the Department of Fish, Wildlife and Parks had the responsibility of finding and choosing areas for acquisition made with the coal tax money. HB 550 (see appendix) passed by the 1979 Legislature, stated that any person, association, or representative of a governing unit may submit a proposal for the acquisition of a site or area that would meet State Park System qualifications. This proposal must be submitted to the Department of Fish, Wildlife and Parks by December 1 of the year preceding the convening of a legislative session.

The Fish and Game Commission shall then present to the legislature by the 15th day of any legislative session a list of areas, sites, or objects that were proposed for purchase for use as state parks, state recreational areas, state monuments, or state historical sites with the money contained in the parks account.

The legislature must appropriate funds from this account before any park, area, monument or site may be purchased.

HB 871, passed by the 1981 Legislature, included a statement of intent that the department "adopt rules to equitably distribute funds for park acquisition." These rules may provide for adjustments of grants if less revenue is received than is appropriated under this act.

HB 871 also required that separate accounts be maintained for cultural and aesthetic grants and coal tax park acquisitions. Previously these funds were in one account. The interest earnings are split ⅔ for parks and ⅓ for cultural and aesthetic grants.

The 1981 Legislature's Long Range Building Committee passed a resolution \* instructing the department to submit proposals along with citizens list of proposals for areas to be purchased from the Coal Tax Trust Fund.

### **WHAT KINDS OF AREAS QUALIFY FOR THE STATE PARK SYSTEM?**

As set forth by law, the purpose of the State Park System is "to conserve the scenic, historic, archaeological, scientific, and recreational resources of the state and providing for their use and enjoyment, thereby contributing to the cultural, recreational and economic life of the people and their health. Department of Fish, Wildlife and Parks was given the statutory authority to "acquire for the state any areas, sites, or

\* see appendix

objects which in its opinion would be held, improved, and maintained as state parks, state recreation areas, state monuments, or state historic sites" (MCA 23-1-102). It is these park system components that are eligible to receive coal tax funding. (MCA 23-1-108).

In the late 1960's, a classification describing the purposes and physical characteristics of several types of State Park System areas was developed and adopted as part of the Administrative Rules of Montana. The Department classified state parks, state monuments, state recreation areas, state recreational waterways, and others according to several criteria.

These criteria provide standards for acquiring and designating park system components, as well as for determining appropriate development and management procedures.

## Criteria for Park System Components

### STATE PARKS

#### Purpose:

To provide high-quality recreation experiences distinctive and notable enough to attract people on a state, regional or national basis.

#### Description:

Open-space areas of unique scenery or other outstanding natural features of an aesthetic, historical, geological, archaeological or scientific nature. State parks will be selected on the basis of these inherent characteristics without regard to geographic location.

#### Development and Management:

Development of roads and desirable facilities will be planned with precise and sensitive regard for all natural features and without impingement upon the visitors' aesthetic and intellectual sensibilities. Management will be directed toward retention of state parks in as near a natural condition as possible, without impairment of ecological features and values.

### STATE RECREATION AREAS

#### Purpose:

To provide a broad selection of outdoor recreation opportunities in a natural setting which may be used by large numbers of people.

#### Description:

Contain natural or artificial resources which provide outdoor recreation opportunities that will attract visitors from beyond the local area. They may be located in areas which have serious deficiencies in public outdoor recreation facilities, provided that such recreation areas should not be furnished in lieu of municipal, county or federal facilities.

#### Development and Management:

Protection of the natural environment and aesthetic qualities should be paramount except development for intensive use may require alteration of the natural environment. However, the aesthetic qualities of the areas will be retained to the greatest degree possible by careful planning and construction of facilities.

### STATE MONUMENTS

#### Purpose:

To preserve, protect and enhance objects, features or places of historical, geological, archaeological or scientific importance, including commemoration of outstanding persons or events.

#### Description:

Sites of optimum form and size for the protection and enhancement of the objects, features or places concerned, including adequate space for parking, if appropriate, and other accommodations for anticipated day use.

#### Development and Management:

Standard constructions will be facilities for providing access, parking, sanitary conditions and water. Other

service facilities may be added if required. Overnight camping will ordinarily not be allowed. Development may also include restoration of historical structures and installation of protective devices. Maximum benefit to visitors may be achieved by providing museums, outdoor dioramas and other interpretive exhibits.

### STATE FISHING ACCESS SITES

#### Purpose:

To provide permanent, public access to high-quality rivers, streams and lakes.

#### Description:

Areas adjacent to high-quality fishing waters accessible by an existing or acquired public right-of-way and of adequate size to permit practical use of the waters concerned for fishing and, when appropriate, other water-based recreation.

#### Development and Management:

Accommodations will consist of facilities for day use and, in certain cases, overnight camping. Boat-launching ramps, road building and fencing may be necessary. Management will involve proper identification of the site and maintenance of public right-of-way and service facilities.

### STATE RECREATIONAL WATERWAYS

#### Purpose:

To protect and enhance the natural and historical values of state waterways and to provide opportunity for enjoyment of these values.

#### Description:

Rivers or streams, generally undeveloped, possessing outstanding scenery and/or important historical features and susceptible to increasingly heavy recreational use.

#### Development and Management:

Accommodations for day use, camping, floating, fishing or other recreational activities will be provided. Public areas for lunch stops and overnight camping will be conveniently distributed along the course such that they will permit leisurely floats from one area to the next in four hours or less. Development will also include wells for drinking water where necessary. Management will primarily involve maintenance of public areas and identification of sites and points of historical or geological interest for visitors.

### STATE RECREATION ROADS AND TRAILS

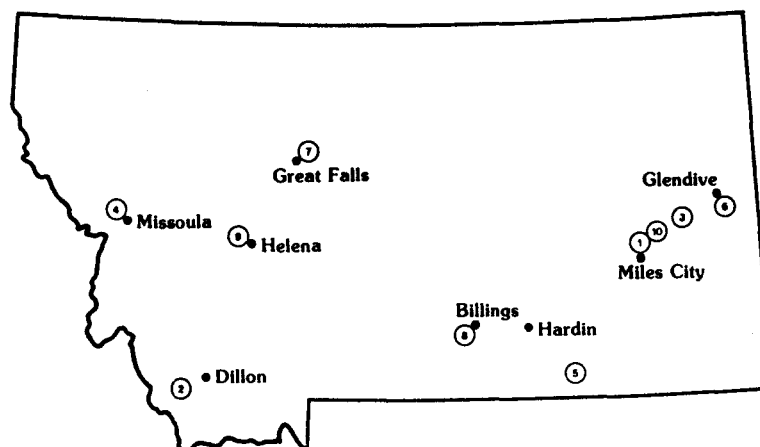
The Dept. of Fish and Game believes that the scenic and cultural attributes of certain Montana roads and trails are of high recreational value and warrant formal protection against uncontrolled use and development.

Preparation of criteria for state recreation roads and trails is in progress, along with other plans for this valuable expansion of the state park system.

## PAST COAL TAX ACQUISITIONS

Since 1975, the portion of the coal severance tax earmarked for parks has provided nine additions to the State Park System. Located throughout the state (see map), these sites offer a variety of recreational opportunities to Montanans and out-of-state visitors.

### Coal Tax Trust Fund Acquisitions



	Acreage	Appraisal, Survey, and Title Cost	Purchase Cost
① Roche Jaune State Recreation Area (acquired 1977)	1.0	\$ 460.75	\$ 19,600
② Bannack State Park Addition (acquired 1978)	.10	—0—	1,850
③ Powder River Depot State Monument* (acquired 1978)	easement	1,203.75	—0—
④ Council Grove State Monument (acquired 1978)	186.0	3,287.50	140,000
⑤ Rosebud Battlefield State Monument (acquired 1978)	4883.0	4,070.76	881,160
⑥ Makoshika State Park Addition (acquired 1979)	650.36	1,847.50	143,900
⑦ Giant Springs/Heritage State Park Addition (acquired 1979)	28.6	1,800.00	97,500
⑧ Lake Josephine State Recreation Area (acquired 1979)	82.10	4,106.16	125,000
⑨ Spring Meadow Lake State Recreation Area (acquired 1981)	55.8	714.55	293,000
⑩ Doeden's Island State Recreation Area (acquired 1982)	269.	3,074.04	110,000
Engle Ranch appraisal**	-0-	2,000.00	-0-
<b>Total</b>	<b>6155.96</b>	<b>\$22,565.01</b>	<b>\$1,812,010</b>

Coal Tax Funds:	\$1,608,788.60
Other Matching Funds:	225,786.42
<b>Total Cost:</b>	<b>1,834,575.01</b>

- \* Easement for historic monument, recreation and fishing access site from Burlington Northern.
- \*\* Site not purchased.

During the 1981 session, the legislature designated three areas for purchase with interest from the Parks Coal Tax Trust Fund. Two of the areas, Spring Meadow Lake, near Helena and Doeden's Island near Miles City were purchased.

The third area, the Engle Ranch, situated along the Yellowstone River about three miles north of Glendive, was not purchased. The legislative mandate required the site to be appraised for determination of fair market value. The department was then to for the appraised value or the asking price, whichever was less. The department offered to purchase the Engle property for the appraised value, but that price was unacceptable to the owners.



#### **FOLLOWING THE REQUIREMENTS OF MCA 23-1-108**

To inform the public about proposing Coal Tax acquisitions for the State Park Systems, in the spring and summer of 1982, the Parks Division published an article entitled "Help Pick Montana's State Parks" in the *Montana Outdoors* weekly newspaper column. News releases explaining the program were made available to the press statewide. In addition, a brochure was distributed to the department's regional offices and to any individual upon request. It contained an application form for sponsors to submit their park proposals to the department.

GLENLAKE PARK PROPOSAL

Attachments 2 through 6

Amount requested from Coal Tax Funds  
for acquisition of site ... \$450,000

Approximate value of donated  
properties for the site... \$600,000

Past history of funding for acquisition of State Park sites shows that no Coal Tax Severance Funds have been utilized for any land purchases in the Bozeman and Gallatin County area. The proposed site is available now, but if funds are not approved at this time the site will be developed for other purposes and the excellent opportunities now available will be lost.



For more information, contact:

Glenlake Park Committee  
Peg Hines, Chairman 406-586-9067  
Recreation Advisory Board  
Joanne Jennings, Chairman 406-586-9585  
Bozeman/Gallatin County Recreation Dept.  
Michael J. Aune, Director 406-586-6527

# GLENLAKE STATE PARK



The Bozeman/Gallatin County Recreation Advisory Board is sponsoring a proposal to acquire property north of Bozeman for use as a State Park. The site entails approximately 80 acres and includes a 20 acre lake. The East Gallatin River flows through the eastern portion of the site, and the Bridger Mountains to the northeast add to the scenic value of the site.

In support of the proposal, the City of Bozeman has agreed to donate about 47 acres of the old landfill area to be included in the park. Over half of this area is undisturbed woodland. The remaining acreage for the park is to be purchased from Mr. Glen Hash and Mr. Keith Beyl, and these owners have agreed to 1. sell their property for below its appraised value, and 2. donate the 20 acre lake which is a part of their property. The total value of land donations exceeds the amount requested from Coal Tax Funds.

A Conceptual Design with cost estimates for development is on the way.

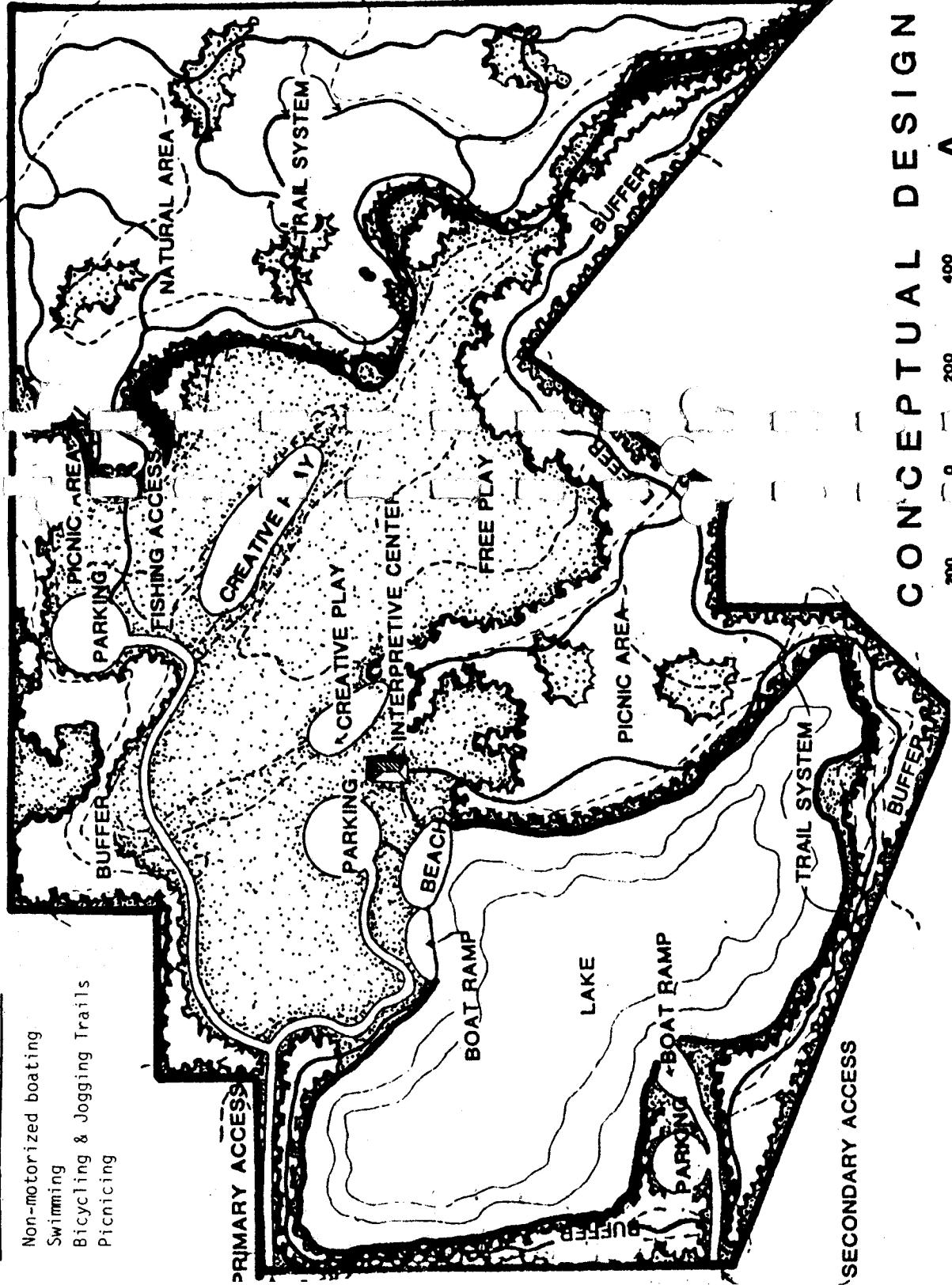
# GLENLAKE STATE PARK

## LAKE AREA ACTIVITIES

- Non-motorized boating
- Swimming
- Bicycling & Jogging Trails
- Picnicing

## NATURAL AREA ACTIVITIES

- Interpretive Blinds
- \*Flora
- \*Fauna
- \*Birds
- Hiking Trail
- Fishing Access



## COST ESTIMATE

Grading	\$25,000
Roads/Parking	17,000
Trails	13,000
Turf/Seeding	32,000
Buffer Plantings	70,000
Interpretive Center & Restrooms	46,000
Picnic Areas	1,500
Play Areas	10,000
Dock Sytem	2,300
Development	
Total	\$216,800

## CONCEPTUAL DESIGN



LONG RANGE BUILDING COMMITTEE HEARING  
GLENLAKE STATE PARK PROPOSAL  
February 5, 1983  
STATEMENT OF PEG HINES

I would like to present a brief history of the Glenlake Park proposal. Mr. Glen Hash has long envisioned the lake, which formed as a result of gravel digging, and its adjacent property as a public park. The Hash property was appraised by a certified appraiser at \$1.25 per square foot in 1978. In the following years, Mr. Hash and his partner, Mr. Keith Beyl, had their land platted for a mobile home subdivision, had the quarry lake deepened to 20 feet at one end, grading to one foot at the other and it filled with water from natural springs supporting a natural fish population.

In 1982, Mr. Hash, Mr. Beyl and the City of Bozeman agreed the land would make a natural park. Mr. Hash and Mr. Beyl offered approximately 10½ acres for sale at \$1.00 per square foot. The land was not formally reappraised as the original appraiser felt the land could only have increased in value, and the asking price was \$.25 per square foot less than the 1978 appraisal. In addition, they generously offered to donate the 20 acre quarry lake plus water rights to Bozeman Creek which flowed through the land. The Bozeman City Commissioners then passed a resolution donating approximately 47 acres of bordering city land to the state, contingent upon procurement of Coal Tax Severance money for the purchase of the Hash/Beyl property. They also empowered the Bozeman/Gallatin County Recreation Board to apply for the funds.

Approximately one-third of the city land is an old landfill, while the remaining two-thirds is virgin land that has the original topsoil. This land is conservatively valued at \$600,000, but the selling price would probably be closer to \$900,000. The eastern edge of this land encompasses 1,200 feet of the East Gallatin River, thus providing ready access for fishing. This part of the city land is already a natural area inhabited by deer, an occasional moose and many other small animals, along with fish in the river.

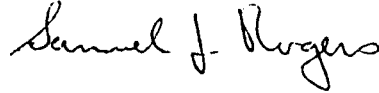
The proposal is supported by a number of groups, including the Big Sky Wind Drinkers, an area runners club; the Nordic Division of the Bridger Ski Club, the Audubon Society, Ducks Unlimited, the Chamber of Commerce and Trout Unlimited.

In conclusion, I urge this committee to offer a recommendation for purchase of the Hash/Beyl property, which is a bargain, and to accept the unprecedented donation of Bozeman city land.

February 4, 1983

TO: Gallatin County Parks Commission

FR: Samuel J. Rogers, D.V.M., Ph.D.  
Professor of Biochemistry and Toxicology



RE: Manley Pond Water Quality Studies

- 1) Water from Manley Pond was examined initially for its potential to support the necessary aquatic flora and fauna for the raising of trout. The water was found to be the high quality which is typical of the many spring fed streams in the Gallatin Valley.
- 2) Water from Manley Pond was tested for any contaminating enteric bacteria. The water was found to be remarkably uncontaminated. Virtually no enteric organisms were found at orders of magnitude of concentration than are normally employed.
- 3) The water from Manley Pond was also subjected to a sensitive biological assay, the Ames microsome mediated test, which is used to test for the presence of genetically toxic chemicals. This test was also negative for any such toxic chemicals.

LONG RANGE BUILDING COMMITTEE HEARING  
GLENLAKE STATE PARK PROPOSAL  
February 5, 1983  
STATEMENT OF JOANNE JENNINGS

The Glenlake Park concept is one that has grown on the ashes of the old Bozeman city landfill. The area of approximately 47 acres is the northeast portion of the proposed park and would encompass a natural place for bird watching and the study of plants and flowers. The hilly portion has not been disturbed by the landfill activity and would afford hiking potential as well as the scenic beauty of the park. The East Gallatin River flows through this portion giving access for fishing. A trail system would be beneficial to this area for walking, jogging or cross country skiing.

The more active areas of the park would be near the lake and interpretive center. In the center of the park are located zones for free and creative play.

We envision the creative play areas might include log type play equipment rather than the traditional playground metal type. Children would be challenged to use their imaginations in using the structures in the two areas where natural contours exist.

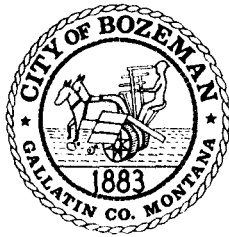
The interpretative area would also include restroom facilities. As this site is nestled in the Bridger Mountain foothills, it can also be used in the winter for cross country skiing. Bozeman is noted for its long season of snow on the ground (except for this year). This area could be used for a warming site in the wintertime.

The westerly portion of the park contains the 20 acre lake donated to the park and created by the removal of gravel and our high water table. This lake is suited for non-motorized boating like canoes or kayaks, and a boat ramp would provide an easy access for boaters from the nearby parking area. Swimming, in season, would also be permitted and a natural beach is evident on the north side of the lake.

The two access roads to Glenlake Park come from Manley Road. This is a well maintained gravel road off the paved Griffin Drive, an east-west Bozeman arterial. Three areas for parking would provide for more people, but dispersed in separate portions of the park. Over half of the park would be buffered by plantings. An abundance of water around the park would provide a good growing habitat for these trees and shrubs.

All these areas could be designed to be completed in phases once the land is purchased. This land is waiting now for a creative use. Our representations are only suggestions of what might be developed in this area. The state would be free to plan for the site as it sees fit. In the meantime, birds and small animals inhabit the woods and brush. Fish are present in both the East Gallatin and in Glenlake. This is an opportunity available to the state now. The citizens of Gallatin County, the State of Montana and travelers passing through Montana on the trail of Lewis and Clark would benefit from Glenlake Park. We hope you will see this park as an opportunity to use coal tax severance funds in conjunction with the city donation of 47 acres and the donated 20 acre lake to provide an additional recreation area for the enjoyment of all the people.

MEMORANDUM



From the Office of  
The City Commission  
Bozeman, Montana

Date 2-4-83

Commissioner Mary Kent Hull  
Thank you for representing the  
city at the at the Long Range  
Building Committee hearings Saturday.

I think the Glenlake State  
Park proposal has several important  
things to offer the state and  
to our community.

1. The city is joint venturing  
the capital requirements. The  
donation of near to 50 acres  
furnishes a good foundation  
to build from.

2. The city commission, the  
recreation board and city management  
are very enthusiastic about the project.

3. The C.T.S. Funds have been used  
for land purchased in our area.

Thanks again - Al Still Mayor



Joint Long Range Building Committee  
Montana State Legislature

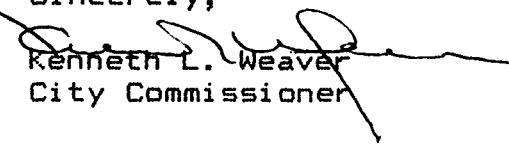
Dear Sir:

The purpose of this letter is to urge your support of the proposed Glenlake Park in Bozeman during this Legislative Session.

As you know Bozeman is perhaps the only larger community in Montana which has not as yet received an appropriation of Coal Severance Tax monies for the creation of a State Park. The Glenlake site is an ideal location because of its water recreational potential, and because of its proximity to the north side of our community where so many of our seniors and younger, low income families reside who cannot now access the major recreational resources at considerable distance from the city core.

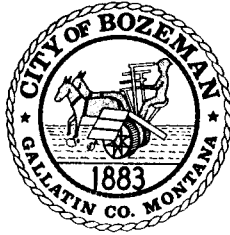
Additionally, I would like to emphasize the fact that Bozeman has demonstrated its interest in and commitment to this park by contributing 47 acres of adjacent property. We would hope that your committee would recognize our need and our community wide support to make this park a reality during this Legislative Session.

Sincerely,



Kenneth L. Weaver  
City Commissioner

# MEMORANDUM



From the Office of  
The City Commission  
Bozeman, Montana

Date Feb. 5, 1983.

To the Members of the Joint Long-Range Building Committee:

As a Montanan who wants good things to happen for all Montanans, I ask you to support the proposed Glenlake State Park through coal tax funding.

Many of you visit this area: as students, as relatives and friends of students, for games, on your way to Yellowstone Park, etc. It would be nice for you to have a state park here, at which you could spend some pleasurable, outdoor time. Glenlake State Park could be that place.

On the Gallatin Valley floor, there are few, if any, bodies of water as big as this 20-acre lake, which lies on the west side of the proposed park. On the east side lies the East Gallatin River, with a fine fishing access. Between the two kinds of water, there is much potential for all kinds of activities, as well as peace and quiet for those who need that. And this is for not only people, but all the creatures of nature that need such a place.

As a city commissioner, I think that a new state park here will fill a real need, for the people who live here as well as for the people who come here to visit. The city commission is 100% in favor of the park; we haven't had this kind of amenity here; we have not received coal tax moneys for a park up until now.

Thank you.

*Mary Vant Hull*

Mary Vant Hull, Bozeman commissioner

YES! Let's have a state park in Gallatin  
County! I support Glen Lake Park!

Name

Address

<del>Arnold J. Stiff</del>	204 South 3rd Apt. P
Terran Stiff	"
Wayne Jennings	521 N. 10th
Edward Sypanski	317 W. Lamme
Marcia Youngman	514 S. 11th
Glenn Levin	215 Accola City.
<del>Thomas H. Sheffield-Moran</del>	122 St. Curtiss
Wanda Brock	2525 LANDOE
Lisa Volz	428 W. Babcock
Linda Harper	1604 Lloyd Place, Apt. 305
Luane J. Fryman	912 South Black
Marjorie Ennes	2405 W. College #8
Arthur L. Coffin	908 S. WILLSON AVE.
Robert H. Figgins	714 Canyon View Road
Paul J. Farizzo	512 Cutting St. Bozeman
Paula Louie	811 S 6th Ave B2
Mary Bryson	216 S. Black
Angela	309 Lindley
John Parnas	411 S 3rd
Kathleen Ramage	411 S. Third
S. J. Steen	1107 S. Third
Joseph H. Bourque	1107 S. Third
Russell Walker	201 S. Eighth
Dick Swanson	714 N 17

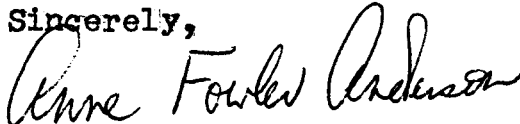
February 4, 1983

To Whom It May Concern:

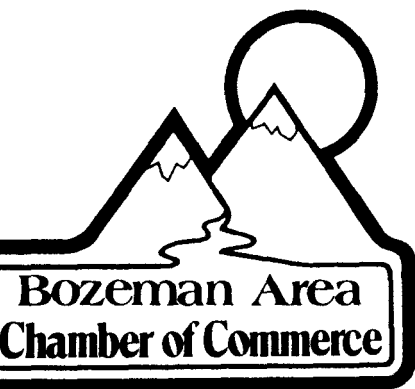
As a city commissioner of Bozeman, I wholeheartedly support the proposed Glenlake State Park. The \$450,000 dollars requested from Coal Tax revenues would be used to purchase land, which the sellers are willing to sell for less than appraised value. That land combined with a twenty-acre lake, a portion of the East Gallatin River, and the city's old landfill site could become an 80-acre park of singular recreational value to our area, would recycle a landfill toward useful purpose, would attract water birds and provide good cover for wildlife, and would see a section of river restored to beauty and health. Bozeman and Gallatin County have never received benefit from Coal Tax money used for a state park.

The possibility of a state park acquired for \$450,000 is a recreational bargain of tremendous value to this area of Montana. I strongly urge that this possibility become a reality with the award of the requested money to create Glenlake State Park.

Sincerely,



Anne Fowler Anderson  
City Commissioner  
Bozeman, Montana



February 3, 1983

Dear Long Range Building Committee:

The Bozeman Area Chamber of Commerce respectfully requests your support of the proposed Glen Lake State Park project.

The project has wide spread community support and the City of Bozeman has made a financial commitment to provide, at no cost, 47 acres of land to be included in the park.

As you'll see from the park plan, the project would include a lake and wooded areas that would be a real asset to the state park system.

The Bozeman Area Chamber of Commerce supports the park project and respectfully requests your support also. Thank you for your consideration.

Sincerely,

Sam P. Kimbrell,  
Executive Vice President

SK/ks

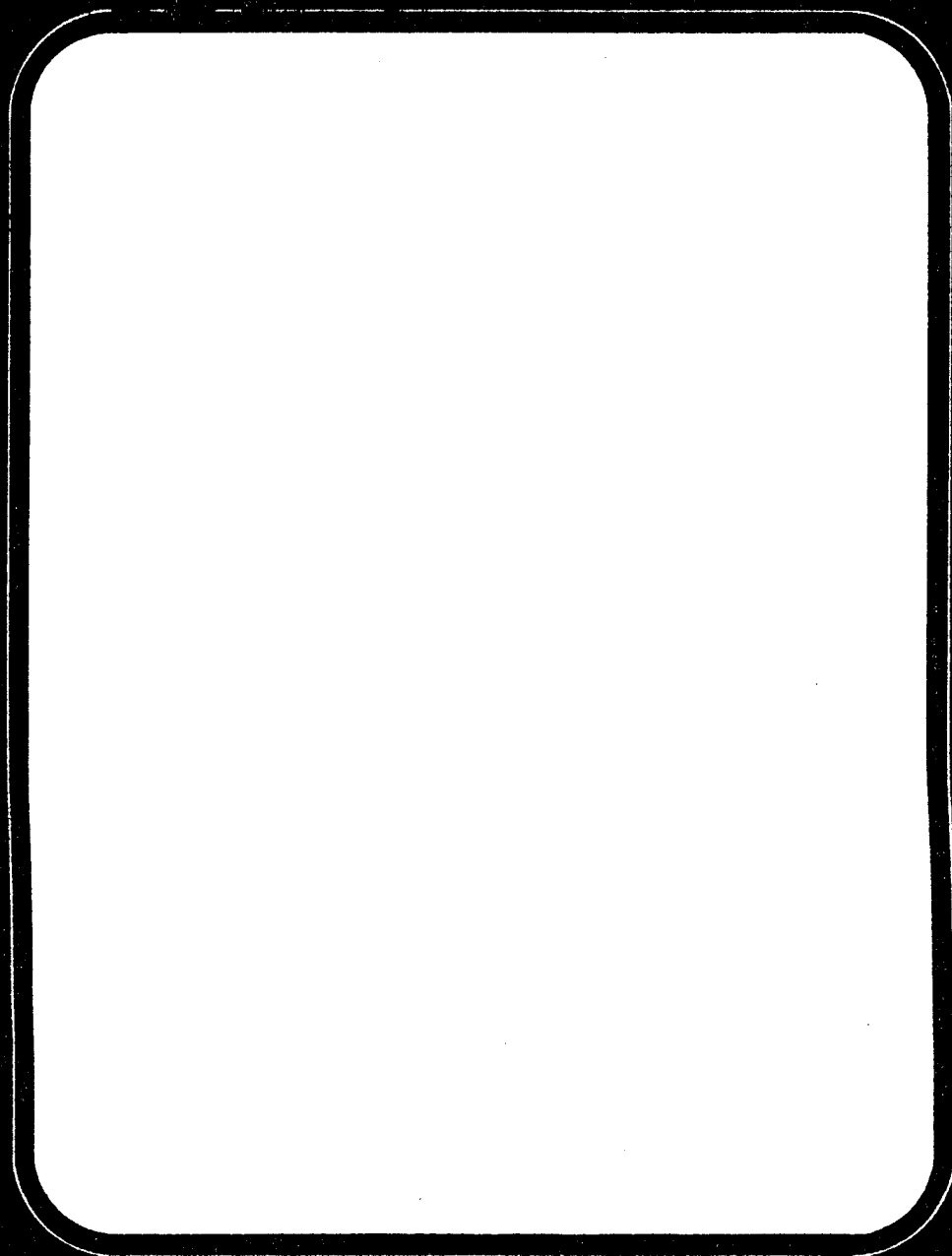


BLACKFOOT RIVER RECREATION CORRIDOR

Attachments 7 and 8

# THE BLACKFOOT RIVER

a  
conservation  
and  
recreation  
management  
Plan ■ ■ ■



MONTANA

STATUS REPORT ON THE  
BLACKFOOT RIVER CONSERVATION AND RECREATION MANAGEMENT PLAN  
December 1976

This is a popular version of a working document developed to manage the Blackfoot River Corridor for a one-year trial period. The plan was published to illustrate a concept. However, the actual plan will continue to evolve with further local input. The recreation management portion of the plan is that which was in effect during the summer of 1976. The recreation component is now being modified to reflect needed changes identified in the first year's trial program. This process will continue on a year-to-year basis for at least the next year or two. The Nature Conservancy is presently negotiating with some of the landowners for conservation easements, Phase II of the plan. It is anticipated that some easements will be donated within the next year. The easement phase will be carried out in stages--the first stage being the area designated in the plan as a Conservation Reserve. Here easements will be negotiated with each individual landowner. The boundaries and other terms of these easements will be determined in the negotiations and will be tailored to meeting the landowners' needs and preferences consistent with protection of the river. Each donated easement will be placed in escrow until all easements have been granted or until the expiration of a specified time period. At the end of the time period if any of the easements have not been granted, each landowner will be free to choose whether he wants his easement to become permanent or whether he wants it invalidated.

Compatible management of the State School Trust lands will be assured through an administrative process. The Division of Forestry, managing agency for these tracts, is developing, in consultation with the Blackfoot River Advisory Council, management plans that will be harmonious with the easements on the adjacent private lands. These plans will be approved by the Blackfoot River Advisory Council, the Division of Forestry and the Department of Natural Resources hierarchy, and the State Land Board which has the ultimate responsibility for these areas. Compatible management will then be mandated for a specified period of time. This process should be accomplished within the next few months.

In summary, the Blackfoot approach separates management of public recreation use from protection of the river corridor while at the same time insuring these simultaneous efforts are closely coordinated. It is strictly a locally motivated and led endeavor with the Bureau of Outdoor Recreation providing planning and coordinating assistance and The Nature Conservancy lending its expertise on easements. The plan is being developed and implemented through an open ended, protracted planning process.

For further information contact:

Jerry Stokes, Bureau of Outdoor Recreation, P.O. Box 25387, Denver Federal Center, Denver, CO 80225, Phone (303)234-2634; Hank Goetz, Lubrecht Experimental Forest, Greenough, MT 59836, Phone (406)244-5524; Kenneth R. Margolis, The Nature Conservancy, 1234 N.W. 25th Avenue, Portland, OR 97210, Phone (503)228-9561.



# CONTENTS

	Page
Foreword .....	2
History .....	2
Creation of the Plan .....	3
Credit of Accomplishments .....	4
<b>CONSERVATION AND RECREATION MANAGEMENT PLAN</b>	
Area Description .....	5
Recreation Management .....	7
Problem Areas .....	8
Private Lands.....	8
Public Lands .....	9
Other Recreation Use Areas.....	9
<b>IMPLEMENTATION OF THE PLAN</b>	
Phase I —Recreation Use .....	10
Priorities .....	10
Development Plan .....	10
General Recommendations .....	11
Specific Recommendations .....	14
Phase II—Establishment of a Conservation Corridor.....	16
Recommendations.....	17
<b>PLAN SUMMARY .....</b>	<b>17</b>
<b>ACTION AND SUPPORT ROLES</b>	
Property Owners .....	18
Missoula County .....	18
Montana Department of Fish and Game.....	18
Division of Forestry .....	18
University of Montana School of Forestry and Lubrecht Experimental Forest .....	18
Trout Unlimited .....	18
The General Public .....	18
The Nature Conservancy.....	18
Bureau of Outdoor Recreation .....	18
APPENDIX A—Recreation Leases and Draft Agreement	
APPENDIX B—Conservation Easements	
APPENDIX C—First Year Implementation Budget	
APPENDIX D—House Bill No. 341—Montana Session Laws 1975	

# **THE BLACKFOOT RIVER**

## **A CONSERVATION AND RECREATION MANAGEMENT PLAN. . .**

### **Foreword**

Recreation resources, especially those on our remaining free-flowing rivers, are at a premium in our Nation. Expanding populations have moved beyond established recreation areas onto private lands, sometimes at the invitation of the landowners, sometimes not. Here is how one community approached the problem of managing a river corridor to accommodate the recreating public and at the same time to protect the resource and the rights of the landowners.

The Conservation and Recreation Management Plan rests on two separate legal instruments: conservation of the corridor through use of conservation easements negotiated with individual landowners and management of the river's public use through a recreation lease program.

### **History**

In the late 1960's, several individual landowners along a 30-mile stretch of the Blackfoot River in Missoula and Powell Counties, Montana, began efforts to develop a management plan of their respective lands adjacent to the river. By early 1970, The Nature Conservancy initiated further interest among additional landowners and individuals at the University of Montana who were then trying to establish a recreation management and conservation program along the Blackfoot River. The diversity of ownership along the river frontage—26.9 miles, corporate; 27.4 miles, private; and 12.3 miles, public—created special organization problems, and only limited progress was made on the plan the next few years.

In 1973 the Bureau of Outdoor Recreation, perceiving a coordinating role through its technical assistance program, consulted some of the local involved parties on how the Bureau might serve the project. At that time, several landowners were working on a landowner easement donation program, and as Montana did not provide the proper tax relief incentives to landowners for easement donations, the Bureau elected to assist in the development of acceptable conservation easement legislation for submission to the State legislature. For the remainder of 1973 and 1974, the BOR with The Nature Conservancy and others concerned developed the State legislation for the 1975 session. The Bill passed the Montana legislature in early 1975, and the Blackfoot River was selected as a pilot project for a joint Bureau/Conservancy planning and implementation effort under the new legislation. Early work by Hank Goetz and Chuck Hollenbaugh at the University of Montana provided the basis for this master plan.

## Creation of the Plan

The objective of the Conservation and Recreation Management Plan was defined: To protect the natural, scenic, and recreation integrity of the Blackfoot corridor through effective management of public recreation and restrictions on ecologically incompatible uses and development. To accomplish this, it was recommended that recreation leases or recreation easements be used for formal agreements between private landowners and public agencies to assure responsible management of public use and that conservation easements be used to protect the river corridor in future development.



• • • To prevent incompatible development of the river corridor.

As a first step, the Bureau and The Conservancy identified frontage ownerships, delineated a conservation corridor, and identified alternatives for access points to activity areas and public use management. A draft of this early plan was presented at a meeting of landowners, county commissioners and others who evaluated the plan and voiced concerns not previously addressed: existing and escalating recreation use problems, liability, and operation and maintenance costs. At the meeting, a Blackfoot River Task Force was established, and the Bureau and The Conservancy were joined by representatives from the University of Montana, Champion International, two private landowners, and Missoula County to further develop the Conservation and Recreation Management Plan. A goal was set for implementation of an initial public use management program by the summer of 1976.

Participation in the planning process was expanded to include minor landowners and land management agencies—the Montana Department of Fish and Game and the Montana Division

of Forestry. This larger group considered the second draft. By November 1975, the remaining corporate landowners had become involved with the project, and the second draft was revised and disseminated.

The Task Force, thus formed, continued the protracted planning process through the winter and spring until a document acceptable to all parties was developed. Chaired by Mr. Hank Goetz of the University of Montana School of Forestry, the Task Force consisted of the following members, who illustrate a wide range of representation and interest:

**Private Landowners**

Land Lindbergh—Lindbergh Cattle Company  
Bill Potter and John Stone—E Bar L Ranch  
Rodney Vannoy—Rancher  
Paul Brunner—Rancher  
Tom Collins—Landowner

**Corporate Representatives**

Ernie Corrick and Joe Sieminski—Champion International Corporation  
Laurie Harvey—Burlington Northern Railroad  
Karl Jensen—Milwaukee Road

**University of Montana**

Arnold Bolle and Hank Goetz—School of Forestry  
Tom Collins—University of Montana Foundation (and landowner)  
Jerry Walker—Graduate Student

**Missoula**

Chuck Hollenbaugh—Missoula Planning Board  
Garry Kryszak—Missoula Parks Superintendent

**State of Montana**

Chuck Wright—Montana Division of Forestry  
Jim Ford and Tom Greenwood—Montana Department of Fish and Game

**U.S. Department of the Interior**

Darrell Sall—Bureau of Land Management  
Jerry Stokes—Bureau of Outdoor Recreation

**Others**

Mrs. Elmer Cahoon—Potomac Valley Garden Club  
Bob Knight—local attorney  
Joe McDowell—local citizen  
Kevin Gales—Trout Unlimited  
Ken Margolis—The Nature Conservancy

The Bureau's staff representative who coordinated all phases of the development of this plan was Jerry Stokes, of the Mid-Continent Regional Office in Denver.

## **Credit of Accomplishments**

The planning process, itself, resulted in accomplishments even before finalization and printing of this plan:

- The County Commissioners agreed to support the plan and accept responsibility for public use on private lands. They also committed funds for the initial implementation phase.

- The Montana Department of Fish and Game agreed to support the initial implementation phase with funds, limited material, and administrative assistance.
- County Commissioners formed the Blackfoot River Recreation Management Advisory Council—a coalition of private and corporate landowners, local, state, and federal land managers and planners, and recreation users who will implement the plan and manage recreation use on behalf of the commissioners. A public hearing was held in which public acceptance and support of the plan was expressed.
- Landowners and land managers agreed to participate in the recreation management program for a one-year trial period.
- A recreation manager and an assistant were hired to administer the recreation management and study program for the first year.
- Montana Division of Forestry is developing management plans compatible with the Blackfoot Plan for the three key parcels which they manage.
- The planning group implemented the initial management phase. The group's objective of an effective, on-the-ground, functional management program for over 30 miles of mostly privately-owned river frontage by the summer of 1976 was accomplished. The plan has been in effect since June 1976.

The plan is the product of a results-oriented planning process that has emphasized local involvement and direction. The result of this effort is an evolutionary, yet functional, skeletal framework within which recreation management and river protection objectives can be achieved. Providing a preliminary management approach, the plan is specific enough to give direction to an overall management program, yet general enough to allow for considerable modification. The structure of the plan ensures that the local landowners, land managers, and public agencies, in cooperation with the local public, will determine the future character of the Blackfoot River.

## **CONSERVATION AND RECREATION MANAGEMENT PLAN**

### **Area Description**

The study area extends along the Blackfoot River from Johnsrud Park near the McNamara Bridge upstream to the Montana Fish and Game Department's River Junction fishing access site, a distance of over 30 river miles. Other Department areas included are at Clearwater Junction and Harpers Lake. The Powell County portion only involves recreation use on relevant areas administered by the Department and conservation easements on lands belonging to Champion International Corporation and the Brunner ranch.

The river corridor recommended for protection by easements was established by a Bureau of Outdoor Recreation field team, The Nature Conservancy, and interested local parties. Essentially, a scenic corridor was delineated in the field and then adapted to legal descriptions. Boundaries are based on topography, vegetative cover, ownership pattern, and manmade improvements. Maps delineating the proposed conservation corridor and public use areas are enclosed in the back pocket of this report.

## Ownership and Approximate Frontage Miles

Champion International Corporation.....	25.4
Burlington Northern Railroad.....	1.1
Montana State Trust Lands.....	5.4
U.S. Bureau of Land Management.....	.1
The Nature Conservancy.....	.3
University of Montana Lubrecht Forest.....	3.7
Lindbergh Cattle Company and Land Lindbergh (including Clearwater frontage) .....	13.9
E Bar L Ranch (including Clearwater frontage) .....	13.6
Vannoy .....	.6
Milwaukee Road.....	.4
Brunner.....	.4*
Montana Fish and Game Department .....	3.1
Collins .....	1.1

\*Only frontage included in proposed Conservation Reserve.



■ ■ ■ To maintain the scenic integrity of the river.

The Blackfoot River offers a variety of contrasts in topography, setting, and moods as it flows through narrow canyons, forests, and plains. From the river, one has views of high, sheer rock walls; more gentle and distant slopes; flat, swampy estuary areas; forested terraces along meanders; and high, steep slopes covered with towering Ponderosa pines, Douglas firs, and larch. Marmot colonies, ducks, osprey, bald eagles, and beaver are commonly seen. In season, the wildflowers provide a spectacular array of color. In the middle segment of the study area, the river deeply incises a valley floor forming high benches on each side. Even though the river is flanked in places by broad, flat expanses of ranch land, the high banks limit visual intrusions to short distances on each side. The upper and lower segments, in contrast, flow through steep, narrow canyons. Although the dominant topography here consists of formidable steep slopes, the river meanders have produced picturesque meadow-like flat benches. Several series of rapids provide a challenge to even the most experienced boatmen.

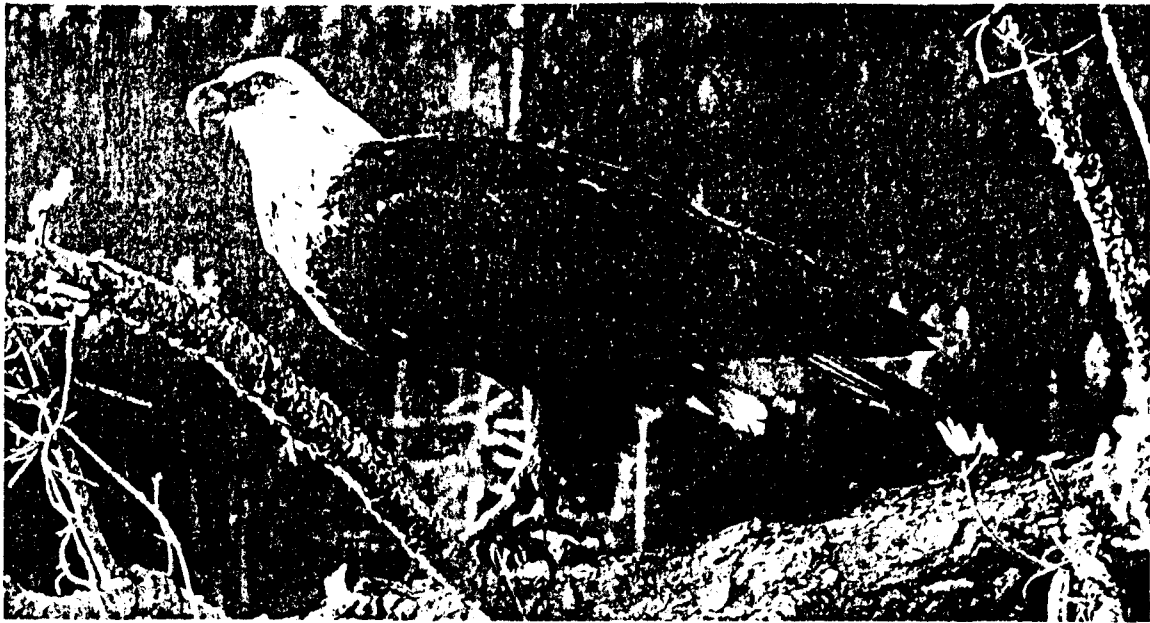
## **Recreation Management**

The Recreation Management Program will be instituted for a trial period by a confederation of agencies, organizations, and individuals working toward the common goal of managed and responsible public use of the Blackfoot River Recreation Management Area. The confederation will be coordinated by the Blackfoot River Recreation Management Advisory Council, formed by invitation of the Missoula County Commissioners to act in behalf of the Commission on matters relating to the Recreation Management Area. The Council will be composed of three riparian landowners (although three landowners would be regular members, others could participate as they desired); one legal advisor; and one representative each from the following: University of Montana School of Forestry, Missoula Planning Staff, Montana Department of Fish and Game, Montana Department of Natural Resources Division of Forestry, Missoula Parks Department, U.S. Bureau of Land Management, and the general public.

A recreation manager under the supervision of the Advisory Council will be responsible for conducting an in-depth study of recreation users' and landowners' problems, preferences, and attitudes. The University of Montana's School of Forestry will assist the Council in supervising the research; preferably, the manager should be affiliated with the University's graduate program. He will require an assistant. Funding for the study and management functions will be provided jointly by Missoula County and the Department of Fish and Game.

In the conduct of the study, the manager will be responsible for orientation of the recreating public on the intent of the program and on the uses of various recreation sites. His approach during this trial period will be one of signing, site design, and personal explanation to achieve cooperation. The manager may, however, summon appropriate authorities if the public does not cooperate or if he encounters a gross disregard for private property. Through his observations and contact with landowners and the public, the recreation manager can serve as a focal point in identifying use problems at an early stage.

The Nature Conservancy, with the cooperation of Dr. John Craighead of the University of Montana, will conduct an ecological inventory of the Blackfoot River corridor to gather baseline information regarding water quality, fisheries, aquatic life, riparian vegetation, and wildlife habitat. Special attention will be paid to unique features, such as raptor nests, rare plant communities, and areas of special fragility. The inventory will be a major consideration in recreation planning for the corridor and will also establish the baseline information for conservation easements to be taken by The Nature Conservancy.



■ ■ ■ *To protect the river's ecosystem.*

**Problem Areas.**—Recreation management problem areas on private and public lands are identified in the following accounts by numbers keyed to maps enclosed in the pocket of this report. Problems generally faced by all landowners are gates left open, trampling or cutting of fences, littering, and various other forms of vandalism.

**Private Lands.**—The greatest public use/private landowner conflict occurs in the two-mile stretch of the river below the Clearwater/Blackfoot confluence (#14) where the Sunset Hill county road parallels the river. Problems arise along this frontage owned by Lindberg Cattle Company and E Bar L Ranch from uncontrolled parking, litter, extended unauthorized camping, and vandalism of private property. Overuse is resulting in resource damage in the confluence area.

At the Highway 200 crossing (#12) at Roundup Bar, recreationists who bank fish and put into the river, cause repeated destruction of fences even though walk-over fence crossings are provided by the landowner. There is site deterioration from overuse and litter. Inadequate parking control and parking facilities result in congestion and traffic and pedestrian hazards. Adjacent landowners are disturbed by the heavy public use. Although this is one of the most popular floater access and fishing sites in the area, access to the river is difficult, and the rapids are hazardous to floaters using this area as a put-in point.

At the informal camping area (#10) at the western end of Ninemile Prairie, there is site deterioration and occasional littering.

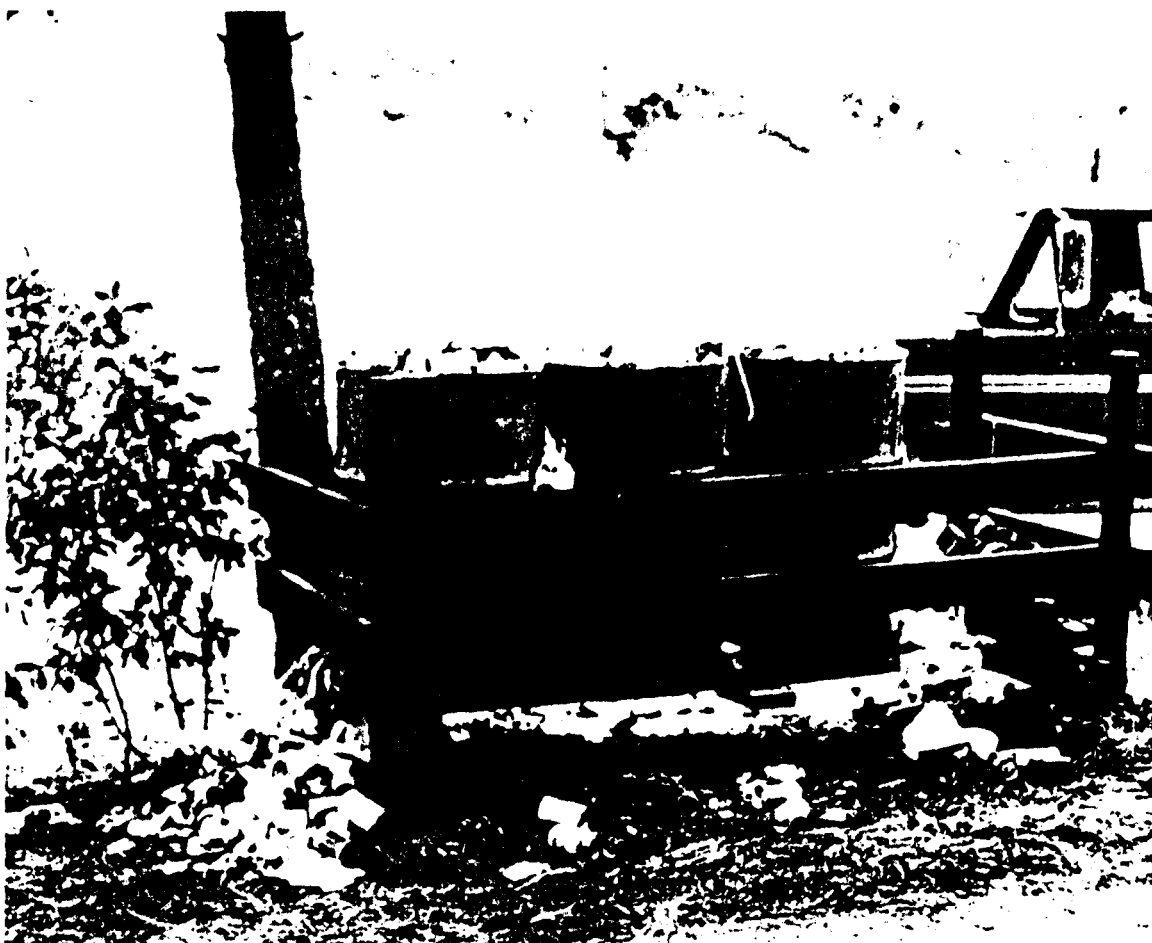
Belmont Creek (#9) is an outstanding scenic site presently used for overnight camping. There is evidence of site deterioration from overuse and littering.

Site deterioration and littering near site (#8). Unauthorized gatherings and an abandoned and destroyed automobile are additional evidence that control of public use is necessary here.

Whitaker Bridge (#5) is used as a floater access point. It has inadequate parking and access to the river is difficult.



Johnsrud Park (#1) has been managed by the Potomac Valley Garden Club on a voluntary basis for the past 13 years through a lease agreement between the Club and Champion International Corporation, owner of the property. Unruly crowds, destruction of facilities, and maintenance costs now necessitate either management by a public body or public assistance to the Club in dealing with these problems.



• • • *To better manage public use.*

**Public Lands.**—There are no facilities and only limited access at the Montana Fish and Game Department area (not shown on map) near Box Canyon. Another Department access site (#11), which receives minimal public use, is excessively rocky and open, and access to the river is very difficult.

The State Trust Land at Sperry Grade (#15), administered by the Montana Division of Forestry, has no signed public access along the one mile of frontage, although some lots are open to public use. The cabin lease program in effect in this section has resulted in intrusions upon the river corridor.

The 3.7 miles of frontage owned by the University of Montana's Lubrecht Experimental Forest is also underutilized; however, efforts are being made to provide more facilities for outdoor recreation.

**Other Recreation Use Areas.**—Sites #2 and #3, owned by Champion International Corporation, are presently used for overnight camping, hiking, and fishing. The areas are clean, and it is obvious that users are conscientious in the care of the sites. Champion International has no objection to public use of the areas.

## **Implementation of the Plan**

**Phase I—Recreation Use**—The first phase of the Conservation and Recreation Management Plan is the formalization of public use of private lands on the Blackfoot River to be effected through an agreement, such as a recreation lease, between the landowners and a public body. The conditions of the agreement will allow certain recreational uses along the river, e.g., fishing and hiking, while providing assurances that both private and public interests will be protected. (See appendix A for discussion of recreation leases.)

### **Priorities**

1. Missoula County's formal acceptance of the Master Plan and formation of the Advisory Council.
2. Consummation of Recreation Use Agreements among landowners, land managers, and Missoula County.
3. Advisory Council's initiation of the river study and user orientation program. (See appendix D for budget estimates.)
  - (a) Provision of a recreation manager to conduct the recreation study and supervise public use.
  - (b) Installation of signs and accomplishment of Phase I site development.
  - (c) Conduct public meetings to explain the recreation management program and promotion of public education through news media.
4. Initiation of compatible management plans on State Trust Lands and conservation easements on private lands.

## **Development Plan**

### **Site #**

- 1 Johnsrud Park—new identification sign on Highway 200 and signing to indicate site identification and overnight camping. Montana Department of Fish and Game will assist the Potomac Valley Garden Club with garbage pickup and minor site rehabilitation.
- 2 & 3 Signing to indicate day use.
- 4 Thibideau Rapids—site identification sign indicating day use area.
- 5 & 6 Whitaker Bridge Area—signing to indicate site identification, hazardous rapids, day use activities area, and back-country use area.
- 7 & 8 No development.

- 9 Belmont Creek—signing to indicate site identification and day use. Installation of barriers to control vehicular access.
- 10 West Ninemile Prairie—signing to identify the site and to indicate overnight use. Development will include one vault toilet, access road improvement, and barriers to move camping back from the river.
- 11 Ninemile Prairie Fishing Access Site (existing Department of Fish and Game facility)—signing to indicate the turnoff point on Ninemile Prairie Road and overnight use. Long range plans provide for phase-out of this site and development of #10.
- Milwaukee Road's Sunset Area (not numbered)—signing to indicate day use parking. Development will include parking spaces for four vehicles. Vehicular access down to the river will be restricted and the area signed accordingly.
- 12 Roundup Bar Area—directional signing on Highway 200 to indicate overall recreation corridor information. Site signing to reorient parking to west side of Highway 200 on the north side of the river and to indicate day use activities and rapids hazard. Present parking area will be eliminated and new parking spaces developed as indicated above. One vault toilet will be provided.
- 13a South Sunset Road Access Site—signing to indicate site identification, parking for day use only, no camping, no campfires. Site will be developed for three parking spaces. Authorized activities include hiking, picnicking, and bank fishing.
- 13b North Sunset Hill Road Access Site—signing to indicate site identification, parking, day use only—no camping, no campfires. Site improvement will include fence relocation and development of six parking spaces. Authorized activities include hiking, picnicking, bank fishing, and floater access.
- 14 Walk-in fishing area (Blackfoot River/Sunset Hill Road parallel)—signing to prohibit parking between North and South Sunset Hill Road access sites and to indicate day use only.
- 15 Sperry Grade—signing to indicate river access and day use.
- 16 County Line Access Point—highway directional sign and signing to indicate site identification and day use. Improvements will include access road improvement and barriers to control vehicular traffic.

**Note:** Day use includes hiking, picnicking, fishing, and floater access.

## General Recommendations

1. Missoula County enter into a lease agreement with private landowners to manage the public recreation use of private lands from Johnsrud Park to the Missoula/Powell County line. It is further recommended that public agencies enter into the agreement to manage their lands in accordance with this plan.
2. A Blackfoot River Recreation Management Advisory Council be established to provide overall continuity and guidance to the recreation management program.
3. All plans for recreation development within the Blackfoot River Recreation Management Area be consistent with the Missoula County Park Recreation and Open Space Plan and

the Blackfoot River Conservation and Recreation Management Master Plan. Developments should be approved by the Blackfoot River Recreation Management Advisory Council.

4. Overnight use be concentrated on areas managed by the Montana Department of Fish and Game, Johnsrud Park (#1) and West Ninemile Prairie (#10).
5. Recreation facilities be concentrated on the road side of the river through the recreation management area. The side of the river lacking significant manmade improvements should be managed for dispersed recreation use only.
6. Area recreation orientation signs be erected on Highway 200 along the approaches to the recreation corridor. This signing would be helpful in directing the camping public to designated overnight use sites.
7. Recreation and ecological studies be conducted to provide the Advisory Council with additional information on which to base management decisions. The initial steps in implementing the Blackfoot River Master Plan should proceed while the studies are in progress; the results can then be used to refine or modify the plan as appropriate. The studies will be done as a graduate project through the University of Montana.



■ ■ ■ To provide adequate public access.

8. Where agreeable with the landowner, a pedestrian use corridor be designated to connect the recreation nodes. Except where excluded in the recreation agreement, a strip on each side of the river within 50 feet of the high-water mark and extending the entire length from the Missoula/Powell County line to Johnsrud Park will constitute the designated recreation use corridor. The corridor will provide hiking and fishing as well as floater access to the river banks. The pedestrian use corridor will be adequately signed and managed by exception, i.e., trespass outside the corridor will be reported to the agency responsible for recreation management in that area. Signing will prohibit bank access where desired by the landowner. Signs will be posted to inform the public that they are on private land with the sufferance of the landowner.
9. Development of facilities on leased areas be kept to the minimum necessary for recreation user control, health, and safety.
10. The following regulations be promulgated by the managing agency:
  - (a) Access to the river corridor only through designated access points.
  - (b) No parking outside designated areas.
  - (c) No overnight camping in parking areas or on the river corridor except where specified.
  - (d) All garbage must be packed out except where trash receptacles are provided.



• • • To conserve a valuable recreational resource.

- (e) Activities outside the designated recreation corridor not permitted without the landowner's consent.
  - (f) No motorized vehicles beyond access points.
  - (g) No motorized river craft.
  - (h) Tampering with irrigation systems, fences, gates, and appurtenances prohibited.
  - (i) No campfires on private land except in designated campsites.
  - (j) No shooting in the river corridor area except during hunting season.
  - (k) No shooting from rafts or canoes.
11. The primary thrust of user control be through adequate signing of recreation use areas and supervision by the corridor recreation managers.
  12. Should the Milwaukee Railroad line that follows the river ever be abandoned, every effort be made to acquire the right-of-way for a trail along the Blackfoot east to the proposed West Ninemile Camping Area (#10). This railroad right-of-way is of prime recreation potential and could possibly link Missoula to some of the most scenic stretches of the Blackfoot River.
  13. Public recreation use of the corridor be channeled to the greatest extent possible to publicly owned lands, e.g., Lubrecht Forest, Montana Fish and Game Department frontage, and those tracts of the Montana State School Trust. These lands could relieve much of the public recreation use of private lands.

## Specific Recommendations

1. **Johnsrud Park (#1).**—Though managed by the Potomac Valley Garden Club, inclusion of this area into the overall management program would ensure continuity and consistency in recreation management. This recommendation will not be implemented without the approval and support of the Club presently managing the site. The Blackfoot River Recreation Management Advisory Council should assist the Club with its management problems.
2. **Sites #2 and #3.**—These areas should provide for day use. They should be considered for development for overnight use as future pressure dictates.
3. **Site #4 at Thibideau Rapids.**—This State Trust Land provides the most accessible and best view of one of the river's several series of rapids. It is a scenic area and a significant day use site and should be managed for day use only.
4. **Whitaker Bridge Site (#5).**—The left bank north of Whitaker Bridge is presently used as a floater access point. Parking facilities and better access to the river should be provided.
5. **The south side of the Blackfoot River from Whitaker Bridge** east through Lubrecht Forest should be managed as a back-country dispersed recreation area. Sites #7, #8, and an unnumbered floater campsite would provide primitive camping areas. Vehicular access should be restricted to prevent future vandalism, automobile destruction and abandonment, unauthorized gatherings, littering, and site deterioration. The topography is such that a substantial metal gate would close public vehicular use of the logging road into the area, while still allowing Champion International and Division of Forestry personnel easy

access for logging, timber management, and fire control. Location of the gate near Whitaker Bridge would enable patrol personnel to easily determine unauthorized entry into the area.

6. **Belmont Creek (#9).**—This very scenic area is overused as an informal campsite. Litter and site deterioration are prevalent. Development would greatly reduce the quality of this area; therefore, no facilities should be provided and the area restricted to day use. Vehicular access should be restricted to reduce further site deterioration.
7. **West Ninemile Prairie Site (#10).**—This site receives heavy use without presenting any significant management problems. The area should be designated as an overnight camping area with minimal facilities. The Department of Fish and Game should consider using this site as its primary public fishing access area and phasing out the undesirable Ninemile Prairie access site (#11) two miles up-river.
8. **Unnumbered site** on the Milwaukee Road parcel at Sunset Hill Road between sites #11 and #12 should be utilized as a designated parking area to provide an access point for day use. Vehicular access to the river should be restricted.
9. **Highway 200 Access Point at Roundup Bar (Site #12).**—A lease should cover an area sufficient for parking and floater/fishing access. The topography, nearby residential and commercial developments, and existing use patterns will require considerable site planning to make this a safe, functional, and unobtrusive access point. The site should include one vault toilet and designated parking spaces.
10. **Sites #13A and #13B at each end of the Two-mile Sunset Hill Road/Blackfoot River Parallel Stretch.**—These sites would provide parking and minimal sanitary facilities for walk-in bank fishing. Area #14 should be managed as a public day use area. Since most public use problems arise in this area, it should be closely managed and designated uses strictly enforced. Easy vehicular access here has resulted in uncontrolled parking which restricts traffic flow and agricultural access, extended unauthorized camping, and vandalism of private property. County road maintenance procedures have unnecessarily widened this portion of the road, even though the road is on private property and no easement of record exists for public right-of-way. Parking, traffic and the dust it generates, and the lack of vegetative screening between the river and the road greatly reduce user enjoyment and the aesthetic integrity of the area. The only property accesses served by this portion of the road are those belonging to Lindbergh Cattle Company and E Bar L Ranch. Access into other holdings in the area is provided through entry points at Greenough and Clearwater Junction.

It is recommended that the problems and associated public vehicular use of this portion of the Sunset Hill Road be evaluated in the recreation study. The resulting data can then be used to determine the best solutions for alleviating the problems in the interest of the resource and the public.

It is further recommended that the desirability of designating this reach of the river as a "fly-fishing only" area be assessed in the study to provide data on user preferences and the fisheries resources.

Initial management efforts in the Sunset Hill Road area should emphasize parking control and "day use only" activities.

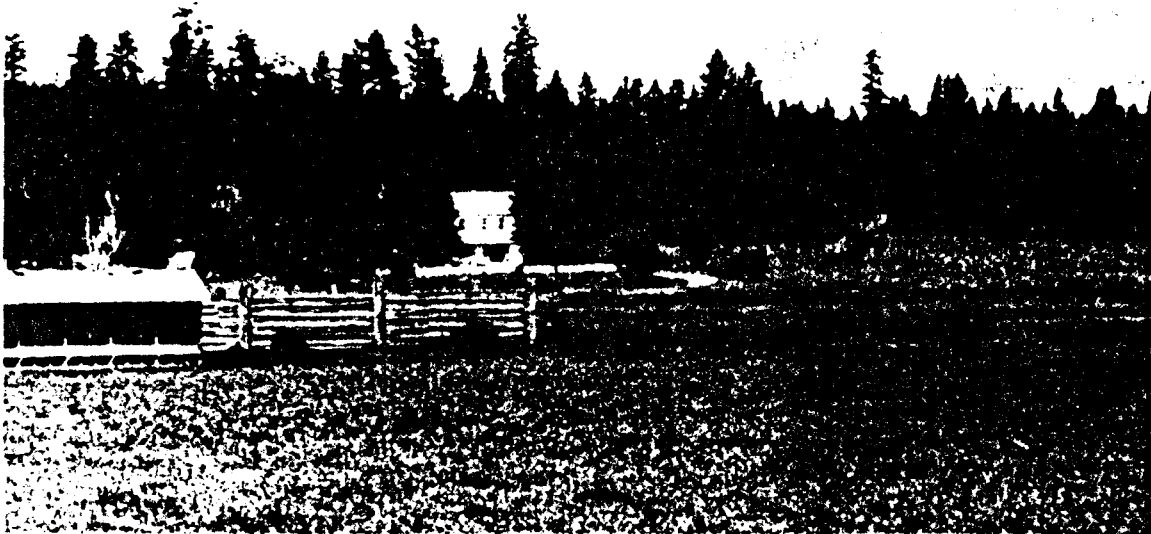
11. **Sperry Grade Access Point (#15).**—An agreement between the County and the Montana Division of Forestry should provide a signed public bank fishing and floater access corridor on the west bank to allow freedom of movement along the river. Also, long-range

planning should consider camping development as the need for such facilities increases. Conversion of the area into a public recreation area would require revision of the cabin lease program now in effect. This would necessitate that either a public body or a private recreation entrepreneur provide the Division of Forestry with sufficient revenue to justify conversion to public recreation use.

12. **A Department of Fish and Game parcel** (not shown on map) downriver from the Blackfoot River's confluence with its North Fork should be used as a public access site, thereby relieving some of the public use pressure on private lands.

**Phase II—Establishment of a Conservation Corridor**—The second phase, to be instituted simultaneously with Phase I, is the establishment of a conservation corridor to protect the Blackfoot River from future encroachments.

The corridor will be created by a series of conservation easements (see appendix B) negotiated with each individual frontage landowner and will form a continuous band along both sides of the river. The primary consideration in delineating the corridor is the development set-back from the river necessary to protect the aesthetic and visual integrity, water quality, and the fisheries resource. Since much public use is made of the roads paralleling the river, views of the valley from these vantage points are considered. Accordingly, segments of the Blackfoot valley with its picturesque farm and ranch land and timbered slopes are included in the conservation proposal. Even though some of these areas cannot be seen from the river itself, they are significant to the panorama of the Blackfoot valley from the various vantage points.



• • • To preserve the agricultural way of life associated with the Blackfoot River.

The initial phase in establishment of this corridor will be the creation of a Conservation Reserve along the river from the Clearwater confluence up-river to include the Chamberlain Creek estuary. This area is important to the river's ecosystem which provides habitat and



niches for bald eagles, blue herons, ospreys, beavers, and elk. The reserve would include lands within the proposed conservation corridor belonging to E Bar L Ranch, Land Lindbergh, Paul Brunner, Champion International Corporation, and the State School Trust Lands. The reserve would be established on the private parcels through conservation easements and on State Trust Lands through compatible management by the Division of Forestry, managing agency for these lands. In essence, the easements on private lands within the conservation reserve would limit future development while allowing existing forestry and agricultural use to continue. The Division of Forestry would limit further development on the two State Trust parcels and restrict timber harvesting to light selection, salvage, and sanitation cuts.

The downriver State Trust Land parcel at Thibideau Rapids should be similarly managed in a manner consistent with the scenic qualities of the river.

The Montana Natural Areas Act of 1973 in Section 81-2703 includes in the definition of "Natural Area" the requirement that designated natural areas have one or more of the following characteristics:

- (a) An outstanding mixture of variety of vegetation, wildlife, water resource, landscape, and scenic values.
- (b) An important or rare ecological feature or other rare or significant natural feature worthy of preservation for scientific, educational, or ecological purposes.

The Act also includes consideration of areas possessing these characteristics to a degree promising their restoration to a natural state. Administrative responsibility for implementing the Natural Areas Act is assigned to the Department of State Lands. It is suggested that the School Trust parcels, recommended in the master plan for inclusion in the conservation corridor, be considered for Natural Area designation. These parcels are important to the scenic and ecological integrity of the Blackfoot River and should be managed accordingly.

## **Recommendations**

1. A conservation corridor be established through conservation easements along the Blackfoot River from the Chamberlain Creek estuary downriver to Johnsrud Park.
2. The initial phase in the creation of this conservation corridor be the establishment of a Conservation Reserve from the Chamberlain Creek estuary downriver to the Clearwater/Blackfoot confluence.
3. The Montana Division of Forestry through the Department of Natural Resources, Department of State Lands, and the Board of Land Commissioners establish, either by administrative procedure or Natural Area classification, future protection and use of the relevant School Trust Lands that are compatible with the Blackfoot River Conservation and Recreation Management Master Plan.

## **PLAN SUMMARY**

The Conservation and Recreation Management Plan rests on two separate legal instruments: conservation of the corridor through use of conservation easements negotiated with individual landowners and management of the river's public use through a recreation lease program. The access points and pedestrian use corridor will constitute a recreation corridor separate from but within the conservation corridor. The recreation corridor boundaries may or may not, depending on the landowner's prerogative, correspond to the

conservation corridor boundaries. Leases will be negotiated between each landowner and a public body, such as Missoula County or the Montana Department of Fish and Game.

## ACTION AND SUPPORT ROLES

Implementation will require action and support by the property owners, Missoula County, Montana Department of Fish and Game, Montana Division of Forestry, The Nature Conservancy, the Bureau of Outdoor Recreation, and the general public—with emphasis on local management, local use, and voluntary landowner participation.

**Property Owners.**—Protection of the Blackfoot River and its resources rests with the landowners and their desire for responsible management of public recreational use and/or conservation of the river. Specifically, landowners might donate leases for specified day use recreation sites and easements to protect the river from incompatible development. They may also assist in site development of day use areas.

**Missoula County.**—Management of public recreation use along a portion of the Blackfoot River through recreation agreements negotiated with the property owners. Further support from the County has been identified as (a) radio equipment for the recreation manager; (b) funding assistance for recreation study and management; (c) assistance through the Comprehensive Employment and Training Act to provide various individuals for day-to-day maintenance; and (d) law enforcement response.

**Montana Department of Fish and Game.**—Assistance in management of public use of private lands and Department public access sites. Development of facilities might be funded by the Department through its administration of the Bureau of Outdoor Recreation's matching Land and Water Conservation Fund. Other support: (a) funding assistance for the recreation study; (b) garbage pickup, toilet maintenance, limited operations and maintenance support, and sign construction; (c) fish and game law enforcement; (d) staff coordination and administrative support of recreation manager and County CETA personnel; and mileage allowance for recreation manager.

**Division of Forestry.**—Within legislative constraints, compatible management of State Trust Lands; cooperation with Department of Fish and Game in limited operation and maintenance support; improvement of public access and site maintenance at Sperry Grade; and sign construction.

**University of Montana School of Forestry and Lubrecht Experimental Forest.**—Supervision of the recreation manager's study of recreational and conservation concerns; a vehicle for the recreation manager; and administrative support for (a) a base of operations at Lubrecht for the recreation manager, (b) coordination of the master plan implementation, and (c) cost accounting of funds.

**Trout Unlimited.**—Volunteer assistance in site development by the local chapter, and limited funding support by the national organization.

**The General Public.**—Understanding and support of the plan is necessary for successful implementation. Public hearings should be held to provide a forum for dialogue.

**The Nature Conservancy.**—Coordination and funding assistance in the ecological inventory; and implementation of the conservation easement phase of the proposal through negotiation and acceptance of the easements.

**Bureau of Outdoor Recreation.**—Planning and coordination assistance in the implementation of the master plan recreation and conservation concepts.

## **APPENDIX A**

### **Recreation Leases**

Recreation leases will be voluntarily acquired from the landowners by a public body willing to assume recreation management responsibilities along the Blackfoot River. This arrangement would formalize the public agency's responsibility and right to manage public use in a manner it deems necessary within the terms of the lease for a period of time agreeable to both the landowner and the public body.

The flexibility of this legal instrument is of paramount importance. It may be tailored to the individual landowner's needs for his maximum benefit in obtaining assistance from a public body to control public use problems. As envisioned in this proposal, the recreation leases would apply to specific sites where public use would be allowed, channeled, and managed. These sites would necessarily have to be functional and desirable areas for public use.

In addition, recreation would extend along a narrow designated pedestrian use corridor. The location and width of the pedestrian use or recreation corridor will be determined on an individual landowner basis to minimize conflict between public river use and the landowner's use of his land.

The designated recreation nodes will concentrate public use in specified areas thereby facilitating public use management. Once the river users have entered the recreation corridor through these nodes, they will fan out within the designated pedestrian use corridor along the river to bank-fish or hike. This pedestrian use corridor and the recreation nodes will also meet the needs of floaters, and where specified, campers.

The recreation lease can serve as a temporary experimental approach to solving the problems associated with public use of privately owned land. The lease may be modified at renewal to fit changing conditions or to correct deficiencies in previous leases.

# DRAFT AGREEMENT

MADE AND CONCLUDED this \_\_\_\_\_ day of \_\_\_\_\_, 1976, by and between the private landowners signatory hereto (hereinafter referred to as "LANDOWNERS") and the public land managing agencies (hereinafter referred to as "LANDMANAGERS"), and the Missoula County Commissioners (hereinafter referred to as the "COUNTY");

WITNESSETH THAT:

WHEREAS, the parties hereto agree that it will be of benefit to the parties hereto and to the public to provide for adequate and responsible conservation and recreational management of the Blackfoot River; and

WHEREAS, the COUNTY has undertaken to formalize the management of public recreational use of the privately owned lands on the Blackfoot River, as set forth in their Conservation and Recreation Management Plan; and

WHEREAS, the LANDOWNER is the owner of a certain tract or tracts of land located within the recreation corridor as described in the Management Plan, and desires responsible management of the public use of his property; and

WHEREAS, the LANDMANAGER is the manager of a certain tract or tracts of land within the recreation corridor as described in the Management Plan and desires the management and public use of this property compatible with the Conservation and Recreation Management Plan.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

1. LANDOWNER hereby licenses and authorizes the COUNTY for the period of time from the date of this agreement to March 15, 1977, to manage the public use, for certain recreational uses, of his property located on the Blackfoot River, as more particularly shown and described on the map or plan attached hereto, and made a part hereof, and marked "Exhibit "A"."

2. The LANDMANAGER agrees that they shall manage and maintain the land, and provide rules and regulations for its uses in a manner that is compatible with the Recreation Management Plan attached hereto, made a part hereof, and marked "Exhibit "A"."

3. The COUNTY shall pay LANDOWNER the sum of One Dollar (\$1.00) each year for this privilege of managing and maintaining said lands for public recreation uses.

4. This agreement will remain in effect for the period of time from date of signing by COUNTY hereof until March 15, 1977. COUNTY may give notice to LANDOWNER of their desire to renew this agreement, said notice to be delivered to LANDOWNER by January 15, 1977, thereafter the parties shall have until March 15, 1977, to reach a new agreement.

5. LANDOWNER and LANDMANAGERS reserve exclusive possession and control of the lands and/or timber on the tract or tracts described herein, subject only to the rights and authority herein specifically granted to the COUNTY, which shall not interfere with LANDOWNER'S or LANDMANAGER'S timber management, timber harvest, or agricultural use. LANDOWNER and LANDMANAGERS further reserve the right and are empowered to remove or cause to be removed, any person or persons from said lands who by their conduct or otherwise, fail to comply with the rules and regulations applicable thereto by virtue of the implementation of the Recreation Management Plan.

6. The COUNTY shall manage and maintain the land, and provide rules and regulations for its uses, as described in the recreation Management Plan attached hereto, made a part hereof, and marked Exhibit "A".

7. The recreation use corridor shall be as described in the Recreation Management Plan, except that the Chicago, Milwaukee, St. Paul and Pacific Railroad's existing right-of-way is specifically excluded

## APPENDIX B

### Conservation Easements

An easement is a right in land which is less than full ownership. A conservation easement conveys the right to prevent development or other actions detrimental to the land's natural character. However, a conservation easement does not prevent the owner from using his land for purposes consistent with the easement, nor does it permit the general public, or the easement holder, to use the land in any manner. Thus, in granting a conservation easement the landowner gives up his development rights, but he retains all other rights including his right to sell his remaining interest in the property. And, of course, he must pay property taxes.

In Montana, land subject to a conservation easement is taxed on the basis of the restricted purposes for which the property may be used. For example, property encumbered by an easement prohibiting all uses except agriculture or forestry can only be taxed at its value for agriculture or forestry.

The landowner may specify in the easement those interests he wishes to retain as well as the rights he relinquishes. The easement may also be granted for a 15-year term or in perpetuity.

The landowner who donates a conservation easement in perpetuity to a public body or certain qualifying private organizations is permitted to deduct for income tax purposes the value of the easement. This value is determined by subtracting the fair market value of the property subject to the easement from the fair market value of the property without the easement.

As specified in the Open Space Land and Voluntary Conservation Easement Act (see appendix D), the easements may be held by either a qualifying private organization or a public body. Examples of qualifying organizations to whom the landowner might wish to grant an easement are The Nature Conservancy or the Montana Foundation of the University of Montana. Examples of public bodies the landowner might consider are Missoula County or the Montana Department of Fish and Game.

If the landowner so desires, he may have the terms of public recreation use written into the conservation easement. Or, he may have the terms of a recreation lease agreement incorporated into the conservation easement at a later date. Also, there is the potential for an additional tax advantage to the landowner if he donates an easement for public use.

## APPENDIX C

### First Year Implementation Budget

#### I. Recreation Phase

##### A. Management/Study Functions

Responsible Agency	Amount
Missoula County .....	\$4,150
Montana Department of Fish and Game.....	4,150
TOTAL.....	\$8,300

##### B. Development, Operation and Maintenance Costs

Responsible Agency	Amount
Missoula County .....	\$ 850
Montana Department of Fish and Game.....	2,850
TOTAL.....	\$3,700
TOTAL.....	\$12,000

##### C. Line Item Cost Breakout

###### 1. Study/Management

Item	Cost
Salary for chief researcher/manager .....	\$3,375
Salary for assistant researcher/manager.....	1,451
Employee benefits .....	674
Supplies and materials .....	1,000
Travel expenses .....	1,800
TOTAL .....	\$8,300

###### 2. Development/Operation and Maintenance

Item	Cost
Pit Toilets (3) .....	\$1,000
Equipment and operator time and materials .....	2,500
Toilet maintenance.....	200
TOTAL .....	\$3,700
TOTAL .....	\$12,000

D. Additional support will be provided through donations of material, labor, equipment time, etc. by various landowners, agencies and organizations.

#### II. Ecological Study/Conservation Easement Phase

The Nature Conservancy will provide the funding and coordination necessary to implement this phase of the proposal.

## APPENDIX D

### House Bill No. 341—Montana Session Laws 1975

UNITED STATES OF AMERICA, )  
State of Montana ) ss.

I, FRANK MURRAY, Secretary of State of the State of Montana, do hereby certify that the following is a true and correct copy of HOUSE Bill No. 341, Chapter No. 489, Montana Session Laws of 1975, enacted by the Forty-fourth Legislature of the State of Montana, approved by Thomas L. Judge, Governor of said State, on the twenty-first day of April, 1975, and effective July 1, 1975.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the great Seal of said State.

Done at the City of Helena, the Capital of said State, this nineteenth day of May, 1975.



Frank Murray  
Secretary of State

CHAPTER NO. 489  
MONTANA SESSION LAWS 1975

HOUSE BILL NO. 341 AN ACT AMENDING THE OPEN SPACE LAND ACT AND PROVIDING FOR CONSERVATION EASEMENTS; AMENDING SECTIONS 62-601, 62-602, 62-603, 62-604, 62-605, 62-608, 67-601, AND 67-602, R.C.M. 1947.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 62-601, R.C.M. 1947, is amended to read as follows:

"62-601. Short title. This act may be cited as the "Open-Space Land **and Voluntary Conservation Easement Act.**"

Section 2. Section 62-602, R.C.M. 1947, is amended to read as follows:

"62-602. Purposes of act. The legislature find that the rapid growth and spread of urban development are creating critical problems of service and finance for the state and local governments; that the present and future rapid population growth in urban areas is creating severe problems of urban and suburban living; **that this population spread and its attendant development is disrupting and altering the remaining natural areas, biotic communities, geological and geographical formations and, thereby, providing the potential for the destruction of scientific, educational, aesthetic, and ecological values; that the present and future rapid population spread throughout the state of Montana into its open spaces, are creating serious problems of lack of open space and overcrowding of the land; that 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 geographic elements in their natural state;** that 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; and that the exercise of authority to acquire or designate interests and

HOUSE BILL NO. 341

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 that 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.**

**In accordance with** these findings, the legislature states that the purposes of this act are to authorize and enable public bodies **and certain qualifying private organizations voluntarily** to provide for **the preservation of native plants or animals, or biotic communities, or geological or geographical formations of scientific, aesthetic or educational interest, and to provide for the preservation of other significant open-space land anywhere in the state either in perpetuity or for a term of years, and, furthermore to encourage private participation in such a program by establishing the policy to be utilized in determining the property tax to be levied upon the real property which is subject to the provisions of this act."**

Section 3. Section 62-603, R.C.M. 1947, is amended to read as follows:

62-603. Definitions. The following terms whenever used or referred to in this act shall have the following meanings unless a different meaning is clearly indicated by the context:

(a) "Public body" means the state, counties, cities, towns and other municipalities.

(b) "Urban area" means any area which is urban in character, including surrounding areas which form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities.

(c) "Open-space land" means any land which is provided or preserved for (1) park or recreational purposes, (2) conservation of land or other natural resources, (3) historic or scenic purposes, or (4) assisting in the shaping of the character, direction, and timing of community development.

(d) "Comprehensive planning" means planning for development and shall include: (1) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities, together with long-range fiscal plans for such development; (2) programming and financing plans for capital improvements; (3) co-ordination of all related plans and planned activities at both the intragovernmental and intergovernmental levels; and (4) preparation of regulatory and administrative measures in support of the foregoing.

(e) **"Conservation easement" means as easement or restriction running with the land and assignable, whereby an owner of land voluntarily relinquishes to the holder of such easement or restriction, any or all rights to construct improvements upon the land or to substantially alter the natural character of the land or to permit the construction of improvements upon the land or the substantial alteration of the natural character of the land, except as this right is expressly reserved in the instruments evidencing the easement or restriction. Conservation easements may be granted either in perpetuity or for a term of years. If granted for a term of years, that term may not be less than fifteen (15) years. An easement granted for a term of years may be renewed for a term of fifteen (15) or more years upon the execution of a new granting instrument by the parties. A conservation easement may be applied to urban or nonurban land.**

(f) **"Qualified private organization" means a private organization: (1) competent to own interests in real property, and; (2) which qualifies and holds a general tax exemption under the Federal Internal Revenue Code, section 501 (c) and; (3) whose organizational purposes are designed to further the purposes of this act."**

Section 4. Section 62-604, R.C.M. 1947, is amended to read as follows:

**"62-604. Acquisition and designation of real property by public body. To carry out the purposes of this act, any public body may (1) acquire by purchase, gift, devise, bequest or grant title to or any interests or rights in real property, including land and water, that will provide a means for the preservation or provision of significant open-space land, or the preservation of native plants or animals, or biotic communities, or geological or geographical formations of scientific, aesthetic, or educational interest, or both, (2) designate any real property, including land and water, in which it has an interest to be retained and used for the preservation and provision of significant open-space land; or the preservation of native plants or animals, or biotic communities, or geological or geographic formations of scientific, aesthetic, or educational interests, or both.**



**Where a public body acquires under this act an interest in land less than fee, this acquisition shall be by conservation easement. Public bodies holding conservation easements shall enforce the provisions of these easements."**

Section 5. Section 62-605, R.C.M. 1947, is amended to read as follows:

"62-605. Conversion or diversion of open-space land, where prohibited—substitution of other realty—conveyance or lease of open-space land authorized. **(1)** No open-space land, the title to, or interest or right in which has been acquired under this act shall be converted or diverted from open-space land use unless the conversion or diversion is: **(a) necessary to the public interest; (b) not in conflict with the program of comprehensive planning for the area; and (c) permitted by the conditions imposed at the time of the creation of the conservation easement.** Other real property of at least equal fair market value and of as nearly as feasible equivalent usefulness and location for use as open-space land shall be substituted within a reasonable period not exceeding one (1) year for any real property converted or diverted from one-space land use. **Property substituted is** subject to the provisions of this act.

**(2) A grantee may convey or lease any real property it has acquired or which has been designated for the purposes of this act. The conveyance or lease shall be subject to contractual arrangements that will preserve the property as open-space land and which are consistent with the express terms and conditions of the grant,** unless the property is to be converted or diverted from open-space land use in accordance with the provisions of subsection **(1)** of this section."

Section 6. Section 62-608, R.C.M. 1947, is amended to read as follows:

"62-608. Taxation of property **subject to conservation easement. Assessments made for taxation on property subject to a conservation easement either in perpetuity or for a term of years where a public body or a qualifying private organization holds the conservation easement, shall be determined on the basis of the restricted purposes for which the property may be used. The minimum assessed value for land subject to an easement conveyed under this chapter may not be less than the actual assessed value of such land in calendar year 1973. Any land subject to such easement may not be classified into a class affording a lesser assessed valuation solely by reason of the creation of the easement. The value of the interest held by a public body or qualifying private organization shall be exempt from property taxation.**

**Expiration of an easement granted for a term of years shall not result in a reassessment of the land for property tax purposes if the easement is renewed and the granting instrument reflecting the renewed easement is executed and properly filed not later than fifteen (15) days after the date of expiration."**

Section 7. There is a new R.C.M. section numbered 62-610 that reads as follows:

62-610. Easements—type allowed. Easement or restrictions under this act may prohibit or limit any or all of the following:

(1) Structures. Construction or placing of buildings, camping trailers, house trailers, mobile homes, roads, signs, billboards or other advertising, utilities or other structures on or above the ground.

(2) Landfill. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials.

(3) Vegetation. Removal or destruction of trees, shrubs or other vegetation.

(4) Loam, gravel, etc. Excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance.

(5) Surface use. Surface use except for such purposes permitting the land or water area to remain predominantly in its existing condition.

(6) Acts detrimental to conservation. Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation or fish and wildlife habitat and preservation.

(7) Subdivision of land. Subdivision of land as defined in section 11-3861.

(8) Other acts. Other acts or uses detrimental to such retention of land or water areas in their existing conditions.

(9) The term "land" in subsections (2) and (3) above, includes land under water, and water, and water surface.

Section 8. There is a new R.C.M. section numbered 62-611 that reads as follows:

62-611. Acquisition of conservation easements by qualified private organizations. Any qualified private organization may acquire by a conservation easement, by purchase or gift, devise, bequest, or

grant, title to any interest or interests in rights in real property, including land and water, that will provide a means for the preservation or provision of permanent significant open-space land and/or the preservation of native plants or animals, or biotic communities, or geological or geographic formations of scientific, aesthetic, or educational interest.

Section 9. There is a new R.C.M. section numbered 62-612 that reads as follows:

62-612. Conservation easements run with the land—enforceability. The provisions of sections 58-305, 58-306, and 58-307, notwithstanding, for the purposes of this act, all conservation easements, whether held by public bodies or qualifying private organizations, shall be considered to run with the land, whether or not such fact is stipulated in the instrument of conveyance or ownership and no conservation easement shall be unenforceable on account of lack of privity of estate or contract or lack of benefit to particular land or on account of such conservation easement not being an appurtenant easement, or because such easement is an easement in gross.

Section 10. There is a new R.C.M. section numbered 62-613 that reads as follows:

62-613. Assignability. For the purposes of this act, all conservation easements shall be assignable unless the instrument of conveyance or ownership expressly stipulates otherwise, and no conservation easement shall be unenforceable on account of the benefit being assignable or being assigned to any other government body or private organization unless such assignment has violated the express terms of the instrument of conveyance or ownership; provided that the assignees must be qualified under the terms of this act to hold a conservation easement.

Section 11. There is a new R.C.M. section numbered 62-614 that reads as follows:

62-614. Review by local planning authority. In order to minimize conflict with local comprehensive planning, all conservation easements shall be subject to review by the appropriate local planning authority for the county within which the land lies prior to recording. It shall be the responsibility of the entity acquiring the conservation easement to present the proposed conveyance of the conservation easement to the appropriate local planning authority. The local planning authority shall have ninety (90) days from receipt of the proposed conveyance within which to review and to comment upon the relationship of the proposed conveyance to comprehensive planning for the area. Such comments will not be binding on the proposed grantor or grantee, but shall be merely advisory in nature. The proposed conveyance may be recorded after comments have been received from the local planning authority, or the local planning authority has indicated in writing it will have no comments, or ninety (90) days have elapsed, whichever first occurs.

Section 12. There is a new R.C.M. section numbered 62-615 that reads as follows:

62-615. Recording and description of land. All conservation easements shall be duly recorded in the county where the land lies so as to effect their titles in the manner of other conveyances of interest in land and shall describe the land subject to said conservation easement by adequate legal description or by reference to a recorded plat showing its boundaries. The county clerk and recorder shall upon recording cause a copy of the conservation easement to be placed in a separate file within the office of the county clerk and recorder and shall cause a copy of the conservation easement to be mailed to the state department of revenue.

Section 13. There is a new R.C.M. section numbered 62-616 that reads as follows:

62-616. Enforcement. Conservation easements may be enforced by injunction or proceedings in equity. Representatives of the grantee of the conservation easement shall be entitled to enter the land in a reasonable manner and at reasonable times to assure compliance.

Section 14. There is a new R.C.M. section numbered 62-618 that reads as follows:

62-618. Construction. This section shall not be construed to imply that any easement, covenant, condition or restriction which does not have the benefit of this act shall on account of any provisions hereof be unenforceable. Nothing in this act shall diminish the powers granted by any general or special law to acquire by purchase, gift, eminent domain or otherwise and to use land for public purposes.

Section 15. Section 67-609, R.C.M. 1947, is renumbered 62-617.

Section 16. Section 67-601, R.C.M. 1947, is amended to read as follows:

"67-601. Servitudes attached to land. The following land burdens, or servitudes upon land, may be attached to other land as incidents or appurtenances, and are then called easements:

1. The right of pasture.
2. The right of fishing.
3. The right of taking game.
4. The right of way.
5. The right of taking water, wood, minerals, and other things.
6. The right of transacting business upon land.
7. The right of conducting lawful sports upon land.
8. The right of receiving air, light, or heat from or over, or discharging the same upon or over land.
9. The right of receiving water from or discharging the same upon land.
10. The right of flooding land.
11. The right of having water flow without diminution or disturbance of any kind.
12. The right of using a wall as a party wall.
13. The right of receiving more than natural support from adjacent land or things affixed thereto.
14. The right of having the whole of a division fence maintained by a coterminous owner.
15. The right of having public conveyances stopped, or of stopping the same on land.
16. The right of a seat in church.
17. The right of burial.

**18. The right of conserving open space to preserve park, recreational, historic, aesthetic, cultural, and natural values on or related to land."**

Section 17. Section 67-602, R.C.M. 1947, is amended to read as follows:

"67-602. Servitudes not attached to land. The following land burdens, or servitudes upon land, may be granted and held, though not attached to land:

1. The right of pasture, and of fishing and taking game.
2. The right of a seat in church.
3. The right of burial.
4. The right of taking rents and tolls.
5. The right of way.
6. The right of taking water, wood, minerals, or other things.
7. **The right of conserving open space to preserve park, recreational, historic, aesthetic, cultural, and natural values on or related to land."**

# **BLACKFOOT RIVER RECREATION CORRIDOR: STATE LANDS ANALYSIS**

BY

**BRUCE A. BUGBEE & ASSOCIATES**



**NOVEMBER 1982**

YOU CAN CONTRIBUTE in a number of ways:

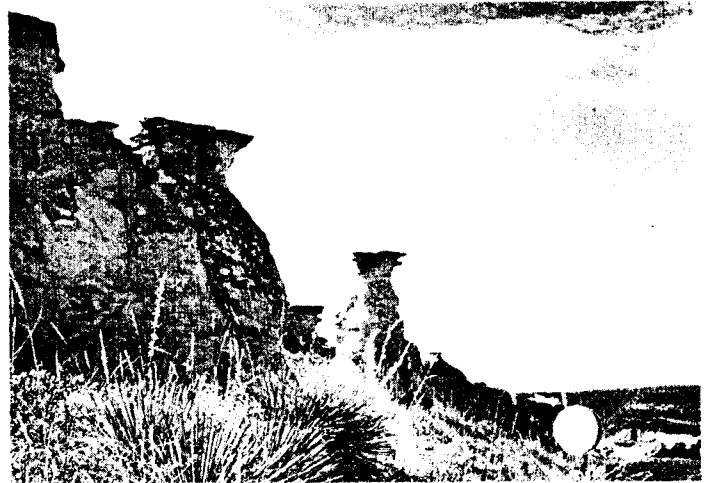
• **GIVE MONEY.** The Big Sky Field Office urgently needs your membership dues and donations, large or small, for operating expenses and for the purchase and stewardship of critical natural lands. Our legal staff can work with you and your lawyer or accountant to plan major donations, or to include The Nature Conservancy in your will. Under section 501(c)3 of the Internal Revenue Code, all donations are tax-deductible.



• **GIVE LAND.** Your gift of ecologically significant land is a timeless and distinguished contribution to the preservation of our natural heritage. The Nature Conservancy can also accept gifts of saleable real estate without significant natural values. These noncritical "trade lands" can be sold by the Conservancy to produce funds for natural area protection. Both types of donation offer tax benefits and other advantages to the donor.

• **GIVE TIME.** An inventory of Montana's rare and endangered natural elements is crucial if we are to protect "the last of the least and the best of the rest." Montana does not have a government-aided state natural heritage inventory. Scientists and other qualified volunteers are therefore needed to collect and organize data for the Big Sky Field Office. If you have special skills or knowledge to offer, please let us know.

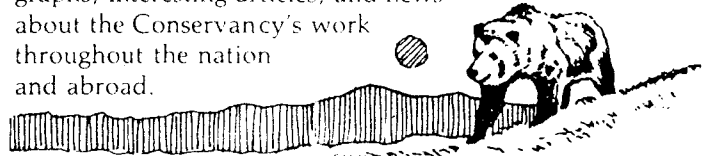
• **SPREAD THE WORD.** Give gift memberships in The Nature Conservancy. Tell friends about the Conservancy's work and its benefits to the land and inhabitants, both human and nonhuman, of our state and our nation. Speak out for those that cannot speak—the survival of a species may depend on it.



## WITH YOUR HELP, WE CAN DO EVEN MORE

WILL YOU JOIN us in protecting our finest remaining natural lands and the wealth of life that these vanishing places sustain? The Nature Conservancy and its members have already protected almost 2 million acres of vital natural areas, including habitat for many rare and endangered species. Join in the effort by completing this application form and returning it along with your check for membership.

Members receive *The Nature Conservancy News*, an award-winning, bimonthly magazine featuring full-color photographs, interesting articles, and news about the Conservancy's work throughout the nation and abroad.



### Please join us MEMBERSHIPS

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| <input type="checkbox"/> \$1,000 Life    | <input type="checkbox"/> \$50 Supporting   | <input type="checkbox"/> \$15 Family      | <input type="checkbox"/> \$5 Junior (under 18) |
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Contributions are tax-deductible. Please make checks payable to The Nature Conservancy and mail to: The Nature Conservancy, P.O. Box 258, Helena, Montana 59624.

# THE NATURE CONSERVANCY WORKS HARD FOR MONTANA

*From the wind-bent grasses and the great clear rivers of the plains to the tumultuous mountains and the wild forests, rivers and lakes of the west, Montana is one of America's last links with its real heritage—the land unspoiled.*

K. Ross Toole

**MONTANA'S PRECIOUS WATER** and vast, primeval landscapes support a great variety of life. Our fish and wildlife are famous, thanks to the health of the natural systems we've inherited. However, Montana's resources are not limitless and cannot withstand careless use. Fierce competition for water exists in all parts of the state. Harsh winters and seasonal food supplies force wildlife to spread out thinly over large areas—or to concentrate in narrow belts offering more hospitable conditions, where they are likely to be crowded out by humans who have settled there for similar reasons. Many of Montana's native species require great expanses of unspoiled terrain if they are to survive. Notable among these is the grizzly bear.

**PINE BUTTE SWAMP**, a Conservancy preserve near Choteau, encompasses thousands of acres of diverse grizzly bear habitat, foothill prairie, and spring-fed wetlands. Located on the Rocky Mountain Front, where the plains abruptly meet the mountains, this preserve provides the threatened grizzly with a portion of its historic native range. Nearly every species of mammal in Montana is found here, as are numerous rare plants. Recent fossil discoveries not far from the preserve—including dinosaur r—ng sites unique the world—suggest that the area holds great promise for

**CROWN BUTTE** rises nearly 1,000 feet from open, rolling plains 30 miles southwest of Great Falls. Nominated as the state's first official natural area, it is one of the largest remaining pristine prairie reserves. Nearly 400 acres of mixed native grasses perch above high cliffs. The butte provides rich, undisturbed habitat for deer, antelope, and a variety of birds, including golden eagles.

**WILD HORSE ISLAND**, in Flathead Lake, is the largest freshwater island in the western United States. The 2,200-acre island supports populations of Rocky Mountain bighorn sheep, mule deer, osprey, and bald eagles. The Nature Conservancy has purchased nearly the entire island for transfer to the Montana Department of Fish, Wildlife and Parks. The Department and the University of Montana have assumed joint management.

**THE BLACKFOOT RIVER** project is a program of voluntary conservation easements along the middle and lower Blackfoot, east of Missoula. The Nature Conservancy is working with landowners, local officials, and the state's Department of Fish, Wildlife and Parks to preserve many miles of wild and scenic river with rich riparian habitat.

**BEARTOOTH RANCH**, purchased in 1970, was the Conservancy's first Montana project. Acquiring the 26,000-acre ranch at a substantially lowered cost, the Conservancy passed on the savings to Montana's taxpayers. When it resold the ranch to the Department of Fish, Wildlife and Parks.



paleontological research. The Conservancy has thus far protected over 11,000 acres in and around the swamp. When the project is completed, it will be one of the largest Conservancy-owned preserves in the nation.

**FOUNT HAGGIN**, with 79,000 acres protected to date, includes critical buffer lands of the Anaconda-Pintlar Wilderness Area in southwestern Montana. Working with the U.S. Forest Service and the Montana Department of Fish, Wildlife and Parks, the Conservancy filled in gaps between federal and state lands to complete the preservation of this little subalpine ecosystem. It provides important habitat for mountain lions, elk, bighorn sheep, mountain goats, golden eagles, and other raptors. Rescued from imminent subdivision and now managed by the state, the preserve protects the watershed along 19 miles of the Continental divide.



A steady increase in The Nature Conservancy's activities in Montana—a sampling of which has been given above—led to the establishment in 1979 of the Big Sky Field Office, P.O. Box 258, Helena, Montana 59624, telephone (406) 443-0303.

## THE NATURE CONSERVANCY SAVES LAND TO SAVE LIFE

IT IS TIME to build a different kind of ark. The global rate of extinction has accelerated to about one species a day—possibly 1,000 times faster than it was before civilization. By the year 2000, an estimated 20 percent of all currently existing species will have vanished forever. Each species is a part of the genetic blueprint for an environmentally sound, livable earth. How many parts can we afford to lose?

Like Noah, The Nature Conservancy is committed to saving as many species as possible. The Conservancy works to preserve ecological diversity by protecting lands that contain the rarest components of our natural world. Since 1950, the Conservancy and its members have been responsible for the preservation of nearly 2 million acres of forests, marshes, mountains, deserts, rivers, islands, and prairies. These lands shelter many rare and endangered species, from orchids to grizzlies.

The Nature Conservancy follows three basic steps:

**IDENTIFICATION** of what is rare and where it exists. For this purpose, the Conservancy has helped to establish "natural heritage programs" in cooperation with the governments of more than half the states. The cornerstone of each program is a computerized inventory that catalogues information on the status and locations of jeopardized flora and fauna, plant and aquatic communities, ecosystems, and other natural features.



**PROTECTION** through a variety of methods. These include acquisition by gift, purchase, or exchange; cooperation with public agencies, other conservation groups, corporate and private landowners; conservation easements; management agreements, leases, and rights of first refusal; and other programs.

• **STEWARDSHIP**, beginning with development by staff scientists of a long-term management plan for each preserve. Conservancy staff or trained volunteers implement these management plans and monitor the preserves over time.

The Nature Conservancy's funds come from membership dues, individual and corporate contributions, and foundation grants. All contributions are tax-deductible. Additional

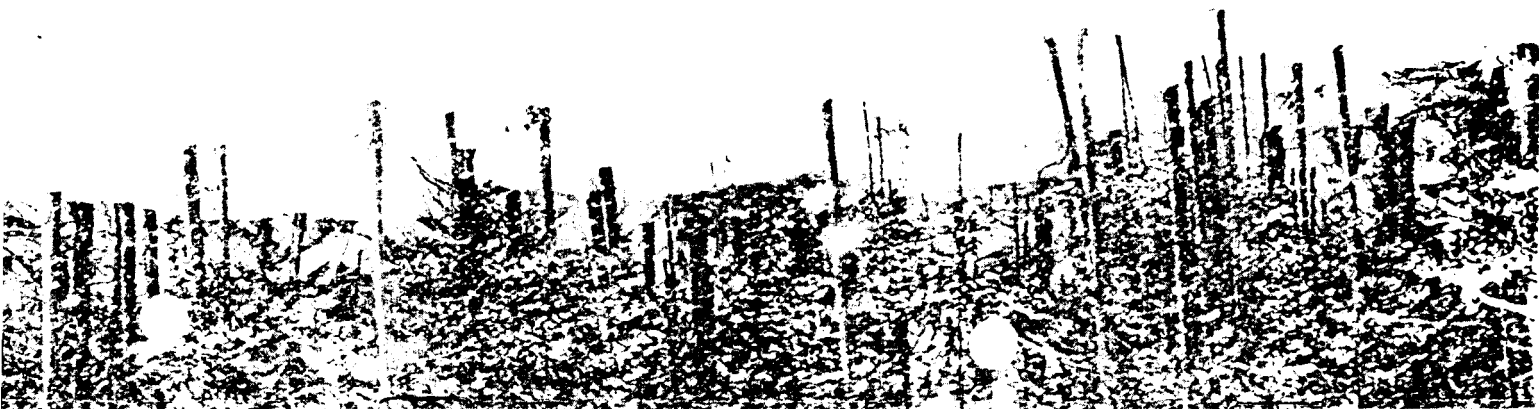


funds come from organizations or government agencies that employ the Conservancy's expertise for appropriate projects. Commercial lines of credit are used on occasion, but money to purchase land is usually drawn from the Conservancy's Land Preservation Fund. This capital enables the Conservancy to act immediately to save land, with the debt repaid later through fund raising.

The Conservancy retains ownership of the majority of its preserves. Other areas are conveyed to public or private conservation groups or educational institutions for ownership and management. Specific projects undertaken on request to assist governments are transferred directly to the appropriate agency.

Except in some cases where an endangered species or a particularly fragile ecosystem is involved, the public is welcome on Conservancy preserves.





Big Sky Field Office  
P.O. Box 258  
Helena, Montana 59624  
(104 W. Broadway)  
(406) 443-0303



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Missoula, Montana, Sunday, January 16, 1983



DAN ROOT/Missoulian

## Preserving the Blackfoot

### Future of easements may hinge on agencies

By STEVE WOODRUFF  
of the Missoulian

The future of a highly successful agreement allowing public access and limiting development along the Blackfoot River may hinge on negotiations under way between two state agencies.

The Department of Fish, Wildlife and Parks will ask the Land Board — possibly within the month — to grant "conservation easements" on state lands along the river. If approved, the proposal could be the key to guaranteeing that the banks of the Blackfoot will remain undeveloped.

Preservation of the river corridor in its existing state might also be the key to guaranteeing continued public access to the Blackfoot.

The easements would prohibit the state from developing or subdividing more than 2½ miles of river frontage. Conservationists call the easements a crucial element in a six-year-old agreement with private landowners that limits development and guarantees public access to a 30-mile corridor along the Blackfoot.

The agreement covers the river between Johnsrud Park, 20 miles northeast of Missoula, to Scotty Brown Bridge, near the county line.

If the state grants the easements, officials believe private landowners along the river will follow suit. Six private landowners already have issued conservation easements through their property.

Hank Goetz, manager of the University of Montana's Lubrecht Experimental Forest and a key figure in the Blackfoot project, said private landowners need to know that the state is willing to give up its development rights. "They want some kind of legal assurance that the state will manage its lands with the same kind of restrictions they have."

It would not make sense for a private landowner to give up development rights to his property if the state planned to lease cabin sites on its adjoining lands, he said. The conservation easements would have no effect on existing cabin-site leases.

Elsewhere in Montana, the sometimes emotional battle over public access to rivers on private property has moved into the courts. But along the Blackfoot a similar fight has been avoided through an agreement worked out between landowners and the state.

Landowners, concerned about a steady increase in public use along the Blackfoot, began in 1975 to work out an agreement that might prevent a showdown over access. In 1976, 14 landowners, the Missoula County commissioners, conservationists and government agencies struck an agreement for managing the river corridor. The deal permits public use of the river, and regulated access and camping. It also turned enforcement duties over to the state.

Goetz noted that the Blackfoot agreement goes a step beyond two recent state District Court rulings involving the Beaverhead and Dearborn rivers. In those two cases, judges ruled that the public has a right to float down a navigable river, even if its banks are private property.

The Blackfoot agreement not only allows the public uncontested use of the river, it also provides access to the Blackfoot through designated sites on private property. The Beaverhead and Dearborn court rulings didn't extend to access across private property to the rivers.

Although the agreement has proved successful, Bob Kiesling of the Nature Conservancy said the deal is a fragile one. "To some extent it's a house of cards," said Kiesling, whose organization helped forge the so-called Blackfoot Conservation and Recreation Management Plan. "It requires continuing cooperation between all the parties. It could come apart, although it's unlikely it will."

Kiesling said that conservation easements on state and private land would protect the river corridor permanently. "If the state of Montana lumps its lands into conservation easements, it could be the symbolic gesture needed to keep the house of cards from falling," he said.

However, Tom Greenwood of Fish, Wildlife and Parks said it is too early to say whether the Land Board might grant the easements. "It's not something to take to the bank yet," he said.

What might seem to be a simple transfer of land management responsibilities from one agency to the other actually is quite complex, Greenwood said. He said that the state lands along the Blackfoot corridor are administered by the Department of State Lands for the state school trust fund. State law requires the department, under the supervision of the Land Board, to manage those lands for their highest and best use.

The most profitable use of state lands along the Blackfoot might be to lease lots for cabins. If so, conservation easements might prevent the state from making as much money from the land as it could.

Greenwood said Fish, Wildlife and Parks will have to pay the Department of State Lands for the value of development rights on the Blackfoot property.

Dave Woodgerd, attorney for the Department of State Lands, said his agency is interested in the easements. However, he said the Land Board must take into consideration the value of the development rights.

The main question, Greenwood said, is how much the easements will cost. That question may be resolved by a land appraiser, who is studying the parcels.

Kiesling said the Nature Conservancy does not believe the cost will be great. "I'm guessing that it won't be (expensive)," he said. "There are several statutes that limit the state's ability to do much with the land except for historic timber and grazing."

## TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION . . . . .	1
Map 1 . . . . .	2
Map 2 . . . . .	3
REGIONAL OVERVIEW . . . . .	5
SITE DESCRIPTION AND ANALYSIS . . . . .	9
Section 36 . . . . .	9
Map 3 . . . . .	10
Map 4 . . . . .	11
Section 16 . . . . .	13
Map 5 . . . . .	14
Section 10 . . . . .	16
Map 6 . . . . .	17
Section 22 . . . . .	18
Map 7 . . . . .	19
SUMMARY . . . . .	21
RECOMMENDATIONS . . . . .	22
Map 8 . . . . .	25
Map 9 . . . . .	26
Map 10 . . . . .	27
Map 11 . . . . .	28
BIBLIOGRAPHY . . . . .	29
APPENDIX A . . . . .	31

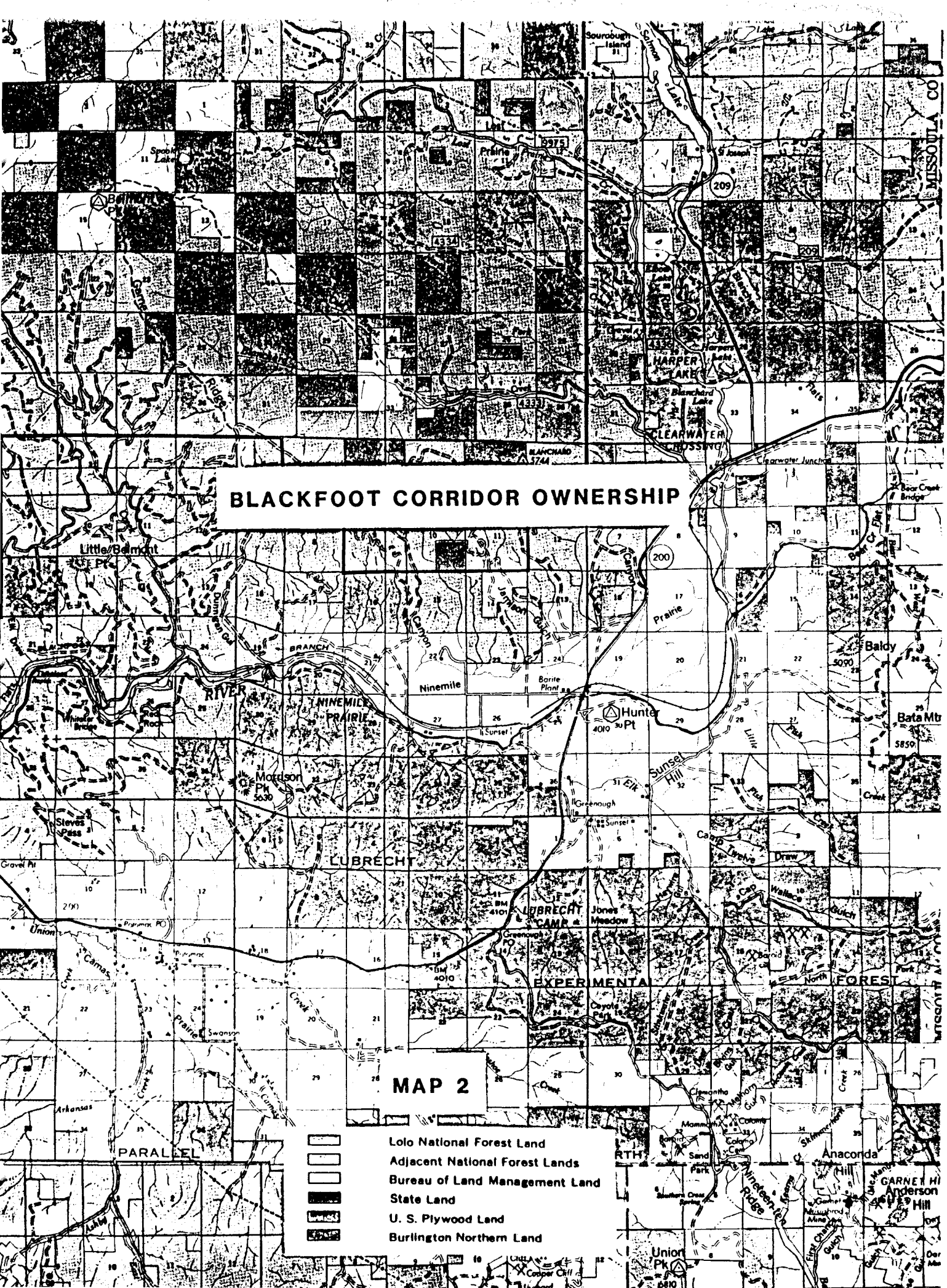
## INTRODUCTION

The Blackfoot River in western Montana (see Map 1) is an intensively-used recreation waterway. A portion of the river, extending from near the Missoula County/Powell County common border downstream to Johnsrud Park, has been the subject of intensive study and cooperative recreation management since the early 1970s (see Map 2). These studies have recognized the significance of the Blackfoot River, which has been considered for inclusion in the National Wild and Scenic River system. The Missoula County Parks, Recreation and Open Space Plan (1976) denoted the river as a "critical resource which should be protected." A Conservation and Recreation Management Plan for the Blackfoot River has been prepared (The Nature Conservancy and the U. S. Bureau of Outdoor Recreation, 1977). In 1979, a five-year cooperative management plan for recreation use on public and private lands was drafted and implemented. Emphasis has been on cooperative management among public entities and private landowners. This agreement has been reviewed and refined regularly. The Montana Department of Fish, Wildlife and Parks has a major responsibility in managing recreational use of the corridor.

The following report, prepared at the request of The Nature Conservancy, is a brief analysis of four tracts of State lands located within the above-mentioned area. Discussions among local landowners, the Montana Department of State Lands, the Department of Fish, Wildlife and Parks, and The Nature Conservancy have led to contemplation of conservation easements for parts of the State Forestry lands. The purpose of this study is to provide a brief description of the subject lands, to define the portions of State lands adjoining the river which form the immediate visual environment of the river, and to recommend basic limits of use which, along with similar limits of use on adjacent lands, would assure the maintenance of the natural qualities and recreational appeal of the larger recreation corridor.



MAP 1



# BLACKFOOT CORRIDOR OWNERSHIP

MAP 2

- Lolo National Forest Land
- Adjacent National Forest Lands
- Bureau of Land Management Land
- State Land
- U. S. Plywood Land
- Burlington Northern Land

Only those State lands currently managed by the Forestry Division of the Montana Department of State Lands were considered. A portion of these lands within the corridor has been committed to a limited number of cabin sites leased to private individuals. That area is not included in this study.

## REGIONAL OVERVIEW

Western Montana is located within a broad region of the Rocky Mountains known as the Rocky Mountain Forest Province--Douglas Fir Forest Section (Bailey, 1980). It is a region of rugged mountains and well-defined forest and range types. In the Blackfoot River drainage, the lower elevation forests are characterized by Douglas fir, ponderosa pine, and western larch. Forests are managed for the continuous production of these species. Rangelands border the forests on downslope benches and valleys, and on sunny, dry foothill slopes. Nutritious bunchgrasses, such as bluebunch wheatgrass and Idaho fescue, are the most common range grasses. Pine, fir, juniper, dogwood, and willow commonly line the riverbank of the Blackfoot.

The free-flowing Blackfoot River drains a mountainous portion of western Montana. The Continental Divide forms the eastern rim of the watershed. The northern sector of the drainage basin includes the steep, rugged mountains of the Bob Marshall and Mission Mountain Wilderness areas. Much of the Scapegoat Wilderness is included in the northeast portion of the watershed. The drier, lower mountains of the Garnet Range define the southern border. The upper Blackfoot Valley is a broad, terraced basin. The lower valley is a narrow, incised, stream-cut canyon. Several small, grassy valleys, such as Ninemile Prairie, mark the transition zone between these distinct landform types.

The river flows from the Continental Divide at Rogers Pass along an east-to-west course to its confluence with the Clark Fork River at Bonner, Montana. The watershed lies between the Montana urban centers of Missoula, Kalispell, Great Falls, and Helena. The watershed is traversed by Montana Highway 200.

The study area is located in a portion of the region characterized by a modified North Pacific Coast climate. A May-June precipitation peak is the norm. Amounts of precipitation range from 15 inches in semi-arid

valleys (such as Ninemile Prairie) to more than 80 inches in the higher mountains, reflecting a strong topographic influence. Peak river flows usually occur late in May or early in June when spring rains melt winter snow packs. Ice jams in the rivers occasionally have caused backwater flooding in late winter months. Flash floods from intense localized storms can occur in tributary watersheds from spring throughout the summer. Summers are warm with cool nights brought on by cold air drainage into valley bottoms. Winters are sunny and cold with frequent storms. Snow depths can reach over six feet in the valleys.

There is a wide variety of wildlife common to this portion of the region. Large mammals include elk, moose, mule deer, white-tailed deer, and black bear. The threatened grizzly bear is found in the remote mountains of the nearby high-country wilderness areas. Small mammals include beaver, muskrat, yellow-bellied marmot, porcupine, skunk, mink, weasle, otter, and raccoon. Predators consist of coyote, mountain lion, lynx, bobcat, and badger. Raptors in this area include nesting osprey, bald and golden eagle, prairie falcon, turkey vulture, red-tailed hawk, kestrel, sparrow hawk, and nesting great-horned owl. Ground squirrels, voles, gophers, and mice provide a substantial prey base. Blue, spruce, and rough grouse inhabit this area. Sandhill cranes and great blue herons nest in the area. Waterfowl include mallard, teal, lesser scaup, golden-eye, merganser, coot, Canada geese, and others. The fishing resource includes dolly varden, cutthroat, rainbow, brown, and brook trout.

The bedrock of the region is dominantly pre-Cambrian maroon, tan, and green argillite and quartzite of the Belt Supergroup. These ancient rocks originated as sediments deposited on flat plains which were intermittently flooded by shallow, inland fresh-water seas. Sands, silts, and clays were washed down from surrounding uplands. Mountain-building activity began over 10 million years ago during the Tertiary Period. The Mission, Swan, and other ranges were uplifted along large faults. The lower Blackfoot experienced considerable faulting, but local relief was not as great as the more spectacular fault block ranges. The mountain-building process has continued to the present. During the arid Tertiary Period, few drainages had sufficient flow to reach the sea. Streams carried debris from the watershed highlands



and deposited it in the intermountain valleys. The Ice Age (Pleistocene) began about three million years ago when the climate became somewhat cooler and much more moist. Glaciers formed in the uplands and carved rugged cirques and horns. The Ovando, Ninemile Prairie, and other valleys became covered with till and outwash deposits from local glaciers and lake deposits from massive Glacial Lake Missoula. Today, the Blackfoot River and other drainages are reworking and downcutting into these materials.

The lower Blackfoot Valley was once used as hunting and fishing grounds by the Flathead, Kootenai, Pend d'Oreille, Blackfeet, and other tribes (Conklin, 1975). Many bands used the valley as a route to the buffalo herds which roamed the Great Plains to the east. Conflicts arose between tribes over use of the area, and skirmishes were fought occasionally. Downstream on the Clark Fork River near Missoula, the infamous Hellgate Canyon was the site of numerous such incidences (Land and Meyers, 1979).

In July of 1806, Meriwether Lewis of the Lewis and Clark expedition traversed the lower Blackfoot Valley. Lewis and his band of nine men were on their way to a rendezvous with Clark at the Yellowstone River. Lewis' journal entries focused on the plentiful fish and game which populated the corridor (DeVoto, 1953).

Between 1805 and the mid-1800s, the valley was visited by transients such as trappers, prospectors, and hunters. Ranching began in the 1850s. Gold mining operations were established in the upper Blackfoot Valley in the mid-1860s, but no large mines developed in the lower reach of the drainage. The Indians were remanded to reservations, and the open range was fenced into small, hay-growing ranches during the 1870s. Logging commenced at that time, but the first large river log drives did not occur until about 1885. Logs were skidded to the river using horses and oxen during the winter months and then floated down the river during the summer to be cut into railroad ties and sawlogs. In the early 1900s wood was cut and transported by rail to the Anaconda Company's awesome Washoe smelters some 100 miles away. The river drive ended in 1928, and logs were then hauled by truck and railcar (Conklin, 1975). Guest ranching and outfitters provided recreational services beginning in the 1930s. Improved access, rapid growth of surrounding urban centers, and regional scarcity of water-oriented recreation

sites have all contributed to rapid recreational subdivision developments in the last twenty years.

Dominant land uses in the lower elevations of the valley are timber management, cattle ranching, and recreation. Recreational use of the river has more than doubled in the last eight years. The Blackfoot River has been rated a "highest value fishery resource" (U. S. Fish and Wildlife Service and Montana Department of Fish, Wildlife and Parks; 1980). The river experiences over 15,000 fisherman days of use each year. Floating, swimming, hiking, picnicking, camping, hunting, and snowmobiling are other recreational and scenic attractions. Day use predominates over camping (Walker, 1977). The Roundup Bridge river access site lying midway between the riverfront State land parcels at Clearwater Junction and Thibodeau Rapids averages nine vehicle entries per day during the summer. During the same period, the Ninemile Prairie site, just downstream of the bridge, averages 33 vehicle entries per day over the 120-day summer season (Montana Department of Fish, Wildlife and Parks, 1982).

State land use authorizations have, in the past, included cabin site leases, livestock grazing, recreation access, administrative sites, timber harvest, and mining. Current policy limits any further cabin site authorizations. General management practices are subject to public review and environmental analysis.

Howell's gumweed (Grindelia howellii) has been located in the general vicinity of the subject parcels. This plant is believed to be limited in general distribution and is considered rare by some (Hitchcock and Cronquist, 1973). A detailed search for this plant has not been made as a part of this study. Should Howell's gumweed be located on any of the subject parcels, careful consideration should be given to its importance and survival.

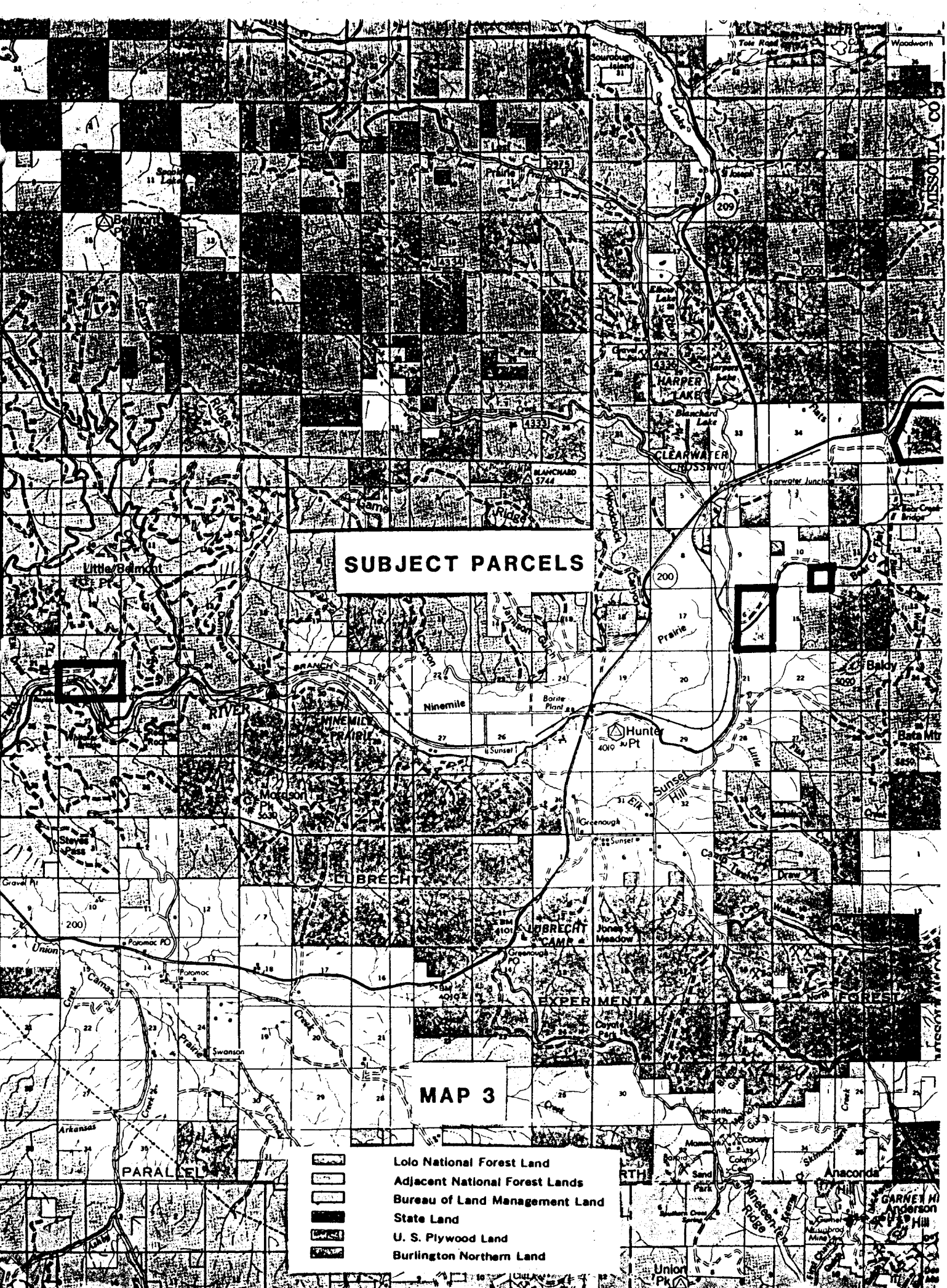
## SITE DESCRIPTION AND ANALYSIS

Four parcels of State land front on and/or form a portion of the river corridor. These parcels are described briefly to provide a basis for an understanding of their physical components and relationship to the river, their current State Forest management status, and their potential for use. Three of the parcels are grouped in the area from Sperry Grade to the confluence of the Blackfoot and Clearwater Rivers. The fourth parcel is located about 14 miles downstream from the mouth of the Clearwater (see Map 3).

### Section 36

The Blackfoot River flows through the west half of the parcel. The property is located two miles east of Clearwater Junction on Montana Highway 200 (see Map 4). The land between Highway 200 and the river is referred to by the State Forestry Division as the Sperry Grade Recreational Area. This area contains two river access sites, 10 cabin sites, and the Clearwater Unit State Forest Headquarters. Only day use is permitted at access points. The State owns the entire section. However, the portion of the section considered in this analysis is that portion south and east of the river. The only road access to the land east of the Blackfoot River is via a gravel road which leads west approximately three miles upstream from Scotty Brown Bridge. Unimproved logging roads branch from the gravel road and provide limited road access.

Four landforms: bedrock foothills, lake sediment terraces, outwash terraces, and the channel of the Blackfoot River; and several vegetation types are found on this parcel. The bedrock foothills are composed of ancient purple and maroon argillite and quartzite. There is a high percentage of exposed bedrock on these steeply sloping foothills. Soils are generally



SUBJECT PARCELS

MAP 3

- Lolo National Forest Land
- Adjacent National Forest Lands
- Bureau of Land Management Land
- State Land
- U. S. Plywood Land
- Burlington Northern Land



very stony loam in texture. Erosion potential is high. A rockfall hazard exists downslope of nearly vertical bedrock outcrops.

Lake deposits consisting of silt and clay stand as a terrace in the northeast portion of the section. This fine-grained material was laid down as layers on the bottom of Glacial Lake Missoula which filled the valley some 10,000 years ago during the Ice Age. The soil is a silt loam with little or no gravel. Water moves slowly through the soil.

Nearly horizontal outwash terraces composed of sand and gravel parallel the Blackfoot River. The incised, bouldery, river channel is some 10 to 30 feet below the surface of the terraces. Coarse glacial outwash is the material in which gravelly loam soils have formed. Water percolates rapidly through these soils, and the soils tend to be droughty.

Idaho fescue/bluebunch wheatgrass prairies grow over a large portion of the outwash terrace. Range condition is fair to good. Open spans of ponderosa pine with some Douglas fir also grow in the area. Idaho fescue, bluebunch wheatgrass, and other grasses dominate the floor of park-like stands. Denser forests grow on the more moist lake terraces and outwash terraces where clay forms the dominant soil element. Habitat types typical of these forests are Douglas fir/snowberry (Pfister, 1977). Snowberry, pinegrass, spirea, kinnikinnik, and other plants compose the understory. The steep, southeast-facing forests of the bedrock foothills are characterized as mixed ponderosa pine-Douglas fir parklands with a prairie bunchgrass understory. The dense Douglas fir-pine forests of the foothills east of the river are the Douglas fir/pinegrass habitat type (Pfister, 1977). Elk sedge and pinegrass are the most common understory plants. Ninebark grows in moist ravines. Larch is found on north-facing slopes.

The river shoreline varies from gently sloping gravel bars to drift-cut banks, 10 to 15 feet in height. The foreground visible from the river varies from 100 to several hundred feet. The area east and south of the river receives little public use away from the immediate river corridor.

The management of the Sperry Grade Recreation Area is planned to continue in its present form. A strip two chains wide (132 feet) on the

east side of the river has been designated as a "limited-management zone." The entire section is under land use authorizations for grazing. Timber management outside the limited-management zone is oriented to timber harvest and presently consists of thinning forest stands in order to increase production and to minimize insect problems. A powerline crosses the river from northeast to southwest at the northern end of this section.

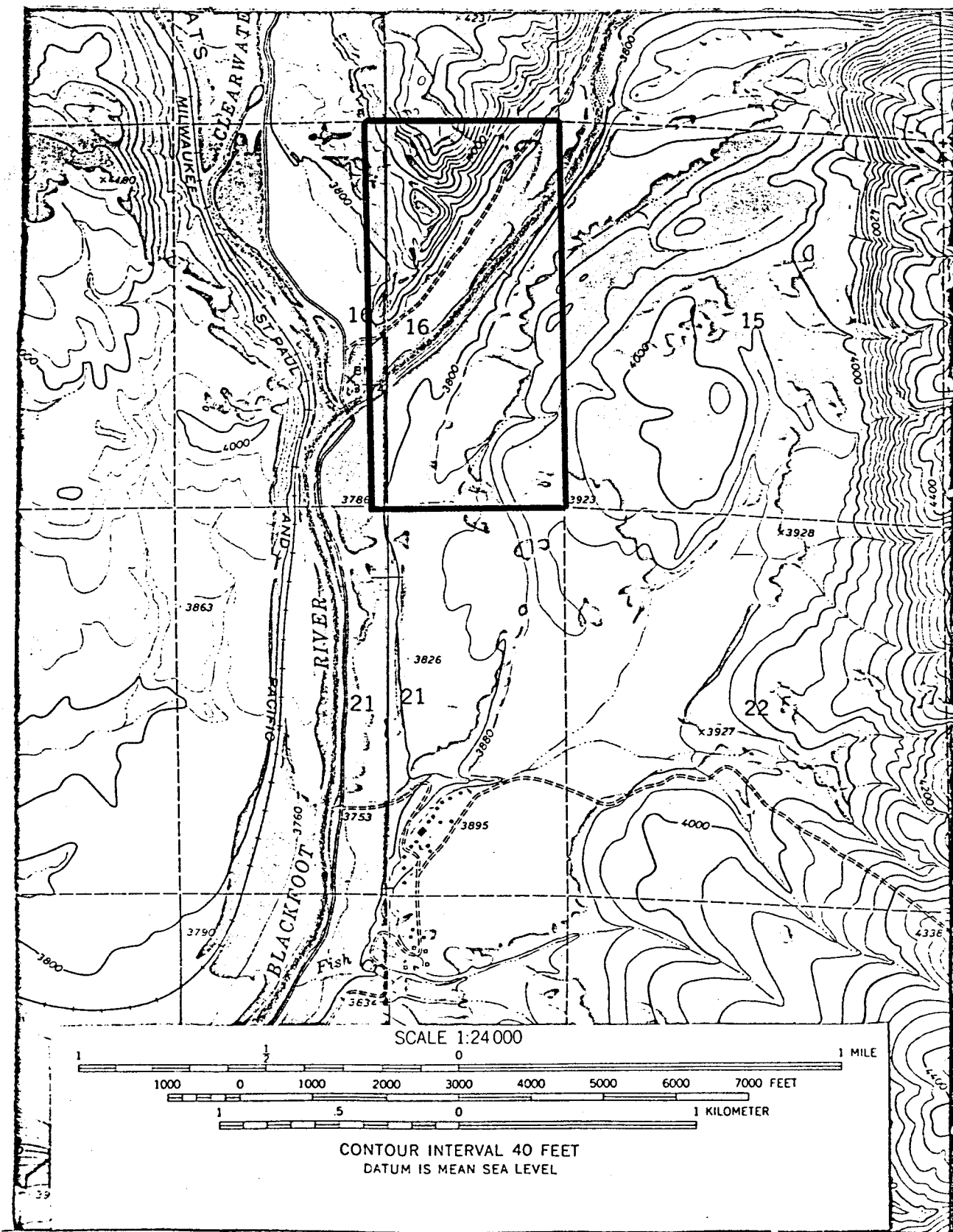
The east side of the river in Section 36 physically is capable of sustaining intensive residential development as well as developed recreational sites such as campgrounds. However, access by road is difficult and direct access from the highway from the west half of Section 36 would require bridging the river. Access for fire control is limited. Residential development, improved camp sites, or any other activity which would alter the current riverfront landscape would contrast sharply with the scenic qualities and recreational values of the river corridor. Passive uses, such as sight-seeing and day use, would be compatible with the maintenance of recreational values in this area.

### Section 16

The Blackfoot River bisects this parcel (see Map 5). The tract is located some three miles south of Clearwater Junction. It is 320 acres in size. Missoula County Road 63 (Sunset Hill Road) passes near the west end of the tract and intersects Montana Highway 200 immediately west of Clearwater Junction. The Clearwater Bridge provides a vehicle crossing over the Blackfoot River adjacent to the property.

Three landforms and several forest types are found within this parcel. The landforms consist of bedrock foothills, lake terraces, and outwash terraces. The landforms are very similar to those described in Section 36. A significant rockfall hazard exists downslope of the nearly vertical bedrock outcrops in the northern portion of the section. Boulders mantle the downslope outwash terraces where they meet the foothills.

The lake terraces and outwash terraces support forests of the Douglas fir/snowberry habitat type (Pfister, 1977). Ponderosa pine is the dominant tree with some Douglas fir regeneration in the understory.



MAP 5



Snowberry, pinegrass, bluebunch wheatgrass, Idaho fescue, elk sedge, and arrowleaf balsamroot are common plants on the forest floor. Forest stocking is generally not high except for some moderate to well-stocked stands located away from the river. Timber productivity is moderately high for moderately to well-stocked forest areas. Open grasslands occur between forests. Bunch grasses dominate these sites. Range condition is good. A grassland area on the terrace, northeast of the river exists as a result of clearing. The area has since been plowed and seeded and is now slowly returning to forest. There is a grazing lease in effect, and the western border of the parcel is fenced.

The bedrock foothills support a variety of forest habitat types. These communities consist of open stands of ponderosa pine with some Douglas fir on lower slopes. Idaho fescue, bluebunch wheatgrass, and other grasses characterize the understory. Productivity and stocking of these forests generally is low. Range quality is good, but grazing may be limited by the steepness of slope. These areas provide key winter range for deer and elk.

The riverbank forest communities consist of ponderosa pine, Douglas fir, and juniper. Shrubs, such as snowberry, rose, and ninebark, grow beneath the trees. Red-ozier dogwood, currant, and willows grow in wet, bouldery sites close to the water's edge. The river is deeply incised through this parcel, and steep slopes arise from the water's edge.

The wildlife which utilize this property are typical of the region. An osprey was observed on the site during the field reconnaissance. One of a few known bald eagle nesting sites in Montana is located in the vicinity of this parcel.

The existing State Division of Forestry Management Plan for this land provides for recreation, grazing, wildlife, and timber harvest. A strip two chains wide (132 feet) on either side of the river has been designated as a "limited-management zone." This strip encompasses the visual backdrop of the river. A horse-grazing land use authorization exists. Timber management activities outside the limited-management zone consist of pre-commercial and commercial thinning of forest stands in order to increase production and to minimize insect problems. There are overhead and buried powerlines

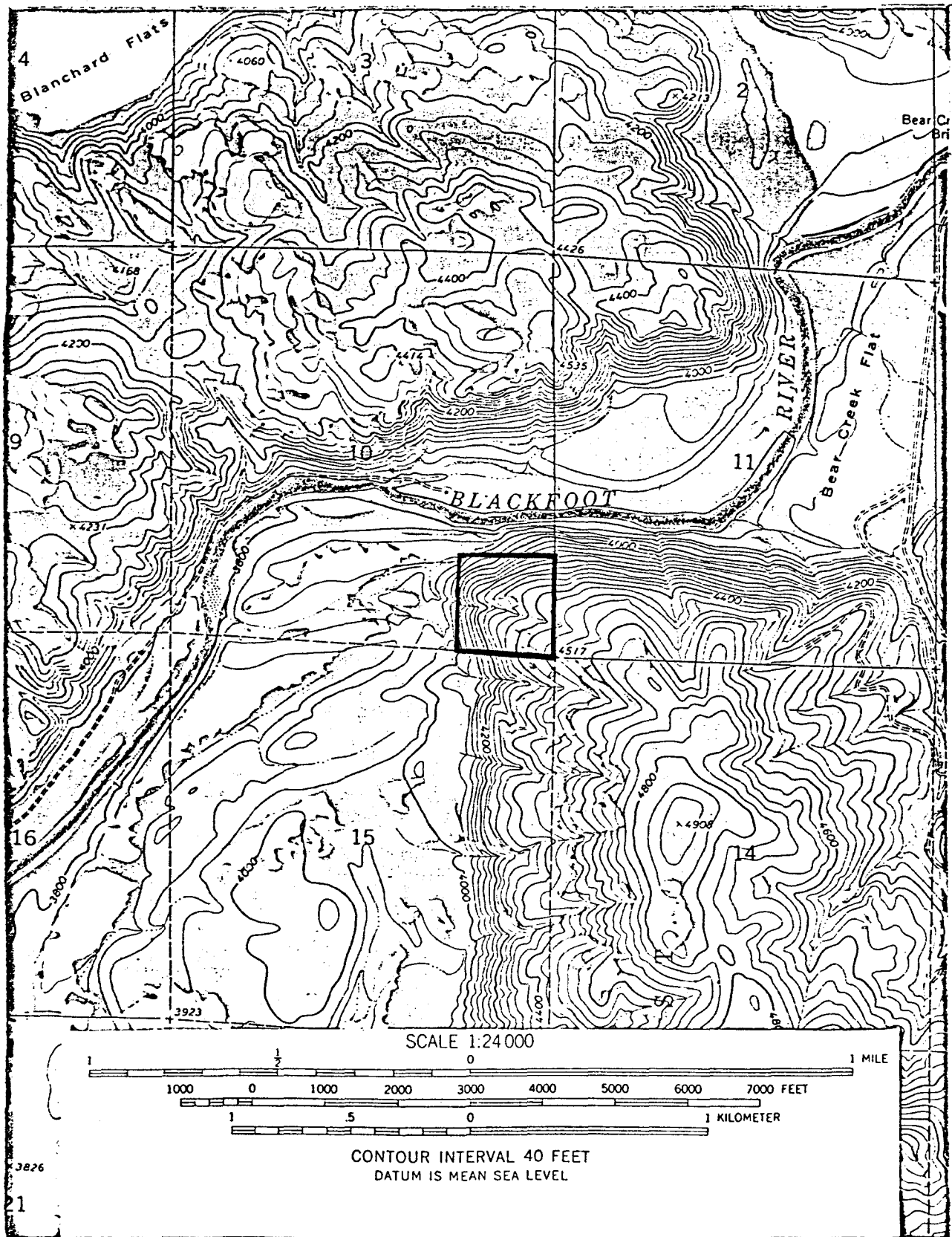
on the terrace north of the river and an overhead powerline parallel to the county road along the west side of the parcel.

A river access site is located on private land immediately west of the state-owned land and north of the bridge. Walk-in hunting only is permitted on this parcel, as it is included in the larger Blackfoot Special Game management Area. The State lands in Section 16 have good potential access from the county road, a factor which will continue to generate interest for intensive use. Terrace areas adjacent to the riverbanks are gently sloping and are capable of being developed in a variety of intensive uses. Any uses which would alter the present physical character of the portion of land visible from the river would contrast sharply with the high scenic and recreation qualities of this segment of the river.

#### Section 10

This steeply sloping (40-80%), 40-acre parcel near Clearwater Junction has no road access. The parcel is found on the side slope of a bedrock foothill which stands above and immediately south of the Blackfoot River (see Map 6). It is part of the canyon wall and is composed of purple and maroon argillite and quartzite. Extensive bedrock outcrops, and thin, stony soils characterize the property. This unstable, erosive, poorly productive site supports open stands of ponderosa pine and Douglas fir. The understory consists mostly of Idaho fescue, bluebunch wheatgrass, and other grasses. Most forest stands are poorly stocked and have low natural productivity. Grazing potential is moderate but is limited by steepness of slope. Wildlife use is typical of the region. Use by elk, mule deer, hawk, and falcon is of particular importance.

With the exception of a small area, this parcel does not appear to be physically capable of sustaining any intensive use without significant deterioration of current site conditions. A small portion of the parcel in the southwest corner is more gently sloping with a moderate productive forest site. This area has some value for commercial forest management in conjunction with private forest management on adjacent lands. Only walk-in hunting is permitted within this parcel which is included in the Blackfoot Special Game Management Area. Most of the parcel is highly visible from the river and forms a part of the immediate visual backdrop of the river.



MAP 6

## Section 22

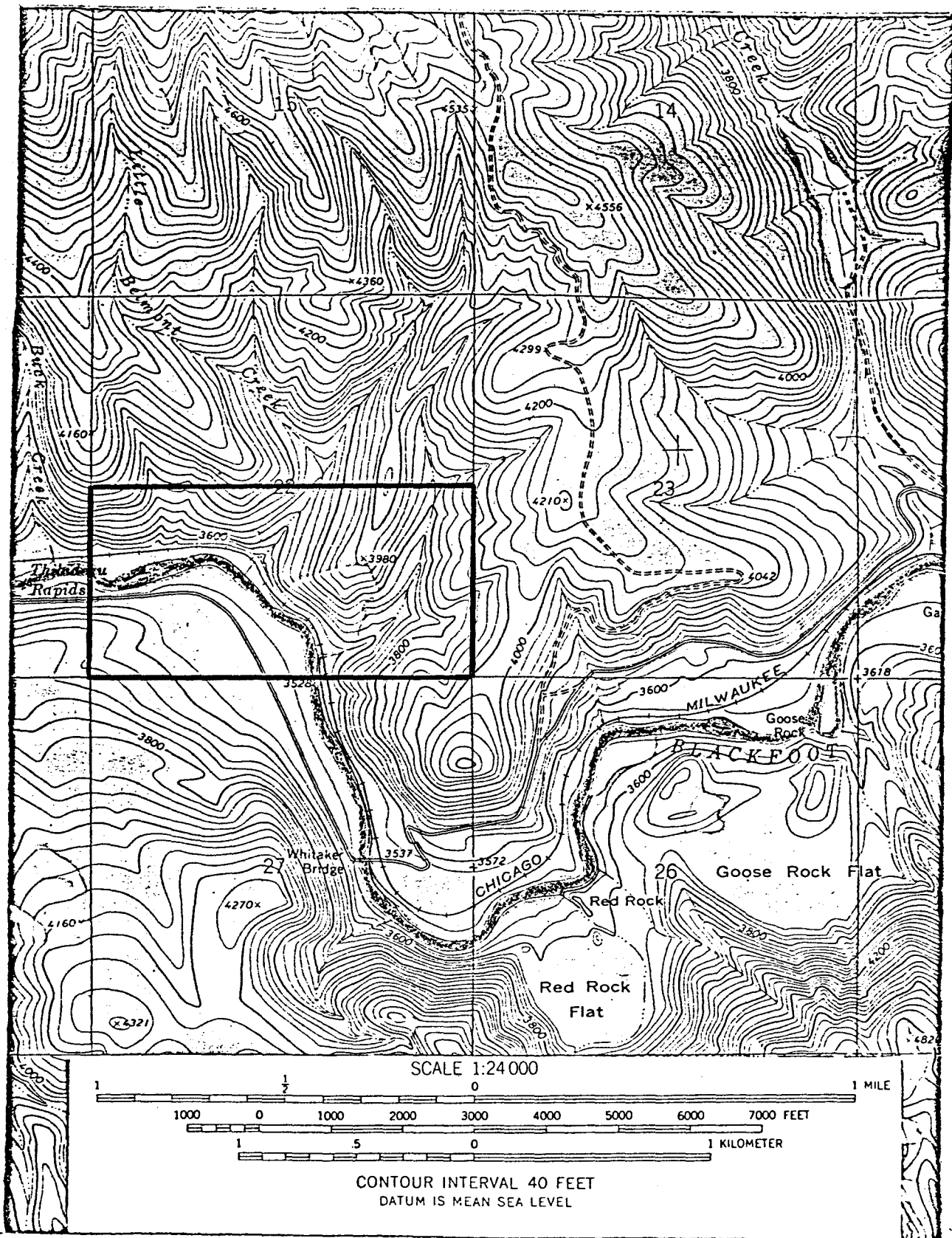
The Blackfoot River flows through this parcel which is located some five miles northeast of Highway 200 upstream of Johnsrud Park. State land ownership is limited to the south half of the section and is 320 acres in size (see Map 7). The property is accessed via Champion International Corporation roads.

Two landforms and several forest types are found within the study area. The landforms consist of bedrock foothills and outwash terraces similar to those previously described. Bedrock foothills dominate the land north of the river. Outwash terraces parallel the river on both sides.

The vegetation is a mosaic of forest types dominated by ponderosa pine with lesser amounts of Douglas fir. These dry stands are characterized by the Douglas fir/snowberry habitat type with pinegrass, bluebunch wheatgrass, Idaho fescue, elk sedge, and arrowleaf balsamroot. More open stands have Douglas fir and ponderosa pine growing above a prairie grassland understory. Productivity and stocking is low on the dry, south-facing slopes supporting open forests. Ratings improve to moderately high on the north and east-facing slopes. Wildlife use is typical of the region. The foothill slopes constitute key winter range for deer and elk.

The existing State Division of Forestry Management Plan for the property provides for recreation, grazing, wildlife, and timber harvest. There is a bald eagle nest in the vicinity of the parcel. A limited-management zone has been delineated by the State Forest between the gravel roads which parallel the river on either side. Thibodeau Rapids provides excellent whitewater recreational opportunities within this parcel. It is a scenic area, easily accessible, and a popular public use area. A Department of Fish, Wildlife and Parks campground is located on the south side of the river.

No timber harvest and development activities, other than salvage of dead and dying timber and suitable grazing use, are scheduled to take place within the limited management zone. The riverfront recreation site on the south shore of the river has minimal impact on the river environment. The parcel is contained in the Belmont-Blackfoot grazing unit and is currently used for livestock grazing. Range quality is good.



MAP 7

Timber management of open pine/fir stands is directed towards tree planting with no thinning or other harvest activities planned. Better-stocked north and east-facing slopes will be lightly to moderately thinned. Selective cuts will follow in future years, once tree production increases. The outwash terrace portion of this parcel appears physically capable of sustaining intensive uses. Such uses would have a significant impact on the conservation and recreation qualities of the river. The entire hillside north of the river forms the immediate visual backdrop of the river.

## SUMMARY

The preceding analysis indicates that existing land management plans and practices of the State Division of Forestry are generally compatible with the scenic, recreation, and wildlife values found on the four parcels studied. The parcels located in Sections 10 and 22 are highly visible from the river beyond currently designated limited-management zones. No specific consideration has been given to management for protection of critical raptor nesting areas which are found in this general area. However, timber sale plans are reviewed by the Department of Fish, Wildlife and Parks. Where nests are found, specific management provisions are followed for protection of critical raptor habitat. A rare plant may be located on one or more of these parcels. A survey should be conducted to determine the existence and distribution of the plant, and if found, appropriate management recommendations should be made.

Public access to these parcels has been controlled by surface leases in portions of Section 36 and Section 16. Public use has been strongly influenced by cooperative corridor management planning.

The immediate river area is an intensively used public recreation area in Montana. Development, such as new cabins and related improvements, new roads, new improved campgrounds, and forest harvest within the immediate river area would contrast greatly with the area's recreation, scenic, and wildlife values.

## RECOMMENDATIONS

The following recommendations are directed towards limiting those rights, which, if exercised, could be destructive to scenic, recreation, and other conservation values of four tracts of State land immediately adjacent to the Blackfoot River. These recommendations are designed to form a basis for preparation of a conservation easement document which will give formal and permanent recognition to the existing management policy. As a permanent document, a conservation easement should limit types of land use. Management-related concerns should be allowed flexibility to respond to specific circumstances and should reflect the best professional judgement of the land managers.

Certain general limits of use are suggested which involve the entirety of the four tracts; additional restrictions are necessary for the area indicated as a "limited management zone." This zone parallels and is immediately adjacent to the Blackfoot River and is delineated more specifically on Maps 8, 9, 10, and 11.

The specific restrictions listed below have been developed in response to observations made in field study and analysis. These restrictions are subject to further consideration in response to specific uses or methods of use which have not been addressed herein.

### General Policy

1. Historic uses, including timber management, livestock grazing, and existing rights-of-way, should be allowed to continue, except as may be provided below.

2. The construction or placement of any structures which may be used as residential dwellings should be prohibited.

3. Timber and livestock management practices should be conducted according to responsible professional standards.

4. A rare plant, Howell's gumweed (Grindelia howellii), is known to be present in the Blackfoot River watershed. Its precise distribution is unknown. If this plant is found on the subject parcels, steps should be taken to assure its survival. A Rare Plant Recovery Plan should be drawn up with the assistance of The Nature Conservancy. This plan should incorporate professional forest management practices.



5. Improved sites for recreation uses should be permitted only as directed by the Blackfoot River Recreation Management Plan.

6. For any active or inactive bald eagle, golden eagle, or osprey nest, known or later identified on the subject tracts, specific protection should be provided by prohibiting any cutting or disturbance of any trees or other vegetation within 660 feet of any such nest during the nesting season. At no time should trees or other vegetation be disturbed within 330 feet of such nests. Alternative restrictions which will provide adequate protection for such nests may be developed in consultation with and as authorized by the Montana Department of Fish, Wildlife and Parks.

#### Additional Restrictions

##### Applicable to the Limited Management Zone Only

7. There should be no cutting of trees, standing or down, nor clearing of any existing vegetation, except to remove diseased trees or to control insect infestations of immediate threat to adjacent timber, or as further excepted in Items 9 and 16 below.

8. The establishment of new roads should be prohibited.

9. Vehicle use shall be limited to use by government agency personnel or authorized right-of-way users, including the public where authorized by the Recreation Management Plan. Public off-road vehicle use should be prohibited.

10. New structures or constructed improvements of any kind, such as utility structures, powerlines, pipelines, and substations, should be prohibited unless, as determined by the State Board of Land Commissioners in consultation with the Recreation Corridor Planning Committee, such uses will allow the maintenance of and be compatible with existing scenic, recreation, and other related conservation values found within the limited management zone.

11. Rip-rapping or any other disturbance or modification of the riverbank should be prohibited.

12. Discharge of firearms and trapping should be prohibited, except as provided for within the Recreation Management Plan.

13. Exploration for or extraction of minerals, hydrocarbons, soils, and sand or gravel on or below the surface should be prohibited.

14. The planned introduction or other use of non-native plants or animal species should be prohibited unless recommended by the Recreation Management Plan.

15. In the event of the destruction of any existing fence, replacement, if desired, should be made with another of similar size, function, material, and location.

16. The broadcast application of herbicides, pesticides, and biocides should be prohibited.

17. Improved recreation sites should be prohibited except south of the Blackfoot River in Section 22, as may be provided for in the Recreation Management Plan.

OWNERSHIP:

STATE OF Montana ~ common school

SUBDIVISION:

All

SECTION:

36

T

15N

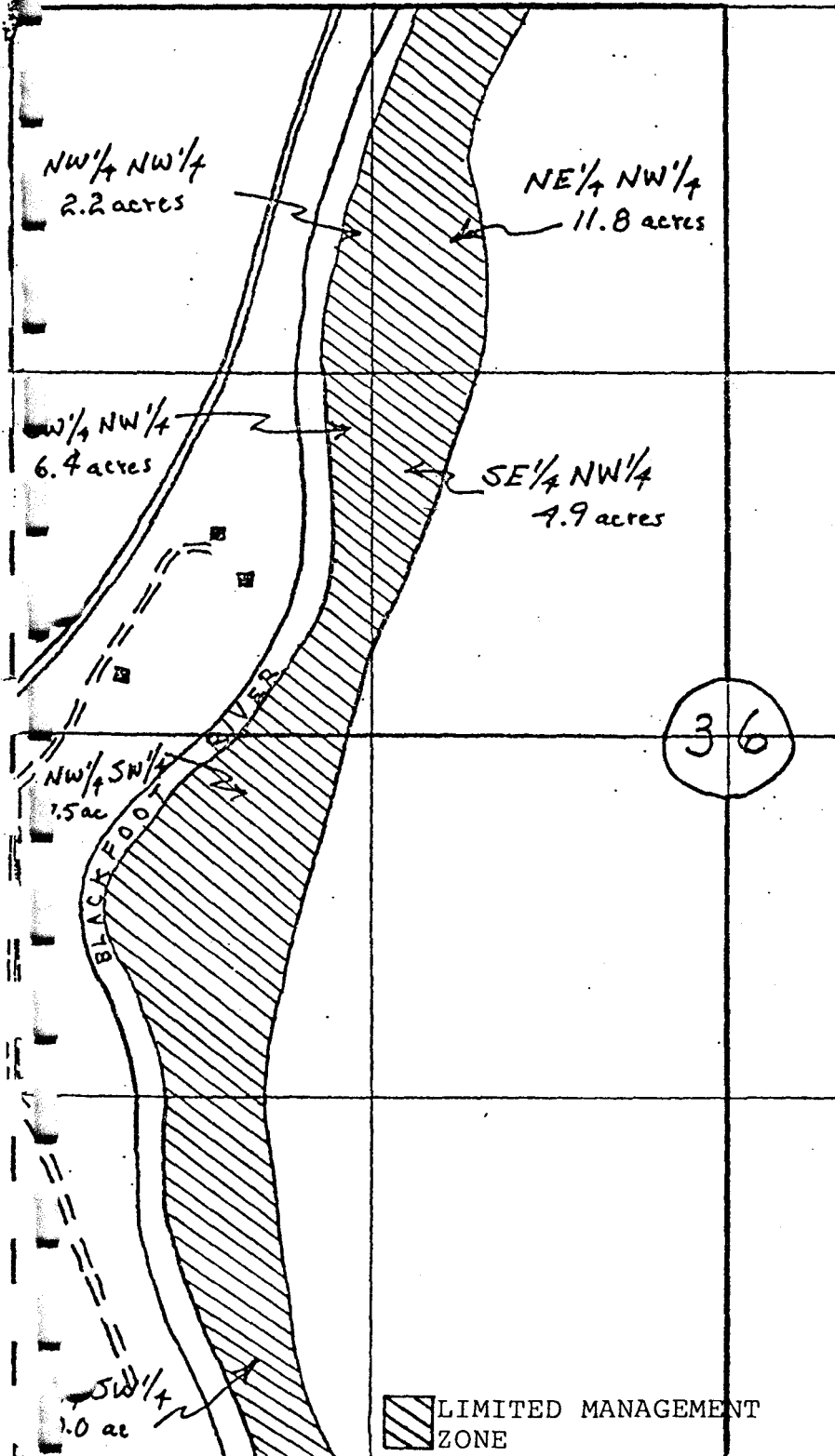
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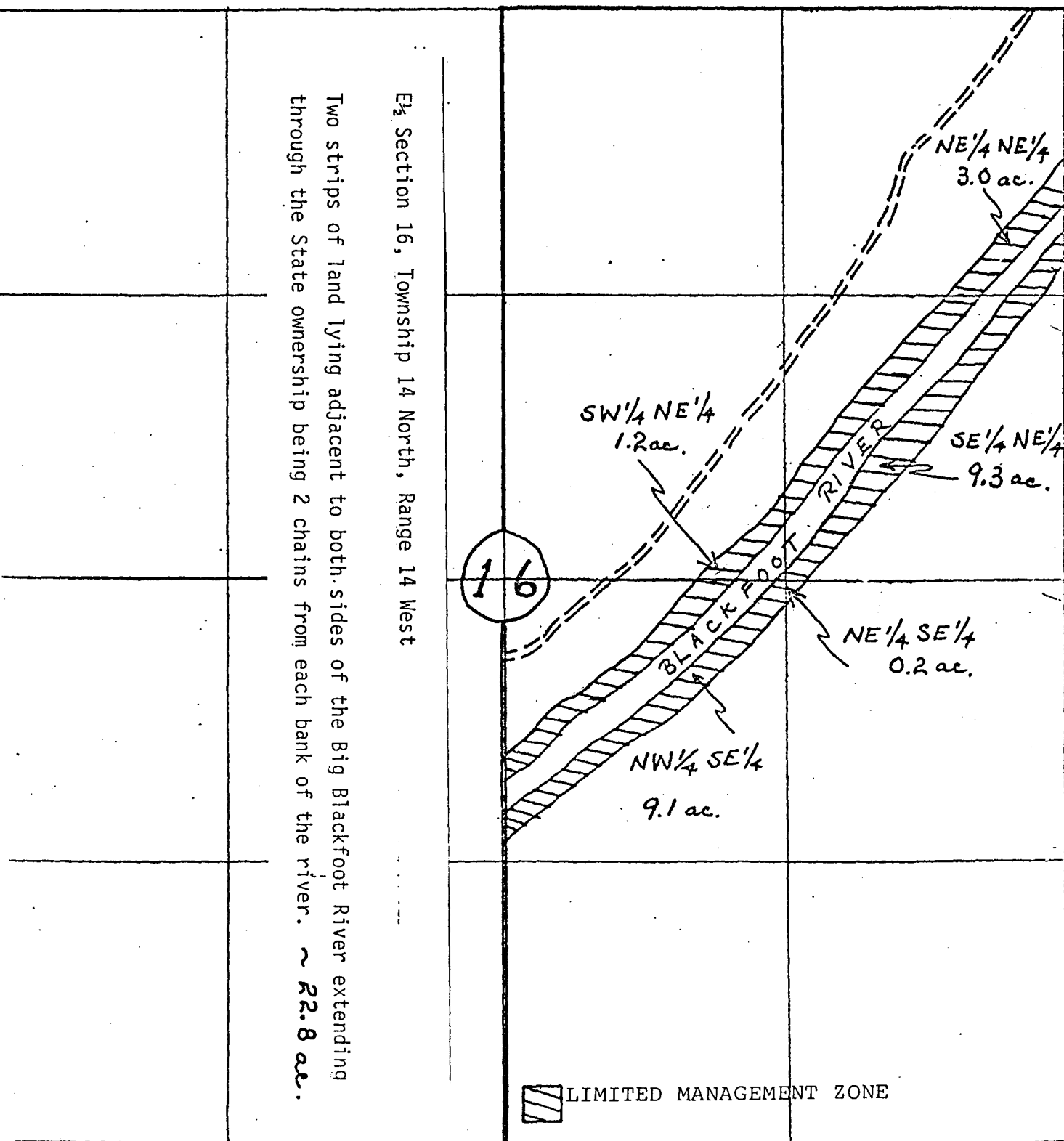
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inches = 1 mile



All Section 36, Township 15 North, Range 14 West

From NW section corner due E 23 chains to point of beginning, thence due E 6 chains, thence S29°W - 5 ch, thence S16°30'W - 4 ch, thence S10°E - 5 ch, thence S00°E - 5 ch, thence S17°W - 10 ch, thence S23°W - 10 ch, thence S14°W - 20 ch, thence S08°W - 4 ch, thence S07°E - 14 ch, thence S18°E - 6 ch to South section line of Section 36 thence due W along section line to east edge of river, thence Northward along SE bank of Big Blackfoot River to North section line at a point on the North section line 23 chains East of NW section corner of Section 36. ~ 52.8 acres

OWNERSHIP: STATE OF MONTANASUBDIVISION: E 1/2 SECTION: 16 T 14 N R 14 WSCALE: 8 inches = 1 mile

OWNERSHIP: STATE OF MONTANA - common schoolSUBDIVISION: SE 1/4 SE 1/4 SECTION: 10 T 14 N R 14 WSCALE: 8 inches = 1 mile common school

SE 1/4 SE 1/4 Section 10, Township 14 North, Range 14 West

Beginning from the SE section corner thence N 10 chains to point of beginning,  
thence N63°W - 2 ch, thence N76°W - 4 ch, thence S66°W - 1 ch, thence S13°W - .5 ch,  
thence S01°E - 1.5 ch, thence S20°E - 2.25 ch, thence S00°W - .25 ch, thence S40°E -  
.75 ch, thence S70°W - 2 ch, thence S51°W - 1.8 ch, thence S26°W - 2.0 ch, thence  
S01°E - 3.8 ch, thence along section line due W 10 chains to 1/16 corner, thence  
along 40 line due N 20 chains to 1/16 corner, thence along 40 line due E 20 chains  
to 1/16 corner, thence along section line due S 10 chains closing at SE section  
corner. ~ 30.4 ac

10

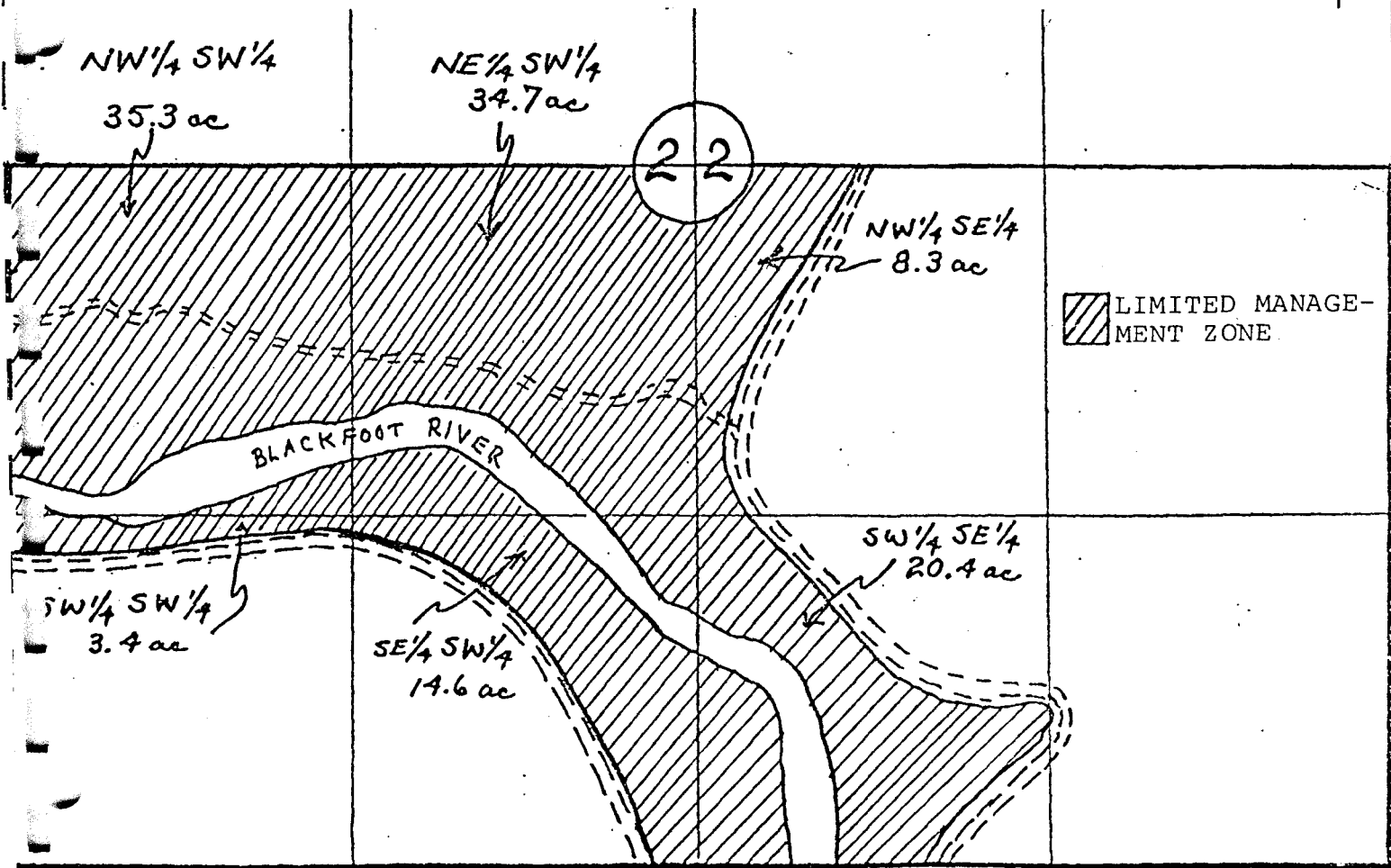
SE 1/4 SE 1/4  
30.4 ac

LIMITED MANAGEMENT ZONE

OWNERSHIP: STATE OF MONTANA ~ common schoolSUBDIVISION: S 1/2 SECTION: 22 T 14 N R 16 WSCALE: 8 inches = 1 mile

S 1/2 Section 22, Township 14 North, Range 16 West

SW section corner N 18 chains to start, N22 ch to 1/4 corner, thence E 49 ch, thence S31°30'W - 10 ch, thence S24°W - 5 ch, thence S9°30'W - 3 ch, thence S00°E - 1 ch, thence S21°E - 2 ch, thence S31°30'E - 1.5 ch, thence S42°E - 12 ch, thence S60°E - 3 ch, thence S82°E - 4 ch, thence N81°E - 2 ch, thence S40°E - .5 ch, thence S00°E - .5 ch, thence S42°W - 2 ch, thence S48°W - 6 ch, thence S30°W - 2.5 ch, thence west along section line 15.5 ch to E side of RW #D-4663, thence along north edge of RW D-4663 to close on west section line at a point 18 ch North of SW corner. ~ 116.7 acres



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Soil Conservation Service Ranch Conservation Management Plan, March, 1981.

U. S. Fish and Wildlife Service and Montana Department of Fish, Wildlife and Parks, Stream Evaluation Map, State of Montana, 1980.

U. S. Senate Finance Committee Reporter, P. L. 96-541.

Walker, G. T., Recreational Use of the Lower Blackfoot River, Montana Fish and Game Commission, Missoula County, 1977.



## APPENDIX A

### SPECIES LIST

#### TREES

*Juniperus scopulorum*  
*Larix occidentalis*  
*Picea glauca*  
*Pinus ponderosa*  
*Pseudotsuga menziesii*

#### COMMON NAME

Rocky Mountain juniper  
western larch  
white spruce  
ponderosa pine  
Douglas fir

#### SHRUBS

*Arctostaphylos uva-ursi*  
*Artemisia tridentata* ssp. *vaseyana*  
*Berberis repens*  
*Betula granulosa*  
*Elaeagnus commutata*  
*Prunus virginiana*  
*Rhus trilobata*  
*Ribes* sp.  
*Rosa woodsii*  
*Salix* sp.  
*Shepherdia canadensis*  
*Symphoricarpos albus*

bearberry  
mountain big sagebrush  
Oregon grape  
bog birch  
wolf-willow  
chokecherry  
poison ivy  
currant  
wood rose  
willow  
buffaloberry  
snowberry

#### GRAMINOIDS

*Agropyron canium* var. *majus*  
*Agropyron spicatum*  
*Agrostis* sp.  
*Bromus inermis*  
*Bromus tectorum*  
*Calamagrostis rubescens*  
*Dactylis glomerata*

slender wheatgrass  
bluebunch wheatgrass  
bent grass  
smooth brome  
cheatgrass  
pinegrass  
orchard grass

Danthonia intermedia  
Eleocharis plaustris  
Elymus cinereus  
Festuca idahoensis  
Festuca scabrella  
Phleum pratense  
Poa sandergii (complex)  
Stipa occidentalis  
Stipa richardsonii

orchard grass  
common spike-rush  
giant wild rye  
Idaho fescue  
rough fescue  
timothy  
native bluegrass  
western needlegrass  
Richardson's needlegrass

### LICHENS

#### Terricolous--on soil

Caloplaca tetraspora  
Cladonia pyxidata  
Peltigera rufescens

egg yolk lichen  
pixie cup lichen  
sun form doglichen

#### Arboreal--on trees

Bryoria abbreviata  
Bryoria fremontii  
Bryoria lanestris  
Cetraria canadensis  
Cetraria chlorophylla  
Cetraria platyphylla  
Hypogymnia imshaugii  
Hypogymnia physodes  
Icamadophila ericetorum  
Lecanora sp.  
Letharia vulpina  
Usnea sp.

small old man's whiskers  
common old man's whiskers  
old man's whiskers  
yellow twig lichen  
light green twig lichen  
brown twig lichen  
Imshaug's tube lichen  
tube lichen  
pink dead log lichen  
lecanora  
wolf lichen  
usnea

#### Saxicolous--on rock

Acarospora sp.  
Aspicilla sp.  
Physcia sp.  
Rhizoplaca melanophthalma

rock lichen  
rock lichen  
small parmelia  
green rock tip lichen

Umbilicaria deusta  
Xanthoparmelia taractica

warty umbilicaris  
parmelia

Aquatic Saxicolous

Dermatocarpon reticulatum  
Verrucaria sp.

dermatocarpon  
verrucaria

FUNGI

Lycoperdon perlatum

puffball

HERBS

Achillea millifolia  
Allium cernuum  
Androsace septentrionalis  
Antennaria microphylla  
Anthemis arvensis  
Apocynum cannabinum  
Arabis holboellii  
Arenaria capillaris  
Aster hesperius  
Astragalus sp.  
Chrysopsis villosa  
Clematis ligusticifolia  
Delphinium sp.  
Erigeron compositus  
Erigonum umbellatum  
Fragaria vesca  
Gaillardia aristata  
Geranium viscosissimum  
Geum triflorum  
Heuchera grossularifolia  
Linnaea borealis  
Lotus denticulatus  
Lupinus sericeus

yarrow  
nodding onion  
androsace  
rosy pussytoes  
corn chamomile  
dogbane  
rockcress  
threadleafed sandwort  
willow aster  
locoweed  
hairy golden aster  
western clematis  
larkspur  
cutleaf daisy  
buckwheat  
strawberry  
blanketflower  
sticky geranium  
prairie smoke  
alum root  
twin flower  
meadow lotus  
silky lupine

*Mentha arvensis*  
*Monardella odoratissima*  
*Microseris cuspidata*  
*Microseris* sp.  
*Penstemon* sp.  
*Phlox hoodii*  
*Polygonum amphibium*  
*Potentilla gracilis*  
*Rumex paucifolius*  
*Rumex venosus*  
*Sedum tenopetalum*  
*Solidago* sp.  
*Tragopogon miscellus*  
*Vicia americana*

mint  
monardella  
toothed microseris  
mountain dandelion  
penstemon  
Hood's phlox  
smartweed  
graceful cinquefoil  
sorrel  
winged dock  
stonecrop  
goldenrod  
goatsbeard  
americana vetch

#### AQUATIC PLANTS

*Poly amphibium*  
*Ranunculus aquatilis*

water smartweed  
water buttercup

#### INVADERS

*Cirsium arvense*  
*Chenopodium rubrum*  
*Collomia linearis*  
*Euphorbia peplus*  
*Filago arvensis*  
*Glycyrrhiza lepidota*  
*Lepidium* sp.  
*Melilotus officinalis*  
*Polygonum ariculare*  
*Polygonum ramosissimum*  
*Verbascum thapsus*  
*Veronica peregrina*

Canadian thistle  
red goosefoot  
collomia  
leafy spurge  
filago  
licorice root  
peppergrass  
yellow sweet clover  
prostrate knotweed  
knotweed  
mullein  
speedwell

#### MOSSES AND FERNS ALLIES

*Dicranum* sp.

brokentip moss

*Equisetum arvense*

common horsetail

*Equisetum variegatum*

variegated horsetail

*Grimmia* sp.

black rock moss

*Homolo thecium aeneum*

ecotone moss

*Scoularia aquatica*

aquatic river moss

*Selaginella densa*

compact club moss

*Tortula ruralis*

twisted moss

# CLARK'S LOOKOUT

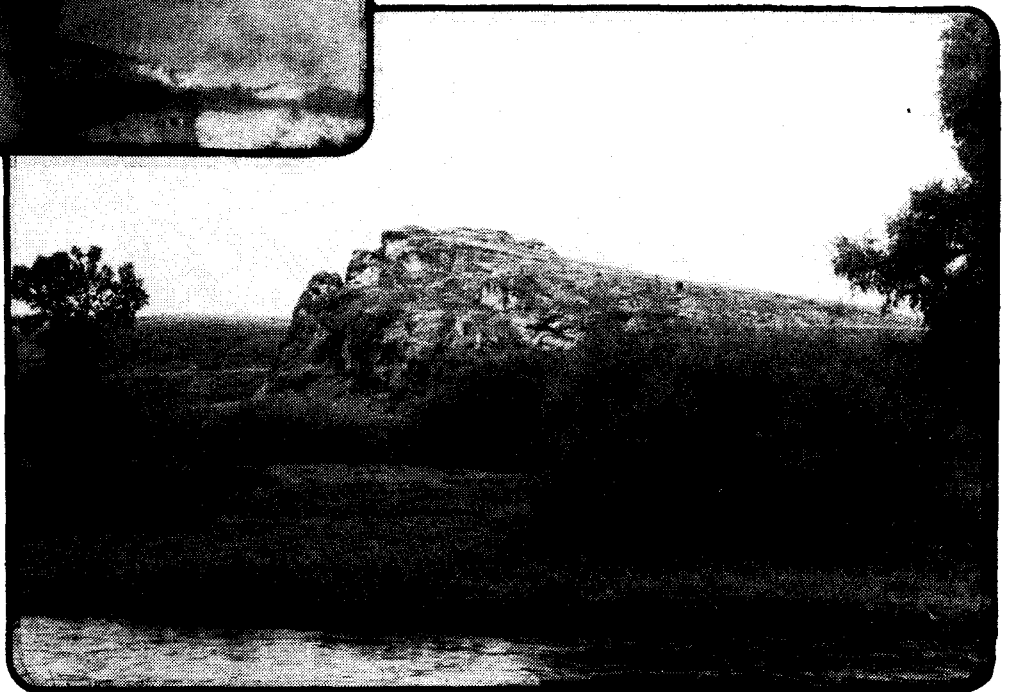


Proposed  
**STATE MONUMENT**

Application for Coal Tax Park Funds  
1983

submitted by

Beaverhead County Commissioners  
Beaverhead County, Montana



# Background

In 1980, during the annual meeting of the national Lewis and Clark Trail Heritage Foundation—a traveling meeting which took the conferees to Dillon, MT—a prominent rock just north of the Dillon city limits was pointed out by local historian Elfreda Woodside as the rock upon which Captain Clark observed the Beaverhead Valley.

The rock and the immediate area about the north and east sides were undeveloped and the land was for sale. Mrs. Woodside proposed to the Foundation members that they give the Dillon community their endorsement for the development of the area for a state park. The Foundation agreed to lend their support.

Edrie Vinson, Foundation secretary, and Bob Saindon, Foundation board member, presented the proposal to the Beaverhead County Commissioners from the standpoint of national interest, and offered to assist the community in any way they could. The commissioners viewed the proposed project as an asset to the Dillon community for its historic interest to tourists travelling along interstate 15; it would draw business; create a park for local use as well as that of travellers; and contribute to the preservation of a significant aspect of America's colorful heritage. They unanimously adopted the proposal.

Ms. Vinson continued to volunteer her services to the community, and maintained contact with local businesses and organizations of the Dillon area. She proposed the idea of contacting Bob Scriver, Montana's internationally recognized sculptor, in an attempt to persuade the artist to create a bronze sculpture of the kind he did for the Fort Benton community. The idea was accepted and a meeting was arranged with Scriver. The meeting was successful—the artist agreed to the concept. He, along with the representatives of the Dillon community have developed the plan for the monument as proposed in this booklet.

Historical and geological background information were needed for the site development. These were prepared for the county commissioners by Bob Saindon, Lewis and Clark historian, and Robert Fields, geologist at the University of Montana.

This booklet was designed for presentation to the 48th Montana Legislature for its information in considering allocation of Coal Tax funding for the proposed state park. The printing and distribution costs of this publication were made available through a grant from the Lewis and Clark Trail Heritage Foundation, Inc.

## Table of Contents

	page
Background .....	2
Historical Interpretation .....	4-7
Geological Interpretation .....	8-9
Site Map .....	10-11
Bob Sriver .....	12
Proposed Bronze .....	12
Estimate of Costs .....	13
Coal Tax Proposal .....	14
Proposal Evaluation .....	15
Letters of Support .....	16-19

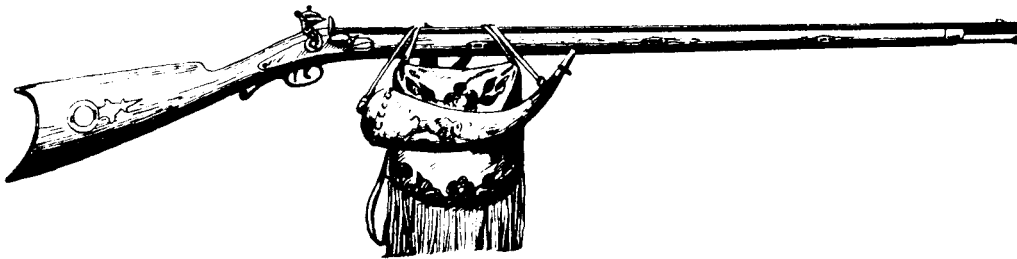


# Clark's Lookout

## An Historical Interpretation of an Age-old Landmark

by Bob Saindon  
Lewis and Clark Historian

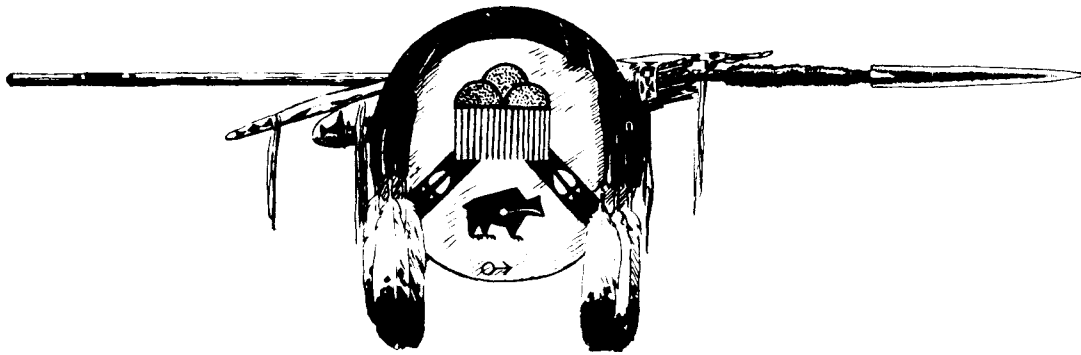
"...you will take careful observations...at all remarkable points...& objects distinguished by such natural marks & characters of a durable kind, as that they may with certainty be recognized hereafter..."<sup>1</sup>



The accomplishments of the Lewis and Clark Expedition are among our nation's proudest heritages. This epic journey across the Trans-Mississippi wilderness (1804-1806) was of such significant value to the United States in the areas of natural science, ethnology, commerce and diplomacy toward the natives that the historic Trail and all documented landmarks become worthy of preservation. A number of these landmarks have been preserved for future generations to enjoy, and several more are being considered for preservation. However, a greater number have been destroyed, as well as long stretches of the Trail...never to be reclaimed.

The following is an historical interpretation of a relatively undisturbed lookout which was used by the Expedition and documented in both their journals and their cartography.

1. Jackson, Donald, editor. *Letters of the Lewis and Clark Expedition*. Second edition, 2 vols. Urbana, 1978. "Jefferson's Instructions to Lewis," Vol. 1, pp. 61-62.



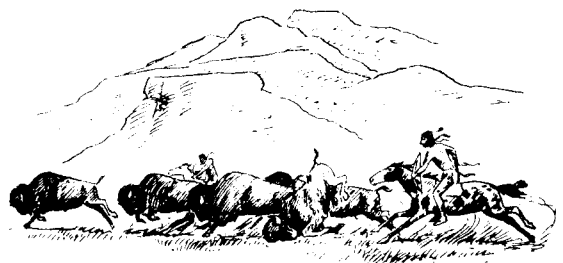
There can be little doubt to one who has studied the customs and conflicts of the early Indians who frequented the Beaverhead Valley<sup>2</sup> of present southwestern Montana that the monolithic limestone outcropping in the vicinity of Dillon<sup>3</sup> was used from time immemorial as a vantage from which the natives could scour some twenty-five miles of the valley floor. Whether in pursuance of an enemy, in retreat, on a hunt, or simply to post sentry, the limestone lookout was ideally situated.

In the early 1700's a powerful tribe of Indians known today as the Shoshones, spent their summer months along the present Salmon and Lemhi Rivers west of the Continental Divide. There they lived upon the fish they caught, and referred to themselves as *Agaideka* or "Salmon Eaters." In September they would cross the Divide and follow down the Beaverhead Valley and eventually onto the plains which teemed with buffalo. During that time they referred to themselves as *Kutsundeka* or "Buffalo Eaters."<sup>4</sup>

The reason for the great power of these people lay primarily in the fact that they possessed horses which they would obtain both directly and indirectly from the Spanish who lived west of the Divide and to the south.<sup>5</sup> The horses



allowed the Shoshones to move with great speed and power against their enemies who lived on the plains east of the mountains and who had no horses.<sup>6</sup> These large agile animals were also helpful in portaging their belongings across the Divide, and in their buffalo chases.



The downfall of the Shoshone power can in all probability be attributed to the fact that the vigilant Spanish refused to allow the Indians to have guns.<sup>7</sup> The power and speed of the equestrian Shoshone proved to be no match for the swift and deadly lead ball that sped from the noisy "iron stick." The French and English fur traders who were moving westward from the Great Lakes region had no qualms about trading guns for furs. And soon the decrepit enemies of the Shoshones were armed with a "medicine" more powerful than that of the awesome "Big Dog."<sup>8</sup>

2. Thwaites, Reuben G., editor. *Original Journals of the Lewis and Clark Expedition 1804-1806*. ARNO Press edition, New York, 1969. 8 Vols. Vol. V, p. 256. (Hereafter this reference will be referred to as THWAITES.) According to Captain Clark "...that beautifull and extensive Valley open and fertile which we call the beaver head Valley which is the Indian name. in their language *Har-na Hap-pap Chah*, from the No. of those animals in it and a pt. of land resembling the head of one. This Vally extends from the rattle snake Mountain [today's Rattlesnake Cliffs] down Jeffersons river [today's Beaverhead River and the upper portion of Jefferson's River] as low as fraziere's Creek [present South Boulder Creek] above bighorn mountain and is from 10 to 15 Miles in width and about 50 miles on a direct line in length and Jeffersons river in passing throught this Vally receives McNeals Creek [present Black tail Deer Creek], Track Creek [present Rattlesnake Creek], Phalanthrophy river [present Ruby River], Wisdom river [present Big Hole River], Fields river [North Boulder River] and Fraziers Creek [South Boulder Creek]..."

3. This rock formation is located just north of the Dillon, Montana city limits between Interstate Highway 91 and State Highway 41.

4. Madsen, Brigham D. *The Lemhi: Sacajawea's People*. The Caxton Printers, Caldwell, Idaho. 1979. p. 24. There were many tribes of the Shoshonean nation. Those referred to in the present paper were those who would cross the mountains to hunt buffalo.

5. Roe, Frank Gilbert. *The Indian and the Horse*. Norman, 1955. p. 126.

6. Ewers, John C. *The Horse in the Blackfeet Indian Culture*. Washington, D.C. 1980. pp. 15-19.

7. Thwaites. Vol. 5, p. 383. Captain Lewis wrote: "I can discover that these people [the Shoshones] are by no means friendly to the Spaniards. their complaint is, that the Spaniards will not let them have fire arms and amunition, that they put them off by telling them that if they suffer them to have guns they will kill each other, thus leaving them defenceless and an easy prey to their bloodthirsty neighbours to the East of them, who being in possession of fire arms hunt them up and murder them without respect to sex or age and plunder them of their horses on all occasions."

8. Quaife, Milo M., editor. *The Journals of Captain Meriwether Lewis and Sergeant John Ordway*. Madison, 1916. "Sergeant Ordway's Journal," p. 268: "...they [the Shoshones] have no knives tommahawks nor no weapons of war except their bow & arrows."

Thwaites. Vol. II, p. 341. When the cautious Shoshones first came from their village to meet Captain Lewis, they came "armed *cap a pe* for action expecting to meet with their enimies the Minnetares of Fort de Prarie [Apsinas] whom they call Pah'-kees. they were armed with bows arrow and Shields except three whom I observed with small pieces such as the N.W. Company [Northwest Fur Company] furnish the natives with which they had obtained from the Rocky Mountain Indians on the Yellowstone river with whom they are at peace."

Thwaites. Vol. III, p. 30. Lewis wrote: "The few guns which the Shoshones have are reserved for war almost exclusively and the bow and arrows are



The tables had turned. Fate had unmercifully placed the Shoshones in a desperate situation. The once weak enemy now had the power. Not only were they able to withstand the attacks of the Shoshones, they were also able to make profitable raids, stealing horses, women, children, tipis, food, etc.<sup>9</sup> The Shoshones were soon to become a wretched and despicable people. Such was their lot at the arrival of the Lewis and Clark Expedition in the Beaverhead Valley in August 1805. Sergeant Gass wrote of one village: "They are the poorest and most miserable nation I ever beheld... They have a great many fine horses, and nothing more; and on account of these they are much harassed by other nations."<sup>10</sup>



Fear welled in the hearts of the Shoshone people as each fall they cautiously ventured eastward to the site of their winter campgrounds. Captain Lewis recorded their condition in his Journal: "...to avoid their enemies who were eternally harrassing them... they were obliged to remain in the interior of these mountains at least two thirds of the year where they suffered, as we then saw, great hardships for want of food sometimes living for weeks without meat and only a little fish, roots and berries. but this, added Cameahwaite [the chief], with his fierce eyes and lank jaws grown meager for the want of food, would not be the case if we had guns, we could then live in the country of buffalo and eat as our enemies do and not be compelled to hide ourselves in these mountains and live on roots and berries as the bear do. we do not fear our enemies when placed on an equal footing with them."<sup>11</sup>

Because of its situation, the limestone lookout, then, must have been of importance to the fearful Shoshones as they cautiously made their way toward the buffalo country.<sup>12</sup> It no doubt also served their enemies, who must have with cupidity waited in ambush of these ill-fated natives who migrated with their wealth of horses.

In the year 1800, the Shoshones set up a village at their usual site at the Three Forks of the Missouri. Here they were attacked by a raiding party of Hidatsas who killed four men, four women, a number of boys, and made prisoners of all the females and four boys.<sup>13</sup>

These Hidatsa raiders lived in earthlodge villages in what is now central North Dakota on Knife River, a tributary of the Missouri, not far above the Mandan Indian villages. They brought the Shoshone prisoners back to their village where at least one of the captured girls was sold to a French free-trader by the name of Toussaint Charbonneau, who had been living among the Hidatsa for three years.<sup>14</sup>

On May 14, 1804, the Lewis and Clark Expedition set out from its Wood River Camp in Illinois, just opposite the mouth of the Missouri River. Included in their instructions from President Jefferson was the following:

Beginning at the mouth of the Missouri, you will take observations of latitude & longitude, at all remarkable points on the river, & especially at the mouths of rivers, at rapids, at islands, & other places & objects distinguished by such natural marks & characters of a durable kind, as that they may with certainty be recognized hereafter. The courses of the river between these points of observation may be supplied by the compass...<sup>15</sup>



used in hunting."

Gass, Patrick. *A Journal of the Voyages and Travels of a Corps of Discovery*. Reprint of the 1810 edition, Ross & Haines, Inc., Minneapolis. 1958. p. 150. "They have but four guns in the nation."

9. Thwaites. Vol. II, p. 343. "these people had been attacked by the Minnetares of Fort de prarie this spring and about 20 of them killed and taken prisoners. on this occasion they lost a great part of their horses and all their lodges except that which they had erected for our accomodation; they were now living in lodges of a conic figure made of willow brush."

10. Gass. p. 147.

11. Thwaites. Vol. II, p. 383.

12. There are several references in the Lewis and Clark literature to the effect that the enemies of the Shoshones ambushed them in the Beaverhead Valley and above: e.g. Thwaites. Vol. III, p. 38 "near the upper part of this cove [present Horse Prairie] the Shoshones suffered a very severe defeat by the Minnetares about six years since."

13. Thwaites. Vol. II, pp. 282-283.

14. Osgood, Ernest S., editor. *The Field Notes of Captain William Clark*. Yale, 1964. p. 174.

The Lewis and Clark Expedition reached the Mandan villages in late October of 1804. They built a fort and settled in for the winter. Here they met Toussaint Charbonneau whom they hired as an interpreter for their meetings with the nearby Hidatsas.<sup>15</sup>

The explorers soon learned that they would be needing horses to cross to the western side of the Rocky Mountains. They immediately recognized the value Charbonneau's wife could be in serving as an intermediary in bargaining with the Shoshones for their horses. The Frenchman and his wife, Sacagawea, agreed to accompany the Expedition to the Pacific Ocean.<sup>17</sup>

This young woman was only eleven or twelve years old when she was abducted by the Hidatsas.<sup>18</sup> They brought her to their village from the Three Forks by a route which crosses the Yellowstone River and comes overland to Knife River.<sup>19</sup> She had never been on the Missouri below the Gates of the Rocky Mountains. With the Lewis and Clark Expedition it was approximately in the vicinity of present Helena, Montana that she began to recognize the country.<sup>20</sup>

The Expedition arrived at the Three Forks of the Missouri on July 25—too early in the year for the Shoshones to have arrived and set up their winter camp.



On August 8, a short distance above the mouth of present Ruby River, Sacagawea recognized a landmark. Captain

Lewis wrote: "The Indian woman recognized the point of a high plain to our right which she informed us was not very distant from the summer retreat of her nation on a river beyond the mountains which runs to the west. this hill she says her nation calls the beaver's head from a conceived resemblance of it's figure to the head of that animal. She assures us that we shall either find her people on this river [i.e., present Beaverhead River] or on the river immediately west of it's source..."<sup>21</sup> Captain Lewis and three men went ahead of the main party in search of the Shoshones.

Three days later Clark's party reached a large island which they called "3000 mile Island as it is Situated that distance from the mouth of the Missouri by water."<sup>22</sup>

By August 13, Lewis's party was west of the Divide, and on that day finally made contact with the Shoshones. Clark's party set out early as usual. The temperature was 52 degrees at sunrise, there was a slight wind out of the northwest, and it was cloudy. The river wound back and forth so greatly that by 8 a.m., their usual hour for breakfasting, they had made only one mile on a direct line from their camp of the previous night, and only four river miles. Here, at the base of "a high Point of Limestone rocks on the Stard. Side...about 70 feet high," they pulled the seven cottonwood dugouts ashore.<sup>23</sup>

While those in charge of preparing breakfast set about their morning duty, Captain Clark ascended this high point of "rugged" rock. And from this eminence viewed the Beaverhead Valley through high telescope, made a number of compass readings, and sketched a map<sup>24</sup> of the area:

"Point of the Beaver head hill bears N. 24° E. 12 Ms.

The course of the Wisdom [present Big Hole] river is N. 25° W.

The gap at the place the river passes thro' a mountain [present Rattlesnake Cliffs] in advance is S 18° W. 10 Ms."<sup>25</sup>

The top of Clark's Lookout is one of the few well documented points along the historic Lewis and Clark Trail where we can stand today and establish with a high degree of certainty where Captain Clark actually stood to make observations and record geographical information obedient to President Jefferson's orders. Indeed, the very rock upon which he stood should "with certainty be recognized hereafter."

15. Jackson. Op. cit.

16. Osgood. Op. cit.

17. Thwaites. Vol. I, pp. 274-275.

18. The age of Sacagawea is deduced from the fact that she had been promised to a Shoshone man when she reached the age of puberty (Thwaites. Vol. II, p. 371) which was considered by them to be 13 or 14 years (Ibid.). Since the Shoshone man had not claimed her by the time that she was abducted in 1800 (Ibid. p. 282-283) we conclude that she was probably about 11 or 12 when she was abducted and about 17 when she had her baby in 1805.

19. Saindon, Bob. "The Abduction of Sacagawea," *We Proceeded On*. Vol. II, No. 2, pp. 6-8. The route used by the Hidatsa to make raids on the Shoshone is shown on map number 12 of Clark's maps that are found reproduced in volume 8 of Thwaites.

20. Thwaites. Vol. II, p. 260.

21. Ibid. Vol. II, p. 320.

22. Ibid. Vol. II, p. 333. Clark's measurements were long especially between the mouth of the Yellowstone River and the Great Falls of the Missouri. The actual distance of this island from the mouth of the Missouri was closer to 2,700 miles (see Wheeler, Olin D. *The Trail of Lewis and Clark 1804-1904*. New York. 1904. 2 vols. Vol. I, p. 377.) The island no longer exists. At the time of Lewis and Clark it was located about halfway between the beaver's head and Clark's Lookout.

23. Thwaites. Vol. II, pp. 344-345; Vol. VI, pp. 20, 195; Quaife, op. cit., p. 264.

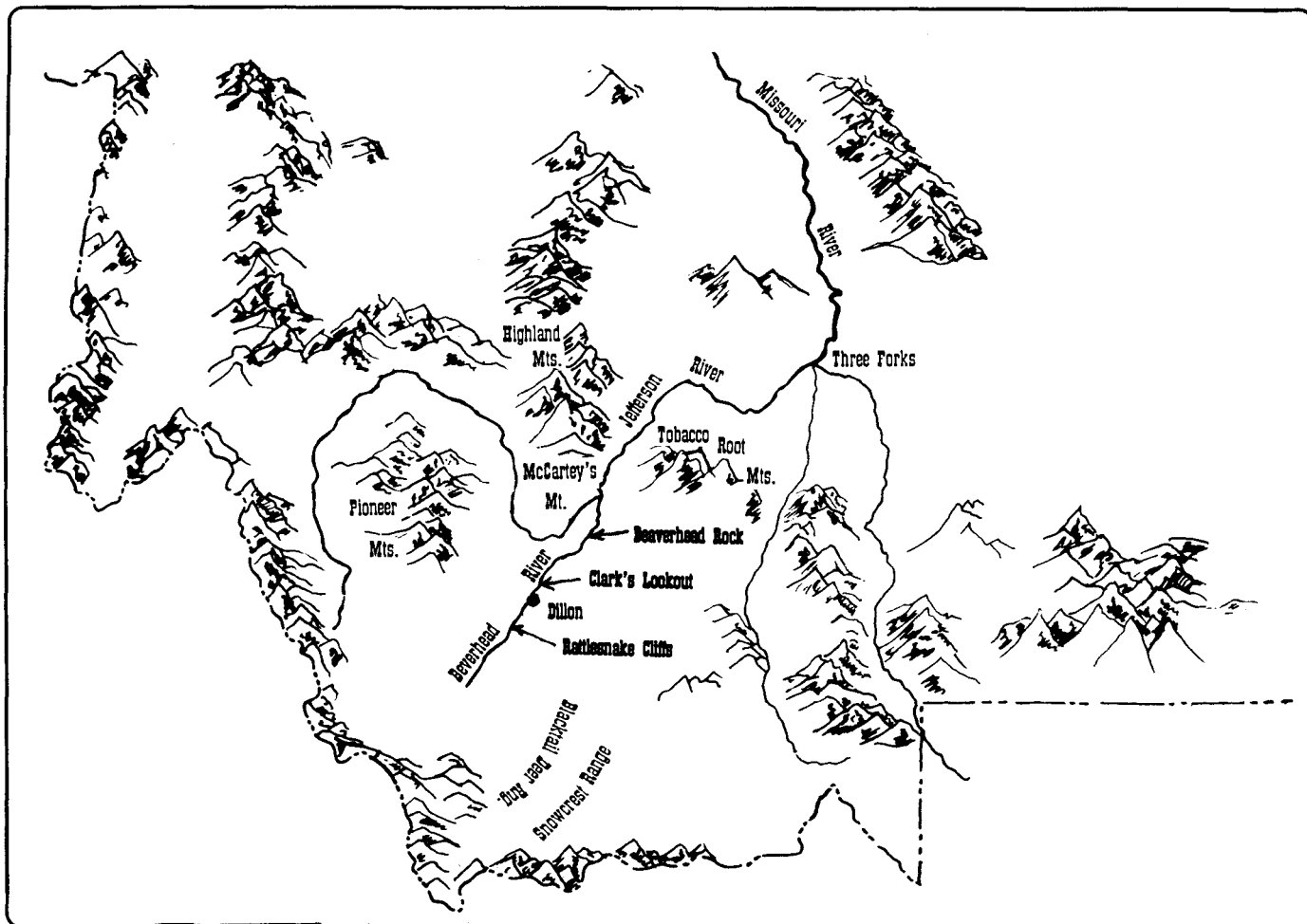
24. This information is found on map number 29-A of Clark's maps that are reproduced in volume 8 of Thwaites.

25. Thwaites. Vol. II, pp. 344-345.

# Clark's Lookout

## From a Geological Perspective

by Robert Fields  
Geologist, University of Montana



**C**Clark's Lookout, situated one mile north of Dillon, Montana on the north bank of the Beaverhead River just west of Old Highway 91, is composed of Madison Limestone, a set of marine deposits assigned to the Mississippian System of rocks (330 to 350 million years old) of the Paleozoic Era of time. It stands as an erosion remnant of an old topography that was buried under a mantle of younger rocks laid down by streams during the last 50 million years of geologic time. Today it stands alone and is visible because of the erosional processes of the modern Beaverhead River. Clark's Lookout is so situated that from its top one can see the surrounding countryside to the Pioneer Mountains on the northwest to the Tobacco Root Mountains some 40 miles to the northeast, the Ruby Range to the east and finally to the Rattlesnake Cliffs southwest of Dillon. This is a swing of more than 270° on the compass.

The geology of the Beaverhead Valley and its surrounding mountains is quite varied and includes most recognized types of rocks found on the earth's surface. There are examples of many types of igneous rocks, both intrusive and volcanic. Several areas present very ancient rocks classed as metamorphic rocks which grade from slightly altered limestones and shales to high grade metamorphic units consisting of banded gneisses and schists. Almost all of the ranges are either flanked by or are composed of sedimentary sequences containing both marine and continental sandstones, shales, and limestones.

The Beaverhead Valley (as well as other basins of southwest Montana) is buried by thousands of feet of rock debris partly derived from the eroding ranges and by vast quantities of volcanic ash derived from local as well as far off volcanic centers.

Faulting and folding of the rock sequences is a prominent feature of the Dillon-Beaverhead region. Most of the mountain ranges are flanked by basin margin faults, many of these with thousands of feet of vertical displacement. Folding is prominent and presents some spectacular surface features readily viewed from either the ground or aerial observation.

The higher mountain peaks in nearly all directions look like they do because of extensive valley glaciation during the last ice age (1.5 million to as late as 10 thousand years ago). Many of these glaciated areas are readily accessible from the Beaverhead Valley and offer some of Montana's most spectacular scenery.

Standing atop Clark's Lookout and imagining that the north direction on a compass is the 12 o'clock mark on a clock and that all of the hour marks on the clock are compass directions, we can review the panorama from our point of observation. For example: a feature at 3 o'clock would be due east, another feature at 9 o'clock would be due west.

At 10 to 11 o'clock are the beautiful peaks of the Pioneer Mountains. The higher peaks were carved by glaciers from granite related to the Boulder batholith better known from the Butte area with its very rich copper deposits. The east flank of the Pioneer Mountains is composed of sedimentary rocks deposited during Paleozoic and Mesozoic time. Eastward toward the basin these rocks in turn are buried under the valley fill sediments of Tertiary age. Occasionally ridges or knobs of the Paleozoic and Mesozoic rocks as well as granite protude through the valley fill. Clark's Lookout is one such remnant. Several of these remnants can be seen at 11:30 near Apex about 13 miles distance.

At 12 o'clock (due North) about 20 miles distance is McCarty's Mountain, another prominent landmark in this region. It is separated from the Pioneer Mountains by the valley of the Big Hole River. The course of the Big Hole River is very interesting. The river flows eastward to Divide (38 miles North of Clark's Lookout) having cut the Big Hole Canyon through both igneous rocks, Paleozoic sediments and very ancient rocks belonging to the Precambrian time interval (greater than 200 million years and for those rocks an age of 1.2 to 1.7 billion years has been established). At Divide the river abruptly turns south then swings east around the south flank of McCarty's Mountain, then northeast to Twin Bridges (27 miles from Clark's Lookout) where it joins the Beaverhead River.

McCarty's Mountain is cored by a granite stock. On its west side the flank is buried by volcanic rocks. On its south and east sides it is flanked by spectacularly folded and thrust faulted Mesozoic and Paleozoic aged sediments part of which are covered by later volcanic rocks which in turn are buried by valley fill sediments. At 12:30 o'clock Block Mountain is visible on the east flank of McCarty's Mountain and is composed of basalt. South of Block Mountain a prominent ridge appropriately known as "The Hogback" consists of upturned ridges of late Paleozoic sandstone and quartzite. The Big Hole River passes eastward between Block Mountain and "The Hogback."

At 12 to 1 o'clock beyond McCarty's Mountain are the Highland Mountains with the highest peak, Table Mountain (El. 10,223) standing prominently in the middle of the range. This south end of the range is composed of Precambrian metamorphic rocks. The middle and north portion of the range is made up of granite, a part of the Boulder batholith.

At 1:30 is the Jefferson Valley flanked on the west by the Highlands and on the east by the Tobacco Root Mountains. The Jefferson Valley is filled to great depth by valley fill sediments through which the Jefferson River is presently cutting its northward course.

At 1 o'clock (14 miles away) in the middle of the Beaverhead Valley is Beaverhead Rock so named by Lewis and Clark because of its shape. It reminds one of a beaver swimming eastward. Beaverhead Rock is another remnant of an ancient topography that protudes through the valley fill sediments and is composed of Madison Limestone, the same formation that composes Clark's Lookout.

At 2 o'clock on the distant skyline are some of the highest peaks in the Tobacco Root Mountains. These mountains are cored by the Tobacco Root batholith but the major rock types are very ancient (2 to 2.7 billion years old) high grade metamorphic gneisses, marbles, and schists.

At 2 o'clock in front of the Tobacco Root Mountains is the lower Ruby River Valley, again underlain by a thick section of valley fill sediments.

At 2 to 4 o'clock in the middle distance is the more subdued crest of the Ruby Range. This range is composed of Precambrian metamorphic rocks related to those in the Highland Mountains and Tobacco Root Mountains. Of interest are the several commercial talc deposits that are being exploited in the range. There are also important banded iron deposits in this range.

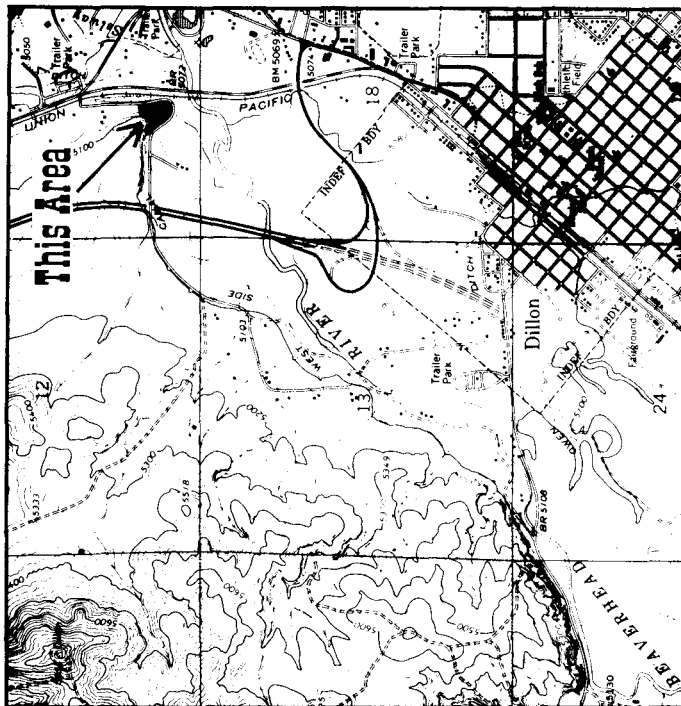
At 4:30 is the broad linear Blacktail Deer Valley, yet another basin filled with Tertiary valley fill sediments. In the far distance up the line of the Blacktail Deer Valley is the Snowcrest Range again composed of Precambrian metamorphics but flanked by a thick section of Paleozoic and Mesozoic rocks.

At 5 o'clock is the long straight, fault controlled flank of the Blacktail Deer Range, a complex range composed of tightly folded and faulted Paleozoic and Mesozoic sediments overlain by a thick section of locally derived volcanic rocks. At 7 o'clock at the south face of the Blacktail Deer Range is the mouth of Beaverhead Canyon where the Beaverhead River finds its way into the lower Beaverhead-Dillon basin. The rocks at the mouth of the canyon are part of a complex sequence of volcanic rocks including ash, basalt flows, and agglomerates.

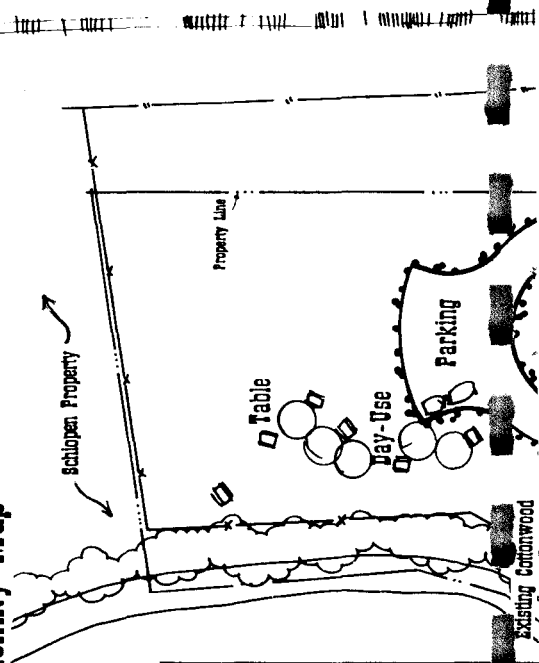
The hills southwest of Clark's Lookout and around to the Rattlesnake Cliffs are part of the same sequence of volcanic rocks. These outcrops are, like many of the resistance hills around the basin, erosion remnants of an older topographic terrain exhumed by the erosional processes of the modern Beaverhead River and its tributaries.



**Proposed Sculpture**



**Vicinity Map**



**Interpretation Area**

Clark's Lookout Sign - Expedition Sign

Expedition On River Sign

Beaverhead Rock Sign

Shoshone Indian Sign

Rattlesnake Cliffs Sign

Geological Sign





## Bob Scriver

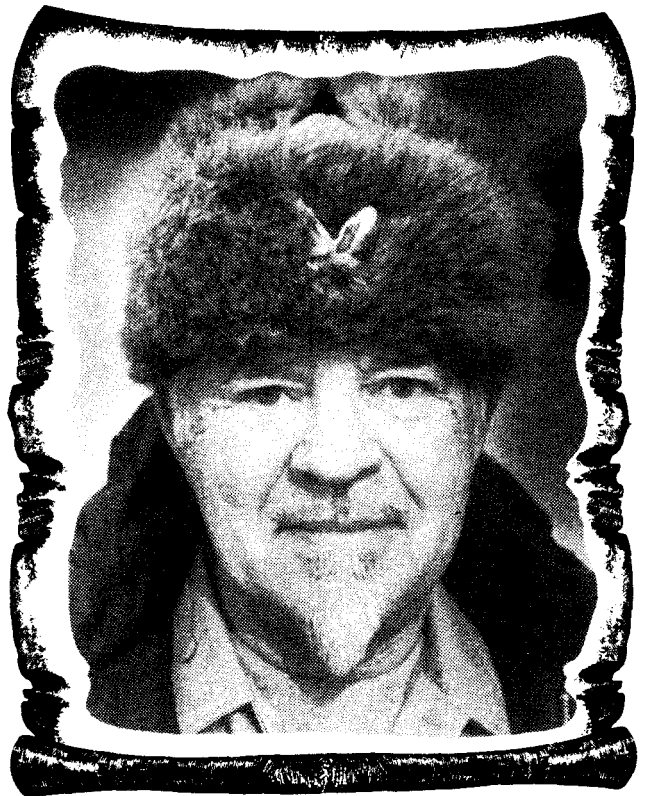
Nationally acclaimed western and historical artist Bob Scriver of Browning, Montana has agreed to create a monumental size statue of Captain William Clark for the proposed state monument near present Dillon, Montana.

According to Dr. Harold McCracken, Director Emeritus of the Whitney Gallery of Western Art: "Bob Scriver is the foremost sculptor in America today—bar none."

Scriver's excellence in sculpture has earned for him gold and silver medals from the Cowboy Artists of America, as well as from the National Academy of Western Art. On two occasions his works were selected as "Best of Show" in sculpture at the C.M. Russell Art Auction.

In 1980, the national Lewis and Clark Trail Heritage Foundation recognized in Scriver's artwork a significant contribution to bringing to this nation a better appreciation and awareness of the Lewis and Clark Expedition. He was, therefore, presented the Foundation's highest honor, "The Award of Meritorious Achievement."

Scriver's Lewis and Clark sculptures include "He-that-Looks-at-the-Calf Meets Captain Lewis," a depiction of Captain Lewis's meeting with the Piegan Indians near present Cut Bank, Montana in 1806; "Captain Lewis and Our Dog Scannon," a depiction of the Captain at his daily routine of writing in his journals while his faithful Newfoundland stands by his side; and the heroic size statue of Lewis, Clark and Sacagawea entitled "Decision at the Marias," which stands on the banks of the Missouri in Fort Benton, Montana.



Clay model of proposed sculpture



The final arrangements for Bob Scriver's monumental size bronze in Beaverhead County, Montana are contingent upon approval by the 48th Montana Legislature of the proposed Clark's Lookout State Park.

The production of the Captain William Clark bronze will be funded by the sales of smaller bronzes of the same design. These will be cast in limited editions and offered in 1/6 and 1/4 life size.

Send the coupon below for more information.

Contact: Robert Mountain  
President  
First Northwestern Bank  
Box 1127  
Dillon, MT 59725

Please send me information on Bob Scriver's 1/6 and 1/4 life size bronzes of Captain William Clark as soon as details have been completed.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

# Clark's Lookout Estimate of Costs

Item	Donated Matching Funds	Coal Tax Funds Requested
Site Acquisition .....		58,600
Site Appraisal (Lewis and Clark Trail Heritage Foundation) .....	3,000	
Site Survey (Tom Schiopen) .....	400	
5,000 Brochures .....		1,500
Gravel Access Road and Parking .....		8,575
Rock Excavation .....		10,000
103 Rods - Perimeter Fences .....		2,060
Steel Gate .....		2,000
100 Rock Barriers .....		10,000
1 Double Latrine .....		8,000
12 Picnic Tables .....		3,000
Directional Signs .....		1,500
540 Sq. Yds. Asphalt Trail .....		10,800
6 Benches .....		3,000
7 Interpretive Signs .....		7,000
Geological Consultant .....		500
Archaeological Consultant .....		500
Telescope Area .....		3,000
Sculpture (by Clark's Lookout Committee) .....	210,000	
Base for Sculpture .....		10,000
Fence or protective device .....		2,000
Lighting .....		15,000
Seeding Disturbed Areas .....		500
Sub-total .....	213,400	157,635
10% Consultant .....		15,763
15% Staking and Supv. .....		23,644
10% Contingency .....		15,763
10% Inflation .....		15,763
Publicity to Sell Sculpture Replicas (for Clark's Lookout Committee) .....		5,000
<b>TOTAL .....</b>	<b>213,400</b>	<b>233,568</b>



1983 COAL TAX PARK PROPOSAL

1. Site Name (if any): Clark's Lookout

2. Site Location: County: Beaverhead

Township 7 South Range 8 West Section SE1SW1 7

Near (town, landmark, etc.) Dillon

3. Please describe the site's qualities that make it unique or otherwise eligible for the State Park System:

Clark's Lookout is a significant landmark of the Lewis & Clark Expedition.

As a state monument this historic resource would be preserved and interpreted for the enjoyment of Beaverhead valley residents and visitors. A diversity of other recreational activities are also possible at the site, which would compliment its use as a historic monument.

4. Project Sponsor Beaverhead County Commissioner Agency (if any): \_\_\_\_\_

Address: Beaverhead County Courthouse Telephone: 683-5245

Dillon, Montana 59725

Will the sponsor be able to appear before a Legislative Committee to support this proposal?

X yes \_\_\_\_\_ no

5. For what price is the owner willing to sell? \$ 58,600

I, Thomas Schiopen, owner of Clark's Lookout  
Joan Schiopen (owner's name) Thomas and Joan Schiopen (site name)  
verify by my signature that the information in number 5 above is correct.

6. Appraisal  
Has the proposed site been appraised by a professional land appraiser?  
X yes \_\_\_\_\_ no If yes, when? 11/12/81 Updated 10/25/82

The department encourages project sponsors to submit an appraisal establishing the fair market value of the site. Will you be able to provide one?

X yes \_\_\_\_\_ no (Submitted for review 8/20/82 and 11/5/82)

7. Cost of Site Acquisition

Appraised value of this site \$ 58,600

(Date of appraisal: 10/25/82)

Donation of other sources of assistance \$ 213,000  
(if any, please specify):

The Lewis & Clark Trail Heritage Foundation donated \$3,000 for the appraisals and the expenses for the application. The landowner donated the cost of the survey. The funds for the bronze statue of Clark will be raised by the Clark's Lookout Committee through the sale of miniature bronzes of Captain Clark.

Estimated appropriation needed from Coal Tax Fund: \$ 233,568

Other comments on cost: \$5,000 of the requested appropriation is for publicity expenses of the Clark's Lookout Committee to initiate the marketing of the miniature bronzes for the fund raising drive to pay for the monumental size statue of Captain Clark which will be erected on the site. (See full cost breakdown enclosed)

### PROPOSAL EVALUATION

Answering the following questions will help determine the value of your proposal to the State Park System.

1. Please check the recreational activities that could take place frequently at this site.

☒ Walking for pleasure    ☒ Picnicking    ☐ Fishing  
☒ Bicycling (destination)    ☐ Hunting    ☐ Camping  
☒ Bird-Watching    ☐ Boating    ☒ Scenery Viewing  
☒ Historic or Natural Interpretation  
☒ Other: specify Educational and artistic  
☐ Other: specify \_\_\_\_\_  
☐ Other: specify \_\_\_\_\_

2. During what season would this site receive use?

☒ fall    ☒ winter    ☒ spring    ☒ summer

3. Does this site have historic or archaeologic value?

☐ no    ☒ yes, if yes, please explain: The site is a landmark of the Lewis & Clark Expedition. Captain William Clark used the rock outcrop as an observation point from which he viewed the Beaverhead Valley, took several compass readings, and sketched a map of the area.

4. Does this site have scenic value?

☐ no    ☒ yes: If yes, please explain: The site provides an excellent view of the Beaverhead Valley and the surrounding mountain ranges, and in particular, the Beaverhead Rock and the Rattlesnake Cliffs, two other landmarks of Lewis & Clark history, are visible from the site.

5. Does this site have scientific value? (scientific value could be defined as ecological or geological features).

☐ no    ☒ yes: If yes, please explain: The site is an excellent location to interpret the areas geologic history (see geological report attached.)

6. Please explain your conception of the possible future management and development of this site:

402/W

The site would be managed to commemorate the Lewis & Clark Expedition, to provide a historical and geological interpretative area, to provide a recreational and cultural experience for local residents and visitors. A ten foot statue of Captain William Clark would be sculpted by Bob Scriver of Browning, Montana, and would be erected on the site. The costs of the statue would be raised by Clark's Lookout Committee of Dillon, Montana. For details of site development, please see the attached map plan.



## Lewis and Clark Trail

HERITAGE FOUNDATION, INC.



### OFFICERS

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3121 Grandview  
Spokane, WA 99204

1st Vice President  
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1950 - 3301 Ave. No. 1  
Longview, WA 98625

2nd Vice President  
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1201 Rutland Court S.E.  
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Secretary

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Clancy, MT 59634

Treasurer  
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P.O. Box 128  
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Culbuck, MT (175-76)

MEMBERSHIP SECRETARY

HAZEL BAIN  
1950 - 3301 Ave. No. 1  
Longview, WA 98625

To: The Beaverhead County Commissioners  
From: The Lewis & Clark Trail Heritage Foundation  
Subject: Support for the proposed Clark's Lookout State Monument

Whereas President Thomas Jefferson instructed Captain Meriwether Lewis to "...take careful observations...at all remarkable points... & objects distinguished by such natural marks & characters of a durable kind, as that they may with certainty be recognized hereafter..." and

Whereas Captain William Clark ascended a high point of "ruled" rock on August 13, 1805, for the purpose of making compass readings and mapping the area, and this same high point is now known as Clark's Lookout, in honor of the Lewis and Clark Expedition visit, and

Whereas there are few remaining unchanged places which "...may with certainty be recognized..." as those places visited and recorded by Captains Lewis and Clark, such as that rock outcrop recorded by Captain Clark near present day Dillon, Montana, and

Whereas the Beaverhead County Commissioners, in recognition of the historical value of the site, have proposed to have a state monument developed on the site to ensure its preservation and to provide interpretation of the Expedition history for the education and enjoyment of the people, now therefore be it

Resolved that the Lewis & Clark Trail Heritage Foundation assembled in Philadelphia this 7th day of August 1982, hereby commends the Beaverhead County Commissioners for their effort to preserve this important historic site, and to perpetuate the historic importance of the Lewis & Clark Expedition, and hereby supports the Commissioners efforts to acquire funding for the Clark's Lookout State Monument proposal.

Passed Unanimously

Incorporated 1989 Under Missouri General Not-for-Profit Corporation Act (RS & Uniform Contribution N)

# Letters of Support



Dillon Kiwanis Club

P.O. Box 405  
DILLON, MONTANA 59725

8 September 1982

Board of County Commissioners  
Beaverhead County  
Dillon, Montana

Gentlemen:

The Dillon Kiwanis Club is in support of the concept to establish a historic site at "Lovers Leap Rock." An improved observation point, appropriately signed at the adjacent freeway exit, could enlighten the tourist in the rich heritage of our area and may possibly encourage a longer stay in our area.

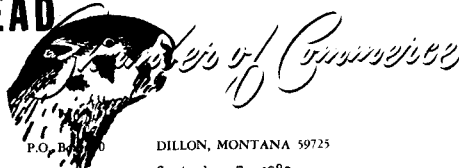
An additional freeway exit to serve the viewpoint is not considered a viable option due to financial restraints. Additionally, it would tend to preclude the viewer from visiting the Dillon area.

We feel the proposal has merit and support the County Commissioners in their study of the project.

Sincerely,

*Al Hinton*  
Al Hinton  
President

# BEAVERHEAD



DILLON, MONTANA 59725  
September 7, 1982

Beaverhead County Commissioners  
County Courthouse  
Dillon, Montana 59725  
Re: Clark Lookout Park Proposal

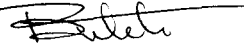
Gentlemen:

Preservation of Clark's Lookout, one of the few sites specifically described in the Lewis and Clark Journals, is a project which Beaverhead County as well as our state and nation must consider worthwhile.

Representing the Beaverhead Chamber of Commerce which serves this entire county, the Chamber Directors have voted unanimously to support this project and feel it a viable endeavor which can only help increase tourism in the area and provide prime recreation facilities for the citizens of this county.

The project needs the support of coal tax funds and we feel an application for such funds to serve the preservation of history as well as to serve commerce in Montana could not be more appropriate anywhere in this state.

Speaking sincerely, I'm

  
Butch Opsahl, President  
Beaverhead Chamber of Commerce

BO:HB

## FIRST NORTHWESTERN BANK

Box 1127  
Dillon, Montana 59725  
406/683-4222



September 3, 1982

BEAVERHEAD COUNTY COMMISSIONERS  
County Courthouse  
Dillon, MT 59725

RE: CLARK LOOKOUT


Dear Commissioners:

I have had the opportunity to represent First Northwestern National Bank on the Clark Lookout Committee and would like to inform you that we are whole-heartedly in support of this project.

It would be a great thing for Southwestern Montana to preserve a site such as Clark's Lookout which is so specifically outlined in their journals.

I would certainly appreciate your endorsement of the project and pledge our continued support should the project become a reality.

Yours truly,

  
ROBERT MOUNTAIN  
President

RM/sba

*Our  
100th  
Anniversary*

The First Northwestern National Bank of Dillon

Dillon, Montana.

July 31, 1982

Mr. Robert Miller, Chairman  
Beaverhead County Commissioners,  
Dillon, Montana 59725

Gentlemen:

I wish to express my appreciation to you County Commissioners for your interest and support of the recognition of Clark's Observation Point (Lovers Leap).

Mrs. Vinson, Secretary-Treasurer of the National Lewis and Clark Heritage Foundation who is working with you and the local committee is very well informed and able person to be working with you and I hope I live to see this site marked and recognized. It was an important site in the voyage of the Discovery Corp. All the important sites on the Lewis and Clark Trail are marked and this site will complete the history of the trail through Beaverhead County.

Sincerely,

*Elynda Woods*  
Honorary Life Member of the National  
Lewis and Clark Heritage Foundation

Copy.



EASTERN MONTANA COLLEGE OF THE MONTANA UNIVERSITY SYSTEM

OFFICE OF THE PRESIDENT

September 3, 1982

To Whom It May Concern:

Subject: Proposed Lewis & Clark Park of Dillon

I am pleased to report that the Dillon chapter of Rotary International, at its meeting on Monday, August 30, 1982, approved a motion in support of the development of the proposed park honoring Lewis & Clark as a historical landmark in Dillon.

The members of the club discussed at length the advantages of recognizing the unique site, and its association with the community. If I can further clarify this expression of support from the membership of the Rotary Club, feel free to be in touch with me.

Sincerely yours,

*Bob Thomas*  
Bob Thomas, President  
Rotary Club

DILLON

## CITY OF DILLON, MONTANA

CONNIE S. NICHOLAS, MAYOR  
406/683-4245

125 N. IDAHO ST.  
DILLON, MT 59725

September 8, 1982

Beaverhead County Commissioners

Re: Clark Lookout Committee

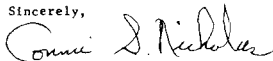
Gentlemen:

The proposed Clark Lookout is favored by the City of Dillon as an added attraction for tourists enjoying this area. With the completion of the interstate through Dillon, any historic site will encourage travelers to stop, and spend time in our area, thus aiding the business people in Dillon.

This site would provide a recreational area for local people, and preserve a sense of history for all.

If the City can be of any assistance in your project, please do not hesitate to contact us.

Sincerely,



Connie S. Nicholas  
Mayor

Lewis and Clark National Historic Trail  
Advisory Council Meeting  
Sheraton Hotel, Billings, Montana  
September 11, 1982

Whereas President Thomas Jefferson instructed Captain Meriwether Lewis to "...take careful observations...at all remarkable points...and objects distinguished by such natural marks and characters of a durable kind, as that they may with certainty be recognized hereafter...", and

Whereas the Congress of the United States has designated the route of the Lewis and Clark Expedition a National Historic Trail, and has directed this Advisory Council to plan for the identification, preservation, and interpretation of "...remarkable points..." along the route, and

Whereas the careful recording of the rock cliff observation point near present day Dillon, Montana, on August 15, 1805, by Captain William Clark followed the instructions of President Jefferson, and the preservation and interpretation of the site would fulfill Jefferson's desire that such places "...be recognized hereafter...", and

Whereas the goals of the Congress of the United States and of the Advisory Council to perpetuate the history of the discovery of the Lewis and Clark party, and to identify, preserve and interpret the sites associated with the Expedition would be furthered by the preservation of the Clark's Lookout site, and

Whereas the Beaverhead County Commissioners, in recognition of the historical value of the site of Clark's observations, have proposed to have a State monument developed on the site to ensure its preservation and to provide interpretation of the Expedition history for the education and enjoyment of the people, now therefore be it

Resolved that the Lewis and Clark National Historic Trail Advisory Council assembled in Billings, Montana this 11th day of September, 1982, hereby commends the efforts of the Beaverhead County Commissioners, and extend our support and encouragement for this worthwhile endeavor.

This resolution adopted by a vote of 22 for, 0 against.



LAKE ELMO

Attachments 13 through 15

FISH HOMESTEAD ON SAND CREEK  
PROPOSED STATE PARK AREA

Addition to Makoshika State Park:

- south of and adjacent to Makoshika State Park.
- access by Sand Creek County Road.
- pine-juniper hills and breaks.
- approximately 2,374 acres.
- excellent habitat for mule deer, sharptail grouse, etc.
- this part would also provide much outdoor recreation:
  - very scenic.
  - very good for hiking, photography, cross-country skiing, snowmobiles, and possibly motorbikes.
  - very good hunting.
  - fossil area; Late Cretaceous dinosaur fossils found in this area.
- fits Dept. of Fish, Wildlife, and Parks' Long Range Plan for Makoshika Park.
  - would provide possibility for Makoshika Park to Sand Creek Loop Road in the future.
  - the state actually owns only 810 acres of the 56,000-acre badland area.
  - another 3,818 acres have been brought under park management through leases and easements.
  - the Dept. of Fish, Wildlife, and Parks has been making efforts to obtain management, authority for additional key tracts through purchase or long-term leases.
- limited development required:
  - Fish and Game personnel already here.
  - minimum of travel from Glendive to administer this area.
- meets criteria for park system:
  - provides recreational area.
- need and justification for recreational use:
  - this area is needed due to the influx of people to this area and the increased pressure on private land.
  - note the many uses - not a single purpose acquisition.
  - will be used most of the year.
- asking price:
  - landowners are willing to sell at \$356,173 (\$150 per acre).
  - best buy per acre compared to other proposals.
- community support:
  - organizations.
  - individuals.

I'M HERMAN HASS OF GLENDIVE, MONTANA AND AM INTERESTED IN THE 1983 COAL TAX PROPOSAL FOR THE FISH HOMESTEAD ON SAND CREEK IN MAKOSHIKA PARK IN EASTERN MONTANA. MY INTEREST IN THIS PROPOSAL STEMS FROM A DEEP CONCERN IN THE DEVELOPMENT OF A VITAL RECREATIONAL AREA IN EASTERN MONTANA. I WOULD LIKE TO TAKE A FEW MINUTES OF YOUR TIME TO GIVE YOU MY REASONS:

THE PARK OFFERS RECREATIONAL FACILITIES FOR NOT ONLY RESIDENTS OF EASTERN MONTANA, BUT FOR OVER 82,000 PEOPLE PER YEAR WHO VISIT THE PARK.

IT IS THE FAVORED RECREATIONAL RESOURCE IN A SIX COUNTY AREA.

IT OFFERS ITS VISITORS RECREATION IN THE FORMS OF PICNICKING, HIKING, CAMPING, SIGHTSEEING, DRIVING FOR PLEASURE, SCENIC VIEWING AND THE OPPORTUNITY TO OBSERVE WILDLIFE IN THEIR NATURAL HABITAT. THESE ARE ONLY A FEW OF THE MANY ATTRACTIONS OFFERED.

OTHERS: 125 VARIATIONS OF FLOWERS  
STATE TREES  
NATURAL LANDSCAPING  
REST & RELAXATION  
FOSSILS  
CLEAN AIR  
YOUTH CAMP  
MOTORCYCLE TRAILS  
ARCHERY RANGE

OUR COMMITTEE IS COMMITTED TO THE PRESERVATION OF PARK VALUES-- WE HAVE NOTHING TO GAIN MONETARILY. WE WOULD LIKE TO BE ABLE TO PRESERVE HISTORY, GIVE FUTURE GENERATIONS A PARK TO ENJOY, AND OFFER TO EASTERN MONTANA A PARK THEY CAN BE EVEN MORE PROUD OF AND TELL THEIR OUT OF STATE NEIGHBORS ABOUT. I GUESS IF WE TALK GAINS -- WE COULD SEE MORE PEOPLE VISITING EASTERN MONTANA TO VIEW THIS PARK -- WHICH WILL ONLY BENEFIT ALL OF MONTANA AS INCREASED REVENUE WILL BE GAINED FROM THE TOURISM.

I ASK YOUR SUPPORT ON THIS PROPOSAL FOR PURCHASE OF LAND TO EXPAND OUR PRESENT PARK -- the positive RESULTS WILL BE SEEN FOR MANY YEARS.

THANK YOU FOR YOUR TIME.

10

SUPPORTING ORGANIZATIONS

Coal Tax Park Proposal  
Pecreation Area

Engle Ranch near Glendive

Glendive Chamber of Commerce and Agriculture

Dawson County Commissioners

Dawson County Planning Board

Gateway Board of Realtors (Glendive, Sidney, Wibaux)

Kiwanas

Breakfast Lions

Noon Lions

Lower Yellowstone Outdoors Assoc.

Lower Yellowstone Plainsmen

Makoshika Bowmen

Badlands Camera Club

Terry Sportsmen Assoc.

Glendive Rock and Hobby Club

Glendive Jaycees

Montana Wildlife Federation

## What has to happen?

- The Lake Elmo Task Force has proposed that Lake Elmo be acquired with special coal tax money set aside specifically for park acquisition. The state legislature will act on this request in early 1983.
- This is our last chance! If acquisition does not occur now, it probably never will. The acquisition program may never again be available.

## What can I do to help?

- The Lake Elmo Task Force needs your help and support in this effort.
- Please contact your local representative and senator to voice your support of the Lake Elmo acquisition proposal.
- Please attend the Lake Elmo Task Force meetings and show your support.
- Please pass the word to your friends and acquaintances to build support for the Lake Elmo acquisition

## Thanks!

- Preservation of Lake Elmo as a park will benefit our community today and generations into the future. We must have the wisdom our community forefathers had. What would we do without Pioneer, North or South Park? It is in our hands to see that Lake Elmo is preserved.

## For additional information please call:



### Lake Elmo Task Force

2312 Constellation Trail  
Billings, MT 59105  
245-3181 or 252-4816

**Rod Shepherd, Chairman**

*"A Park For All Seasons"*



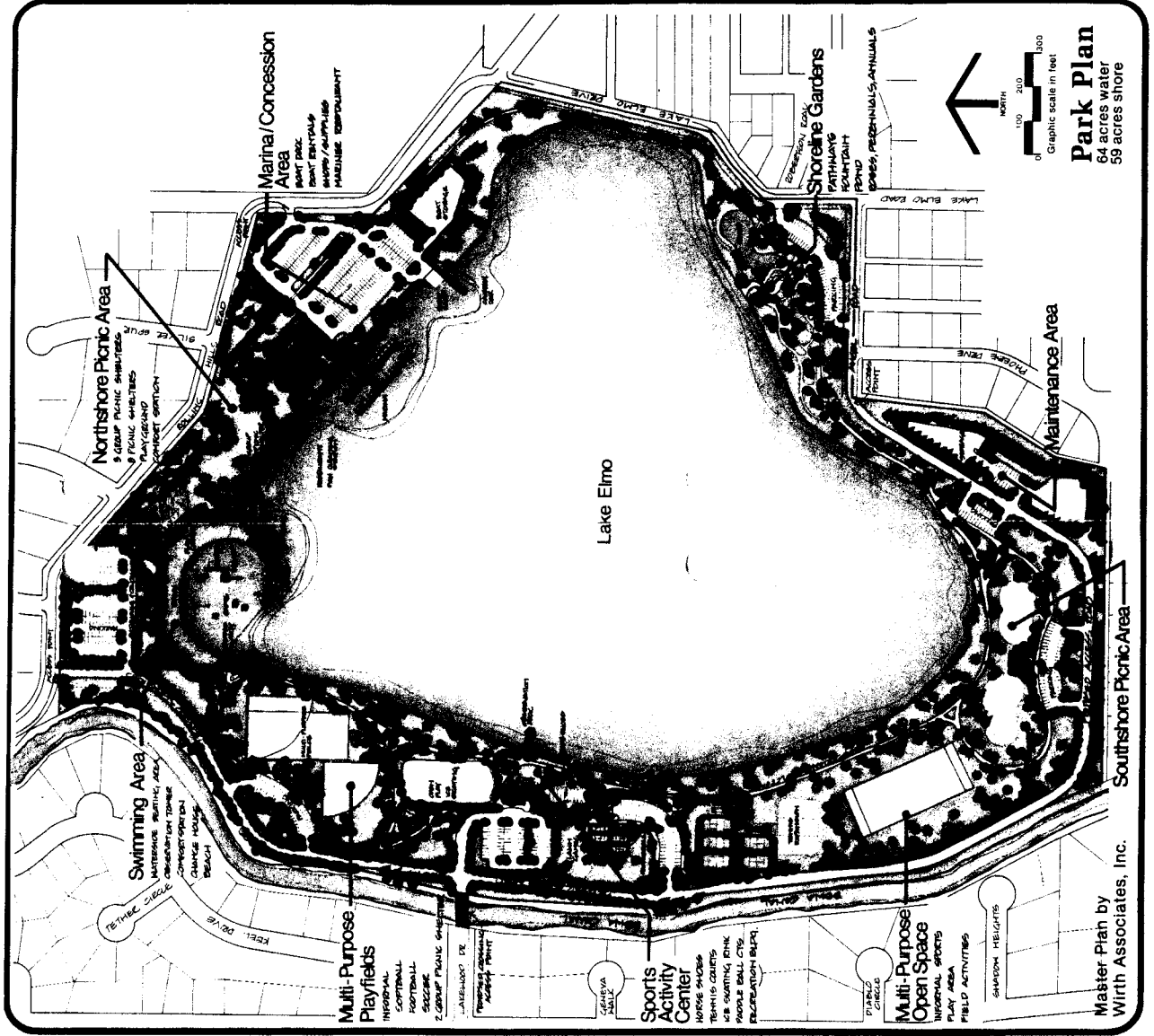
**An outstanding opportunity for:**

- Preservation of a scenic lake area

- Development of a regional/ community park and a water-oriented recreation area.

Lake Elmo, which is located in the densely populated northeast corner of Billings, includes 64 acres of water area and 59 acres of shoreline. This one-of-a-kind resource is ideal for the development of a sorely needed park and water based recreation area. Lake Elmo can accommodate a cross section of uses to fulfill both regional and immediate community needs including:

- Swimming
- Fishing
- Boating
- Picnicking
- Open Space
- Sports Fields
- Pedestrian Ways
- Shoreline Gardens
- Cross-country Skiing
- Ice-skating
- Bikeways
- Pedestrian/Jogging Paths





RAY DIETZ

## Auto & Truck Salvage, Inc.

1104 Bench Blvd.

Phone 248-1124

Billings, Montana 59101

Nov. 29, 1982

Lake Elmo Task Force  
2312 Constellation Tr.  
Billings, Mont. 59105

Dear Board Members:

I want to offer my support to the Lake Elmo Task Force.

I feel the job you are trying to accomplish will greatly benefit Yellowstone County and the surrounding area.

As the population has grown in this area of Montana, so has the need for more parks and recreation sites. If Lake Elmo were to become a State Park, it would answer a need for many kinds of controlled recreation for many age groups.

Thank you for all the time and hard work the Task Force has put in on the Lake Elmo Project.

Sincerely:

Patricia Dietz

cc Les Kitselman

# A&E

PARTNERSHIP  
ARCHITECTS<sup>P</sup>

December 3, 1982

Lake Elmo Task Force  
2312 Interlachen Trail  
Billings, MT 59105

Dear Task Force Members:

Having reviewed with Steve Elliot your well-conceived preliminary plans for development of a badly needed water recreational facility near Billings at Lake Elmo, we are pleased to contribute the attached check to this worthy cause. Like many Billings residents, we recognize the aesthetic and recreational demand for a well-designed park with a large body of water as its focal point.

Too often relatively small but well-organized special interest groups influence the expenditure of tax money on remote facilities or property that benefits only a very few. The development of Lake Elmo would serve a tremendously wide-range and number of people with a relatively small investment.

Presently, to reach such a body of water, residents of Billings must travel at least 50 miles which is not only an inconvenience but a tremendous waste of natural resources, a safety hazard, and a burden on highways, utilities, law enforcement, and other public services.

As architects and planners, we feel this project will have a tremendous long-range impact on the quality of life in the Billings region. Thanks for your efforts.

Sincerely,

A&E PARTNERSHIP ARCHITECTS, p.c.



Thomas A. Overturf, President

TAO/maa  
enclosure



*Keller Enterprise \* Box 20799 \* Billings, MT 59104*

---

December 14, 1982

Lake Elmo Task Force  
2312 Constellation Trail  
Billings, MT 59105

To: Lake Elmo Task Force,

Please be advised that Kon's Soopers and Kwik Way, Inc. are pleased to be supporters of the Lake Elmo project.

This project is in the best interest of a growing Billings, and would put a popular area to the best use for the public good.

Best of luck in this endeavor, and we are pleased to support this civic undertaking.

Sincerely,

*Charlean Keller*

*Charlean Keller  
President \* CEO  
Kons Soopers  
Kwik Way Inc.*

# NORTH PARK NEIGHBORHOOD TASK FORCE

BILLINGS, MONTANA

DECEMBER 14, 1982

LAKE ELMO TASK FORCE  
2312 CONSTELLATION TRAIL  
BILLINGS, MONTANA 59105

We the members of the North Park Task Force unanimously passed a resolution at our December 8, 1982 meeting to show our support of the Lake Elmo Concept Master Plan. We feel the time is now to develop Lake Elmo as a REGIONAL-COMMUNITY Park for the enjoyment of future generations.

FOR THE MEMBERS OF THE NORTH PARK TASK FORCE,



JEFF REGNIER

VICE CHAIRMAN-SECRETARY

NORTH PARK TASK FORCE

608 NORTH 15th STREET

BILLINGS, MONTANA 59101

WE LIVE TOGETHER-LET'S PLAN TOGETHER





## PIONEERS IN PIZZA

December 16, 1982

Lake Elmo Task Force  
2312 Constellation Trail  
Billings, MT 59105

Attn: Steve Elliot

Dear Steve:

I enjoyed your visit last week regarding the proposed Regional Park at Lake Elmo. The plan has real long term merits to the community of greater Billings and should prove to be a unique attraction to citizens throughout the state.

Little Big Men is happy to help support the Task Force with this project. Best of luck to you in all of your future efforts with this program.

Sincerely,

LITTLE BIG MEN, INC

A handwritten signature in cursive script, appearing to read "Steven W. Arntzen".

Steven W. Arntzen  
Executive Vice President

SWA:jwp



# BILLINGS ROD AND GUN CLUB

P. O. BOX 33  
BILLINGS, MONTANA

December 21, 1982

Lake Elmo Task Force  
2114 Constellation Dr.  
Billings, MT 59105

Gentlemen

At its December meeting the Billings Rod and Gun Club voted to support the Lake Elmo Task Force in their efforts to have the Department of Fish, Wildlife and Parks acquire Lake Elmo as a state park.

This area could be developed to provide recreation for area residents for all generations to follow. As the population grows and energy becomes more of an issue, recreation areas such as Lake Elmo will even increase in value to the public.

Sincerely

A handwritten signature in cursive script that reads "Don Meidinger".

Don Meidinger, Secretary

cc: James Flynn, Director  
Dept. of Fish, Wildlife & Parks

# Security Banks of Montana

December 22, 1982


Lake Elmo Task Force  
2312 Constellation Trail  
Billings, MT 59105

Dear Sir:

The purpose of this letter is to voice my support for the development of Lake Elmo to a regional/community park. The fact that it is the only nearby body of water makes it an important resource for recreation for a great number of people. Its development into a mutli-purpose public space would be an important occurrence for all the residents of this area as well as their children and those others who will come in the future.

I strongly support your efforts and hope that you are successful.

Sincerely,



James R. Scott  
Senior Vice President

JRS:es - 3-12

**FIRST NORTHWESTERN NATIONAL BANK**

Post Office Box 30058  
Billings, Montana 59117  
406/657-3400

Al F. Winegardner, Jr.  
President

December 28, 1982

Mr. Steve Elliot  
Lake Elmo Task Force  
2312 Constellation Trail  
Billings, MT 59105

Dear Steve:

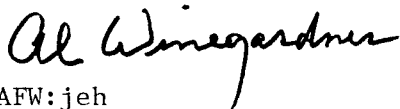
Please accept my check as my financial support for the Lake Elmo Task Force. However, more important, I want you and your associates to know that I am intellectually and emotionally for your objectives.

As a long time resident of this community I know that park planning and preparation must be completed decades before the actual dreams come true. I particularly am proud of those persons who many years ago planned our Pioneer Park.

It's unfortunate that we have not had better planning for park space on the east end of our area. The population growth in subdivisions such as Kimberly Heights and other areas, commonly known as Billings Heights, warrants a massive effort by your Task Force so that both the adults and children of the area have a place to play and enjoy for the rest of their lives.

Please call me if I may be of any assistance to visit with the legislators or in any other way that you believe I could assist.

With kindest regards,



AFW:jeh



909 Wyoming Avenue  
Billings, MT 59101  
406 252-6303

January 5, 1983

Lake Elmo Task Force  
c/o Rod Shepherd  
2312 Constellation Trail  
Billings, MT 59105

Dear Rod:

On December 16, 1982, the Board of Directors of the YWCA voted unanimously to support the Lake Elmo Task Force in the following ways:

1. Support letters to the Lake Elmo Task Force and to the local news media
2. Contacting legislative representatives and senators
3. Donation of \$100.00 which is enclosed

It is evident there is a great need for a recreational facility in this area which can become one of Billings' most unique attractions. One of the YWCA's future goals is advocacy of programs to meet the needs of teens and young women by providing health, physical education and recreational activities. The YWCA is continually seeking to provide programming in all geographical areas of our community in order to reach all youth and women; and an additional park in this area would provide an opportunity to achieve this goal.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Pat Petersen'.

Pat Petersen  
President  
YWCA Board of Directors

PP/jgs

**BILLINGS - YELLOWSTONE  
CITY-COUNTY PLANNING BOARD**

P.O. BOX 1178

4TH FLOOR, LIBRARY BUILDING  
510 N. 28TH

PHONE ~~243-8686~~ 657-8246

BILLINGS, MONTANA 59101

January 5, 1983

Lake Elmo Task Force  
Rod Shepherd, Chairman  
2312 Constellation Trail  
Billings, Montana 59105

Dear Sirs:

At their regularly scheduled meeting of December 21, 1982 Mr. Steve Elliot made a presentation to the Planning Board concerning the Lake Elmo Park Proposal. I have enclosed a copy of the Board's minutes for that meeting. Mr. Elliot's presentation is item A under Regular Business.

Following discussion about the Park Proposal a motion was made and approved to support/approve the concept of the Lake Elmo Park Project.

The Board would appreciate being kept informed of the progress of the project. If you have any questions concerning the Board's action please contact me.

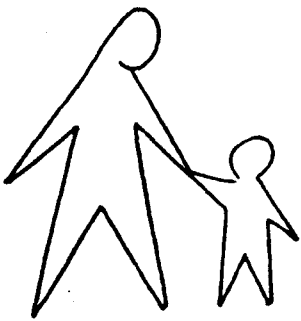
Sincerely,

  
GEORGE S. FREEMAN  
Planning Director

GSF/cyn

Att.





# Big Brothers & Sisters of Yellowstone County, Inc.

Phone 248-2229

928 Broadwater Avenue  
Billings, Montana 59101

January 20, 1983

Lake Elmo Task Force  
2312 Constellation Trail  
Billings, Montana 59105

Dear Task Force Members,

We would like to support your efforts to develop Lake Elmo into a park for the enjoyment and use of citizens in our area.

The concept of a park and water based recreation area in Eastern Montana is exciting. Often children in the arid part of the state don't have the opportunity to experience water oriented activities such as fishing, boating, swimming etc. enjoyed by our Western neighbors.

In addition, the development of such a park would increase the options for activities for children in our community and expand opportunities for volunteer Big Brothers and Sisters to share with their little Brother or Sister.

We wish your success in your endeavors to make this park a reality in our community.

Sincerely,

Joyce M. Davis  
Director  
JMD:mm1

# Irked builders staff's goof cost me cash

12-22-82

By TOM TOLLEFSON  
Of The Gazette Staff

An irate builder told the City-County Planning Board Tuesday night that a planning department mistake will cost him \$15,000 by the time it is corrected next month — if it can be corrected at all.

William Kale told the board that planning department officials informed him three months ago that a piece of property on North 19th Street near the Rims was zoned "residential multi-family." Kale bought the property and hired an architect to draw plans for a 12-unit development. (Multi-family zoning would allow up to 16 units.)

When Kale went back to the department this month to get his plans approved, he said, he was told the area actually was zoned "residential multi-family restricted," a classification that would allow only 10 units.

"I've been raising all kinds of hell for two weeks now, and all they did was shrug their shoulders and say they were sorry," Kale told the board.

Kale said he has applied to the city for both a zoning variance and a zoning change, either of which would allow him to proceed with his plans. A variance could be approved next month at the earliest.

"This sets me back a minimum of 60 days," Kale said. "Even if it goes through in January, I've lost \$15,000."

Asked by board chairman Oscar Harmon to explain the apparent foul-up, planning director George Freeman said he was "not sure the error was in my department."

Freeman said Kale was uncertain which worker in the seven-member department had given the wrong information.

"Mr. Kale has my sympathies," Freeman said, "but I'm bound by the law, and there wasn't anything I could do to issue a building permit. There's not a whole lot I could do about it."

The board told Kale it will inform city officials who will rule on the variance request of the error that was made.

Kale said he plans to sue Freeman and the planning department if his plans are blocked.

In other action at the meeting, the Board:

- Revived a proposal for a County Planning District to replace the city-county department;
- Passed a motion of support for the concept of a state-financed Lake Elmo Park;
- Approved a recommendation to the City Council and the Board of County Commissioners to expand the planning board's jurisdictional area west of Billings.

Freeman told the Board that a County Planning District with its own 2-mill tax levy seemed the only alternative to cutbacks in planning staff and services by 1985, when a \$42,000 budget shortfall is projected. A similar proposal last spring was turned down by the county commissioners. The Board voted to pass along Freeman's recommendation, along with his budget projections, to the City Council and the Board of County Commissioners for a second look.

The Board also voiced its support of the "concept" of a proposed Lake Elmo Park. Steve Elliot, a spokesman for the Lake Elmo Task Force, said his group is gathering statements of support for the plan to be presented to state legislators next month.

The group is asking for about \$1.5 million in state coal-tax funds to help buy the site of the proposed park, which consists of 59 acres as well as the 64-acre lake. The owner of the property, developer Monty Kimble, has set a \$3.5 million price. The task force has hired an appraiser to determine if Kimble's price is too high, Elliot said.

The Board also voted unanimously to ask the city and the county to expand its jurisdiction to in-

## Develop Lake Elmo

I have been visiting your city and became aware of the effort to develop Lake Elmo into a recreational area. It is a delightful lake with great potential.

We have a similar-sized lake in our city, and it has been developed into a highly used site. The green area is considerably larger, but it is used for picnicking, jogging, exercising, hand concerts, ball practice for young children, fishing, paddle boats — to name some of the summer activities. It is used in winter for ice skating. It is also home to some swans that were donated and many Canadian geese and ducks that stay the year round. I would encourage all to see this project become a reality instead of only a concept, as it would be a great community asset.

Shirley J. Rauback  
Fort Collins, Colo.

## Park great idea

Lake Elmo Park is a concept whose time has come. The recreational possibilities for the lake and surrounding land are varied and offer a year-round selection.

The purchase money being sought is part of the coal severance tax and will be spent regardless. This money may not be available again due to possible legislative change of the bill that made these funds presently available. The purchase of Lake Elmo would rightfully keep this coal tax money in eastern Montana where the impact of the coal industry is felt.

Billings would be less of a city if Pioneer Park had been a dream not realized. The same can be said of the lake dream, a dream of a lasting legacy for generations to come.

Barbara Macioroski  
2223 Constellation

## Lake Elmo Park

Lake Elmo has been in the past a place to do many outdoor activities. It is enjoyed by young and old. I would like to see it developed into a park with more to offer. Its potential for development has many possibilities. I believe the state should seriously consider buying Lake Elmo and the surrounding land for the people of Montana to enjoy.

Mary Sean  
1722 Maunne St.

## Lake Elmo Park

I am in favor of the purchase of Lake Elmo by the state for a park. The park would be an asset to the city of Billings and the surrounding area. A park with a lake in the added benefit of combining more types of recreation in one area.

With the current depressed economy people are not able to spend too much their income on recreation. Lake Elmo within five miles of Billings, making it fordable to a large number of people.

Suzette L. Curtis  
1610 12th St.

The efforts of the Lake Elmo Task Force to secure funds from the portion of coal severance tax that is earmarked for park acquisition are being fully supported by the YWCA Board of Directors. The goal of this task force is to get the state of Montana to purchase Lake Elmo and the surrounding land for a state park.

The opportunities that Lake Elmo and a park would offer to the community of Billings would be tremendous, and we support a park project in this geographical area of Billings where there are few recreational facilities at the present time.

As the YWCA looks to the future, we seek to provide satellite programs for the people we serve by providing recreational programs and opportunities in all areas of our community and a park in this area would make this possible.

Pat Petersen  
President, Board of Directors  
YWCA  
909 Wyoming Ave.  
2-3-83

## Support Lake Elmo

We would like to take this opportunity to express our support for the Lake Elmo Park Project. We urge that for the benefit of the city of Billings and its residents, both now and generations to come, that interested citizens voice their support of this project at city meetings, through the media and to their local and state representatives.

Gordon Wright  
Secretary  
Billings Heights Exchange Club  
741 Garnet

## Lake Elmo Park

A group of friends and I were discussing Lake Elmo — the good old days.

I'm sure you remember when motor boats used to pull water skiers around the lake during the summer months or when the Lake Elmo water skiing club used to sponsor water skiing tournaments at least one week-end a month.

Now if one wanted to water ski after work, school or whenever, one would have to drive approximately 48 miles to the nearest reservoir (Cooney Dam) which takes over an hour to get there, plus 16 gallons of gas round trip, and that's with a good tail wind.

I'm in favor of the purchase of Lake Elmo for a state park with funds provided from House Bill 550, which provides Montana coal severance tax funds for acquisition of appropriate properties to be added to the state park system.

Lake Elmo, because of its proximity to the largest urban population in Montana, is ideal for development into a recreation park. Immediate action is needed to assure its inclusion into the state park system before escalating land prices make its developing into housing too attractive to resist.

Martin E. Kramer  
922 1/2 Terry Ave.

1-31-83

## Park at Lake Elmo

As a resident of Billings, I am greatly concerned by the development of Lake Elmo. This potentially valuable site will be destroyed if subdivision is allowed.

Instead, I am in favor of turning the area into a state park. This would afford recreational variety not currently available in Billings and become a beautiful asset to our growing city.

Nancy J. Stockton  
2532 Yellowstone Ave.

12-20-82

## JANUARY 5, 1983 MEETING

Dinner will be served at 6:30 p.m. - 2nd floor Masonic Temple. Reservations needed by no later than Tuesday, January 4th at 4:00 p.m. Phone: 259-6683. Steve Elliott will provide pictures and will discuss a proposed Regional State Recreational Community Park within four miles of Billings in Yellowstone County.

BILLINGS SCOTTISH RITE BODIES

P.O. Box 2121

Billings, Montana 59105

# Lake Elmo park advocates urge: write your legislators

By PAT BELLINGHAUSEN  
Of The Gazette Staff

A group that wants to turn Lake Elmo into a state park is preparing a final push for state financing. Posters and fliers urging support for the park plan are displayed in some Billings stores. About 5,000 handbills will be distributed in an effort to persuade residents to write their legislators, said Rod Shepherd, Lake Elmo Task Force chairman.

House Bill 54, introduced by Les Kitselman, R-Billings, proposes that the state acquire the 64-acre lake and surrounding property for a park. The bill has been assigned to the House Committee on Fish, Wildlife and Parks, but no hearing is scheduled.

A similar proposal failed in the last legislative session.

This time Lake Elmo is one of 11 projects competing for \$1.5 million in coal tax trust money earmarked for parks.

Lake owner Monty Kimble, however, has put a \$3.5 million pricetag on his property.

That hasn't deterred the task force.

Kimble has indicated he would consider an offer of some cash plus land swaps and tax credits. Although such a package will be written into Kitselman's bill, the legislator said the total price will have to come down before there is hope of gaining the Legislature's approval.

Considering the current recession, "there is no

## City

way I can justify \$3.5 million for this project," Kitselman said.

Negotiating a sale price for the land is a task that will fall to state Fish, Wildlife and Parks Department officials, but the task force has talked with Kimble and recently had the property appraised.

Shepherd said the appraisal is being "finalized" and declined to reveal any figures. He said a public announcement will be made within two weeks.

According to Kitselman, though, this appraisal is said to be "considerably less" than \$3.5 million, the value set by an appraiser Kimble hired.

Steve Elliot, a task force member, said the task force paid \$4,250 for its appraisal, nearly depleting its bank account.

The group started with a \$2,500 contribution from a local businessman who wishes to remain anonymous, Elliot said. An equal amount was raised through small contributions from dozens of individuals and businesses, he said.

## City

### Pushing for park

Lake Elmo supporters keep the pressure on

PAGE 10A

Lake Elmo



### Aid asked for Lake Elmo park

With their proposal now ready for the Legislature, members of the Lake Elmo Task Force are trying to rally support for a plan to make Lake Elmo and nearby land a state park.

Task force spokesman Steve Elliot will go before the City-County Planning Board Tuesday night to brief officials on the park proposal and ask for their support.

The task force is backing an application for some \$1.5 million in state coal-tax money that would help the state buy the land from local developer Monty Kimble.

The Legislature will decide toward the end of its 1983 session which project will receive the money.

Elliot said the task force is seeking support from city and county gov-

ernments because both would benefit from the lake park, which is owned by the city.

Kimble is asking for \$3.5 million for the property, a price some legislators believe is too high.

Elliot said the task force has ranged for an independent appraisal on the property.

Kimble has said he will not promise on the \$3.5 million price tag the value set by an appraiser he hired — but that he is willing to negotiate on trading the lake property for cash, plus surplus state land.

Park supporters are hoping their appraisal will give them room to negotiate a lower price with Kimble.

Plans for the park include construction of a marina, swimming area, ballfields and picnic grounds.

# YMCA'S FUTURE BELONGS TO THE EFFICIENT...

## MEMBERS CAN HELP THE YMCA TO BE MORE ENERGY EFFICIENT

Like most buildings that were erected 20-30 years ago, the YMCA is energy deficient. Built in 1952, the YMCA facility is literally a GAS HOG! Over half of the Y's gas bill alone, goes to heat water for domestic use. It is estimated that the utility bill for 1983 will exceed \$105,000! That's 18% of the total budget!

The concern to us all is, "How is the YMCA going to keep pace with the rising costs of energy?" Probably, like all of you are doing . . . reduce usage. And, how do we do that? We simply ask you, our members, to take quicker showers, swim in water that is a little cooler. The savings alone for reduced gas to heat the water for showers would be tremendous. The average water bill for the "Y" is about \$1,500 a month and rising. Watersaver showerheads were installed some months ago to assist in the reduction of water usage. It is estimated by energy consultants, that by 1990 our cost per MCF, that's a thousand cubic feet of gas, will be about \$9.00. We currently are paying \$4.23 MCF. Given the same cold January we had in 1982, would mean the Y's gas bill for that month would be a whopping \$18,000!

Will you help your YMCA to beat these statistics by becoming one of the efficient users of energy? Certainly, the future does belong to those who are energy efficient. You're cooperation will be appreciated.

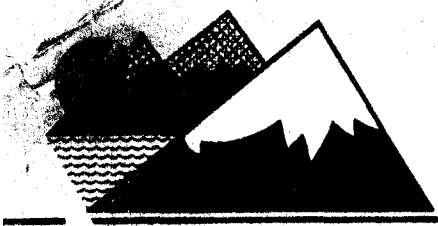
## NEW PLANS FOR LAKE ELMO

**By Mal Arnett, Executive Director**

Last month I was paid a visit by a Steve Elliott about developing Lake Elmo into a future recreational area for Billings. Steve, is spearheading a project that is attempting to develop a plan that would one day provide the community with a wide variety of activities in one location. Billings, is devoid of lake areas close by where not only boating, water skiing and the like can be hand, but where ball fields, tennis, soccer fields, picnic areas, etc. can be within easy walking distance of each other. I think Steve has a worthy project that all of us should get behind and support. Like all projects of this size, it takes time and money to get all of the necessary work completed. However, if this proposed recreational area is to become a reality, we must begin now to put the plan together.

In commenting on the Lake Elmo project, Steve reminisced about the development of Pioneer Park. Most of us take this fine park for granted today and suppose it has always been there. No true according to Steve. The plan for Pioneer Park was begun in about 1920. From the beginning of the plan to the time it became a reality took twelve years. It is interesting to note that that piece of ground cost the taxpayers \$34,000. At \$1,000 bucks and acre! Have you any idea what the cost would be in today's dollars?

The point is that someone had the vision to pursue a project that benefits the entire community some 50 years later. I think Steve's efforts now can well have the same impact that Pioneer Park is having on our community today. Let's provide for those generations to come. Support the Lake Elmo project by sending in a contribution to the Lake Elmo Task Force.



# Whitefish

---

February 4, 1983

To Whom It May Concern:

The Whitefish Area Chamber of Commerce would again like to lend its support to the local proposal for establishing a State Park on Whitefish Lake near Gaines Point. It is our understanding that the proposed park would be called the Les Mason Memorial Park in honor of the deceased father of the present owners.

This parcel of land is ideally suited for use as a State Park in that it not only fronts on Whitefish Lake for 586 feet but abuts Montana Highway 487 on the East. It is actually three contiguous parcels of land comprising some 7.8 acres in size.

We feel this proposal would be a beneficial use not only to the residents of Whitefish but also to the many visitors to our area.

Your serious consideration of this proposal is requested and would be appreciated.

Thank you for your consideration.

Sincerely,

Lynn Walker  
Executive Manager

---

**Whitefish Area Chamber of Commerce**

Post Office Box 1309 • Whitefish, Montana 59937 • (406) 862-3501



February 4, 1983

Mr. Martin Gilman  
P.O. Box 638  
Whitefish, MT 59937

RE: Les Mason Memorial Park Proposal


Dear Mr. Gilman:

The Whitefish City Council would like to go on record, as of February 4, 1983, in support of the "Les Mason Memorial Park" proposal. At present, the city owns one of the only two public accesses to Whitefish Lake and certainly supports a proposal for a third access.

The "Gaines Point" property being proposed for this park lies approximately half way up the east lakeshore of Whitefish Lake and would certainly relieve some of the congestion occurring at the southern end of our magnificent lake. It is also one of the last pieces of accessible Whitefish Lake frontage available for this purpose. We feel that its location is ideal in that the property fronts a secondary highway and yet is far enough removed from the existing accesses that it would certainly help alleviate the congestion occurring at times at our own city beach.

The City Council of Whitefish and several Whitefish residents recognize that we are a destination center for the ever growing tourist industry and feel that we can't delay any longer in acquiring the facilities that these folks come here to use. There is a definite need for additional access to Whitefish Lake and this proposal.

Sincerely yours,

  
\_\_\_\_\_  
Henry Olson  
Mayor



# WHITEFISH ROTARY CLUB

WHITEFISH, MONTANA

October 22, 1980

MEETING PLACE:

~~SANDERS RESTAURANT~~

VIKING LODGE

MEETING TIME:  
MONDAY 12:10

To Whom It May Concern:

The Whitefish Rotary Club is pleased to support the establishment of the Les Mason Memorial Park (Gaines Point) located on Whitefish Lake, Whitefish, Montana.

This much needed park has 586 feet of lake frontage and is approximately 8 acres in size.

This facility will relieve congestion at the south end of the lake and is very accessible to Montana Highway 487, Wisconsin Avenue.

Again the Whitefish Rotary Club is very much in favor of the creation of the Les Mason Memorial Park.

Thank you,

*Mark Svendsen*  
Dr. Mark SVENDSEN  
President 1980-81

*Our club is a very strong supporter of this project and will help in any way we can.*

*Charles R. Bell*

*Pres. 1982-83*



WITNESS STATEMENT

Name Martin Gilman Committee On \_\_\_\_\_  
Address 707 Park Ave Whitefish Date 2-5-83  
Representing Les Mason Memorial Park Support  
Bill No. \_\_\_\_\_ Oppose \_\_\_\_\_  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Last Major Accessible piece of frontage available or suitable as park land on Whitefish Lake.
2. Would Help alleviate congestion and current safety hazards currently existing on southern end of lake.
3. Has suitable area on north end of property for Boat launch site while bay area would be natural swimming area.
4. Appraisal has been provided to assist in substantiating asking price.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

# WITNESS STATEMENT

Name Van H. Gilchrist Committee On Parks-  
 Address 57-Scarbrough <sup>Kalispell Mont.</sup> Date 2-5-1983  
 Representing Los Mesa Memorial Park Support Yes-  
 Bill No. \_\_\_\_\_ Oppose \_\_\_\_\_  
 Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## Comments:

1. Whitefish<sup>is</sup> Recreation + retirement center located in Flathead Valley in N.W. Montana. Western Gateway to Glacier Park. Flathead Lake-Big Mountain Ski Area-
2. ~~Bob Marshall Wilderness + Great Bear Wilderness Areas-~~ Pearl of this Area is Whitefish Lake. Pure, fresh water, fishing, boating, picnicing, water skiing. People come from all over the country to enjoy -
3. Whitefish Lake is close to being a "private lake". The nicest + most expensive property in N.W. Montana; there are private homes all around the lake with
4. only 2 places for public use + Access.

Whitefish City Park + state park on South side of lake with limited camping are the only places where the public can put in a boat-picnic-swim-etc. Most of Whitefish Lake is steep + no access. Subject property is located 1 mile from the Big Mountain Ski Road, has good access from the County Road, and is the only sizeable area available for a park. This is beyond question the choicest part and nicest beach on Whitefish Lake. Its loss to the public will probably result in Whitefish Lake becoming itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

remaining "Rick Mans Lake"

FORM CS-34

1-83

The area was used as public park although privately owned for many, many years until it was necessary to close it for insurance reasons.

*V. H. Gilchrist*

Ground level.

# Whitefish Lake park may be funded by state

By MARK BRUNSON  
and The Associated Press

**WHITEFISH** — A beachfront park on Whitefish Lake is among 14 proposed park acquisitions the Montana Legislature will consider funding this session.

If all the requests were approved, the Legislature would allow the Department of Fish, Wildlife and Parks to spend more than \$9.3 million to buy more land for wildlife management areas, fishing access sites and parks.

The 7.5-acre Les Mason Memorial State Park is one of 11 suggested parks proposed by the public.

The site is on the east lake shore about midway between Whitefish

and the head of the lake. The park would be set aside for day use only.

"It's the last large parcel available," said Whitefish savings and loan officer Marty Gilman, one of the originators of the proposal. "It's beautiful frontage — born to be used for something like that." Gilman will travel to Helena Saturday to testify in favor of the plan.

Fish, Wildlife and Parks likes the idea because it would relieve pressure on Whitefish Lake State Park on the southwest shore, said Region One parks officer Cord.

"The state park is overcrowded.

The Les Mason park would provide an opportunity for public recreation on the other side of the lake and take

some of the heat off the state park and City Beach," Cord said.

Gilman said there is so much use on the south end of the lake, with swimmers and speedboaters crowded together, that a safety hazard now exists.

The property has been in the Mason family for generations. Les Mason, the father of the property's present owners, was a Whitefish resident from 1900 until his death in 1958. He was a prominent member of the early Whitefish community and a founder of the town's Methodist Church.

At \$800,000, it is the second most costly park proposal put forth to the Legislature. It was proposed and

rejected during the 1981 legislative session.

The Legislature has been asked for \$7.3 million for parks, monuments and historic sites. Not all suggestions will be taken.

Available money is expected to total only \$1.6 million over the next two years, Parks Division administrator Ron Holliday said. The money would come from the interest on two-thirds of 1 percent of deposits into the coal tax trust fund.

In addition to its acquisition program, the FWP agency has also begun a program to sell off unneeded land, or land that is difficult to manage.

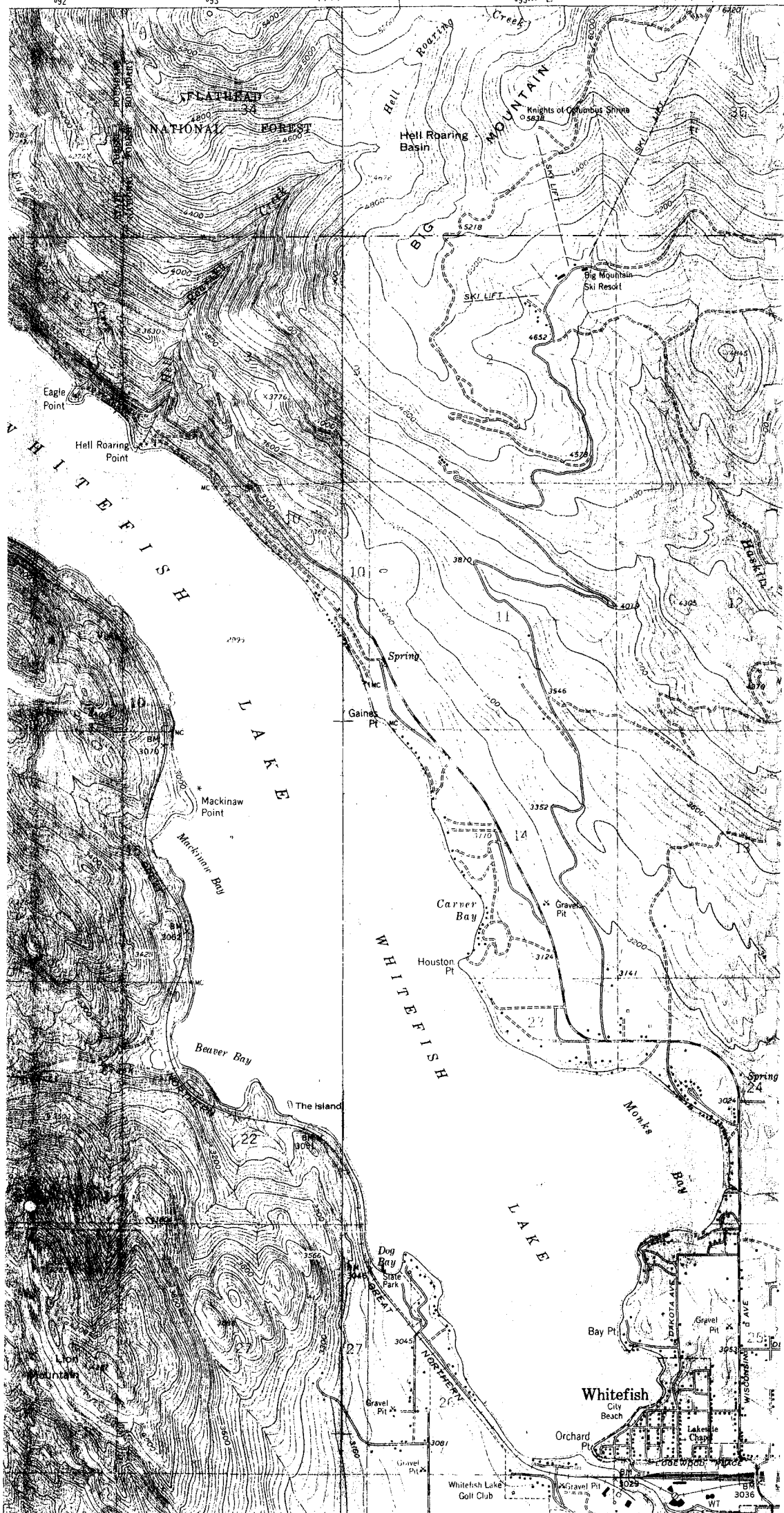
## 7.5 MINUTE SERIES (TOPOGRAPHIC)

GEOLOGICAL SURVEY

693

114° 2' 30"

695000m. E.



MICHAEL'S RANCH

Attachments 20 through 21

The publication advertising coal tax acquisitions mentions criteria for state park system components. The proposed addition of Michael's Ranch to Rosebud Battlefield is compatible with three of the component types mentioned in the coal tax publication.

1. As a state park it combines open space viewing of an historical event in the context of a high plains natural environment.
2. It fullfills requirements as a recreational area by providing visitors year around opportunities. Hunting, hiking, observation of flora and fauna, winter sports, and historical interpretation are possible pursuits.
3. As a state monument it preserves a place of historical importance dating to the Indian Wars' period of the 1870's.

Recreational considerations aside, the primary purpose of the Rosebud site purchase is to preserve an historic site with recreation as a secondary role. From my frame of reference as historian, therefore, preservation of the historical attributes assumes major importance.

The Rosebud Battle is important to the events of the Sioux War of 1876-77. The conflict there, June 17, 1876, between the U.S. Army and the Sioux and Cheyenne was a preliminary to the famous Custer Battle of June 25, 1876 one week later. Many of the same warriors who fought Custer and his troops also engaged General Crook and his forces at the Rosebud Battle.

The Rosebud Battle has the distinction of being the largest Indian-Army Battle in terms of actual area encompassed by the fight. The battle ranged over a two mile by five mile area. Most of that battle area is under state supervision.

The heaviest fighting took place on the west end of the battlefield on Royall's ridge. About half of the ridge is on state land; the remaining parts are on private and reservation land. The acquisition of the Michael's Ranch would bring another portion of that ridge into the battlefield boundary for preservation. The Royall ridge portion of Michael's Ranch is relatively untouched by agricultural activity.

In addition to Royall ridge the Rosebud Creek bottom of Michael's Ranch contains the staging area of the troops at the outset of the battle. The creek bottom was the scene of skirmishing during the course of the battle.

A further consideration for inclusion of the area into the state parks is its location in the region of the state where the impact of coal mining is heaviest. Since the Michael's Ranch would be purchased with coal tax money, we are talking of returning some of this money and its resultant benefits to the area where the impact of coal mining has had the most effect. Rosebud Battle site is adjacent to the part of the state that is experiencing the influx of people who would be able to benefit most directly from the opportunities of a recreation area.

As a cost effective proposition Michael's Ranch offers 511 acres for a cost of \$250,000. In the short and long range there would be little other cost involved in up-keep except perhaps fencing. Access roads already exist eliminating need for road construction. A state fish and game warden is stationed at the battlefield and serves in a dual role as supervisor of the battlefield in addition to his enforcement duties.

In conclusion, I would like to emphasize the importance of preserving our human cultural resources. It is from these that we learn about ourselves, where we are from and maybe where we are going.

Thank you for the opportunity of presenting this proposal.

Representative Rex Manuel  
c/o Long Range Building Committee  
Capitol Building, Helena, Mt.

Dear Representative Manuel:

I am writing this letter to request favorable consideration on your part and by the members of the above named committee, toward the acquisition of those several parcels of land that remain under private ownership on the site of the Battle of the Rosebud in Rosebud County and which Battle occurred on June 17, 1876, Gen. George Crook commanding. Unfortunately, I recall the name or names of these owners of the privately owned tracts.

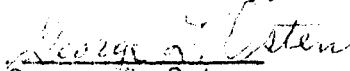
All except the above tracts, were owned by Elmer E. Kobold who was known as "Slim" Kobold. He was a very close, long time friend of mine, with whom I spent many frequent visitations at his ranch, along with Mrs. Kobold. We made careful and painstaking endeavors to locate positions used by the Troops here and there on the field and with my metal detector, unearthed numerous shells and a few unfired mementos and many other parts cavalry equipment etc.

It had been Slim's ardent desire to acquire the remaining tracts of land above referred to, so that the Battle site, Battle site in it's entirety, would be preserved for study and inspection by writers and researchers of early Montana history.

The Montana Department of Wildlife, Parks and Recreation, now owns the Kobold ranch properties and eventually contemplates building a museum to house and exhibit the Battle mementos and display the numerous artifacts which Slim had excavated and preserved so many years, especially the finds made at the renowned "Buffalo Jump."

Trusting that you, Mr. Manuel, and the members of your Committee, will favor this request and I send to you, my personal thanks herewith.

Yours Sincerely,

  
George B. Osten  
P. O. Box 981  
Billings, Mt. - 59101



Rosebud Audubon Society  
P.O. Box 361  
Miles City, Montana 59301

Rep. Rex Manuel, Chairman  
Long Range Building Committee  
Capitol Station  
Helena, Montana 59620

*SCHUEERING*  
*MILES*

*ROSEBUD  
AUDUBON  
SOCIETY*

Sirs:

We, of the Rosebud Audubon Society, would like to express our support for the Coal Tax Acquisition of the Michaels Ranch in the Rosebud Battlefield.

We feel that this acquisition would enhance the vitality of this site, which is a valuable historical and natural area. The site is also of value due to its proximity to both the Tongue River Reservoir and the Custer Battlefield.

It seems only fitting that a portion of the Coal Tax Acquisition funds should be used to preserve the natural ecosystems and historically authentic sections of the very areas in which the Coal Tax revenues originate.

Sincerely,

*John Schueering*

John Schueering, Conservation Chairman  
For the Board of Directors  
Rosebud Audubon Society

P. O. Box 579  
Sheridan, WY 82801  
February 2, 1983

The Honorable Rex Manuel  
Chairman, Long Range Building Committee  
Capitol Station  
Helena, Montana 59620

Dear Sir:

C  
O  
P  
Y  
As a person interested in the history of the Indian wars, particularly relating to the Rosebud area, I would like to express my views on purchasing property at the site of the Rosebud Battle.

This battle site is one of the important field trips which the class I teach at our local college takes. I have explored this site prior to the State of Montana purchasing property in this area, and I feel that this one of the major battle sites in the history of Montana. I feel very strongly that the historical sites of our area need to be preserved. Since the major portion of the Rosebud battle site has already been purchased by the State of Montana, it seems that it would be in the best interest of history to keep the entire battle site intact.

I have been very impressed with the State of Montana in the preservation of historical sites and the availability of these sites to the public.

Again, I would strongly recommend to you that the State of Montana purchase and preserve this section of land, as without it the battlefield would not be complete. As a member of the Oregon National Trail Advisory Council under the United States Department of the Interior, I am deeply interested in and committed to the preservation of our heritage.

Sincerely,

Mark D. Badgett

A3823 (CUST)

February 1, 1983

Honorable Carroll Graham  
Montana State Senate  
Capitol Complex  
Helena, Montana 59601

Dear Carroll:

A friend of mine was here the other day discussing the possibility of adding the Michael's Ranch to the Rosebud Battlefield State Monument. From the sound of it, it sounds like a good proposal. The Michael's Ranch contains some area where much of the fighting occurred during the Rosebud Battle in 1876. Preserving the integrity of the Rosebud Battlefield is every bit as important as preserving the area around Custer Battlefield.

The Long Range Building Committee meets on Saturday from 2 to 6 p.m. You may perhaps be on that committee. I do not know its composition. We would appreciate it if you might give favorable consideration to the proposal to use some of the Game, Fish and Parks' coal tax money for the acquisition of the Michael's Ranch. Your influence with other legislators would be quite valuable also.

I would like to get to Helena before the session ends. If so, I hope we can get together.

Sincerely,

James V. Court  
Superintendent

February 3, 1983

Representative Rex Manuel  
Chairman Long Range Building Committee  
Capitol Station  
Helena, MT 59620

Dear Mr. Chairman:

I am writing in support of two Coal-tax acquisition proposals in Region 7 of Fish, Wildlife and Parks administration.

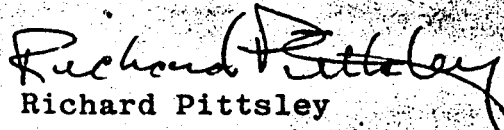
As the former Parks and Recreation Director for Miles City and Custer County I can testify to the lack of local state and federal parks and recreation areas in eastern Montana. The potential quality sites in our area are limited by access, size and multiple land ownerships.

Due to the limited resources of our area we frequently arrange trips with our area youth and Audubon clubs to Makoshika and Rosebud Battlefield.

Makoshika parks scenic, wildlife, and archeological significance is being threatened by energy development and private land holdings within its boundaries - our groups feel a definite need to protect our precious eastern resources by purchasing private land and government cooperation to swap lands for state ownership.

Rosebud Battlefields historical significance is of great interest to our area and the region - even though major battle areas remain outside its boundaries. Our emphasis in eastern Montana is that what few areas we do have can be made quality resources with additional land purchases and land swaps.

Respectfully,

  
Richard Pittsley

RP:fr

VAUGHN HOMESTEAD

Attachment 22

Thank You.

I am happy to be able to make this presentation today.

As outlined in the Coal Tax Park Proposals, under the "Homestead Study", the state Park Organic Law includes in its mandate, the providing of historic resources. "One key element which seems to be missing in the historic preservation of Mt. ... is a representative sample of the homesteading era."

~~Hopefully~~ I hope you <sup>will be</sup> ~~are~~ convinced, as I am, that the Robert Vaughn homestead aptly fills the requirements as a representative sample of the homesteading era, as does the Captain Couch Ranch, and that this site is worthy of inclusion in the State's ~~of the~~ Park system.

I begin with an overview of the Robert Vaughn Homestead.

~~... the present and original ...~~  
A.B. The Robert Vaughn Homestead/Captain Couch Ranch, ~~(The Nielsen Farm)~~, situated 1 1/2 miles south of the town of Vaughn and 1 1/2 miles north of the main channel of the Sun River, and remains, for the most part, geographically unchanged from the time of the first inhabitants. The bluffs south of the present-day farm, where the last great Indian battle in the Sun River Valley was fought, are as plainly visible today as then. The present-day farm, (slightly more than 200 acres) has dwindled from the original size of several thousand acres, though the basic living/work area remains intact, including several of the original buildings.

A.B. During Robert Vaughn's residence on the site, he constructed <sup>probably in 1869 his</sup> ~~his~~ home (identified as a sandstone rock, quarried from the hills less than 3 miles south of his house). Few if any records are available to reveal further details of the physical features of the Vaughn home. However, sections of the stone walls are still visible. The present-day brick walls of the "Big House" residence enclose the original walls of the Vaughn home. ~~as yet~~. It appears that the Vaughn home was a one or two room, single-story, rectangular structure (approx. 15' x 15'), ~~probably gable-roofed~~. It is impossible to determine for certain in the floor plan, interior features, ~~roof~~, etc. What remains of the home (the walls) is well-preserved, having been bricked over and encompassed within the brick walls of the "Big House." Sometime during his residence, Vaughn <sup>also</sup> constructed a cobblestone, ~~rectangular~~ single-story, ~~gable-roofed~~, blacksmith shop, southwest of his rock house about 40 paces. Another 20 paces south was another rock building, ~~probably built by Vaughn, perhaps a liver~~ stable, ~~rectangular, single-story, probably gable-roofed~~. Due to the old and dilapidated condition of these buildings they were completely torn down and removed by Nielsens'. One other possible feature of the Vaughn homestead should be noted. To the east of these rock buildings another 30 to 40 paces and less than a stone's throw from the tributary of the Sun River was a rock well, or cistern. It was overgrown and caved in when Nielsens' came in 1929 and was later filled and leveled. These constituted the Vaughn Homestead.

The walls of the Robert Vaughn home are an almost singular reminder and remnant of one of the Sun River Valley's first pioneer-rancher/farmers. The intact walls of the Vaughn home typify the rude architecture that characterized the initial attempts at settlement in the valley. The native composition of the home as well as its homemade architecture symbolize the initial attempts at homesteading in the valley. It is believed, that the Vaughn home is the oldest surviving replica of those first homesteading attempts in the valley. ~~As has already been discussed, the landscape has remained almost unchanged since~~ ~~the Vaughn home has been altered by its incorporation into the Captain Couch Ranch~~

**ARCHAEOLOGY-HISTORIC:** The proposed site lies in the very heart of what was the lastest Indian bastion in Montana. Vaughn identified his valley location on the Sun River as one of three favorite hunting grounds for numerous tribes in the state, including: The Flatheads, Pend d'Oreilles, Nez Perce, Bloods, Piegans, Blackfeet, Crow. ~~It was on the~~

Vaughn's home lay on the major trading route between Fort Benton and Helena and garnered a continuous account of classic Indian/Whiteman encounters. In fact the last great Indian battle fought between the Indian tribes (which decimated the two warring tribes of over half their manpower) occurred on the big hill south of Vaughn home. On Vaughn's site he enumerated, in his own writings, several personal encounters with the "Red man", both fearful and friendly. Vaughn was familiar with several of the earliest settlers of renowned identity, including General Gibbon, commander of Fort Shaw, W.W. Van Orsdel, the most remembered of the first ministers, Little Plume, a Piegan Chief, Paris Gibson, one of Montana's first Senators, and Charlie Russel, Montana's famous artist. Wildlife abounded on his farm site, including roaming herds of buffalo.

He became well-known for his stock, particularly his horses. He was the first in the region to <sup>focus on</sup> the raising of high-bred horses and cattle. He was acclaimed for his roadsters and a constant and favorite participant at territorial fairs and usually had winners on the race track.

He was the first settler to file in what was then Choteau county, according to the Public Recorder. He was also active in the development of Great Falls, Mt. and is identified by the City's founder, Paris Gibson (U.S. Senator) as one of the cities most able benefactors.

**MILITARY:** Neither Vaughn or Couch were personally involved in formal military service although both made contributions thereto. Vaughn aided military authorities at Fort Shaw (see ARCHAEOLOGY-HISTORIC). During the late 1860's he encouraged and supposedly aided in the work of what he called "the Vigilante Committees." Later, during the Sioux war of the late 70's, Vaughn participated in the organization and operation of the "Citizen Protective Association" designed for the homesteaders unable to rely wholly upon the protection offered by soldiers stationed at Fort Shaw who had been engaged in the war before referred to.

**POLITICS/GOVERNMENT:** Vaughn was elected county commissioner of Choteau County, though never actively seeking political office. In 1875 he was nominated by the Republicans of Choteau County as a representative in the lower house of the territorial legislature, though not elected.

*Listed in virtually every historical publication and "Who's Who" of Montana's most important characters, Vaughn was right about himself when he said; "I came to Mt. when a young man, now I am old, . . . and I may, like "Job" be reduced to poverty, but there is nothing that can rob one of the pride and glory of being a "hero of Mt.," one of those who stood by its cradle."*

The same "Who's Who" lists Robert Vaughn's successors as well. Robert Vaughn's successor, <sup>his good friend</sup> Thomas Couch, nicknamed "The Captain", purchased Vaughn's 1000 acre farm <sup>in 1889</sup> with all its livestock, ~~and~~ and moved there with his family. But for a dozen or more years previous he had gone from <sup>an immigrant in</sup> rags to a mining <sup>fortune</sup> "riches", working the ~~the~~ greatest mines of the Western U. S.

Captain Couch's contributions extended far beyond the confines of the Sun River Valley, though the valley was <sup>later on</sup> the hub of his wide-spread activity. The Captain was integral in the establishment and development of several mines throughout the western U.S. including the Mammoth Copperopolis, near Tintic, Utah (a gold and silver mine of national reputation), Bingham (where he operated the Neptune and Jordan silver and lead mines), the Hidden Treasurer of Dry Canyon, Ut., and the Horn Silver at Frisco, Ut. (Previously the Captain had worked at the quick silver mines at New Amaden, California, also the Grass Valley Mines. In Nevada, he labored in the area known as the "Mother Lode".) In Montana, the Captain was most prominent in the establishment of the Broadwater properties at Neihart and those at Castle ~~69~~

On coming to Mt. in 1883, he located in Butte and there became known as the greatest mining expert of his day. He was instrumental in developing and managing almost all the greatest mines of the State. The magnitude and skill of his management of these <sup>Butte</sup> mines became a part of the history of Mt. The smallest detail in connection with the development of this huge property did not escape his notice. He personally supervised the opening of each new mine, the working of the smelters and concentrators and control of the men employed above and below ground. . . . Largely upon his advice the Boston-Montana Consolidated Copper and Silver Mining Co. (ACM) decided in 1889 to erect the huge smelters at St. Falls. Mining men generally no confidence in the plan, but the work was rushed to completion. Within two years after the smelters were completed the Co. began paying dividends. As general mgr., his locating of the smelter at St. Falls was considered one of his outstanding achievements. . . it meant the building of a city, St. Falls, . . . and a monument to himself, as well. But he was a raucher too, not just a mining expert.

Captain Thomas Couch extended Vaughn's ranching endeavors. The best cattle he could buy were placed on his farm, including 600 registered animals, mostly of the Shorthorn, Herford, and Hetskin breeds. He had at least two national registered draft horses of equal reputation. His ranching activities were said to have been in the "public" interest for the most part and one record claimed that the Captain was directly responsible for the rising standard of Montana farm stock. Many owners prided themselves in the fact that their own stock was sired from the Captain's stock.

Military Service

Captain Couch had three sons who served in W.W.II, one perishing in the service.



\* Captain Couch also participated in the developing of Gold Dredging, from a plan originated in New Zealand, his own dredging boat the first to perform successfully in reclaiming placer gold (in Oroville, California) ~~and~~ and utilized worldwide thereafter.

Captain Couch was the recognized leader of the Republican party in Montana. In 1892 he was urged to accept the nomination for governor but declined. That same year he was tendered the nomination for governor (at a time when such a nomination was as good as being elected). He was also tendered the nomination to the position of U.S. Senator the Silverbow delegation able to ensure his election. This he declined. He was instrumental however, in the selection of Montana's first Senators.

Captain Couch knew Charlie Russell personally as did his sons. It was said that the Couch boys often rode the range with Russell and if a person knew their riding style, such could be identified in Russell paintings, for he used them often as models. p. 174 But in the end, it was the Captains mining expertise that

made him famous\* Though he succumbed in death at age 58 in 1902 he was nonetheless a mighty figure in the West. His ranch holdings alone were valued at over a half million dollars. One of his mining acumen, it was reported by one source that he was among "a half dozen best mining men in the State." Another claim boasted that "for a quarter of a century he ranked as one of the four best mining men in the ~~State~~ West." One of the most generous accolades rendered the Captain claimed:

The name of Captain Couch was known from California to Alaska. For nearly half a century it was one with which to conjure in mining circles great and small. His decisions made and unmade fabulous fortunes and there were times when the shake of his head caused stocks on Wall St. to tumble. Montana owes him an immeasurable debt of gratitude. No other single individual has so largely contributed to the development of her resources and to the establishment of her financial integrity at home and abroad.

As to the <sup>Homestead and</sup> ~~farm~~ <sup>ranch</sup> these pioneer farmers <sup>rancher</sup> industrialists left behind there is much to be appreciated.

ENGINEERING: Both Robert Vaughn and Captain Thomas Couch designed their own home and farm/ranch buildings. They each labored personally in the construction of the same. In the case of the Captain (please see discussion in DESCRIPTION) he also designed and built <sup>his own</sup> the kilns for the manufacturing of needed building materials.

Apparently Captain Couch utilized all of the Vaughn buildings in addition to erecting his own. His barn was built in 1890, approximately 40' x 40', ~~rectangular, framed structure, wood shingled, gable-roofed, intact at present, though deteriorated.~~ The barn also had three (approx. 15' x 30') wings (~~sheds~~) extending to the east, west, and south (also ~~remains~~). The wings were removed in 1930 and are no longer in existence. Corrals extended from the barn to the west, east, and south as well. The wings of the barn were divided into numerous stalls for individual livestock quarters. The main level of the barn was also lined with individual livestock stalls. The second-story hay loft extended the length and width of the barn. Above the main floor of the hay loft, a small loft, approximately 10' x 10', with an eastern-facing dormer window, hangs. Wooden pegs were almost wholly used in the barn construction. Only a short walk <sup>South</sup> from the twin tack rooms located

as well as individually notched beams and girders

at the front (south) end of the barn, stood a windmill (on the bank above the river) that pumped water to the barn.

From the west, north, and east the land slopes gently downward into a kind of basin, the "Big House" being located on the western slope, the barn on the eastern. On the gentle eastern slope Nielsens' built a huge root cellar (~~since destroyed by a flood~~) for storing produce. With a home-made scraper the hillside was scooped out, trees from the farm were cut and shaped for the cellar's supporting beams, then set, and numerous produce storage bins were located therein. A wagon and team of horses could be driven completely into the cellar. At the bottom of the basin incline, runoff forms a natural creekbed, extending north and south through the farm, about 2 miles in length. The creek runs in a southerly direction before flowing into the tributary south of the Big House, then as now.

At the edge of the creek, not far from where it joins the tributary, approximately midway between the barn and the Big House, on the eastern edge, the Captain constructed a wooden block house, (~~moved south by Nielsen 50 paces, later razed~~) called the "Ice house". On the other side of the Ice house <sup>of the Big House</sup> at its latest location, across the creek, less than 10 paces to the southeast, another windmill was located for pumping water to the Big House.

Water for the Big House was pumped first to the tank house (~~called the Red House in more recent times, because of its painted color, also called the "Well House."~~). The tank house ~~was located, then as now, directly behind (to the north) of the Big House. This building a wooden-framed, hip-roofed, "A" structure, also had two small framed, single-story, shed-like wings on either side. The approximate dimensions of the building are about 20' x 15'. The building is intact but deteriorated. Wooden shingles dominate the roof structure. A large, wooden barrel was built in the upper part of the tank house for water storage. Its capacity was several hundred gallons. The area beneath the barrel was a work shop area, the wings for storage. The barrel no longer exists although the steel bands that held it together are still in the tank house (1981). Water pumped to the tank house flowed into the Big House via "gravity flow."~~

A.18. The west of the windmill and well and directly south of the Big House about 40' was located the bunk house for hired hands. This two-story house, with bedrooms upstairs and living areas down, ~~wood-framed & shingled, gable-roofed, approx. 25' x 25', now is owned by Lee Hartigan, Vaughn, ME. The building has been moved from its original location to a neighbor's homestead outside the present-day farm boundaries, and now serves as a private residence.~~

A.19. The bricks for the final two structures on the site, <sup>The Big House and the Outhouse,</sup> were fired in kilns built on the Captain's ranch. The kilns were ~~located at Muddy Creek east of the Big House~~

A.18.  
The Outhouse looked like an offspring of the Big House itself, ~~red-bricked~~ <sup>bricked</sup>, rectangular-shaped, approx. 5' x 5', ~~shingled~~ <sup>and chimneyed</sup> for ventilation, wood shingled, hipped-roofed, in ~~unusual~~ <sup>unusual</sup> ~~card of flat stencos~~ (present today) wound their way out the back door of the Big House, past the Tank House, to the Outhouse itself. The outhouse is ~~not~~ today though only in fair condition. Inside the outhouse were plastered walls, three toilet seats, two raised and shaped for adults, one lower, shaped for children.

1899 A.13.  
The Big House, red-bricked facade, approx. 30' x 50', rectangular-shaped, woodshingled roof (now asphalt-shingled), hipped-roof, three-story with roof-top observation deck, ~~was~~ and remains today prominent on the landscape. The outer walls of the Big House have two thicknesses of brick, a four inch air space, then two more thicknesses of brick, and on the inside, insulated with newspaper and covered and finished with lath and plaster. Extending around the west, south, and east, (on the main level) was a ten-foot wide veranda and porch. The veranda was later removed and a terrace lawn cultivated around the same three sides which exists at present. In preparing the land for cultivation most of the trees surrounding the Big House were removed except for the present-day single shelter belt of trees. Inside the house the staircase rises upward toward the north (rear) end of the house, the carved banister curling back to the south end of the house at the second-floor level. The stairs and carved banister narrowed and curled as they wound upward to the third-floor attic level. The 12' high walls of all rooms in the house except the attic were covered with lath and plaster and finally by wallpaper, then as now. Interior rooms include: one bathroom, a parlor-bee-hive combination on the main level, also a kitchen, living room on the main level. Two storage rooms, single-storied form storage rooms on the north (rear) end of the Big House. One of these rooms was originally part of the Vaughn rock home. Upstairs there was a library and three bedrooms. The attic extended the length and width of the Big House for the most part with an average height of approximately 7'. The use of the rooms has varied no doubt but at present are used as described. The wooden floors of the house were originally waxed and oiled before being destroyed and removed after being flooded in 1908. A single stack chimney emerges from the east and west side of the hipped-roof as well as a third which rises from the ground level to the same height as the others at the northwest corner of the house. Fireplaces were found in the parlor, the library upstairs, and the Vaughn section of the house. The staircase divides the house in about equal halves. The original floors were replaced with the existing softwood floors. The house was constructed with wooden pegs, and square nails, for the most part. Rooms without fireplaces were originally heated by stoves. A forced air system now heats the house. There was a partial basement under the north end of the house, probably about 15' x 10', where the Captain installed a steam furnace. This system was destroyed by the flood of 1908, the hardware thereafter was sold and is no longer in existence, as is the case with the original heating stoves. Tall windows characterize the east, west, and south walls, at both the main and second-story levels. The attic has dormer windows on its east, west, and south roof-sides. The north and south entrance to the Big House each have transom light as well as all rooms on the inside except the attic. In addition, the original basement has been filled and no longer exists. Some of the rooms were lighted by kerosene chandeliers, the rest by kerosene lamps. None of these fixtures any longer exist, although late 19th century lighting fixtures are now utilized in a few of the rooms. In the center of the attic today, as it was then, is the folding staircase that led to the wooden-railed observation deck (about six-foot square) on the very top of the house. The guard railing around this deck was removed. There is no railing at present. Plumbing and sewer improvements were made after Vaughn and Couch residences also. In 1935 the exterior facade suffered a slight fracture <sup>from an earthquake</sup> on its south face, ~~therefrom~~. In 1959 another quake struck without any damage. The house was flooded in 1908, 1953, and 1964, though so ~~no~~ <sup>no</sup> or damage was suffered. (Water depth ranged from 6" in '53 to over 6' in '64).

M.A.  
Please see a thesis by Perry J. Nielsen for more detailed information and for documentation of this description: "A Historical Study (part of a public relations campaign to ensure the restoration and preservation) of: The Robert Vaughn Homestead, The Captain Couch Ranch, The Nielsen Farm, All One and the Same." Brigham Young Univ. Provo, Ut. 1980

The Big House of Captain Couch maintains a consistent evolution in both land use and in advancing historical and architectural practices. His home, buildings, etc. exhibit the foremost advances of his day yet partake of the unique quality of the pioneer environment in which they were raised. His employment of native clay and softwoods, for brick and lumber, though incorporating the latest in building techniques, (wooden spikes, square nails, local kilns of his own making, etc) present to interested historians of all occupations a unique landmark for their consideration. In an environment almost totally devoid of modern techniques that he utilized, the Captain erected an, as yet, singular monument to the death of one era and the birth of another. The afordescribed site remains the only untouched unit in the Sun River Valley displaying the characteristics revelatory of their times not victimized by the knife of modern civilization, though surrounded by it. Except for the minor changes before described, the Big House maintains its historical and architectural integrity.

The farm era, as it were, fully developed during the Nielsen residence, brought its own unique contribution to the site, including the physical existence of the Levee-irrigation system, the leveling and clearing of the wooded land to produce arable land for farming, the alteration of the barn from a livestock housing area to a dairy operation, and the giant root-cellar as a further evidence of the domestication of the land. Though these features are largely non-existent at present, their actual existence in time, lends further interest to parties cognizant of the on-going processes in the modernization of man and his methods.