



ADMINISTRATIVE RULES OF MONTANA



36.2.1001 LEASING OR OTHER USE OF STATE LANDS

- (1) The department issues leases, rights-of-way and easements, and permits and licenses for all uses of state land including the prospecting for or extraction of minerals including oil and gas. All leases, rights-of-way and easements, and permits and licenses granted are classified according to their purposes.
 - (a) Leases are classified as agricultural and grazing, commercial, and non-commercial; oil, gas, coal, gravel, borrow, uranium, metalliferous, and nonmetalliferous prospecting and production; other similar uses.
 - (b) Rights-of-way and easements are classified as public and private highways, streets, ditches, reservoirs, railroads, roads, telegraph, telephone and electric power lines; projects for flood control, river regulation, conservation of water, irrigation, reclamation; sites for schoolhouses, parks, community buildings, and cemeteries; other similar uses.
 - (c) Permits and licenses are classified as gravel, shale, borrow, and riprap production; signs, landfill dumps, temporary access, and prospecting; other similar uses.
- (2) The actual forms of leases, rights-of-way and easements, and permits and licenses are written for each specific use and are modified as necessary. The forms have been omitted as their publication would have been unduly cumbersome, expensive and otherwise inexpedient. Requests for copies of the forms and inquiries regarding leases, rights-of-way and easements, and permits and licenses may be addressed to the director. Application requirements are as prescribed by the department not inconsistent with law and the rules of the board.

Authorizing statute(s): 77-6-104, 77-3-301, 77-3-303, 77-3-402, MCA

Implementing statute(s): 77-3-201, 77-3-102, 77-2-101 through 77-2-108, 77-3-103, 77-3-208, MCA

History: Eff. 12/31/72; TRANS, from DSL, 1996 MAR p. 771.