

Case No. 13-35770

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**IN THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

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FREEDOM FROM RELIGION FOUNDATION, INC.

*Plaintiff-Appellant*

v.

CHIP WEBER, Flathead National Forest Supervisor; UNITED STATES FOREST SERVICE, an agency of the U.S. Department of Agriculture,

*Defendants-Appellees,*

WILLIAM R. GLIDDEN; RAYMOND LEOPOLD; EUGENE THOMAS; NORMAN DEFORREST; KNIGHTS OF COLUMBUS,

*Intervenors-Defendants-Appellees*

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On Appeal from the United States District Court  
for the District of Montana at Missoula

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**AMICI CURIAE BRIEF OF MEMBERS OF CONGRESS,  
THE AMERICAN CENTER FOR LAW AND JUSTICE, AND  
THE COMMITTEE TO DEFEND THE JESUS STATUE WAR MEMORIAL  
SUPPORTING INTERVENORS-DEFENDANTS-APPELLEES AND AFFIRMANCE**

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## **CORPORATE DISCLOSURE STATEMENT**

The ACLJ is a non-profit legal corporation dedicated to the defense of constitutional liberties secured by law. The ACLJ has no parent corporation and issues no stock.

**TABLE OF CONTENTS**

**TABLE OF AUTHORITIES** ..... iii

**INTEREST OF *AMICI*** ..... 1

**ARGUMENT** ..... 3

**I. GIVEN THE MEMORIAL’S HISTORY AND SETTING, ITS MESSAGE IS PRIMARILY THE PRIVATE SPEECH OF THE KNIGHTS OF COLUMBUS, AND THE REASONABLE OBSERVER WOULD NOT VIEW THE MEMORIAL AS A GOVERNMENT ENDORSEMENT OF RELIGION** ..... 3

**A. The Memorial Cannot Be Deemed Government Speech Because It Satisfies Almost None of the Indicia Set Forth in *Pleasant Grove City v. Summum*** ..... 4

**B. The Memorial’s Message Should Not Be Transferred to the Government and Therefore Cannot Be Viewed as Government Endorsement of Religion** ..... 9

**II. EVEN IF THE MEMORIAL IS VIEWED AS GOVERNMENT SPEECH, IT IS CONSTITUTIONAL UNDER THE SUPREME COURT’S MOST RECENT PERMANENT RELIGIOUS DISPLAY CASES** ..... 13

**CONCLUSION** ..... 20

**TABLE OF AUTHORITIES**

**CASES .....PAGE(S)**

*ACLU of Ky. v. Mercer Cnty.*, 240 F. Supp. 2d 623 (E.D. Ky. 2003) .....2

*ACLU Neb. Found. v. City of Plattsmouth*, 358 F.3d 1020, *reh’g granted*,  
No. 02-2444, 2004 U.S. App. LEXIS 6636 (8th Cir. Apr. 6, 2004) .....2

*ACLU of Ohio Found., Inc. v. Ashbrook*, 375 F.3d 484 (6th Cir. 2004) ..... 2

*Barnes-Wallace v. City of San Diego*, 704 F.3d 1067 (9th Cir. 2012).....10, 13

*Bd. of Educ. of Westside Cmty. Sch. v. Mergens*, 496 U.S. 226 (1990) .....9

*Capitol Square Review & Advisory Bd. v. Pinette*, 515 U.S. 753 (1995).....9, 11, 12

*Card v. City of Everett*, 520 F.3d 1009 (9th Cir. 2008).....13, 14

*City of Elkhart v. Books*, 532 U.S. 1058 (2001) .....1

*Cmty. House, Inc. v. City of Boise*, 623 F.3d 945 (9th Cir. 2010).....10, 11

*Elmbrook Sch. Dist. v. Doe*, 81 U.S.L.W. 3371 (U.S. Dec. 20, 2012) (No.  
12-755).....11

*Fairfax Covenant Church v. Fairfax Cnty. Sch. Bd.*, 17 F.3d 703 (4th Cir.  
1994) .....11

*Freedom From Religion Found., Inc. v. City of Marshfield*, 203 F.3d 487  
(7th Cir. 2000) .....2

*Freedom From Religion Found., Inc. v. Weber*, 951 F. Supp. 2d 1123 (D.  
Mont. 2013) .....3, 6–8, 12

*Good News Club v. Milford Cent. Sch.*, 533 U.S. 98 (2001).....12

*McCreary Cnty. v. ACLU of Ky.*, 545 U.S. 844 (2005) .....15, 17

*Pleasant Grove City v. Summum*, 555 U.S. 460 (2009) .....1, 3–6, 9

**TABLE OF AUTHORITIES—CONTINUED**

*R.J. Reynolds Tobacco Co. v. Shewry*, 423 F.3d 906 (9th Cir. 2005) .....9

*Salazar v. Buono*, 559 U.S. 700 (2010) .....13, 16–19

*Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000) .....1

*Sch. Dist. of Abington v. Schempp*, 374 U.S. 203 (1963) .....14

*Schmidt v. Cline*, 127 F. Supp. 2d 1169 (D. Kan. 2000) .....2

*Sherman v. Cmty. Consol. Sch. Dist. 21*, 980 F.2d 437 (7th Cir. 1992).....17

*Town of Greece v. Galloway*, 2014 U.S. LEXIS 3110 (May 5, 2014) .....12

*Van Orden v. Perry*, 545 U.S. 677 (2005) .....1, 4, 13–19

## INTEREST OF *AMICI*<sup>1</sup>

Amici, United States Members of Congress, Steve Daines, J. Randy Forbes, Senator James Inhofe, Michele Bachmann, Jeff Duncan, Virginia Foxx, Gregg Harper, Vicky Hartzler, Tim Huelskamp, Bill Johnson, Walter Jones, Mike Kelly, Steve King, John Kline, James Lankford, Jeff Miller, Joe Pitts, Mike Pompeo, Lynn Westmoreland, and Robert Pittman are currently serving in the One Hundred Thirteenth Congress.

Amicus, the American Center for Law and Justice (ACLJ) is an organization dedicated to the defense of constitutional liberties secured by law. ACLJ attorneys have argued or participated as amicus curiae in numerous cases involving the Establishment Clause. *See, e.g., Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000) (counsel of record); *see also Van Orden v. Perry*, 545 U.S. 677 (2005) (amicus curiae). The ACLJ has represented nearly two dozen governmental entities in cases involving the defense of public displays of religious symbols, including the following reported cases: *Pleasant Grove City v. Summum*, 555 U.S. 460

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<sup>1</sup> All parties consented to the filing of this amicus brief. No party's counsel in this case authored this brief in whole or in part. No party or party's counsel contributed any money intended to fund preparing or submitting this brief. No person, other than amici, their members, or their counsel contributed money that was intended to fund preparing or submitting this brief.

(2009); *City of Elkhart v. Books*, 532 U.S. 1058 (2001) (Rehnquist, C. J., with whom Scalia and Thomas, J. J., join, dissenting from denial of cert.) (Fraternal Order of Eagles Ten Commandments monument in front of city hall); *ACLU of Ohio Found., Inc. v. Ashbrook*, 375 F.3d 484 (6th Cir. 2004) (Ten Commandments poster in courtroom display); *ACLU Neb. Found. v. City of Plattsmouth*, 358 F.3d 1020, *reh'g granted*, No. 02-2444, 2004 U.S. App. LEXIS 6636 (8th Cir. Apr. 6, 2004) (Fraternal Order of Eagles Monument in city park); *Freedom From Religion Found., Inc. v. City of Marshfield*, 203 F.3d 487 (7th Cir. 2000) (Statue of Jesus Christ in city park); *ACLU of Ky. v. Mercer Cnty.*, 240 F. Supp. 2d 623 (E.D. Ky. 2003) (Decalogue included in Foundations of American Law and Government courthouse display); *Schmidt v. Cline*, 127 F. Supp. 2d 1169 (D. Kan. 2000) (In God We Trust poster in county treasurer's office). The ACLJ has developed a special expertise in this area which would be of benefit to resolving the issues concerning the Knights of Columbus's Statue of Jesus Memorial in the Flathead National Forest.

This brief is also filed on behalf of the ACLJ's Committee to Defend the Jesus Statue War Memorial which consists of over 113,000 Americans who support veterans' memorials and who oppose efforts to strip from public property recognitions of history and heritage that contain religious symbolism.

*Amici* have dedicated time and effort to defending and protecting Americans' First Amendment freedoms. It is this commitment to the integrity of the United States Constitution that compels them to oppose Freedom From Religion Foundation (FFRF)'s efforts to remove the Jesus Statue Memorial (hereinafter "Memorial").

## ARGUMENT

### **I. GIVEN THE MEMORIAL'S HISTORY AND SETTING, ITS MESSAGE IS PRIMARILY THE PRIVATE SPEECH OF THE KNIGHTS OF COLUMBUS, AND THE REASONABLE OBSERVER WOULD NOT VIEW THE MEMORIAL AS A GOVERNMENT ENDORSEMENT OF RELIGION.**

The District Court correctly held that the Memorial is either the speech of the Knights of Columbus or the Whitefish Mountain resort. *Freedom From Religion Found., Inc. v. Weber*, 951 F. Supp. 2d 1123, 1129 (D. Mont. 2013). Though the Memorial is a permanent, religious display on government-owned property, it bears no other indicia of government speech, as set forth in *Pleasant Grove*, 555 U.S. at 470–72. Accordingly, no reasonable observer could perceive the Memorial to be a government endorsement of religion. *Weber*, 951 F. Supp. 2d at 1129.



**A. The Memorial Cannot Be Deemed Government Speech Because It Satisfies Almost None of the Indicia Set Forth in *Pleasant Grove City v. Summum*.**

When the government has either constructed, or accepted for donation, a permanent structure and then selects a prominent location for its display, at least some part of the display’s message is “typically” deemed to be government speech.<sup>2</sup> *Pleasant Grove*, 555 U.S. at 470–71. Thus, for example, in some Ten Commandments cases, the religious message of the text may be attributable to the donor, but the secular historic message is attributable to the government. *See, e.g., Van Orden*, 545 U.S. at 701 (Breyer, J., concurring) (“The circumstances surrounding the display’s placement on the capitol grounds and its physical setting suggest that the State itself intended the latter, nonreligious aspects of the tablets’ message to predominate.”); *see also Pleasant Grove*, 555 U.S. at 476–77 (“By accepting such a monument, a government entity does not necessarily endorse the specific meaning that any particular donor sees in the monument.”).

The *Pleasant Grove* Court further recognized that it may sometimes be difficult to ascertain whether a permanent display on public property represents a

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<sup>2</sup> “[I]t frequently is not possible to identify a single ‘message’ that is conveyed by an object or structure, and consequently, the thoughts or sentiments expressed by a government entity that accepts and displays such an object may be quite different from those of either its creator or its donor.” *Pleasant Grove*, 555 U.S. at 476.

government message, 555 U.S. at 470, and accordingly set forth several factors supporting the conclusion that the Ten Commandments monument in that case constituted government speech, *id.* at 470–74. First, the monument was donated to Pleasant Grove City, and upon the City’s acceptance, the donor relinquished all control over the monument. Second, the Court noted that historically when governments accepted donated monuments, they did so with selective receptivity. Citing numerous examples of donated displays throughout the country, the Court found an element of editorial control in the commissioning, selection, and placement of permanent monuments, all with a view toward conveying a message of the government’s choosing. *Id.* at 471–72.

Finally, the government typically chooses a prominent public place to display the monument, such as in a public park.

Public parks are often closely identified in the public mind with the government unit that owns the land. City parks—ranging from those in small towns, like Pioneer Park in Pleasant Grove City, to those in major metropolises, like Central Park in New York City—commonly play an important role in defining the identity that a city projects to its own residents and to the outside world.

*Id.* at 472.

The Court concluded the Ten Commandments monument was government speech because:

[T]he City took ownership of that monument and put it on permanent display in a park that it owns and manages and that is linked to the City's identity. All rights previously possessed by the monument's donor have been relinquished. The City's actions . . . unmistakably signif[ied] to all Park visitors that the City intends the monument to speak on its behalf.

*Id.* at 473–74.

With the exception of the fact that the Memorial sits on government-owned land, all of the other indicia identified in *Pleasant Grove* are absent here. The Knights of Columbus own, maintain, and control the Memorial. *Weber*, 951 F. Supp. 2d at 1134. The Forest Service has never exercised control of any kind, editorial or otherwise, over the Memorial, nor has the government in any way signified that the Memorial is to be understood as a government message. The government's only role has been to renew the Special Use Permit to the Knights of Columbus. The government has issued similar Special Use Permits to hundreds of other permittees in the Flathead National Forest.<sup>3</sup>

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<sup>3</sup> See Flathead National Forest Special Use Permits Active as of 09/30/2011, attached hereto as Addendum A. According to the current list of active special use permits, the Forest Service has issued Special Use Permits for a wide variety of uses and occupants including but not limited to recreational residences, movie locations, livestock areas, power plants, resorts, education centers, roads, grazing livestock, logging, and mining.

The Memorial is in a remote part of the Flathead National Forest and its provenance associates it exclusively with the Whitefish Mountain (formerly Big Mountain)<sup>4</sup> ski resort and the Knights of Columbus. The founder of the Big Mountain ski area, Ed Schenk, was an avid skier and fought in WWII with the Tenth Mountain Division. SER 49. Many of the men of his Division found inspiration and comfort in numerous Statues of Jesus they encountered while fighting in the Italian Alps. *See id.* When Schenk returned to Montana, he bought and developed the Big Mountain ski area and sought the Knights of Columbus's assistance in building the statue "in memory of the men who had lost their lives in WWII." ER 49.

Schenk and the Knights of Columbus intended the statue to be a Memorial to WWII veterans and sought a Special Use Permit from the National Forest Service in 1953 to erect the Memorial on a 25x25 foot tract of land in the Flathead National Forest. Though on Forest Service land, the Memorial is within the Big Mountain ski resort, and the original Special Use Permit application stated that the Knights of Columbus wanted the Memorial to overlook the Big Mountain ski area. *Id.* at 1126–27. The Knights of Columbus then built and maintained the Memorial

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<sup>4</sup> *Weber*, 951 F. Supp. 2d at 1125–26.

in 1954, modeling it after similar monuments encountered by WWII soldiers in European towns and villages. ER 385.

The Montana State Historic Preservation Office noted that the Memorial “has integrity of location, setting, materials, workmanship, feeling, and association and is part of the early history of the ski area and would be considered a contributing element of such a historic district” if it were considered for listing in the National Registry of Historic Places. *Id.* at 1129. The Montana Historical Society agreed: “We think that it has long been a part of the historic identity of the area. It is not considered to be a religious site because . . . people do not go there to pray, but it is a local landmark that skiers recognize, and it is a historic part of the resort.”<sup>5</sup> See also ER 382 (the statue is perceived as “an important part of the ski area’s history and as a landmark that has simply always been there”).

The Memorial’s history demonstrates that it was originally, and continues to be, the private expression of the Knights of Columbus and the original owner of the Big Mountain ski area. Other than issuing the original Special Use Permit, and

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<sup>5</sup> Letter from Josef J. Warhank, Review & Compliance Officer, Montana Historical Society, to Timothy Light, Forest Archaeologist, U.S. Dep’t of Agric. (Sept. 19, 2011), *available at* [http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/83203\\_FSPLT2\\_062229.pdf](http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/83203_FSPLT2_062229.pdf).

then reissuing that permit three times,<sup>6</sup> the government has had nothing to do with the Memorial. The ownership, control, and maintenance of the Memorial that the Court found significant in *Pleasant Grove* are wholly absent here.

**B. The Memorial’s Message Should Not Be Transferred to the Government and Therefore Cannot Be Viewed as Government Endorsement of Religion.**

There is no warrant for transferring the Memorial’s message to the government. The Supreme Court and this Circuit have recognized that “there is a crucial difference between government speech endorsing religion, which the Establishment Clause forbids, and private speech endorsing religion, which the Free Speech and Free Exercise Clauses protect.” *Bd. of Educ. of Westside Cmty. Sch. v. Mergens*, 496 U.S. 226, 250 (1990) (opinion of O’Connor, J.); *R.J. Reynolds Tobacco Co. v. Shewry*, 423 F.3d 906, 923 (9th Cir. 2005). Where the Supreme Court “ha[s] tested for endorsement of religion, the subject of the test was either expression by the government itself, or else government action alleged to discriminate in favor of private religious expression or activity.” *Capitol Square Review & Advisory Bd. v. Pinette*, 515 U.S. 753, 764 (1995) (emphases omitted) (citations omitted). Moreover, “attribut[ing] to a neutrally behaving government

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<sup>6</sup> The Special Use Permit was originally issued in 1953, and then reissued in 1990, 2000, and 2012. *Id.* at 1128. ER 73-74, 80, 522, 75-79, 94; SER 2.

private religious expression has no antecedent in [this Court's] jurisprudence, and would better be called a 'transferred endorsement' test." *Id.*

This case involves neither government speech nor governmental favoritism toward religion. In *Barnes-Wallace v. City of San Diego*, this Court held that where the government issues property leases according to neutral criteria that do not favor religion, there is no government endorsement of religion even if one of the lessees occasionally engages in religious activities on the property. 704 F.3d 1067, 1083–84 (9th Cir. 2012). The speech of the lessee is not attributable to the government unless there is evidence that the property leases were offered on terms more favorable to religious entities. *Id.* at 1084; *see also Cmty. House, Inc. v. City of Boise*, 623 F.3d 945, 971 (9th Cir. 2010). Significant in *Barnes-Wallace* were the facts that the City had leased 123 other properties to nonprofit organizations all on equal terms, and the City had no involvement in the management of the leased properties. 704 F.3d at 1083–84.

Here, the National Forest Service had no role in constructing the Memorial and does not maintain it, or the property on which it rests. As was the case in *Barnes-Wallace*, the Forest Service issues similar Special Use Permits to hundreds of other permittees in the Flathead National Forest, see Appendix A, and there is no evidence of any governmental favoritism toward religious permittees. Any

religious message attributable to the Memorial should therefore not be transferred to the government. Holding to the contrary would threaten future discriminatory treatment against religious organizations wishing to obtain special use permits on equal terms with other nonprofit entities. *See Fairfax Covenant Church v. Fairfax Cnty. Sch. Bd.*, 17 F.3d 703 (4th Cir. 1994) (municipality’s discriminatory rental terms to religious organization violated Free Speech and Free Exercise Clauses) (quoted with approval in *Cnty. House, Inc.*, 623 F.3d at 971).

But even assuming that the endorsement test should be applied to the Knights of Columbus’s private religious speech because it is in the form of a permanent display, the analysis must focus not on the “actual perception of individual observers” but on a “more collective standard to gauge the objective meaning of the government’s statement in the community.” *Pinette*, 515 U.S. at 780 (O’Connor, J., concurring) (quotation omitted). As the architect of the endorsement test explained:

“[W]e do not ask whether there is *any* person who *could* find an endorsement of religion . . . or whether *some* reasonable person *might* think [the State] endorses religion.” . . . There is always *someone* who, with a particular quantum of knowledge, reasonably might perceive a particular action as an endorsement of religion. A State has not made religion relevant to standing in the political community simply because a particular viewer of a display might feel uncomfortable.



*Id.* (citation omitted) (second emphasis added). Instead, the Court’s concern is for “the political community writ large,” *id.* at 779, and it has refused to “employ Establishment Clause jurisprudence using a modified heckler’s veto, in which a group’s religious activity can be proscribed on the basis” of what hypersensitive or uninformed members of the community might misperceive. *Good News Club v. Milford Cent. Sch.*, 533 U.S. 98, 119 (2001).

Thus, the reasonable observer is deemed aware of the history and context of the religious speech, *id.*, and does not baselessly impugn the government’s motives. *Town of Greece v. Galloway*, 2014 U.S. LEXIS 3110, \*40 (May 5, 2014) (the reasonable observer understands the history and tradition of legislative prayer and does not impute to the government an improper purpose such as “proselytiz[ing] or forc[ing] truant constituents into the pews”).

No reasonable observer would see in the Memorial’s setting a government endorsement of religion because the Memorial is surrounded by the Whitefish Mountain ski resort, and leaves the strong impression that the Memorial is owned and controlled by the resort owners. *Weber*, 951 F. Supp. 2d at 1135. The Memorial is not prominently placed; rather, it is nestled in a forest of trees, on an alpine ridge far from any government structures. It is so remotely located that one can ski every day at Whitefish Mountain Resort without ever seeing the Memorial.

*Id.* at 1128. In sum, the Memorial was *not* an attempt to “set the *imprimatur* of the state on a particular creed.” *Salazar v. Buono*, 559 U.S. 700, 715 (2010) (plurality). Rather, those who erected the Memorial purposed to honor the soldiers of the Tenth Mountain Division. Removing the sixty-year-old Memorial per FFRF’s veto would demonstrate constitutionally impermissible hostility towards religion. See *Van Orden v. Perry*, 545 U.S. 677, 704 (2005) (Breyer, J., concurring).

**II. EVEN IF THE MEMORIAL IS VIEWED AS GOVERNMENT SPEECH, IT IS CONSTITUTIONAL UNDER THE SUPREME COURT’S MOST RECENT PERMANENT RELIGIOUS DISPLAY CASES.**

Even if this Court holds that the Memorial’s message should be attributed to the Flathead National Forest, the Memorial is constitutional under the United States Supreme Court’s decisions in *Van Orden v. Perry* and *Salazar v. Buono*, 559 U.S. 700 (2010).<sup>7</sup> In *Van Orden*, the Supreme Court upheld the constitutionality of a Ten Commandments Monument, stating that a detailed analysis of the facts surrounding a permanent display’s history and setting is

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<sup>7</sup> As this Court has recognized, the *Lemon* test is no longer applicable “to determine the constitutionality of some longstanding plainly religious displays that convey a historical or secular message in a non-religious context.” *Barnes-Wallace*, 704 F.3d at 1083 (quoting *Card v. City of Everett*, 520 F.3d 1009, 1016 (9th Cir. 2008)). Rather, *Van Orden* controls the analysis on the Establishment Clause issue.

essential to a determination of whether permanent religious displays on government property violate the Establishment Clause. 545 U.S. at 701–02. (Breyer, J., concurring).<sup>8</sup> *Van Orden* established further that where a permanent display with both religious and secular meanings has been in place for decades, it is unlikely to be perceived as an unconstitutional endorsement of religion. *Id.* at 703–04 (“This display has stood apparently uncontested for nearly two generations. That experience helps us understand that as a practical matter of *degree* this display is unlikely to prove divisive. And this matter of degree is, I believe, critical in a borderline case such as this one.”).

In *Van Orden*, the Ten Commandments display had gone unchallenged for 40 years. Justice Breyer concluded:

[T]hose 40 years suggest more strongly than can any set of formulaic tests that few individuals, whatever their system of beliefs, are likely to have understood the monument as amounting, in any significantly detrimental way, to a government effort to favor a particular religious sect, primarily to promote religion over nonreligion, to “engage in” any “religious practic[e],” to “compel” any “religious practic[e],” or to “work deterrence” of any “religious belief.” *Sch. Dist. of Abington v. Schempp*, 374 U.S. 203, 305 (Goldberg, J., concurring). Those 40 years suggest that the public visiting the capitol grounds has considered the religious aspect of the tablets’ message as part of what

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<sup>8</sup> Justice Breyer’s concurring opinion is the controlling opinion in *Van Orden* because it upheld the constitutionality of the Ten Commandments display, but on narrower grounds than the plurality opinion. *Card*, 520 F.3d at 1017–18 n.10.

is a broader moral and historical message reflective of a cultural heritage.

*Id.* at 702–03.

Also central to Justice Breyer’s opinion in *Van Orden* was the “mixed but primarily nonreligious purpose” of the display. *Id.* at 703. He distinguished the display from other Ten Commandments displays in which the primary purpose was religious.

The display is not on the grounds of a public school, where, given the impressionability of the young, government must exercise particular care in separating church and state. This case also differs from *McCreary County*, where the short (and stormy) history of the . . . displays demonstrates the substantially religious objectives of those who mounted them . . . . [I]n today’s world, in a Nation of so many different religious and comparable nonreligious fundamental beliefs, *a more contemporary state effort to focus attention upon a religious text is certainly likely to prove divisive in a way that this longstanding, pre-existing monument has not.*

*Id.* at 703 (emphasis added) (citations omitted).

Finally, Justice Breyer concluded that to strike down the monument would promote religious divisiveness and exhibit hostility, not neutrality, toward religion.

[T]o reach a contrary conclusion here, based primarily on the religious nature of the tablets’ text would, I fear, lead the law to exhibit a hostility toward religion that has no place in our Establishment Clause traditions. Such a holding might well encourage disputes concerning the removal of longstanding depictions of the Ten Commandments from public buildings across the Nation. *And it could thereby create the very kind of religiously based divisiveness that the Establishment Clause seeks to avoid.*

*Id.* at 704 (emphasis added).

Five years later, in *Salazar v. Buono*, a plurality of the Court stated that a government's efforts to preserve a religious symbol with a historical meaning involving military sacrifice should not be viewed as a government endorsement of religion. 559 U.S. at 715–16 (2010) (plurality opinion). In *Salazar*, the display at issue was a large Latin cross permanently located on Sunrise Rock—a remote location within the Mojave National Preserve. *Id.* at 705. It was originally erected with private funds by the VFW in 1934 as a memorial to those who died in World War I. The cross had been replaced several times by private parties, although a plaque that was originally next to it stating its purpose was gone. Nothing within its proximity indicated the display's purpose. *Id.* at 707. Although veterans had gathered at the cross to celebrate Easter sunrise services since 1935, there was no evidence that veterans, or any other persons, had gathered at the cross for any services honoring war veterans. *Id.* at 753 n.9 (Stevens, J., dissenting).

The central issues in *Salazar* involved the scope and review of a federal court injunction against a Congressional Act which transferred to a private party the portion of federal land on which the cross stood. Writing for the plurality, Justice Kennedy, joined by Chief Justice Roberts and Justice Alito, remanded the case, ordering the lower court to conduct a thorough inquiry into the purpose and

effect of Congress's land transfer enactment. *Id.* at 720–22. Although it was not before the Supreme Court,<sup>9</sup> the plurality indicated its views on the underlying Establishment Clause issue:

The goal of avoiding governmental endorsement does not require eradication of all religious symbols in the public realm. A cross by the side of a public highway marking, for instance, the place where a state trooper perished need not be taken as a statement of governmental support for sectarian beliefs. The Constitution does not oblige government to avoid any public acknowledgment of religion's role in society.

*Id.* at 718–19.

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<sup>9</sup> The plurality's Establishment Clause discussion is dicta, but it reflects the views of Justices Kennedy and Alito and Chief Justice Roberts on the constitutionality of government use of religious symbols to commemorate the nation's war heroes. Justices Scalia and Thomas concurred in the plurality's judgment, *Salazar*, 559 U.S. at 729, and though their opinion did not address the Establishment Clause question, Justices Scalia and Thomas have been unequivocal in other opinions that the passive display of religious symbols on government property is constitutional, *Van Orden*, 545 U.S. at 693–94 (Thomas, J., concurring) (“The mere presence of the monument along [Van Orden's] path involves no coercion and thus does not violate the Establishment Clause.”); *McCreary Cnty. v. ACLU of Ky.*, 545 U.S. 844, 885–94 (2005) (Scalia, J., dissenting) (“[T]he Court's oft repeated assertion that the government cannot favor religious practice is false.”). Thus, five current Justices have indicated that stand-alone religious displays commemorating military sacrifice, like the Memorial here, are constitutional.

When the Justices' dicta plainly indicates that a government action does not violate the Establishment Clause, the lower courts should “take [their] assurances seriously.” *Sherman v. Cmty. Consol. Sch. Dist. 21*, 980 F.2d 437, 448 (7th Cir. 1992) (referring to Supreme Court dicta stating that the terms “under God” in the Pledge of Allegiance do not violate the Establishment Clause).

Moreover, the plurality echoed Justice Breyer's holding in *Van Orden* that when evaluating the constitutionality of a permanent monument with religious meaning, courts should consider how the "reasonable observer" would interpret a forced removal of a religious symbol that has been in place for decades. *Id.* at 720–21.

Time also has played its role. The cross had stood on Sunrise Rock for nearly seven decades before the statute was enacted. By then, the cross and the cause it commemorated had become entwined in the public consciousness. Members of the public gathered regularly at Sunrise Rock to pay their respects. Rather than let the cross deteriorate, community members repeatedly took it upon themselves to replace it. Congress ultimately designated the cross as a national memorial, ranking it among those Monuments honoring the noble sacrifices that constitute our national heritage. . . . It is reasonable to interpret the congressional designation as *giving recognition to the historical meaning that the cross had attained*.

*Id.* at 716 (emphasis added).

The plurality concluded that the original placement of the cross on Government-owned land was "*not* an attempt to set the *imprimatur* of the state on a particular creed. Rather, those who erected the cross intended simply to honor our Nation's fallen soldiers." *Id.* at 715 (first emphasis added).

In his concurrence, Justice Alito agreed:

[R]emoval [of the cross] would have been viewed by many as a sign of disrespect for the brave soldiers whom the cross was meant to honor. The demolition of this venerable if unsophisticated, monument would also have been interpreted by some as an arresting symbol of a

Government that is not neutral but hostile on matters of religion and is bent on eliminating from all public places and symbols any trace of our country's religious heritage.

*Id.* at 726 (Alito, J., concurring).

Reminiscent of the permanent displays in *Van Orden* and *Salazar*, the Knights of Columbus's Memorial has remained an established part of the Whitefish Mountain ski resort for sixty years. There is no evidence of any impermissible purpose on the part of the National Forest in granting the permit. Unlike the cross in *Salazar*, the Memorial is not the site of religious services, and its ski resort setting does "not readily lend itself to meditation or any other religious activity." *Van Orden*, 545 U.S. at 702; see generally ER 388-94. The Memorial is secluded and not easily accessible to the public. It is nowhere near any government structure, and was intended to be and is now seen as a historical landmark honoring WWII veterans. No reasonable observer would discover in it a government endorsement of religion.



## CONCLUSION

For the foregoing reasons, Amici respectfully ask this Court to affirm the District Court's judgment.

Respectfully Submitted,

/s/ Jay Alan Sekulow

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*Attorneys for Amicus Curiae*

**CERTIFICATE OF COMPLIANCE WITH RULE 7.1(d)(2)(E)**

I hereby certify that the foregoing document was prepared with Microsoft Word using Times New Roman 14-point proportionally spaced font. The brief contains 4,496 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(a)(7)(B)(iii).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 7, 2014

/s/ Jay A. Sekulow

Jay A. Sekulow

*Counsel for Amici Curiae*

### **CERTIFICATE OF SERVICE**

I hereby certify that on May 7, 2014, I electronically filed a copy of the foregoing *Amici Curiae* Brief using the ECF System which will send notification of that filing to all counsel of record in this litigation. I also certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated: May 7, 2014

/s/ Jay A. Sekulow  
Jay A. Sekulow  
*Counsel for Amici Curiae*

# **ADDENDUM A**



United States  
Department of  
Agriculture

Forest  
Service

Flathead  
National  
Forest

650 Wolfpack Way  
Kalispell, MT 59901  
(406) 758-5200  
Fax (406) 758-5367

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File Code: 6270  
Case #12-0526R  
Date: November 29, 2011

CeCe Heil  
Senior Counsel  
American Center for Law & Justice  
1000 Regent University Drive  
Virginia Beach, VA 23464

Dear CeCe,

This letter is in response to your Freedom of Information Act request received on November 16, 2011 at the Flathead National Forest Supervisor's Office in Kalispell.

In your email you requested one item pertaining to the Flathead National Forest's special use permitting process: A simple listing of the approximately 600 permits issued on the Forest which could include several descriptors that are listed in your email. Your request for "A statement as to whether the permit is commercial or non-commercial" could not be provided as this is not a field contained in our Special Use Permits database.

Enclosed are nine pages of responsive records in one document. Pursuant to Title 7 Code of Federal Regulations (CFR), Subtitle A, Part 1, Subpart A, Appendix A, there is no charge for the records enclosed as the amount falls below the minimum amount required for the Forest Service to collect fees.

If you have questions pertaining to this request, please contact Bryan Donner, Acting Forest FOIA Coordinator, at the Flathead National Forest Supervisor's Office.

Sincerely,

CHIP WEBER  
Forest Supervisor

Encl.



## FLATHEAD NATIONAL FOREST SPECIAL USE PERMITS ACTIVE AS OF 09/30/2011

CONTACT NAME	ISSUE DATE	EXP DATE	USE NAME	ACRES
<b>Forest-wide Permits</b>				
FH STOLTZE LAND & LUMBER CO.	2005-05-20	2015-12-31	FLPMA ROAD PERMIT	3.14
FLATHEAD ELECTRIC COOP., INC.	2011-02-25	2030-12-31	POWERLINE, REA FINANCED	167.71
AT&T CORP., A SUBSIDIARY OF SBC	2006-03-08	2016-12-31	FIBER OPTICAL CABLE	125.64
CHARLES R. JANTZEN	2006-03-15	2012-12-31	CONCESSION CAMPGROUND	192.00
U.S. NATURAL RESOURCE CONSERVATION SERVICE	2009-04-14	2028-12-31	WEATHER STATION	0.40
U.S. NATURAL RESOURCE CONSERVATION SERVICE	2009-04-14	2028-12-31	RESOURCE MONITORING SITE	1.20
QWEST CORPORATION	2011-10-24	2023-12-31	TELEPHONE AND TELEGRAPH LINE	53.67
U.S. GEOLOGICAL SURVEY	2011-03-22	2021-12-31	STREAM GAUGING STATION	1.40
CONFEDERATED SALISH & KOOTENAI TRIBES	2011-06-03	2016-12-31	RESEARCH STUDY	
REECE, SHAINÉ	2011-09-23	2012-02-28	MOTION PICTURE AND TV LOCATION	
<b>Swan Lake Ranger District Permits</b>				
RYLOCAIT, INC	1999-12-13	2009-12-31	WATER TRANS PIPELINE < 12" D	0.02
BONNEVILLE POWER ADMIN.	1974-04-12		POWERLINE	115.00
FLATHEAD COUNTY	1982-10-12		FRTA ROAD EASEMENT	5.62
FLATHEAD COUNTY	1982-03-05		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1981-12-13		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1981-12-13		FRTA ROAD EASEMENT	0.01
MISSOULA COUNTY	1978-11-15		FRTA ROAD EASEMENT	0.01
MISSOULA COUNTY	1982-05-01		FRTA ROAD EASEMENT	0.42
MISSOULA COUNTY	1990-06-22		FRTA ROAD EASEMENT	4.35
MISSOULA COUNTY	1989-04-09		FRTA ROAD EASEMENT	6.01
MISSOULA COUNTY	1989-04-19		FRTA ROAD EASEMENT	0.21
MISSOULA COUNTY	1989-04-19		FRTA ROAD EASEMENT	15.11
MISSOULA COUNTY	1982-05-25		FRTA ROAD EASEMENT	12.48
MISSOULA COUNTY	1979-09-13		FRTA ROAD EASEMENT	12.12
MISSOULA COUNTY	1978-12-01		FRTA ROAD EASEMENT	0.01
MISSOULA COUNTY	1989-07-05		FRTA ROAD EASEMENT	2.62
MONTANA STATE OF	1999-07-07	2008-12-31	SEWAGE TRANSMISSION LINE	0.60
HOWSLEY CR/ROCK SPRINGS CR WUA	2002-05-24	2012-12-31	IRRIGATION WATER DITCH	0.60
HOWSLEY CR/ROCK SPRINGS CR WUA	2002-05-24	2012-12-31	WATER TRANS PIPELINE < 12" D	0.60
MONTANA DEPARTMENT OF TRANSPORTATION	1989-01-02		DOT EASEMENT	109.00
BIGFORK CO WATER & SEWER DIST	1995-12-18	2005-12-31	SEWAGE TRANSMISSION LINE	0.64
McGUIRE, JOAN AND THOMAS	2002-07-16	2011-12-31	FLPMA ROAD PERMIT	0.24
BEAVER CREEK ROAD USER'S ASSOC.	2002-09-20	2011-12-31	FLPMA ROAD PERMIT	0.51
WITTRICH, JON & DODIE WOOD	2002-10-28	2011-12-31	FLPMA ROAD PERMIT	0.91
ELRED & AUDREY TEEPLES	2003-05-05	2012-12-31	IRRIGATION WATER TRANS PIPELINE < 12" D	0.05
WAYNE & DOROTHY WESTBERG	2003-06-18	2012-12-31	WATER TRANS PIPELINE < 12" D	0.01
ROBERT MARTIN	2003-05-27	2012-12-31	IRRIGATION WATER DITCH	0.10
STEVENSON, MICHAEL	2008-11-05	2017-12-31	CORRAL, PEN, OR LIVESTOCK AREA	0.27
STEVENSON, MICHAEL	2008-11-05	2017-12-31	DAM, RESERVOIR	1.40
NATURAL CEMETERIES	2003-09-10	2012-12-31	FLPMA ROAD PERMIT	1.44
PARKER CREEK DIVERSION DAM #1	2003-06-30		WATER CONVEYANCE EASEMENT, PL 99-545	0.78
PIPER CREEK RIDGE R.U.A.	2003-09-02	2012-12-31	FLPMA ROAD PERMIT	0.68
QUARTER CIRCLE L.A. RANCHES, INC.	2003-09-02	2012-12-31	IRRIGATION WATER TRANS PIPELINE >= 12" D	0.53
JACK & JOYCE COX	2003-12-01	2012-12-31	FLPMA ROAD PERMIT	0.06
BIG SKY LUMBER CO.	2004-01-26		FLPMA ROAD EASEMENT	34.27
SWAN GUARD STATION ROAD USER ASSOC.	2004-09-15	2014-12-31	FLPMA ROAD PERMIT	0.32
HENRY CREEK IRRIGATION ASSOC.	2005-11-08		WATER CONVEYANCE EASEMENT, PL 99-545	0.06
DION SISTER'S TRUST	2003-10-08	2012-12-31	WATER TRANS PIPELINE < 12" D	0.05
MARTIN, ROBERT N. & MARY E.	2004-09-15	2012-12-31	WATER TRANS PIPELINE < 12" D	0.11
JOHNSON, BABETTE	2004-09-22	2012-12-31	FLPMA ROAD PERMIT	0.13
WILLIAM RUSSELL	2004-09-15	2014-12-31	FLPMA ROAD PERMIT	0.11
MEHALL, BRIAN & JILL	2004-09-13	2013-12-31	WATER TRANS PIPELINE < 12" D	0.10
NORTH LION CR HOMEOWNERS ASSOC	2004-10-13	2014-12-31	FLPMA ROAD PERMIT	0.29
JOHN & ANN KEENAN	2004-10-25	2014-12-31	FLPMA ROAD PERMIT	0.02
KENNETH ANDERSON	2004-09-30	2013-12-31	FLPMA ROAD PERMIT	0.14
SIMS, JOHN & DEBORA	2004-09-27	2013-12-31	WATER TRANS PIPELINE < 12" D	0.02
HIPPLE, JUSTIN R. & KATIE M.	2004-11-18	2014-12-31	FLPMA ROAD PERMIT	0.01
CAMERON & GERRI JEWELL	2004-10-13	2014-12-31	WATER TRANS PIPELINE < 12" D	0.05
MONTANA STATE OF	1953-07-16		FLPMA ROAD PERMIT	0.66
STILL RIVER, LLC	2004-12-21	2034-12-31	FLPMA ROAD EASEMENT	0.07
NORTHERN CROSS RANCH, LLC	2008-02-27	2012-12-31	FLPMA ROAD PERMIT	0.10
MONTANA DEPT OF NATURAL RESOURCES &	2008-06-30		FRTA ROAD EASEMENT	3.80
MONTANA DEPT OF NATURAL RES & CONS	2004-12-16		FRTA ROAD EASEMENT	2.37
MONTANA DEPT OF NATURAL RES & CONS	2004-12-16		FRTA ROAD EASEMENT	61.67

CHEFF, MICK & KAREN	2008-07-15	2012-12-31	CORRAL, PEN, OR LIVESTOCK AREA	0.25
MONTANA DEPT OF NATURAL RES & CONS	2004-11-17		FRTA ROAD EASEMENT	21.39
MISSOULA ELECTRIC COOP	2007-12-18	2020-12-31	POWERLINE, REA FINANCED	45.39
PLUM CREEK TIMBER CO., L.P.	2005-11-28		FRTA ROAD EASEMENT	21.39
BRADY, MARK	2006-01-17	2015-12-31	FLPMA ROAD PERMIT	0.07
BLACKFOOT TELEPHONE COOP, INC.	2008-02-20	2020-12-31	TELEPHONE LINE, REA FINANCED	44.71
BLACKFOOT TELEPHONE COOP, INC.	2008-02-20	2020-12-31	FIBER OPTICAL CABLE	13.80
KING, BRIAN AND HELEN	2006-02-21	2015-12-31	FLPMA ROAD PERMIT	0.26
JACK RICH	2008-07-07	2012-12-31	CORRAL, PEN, OR LIVESTOCK AREA	0.25
PARKER, THOMAS & MELANIE	2007-11-08	2016-12-31	OUTFITTING AND GUIDING SERVICE	
DOUG AVERILL	2006-06-02	2016-12-31	OUTFITTING AND GUIDING SERVICE	
LAKE COUNTY	2007-05-07		FRTA ROAD EASEMENT	
ERES UNA BARBARA, LLC	2008-07-14	2028-12-31	FLPMA ROAD PERMIT	10.00
MONTANA DEPT OF NATURAL RES & CONS	2006-11-20		FRTA ROAD EASEMENT	53.28
RALPH ASBRIDGE	2000-05-23	2030-05-23	FLPMA ROAD EASEMENT	0.25
MONTANA DEPT OF NATURAL RESOURCES &	2007-04-11		FRTA ROAD EASEMENT	1.36
WEESE ENTERPRISES	2007-10-02	2020-12-31	FACILITY MANAGER	0.06
JAMES SLACK	2007-08-10	2020-12-31	PRIVATE MOBILE RADIO SERVICE	0.01
HICKMAN SITES, L.L.C.	2008-01-03	2020-12-31	FACILITY MANAGER	0.06
SKYLINK DIGITAL, LLC	2008-07-21	2020-12-31	MICROWAVE-INDUSTRIAL	0.05
BRESNAN MICROWAVE OF MONTANA, LLC	2008-01-24	2021-12-31	MICROWAVE-INDUSTRIAL	0.06
FEDERAL AVIATION ADMINISTRATION	2007-11-16	2022-12-31	NAVIGATIONAL EQUIPMENT	5.72
NATIONAL WEATHER SERVICE	2008-02-25	2022-12-31	PRIVATE MOBILE RADIO SERVICE	0.01
BLACKTAIL TV TAX DISTRICT	2008-01-23	2021-12-31	BROADCAST TRANSLATOR/LOW POWER TV & FM	0.18
CENTURY TEL of MONTANA	2008-01-24	2020-12-31	LOCAL EXCHANGE NETWORK	0.05
MONTANA DEPT OF NATURAL RESOURCES &	2007-04-11		FRTA ROAD EASEMENT	9.68
BONNEVILLE POWER ADMIN.	2008-02-13	2022-12-31	MICROWAVE-INDUSTRIAL	3.00
EAGLE COMMUNICATIONS, INC.	2008-01-23	2021-12-31	TELEVISION BROADCAST	0.01
KALISPELL CHRISTIAN RADIO FELLOWSHIP, INC.	2008-01-24	2021-12-31	AM AND FM RADIO BROADCAST	0.10
FLATHEAD COUNTY	2011-01-07	2022-12-31	PRIVATE MOBILE RADIO SERVICE	0.50
PHILLIPS, STEPHEN	2007-10-15	2014-12-31	FLPMA ROAD PERMIT	0.13
MCGLENN, DOROTHY	2007-08-07	2017-12-31	FLPMA ROAD PERMIT	0.11
RITTENHOUSE, A. MARK & JODI	2007-11-05	2017-12-31	FLPMA ROAD PERMIT	0.42
NORTHWESTERN CORPORATION	2008-02-13	2017-12-31	PRIVATE MOBILE RADIO SERVICE	0.50
FLATHEAD ELECTRIC COOP., INC.	2008-02-20	2017-12-31	PRIVATE MOBILE RADIO SERVICE	0.01
MONTANA HIGHWAY PATROL	2008-02-13	2017-12-31	PRIVATE MOBILE RADIO SERVICE	0.01
MONTANA DEPARTMENT OF TRANSPORTATION	2008-02-13	2017-12-31	PRIVATE MOBILE RADIO SERVICE	0.01
MONTANA DEPT OF NATURAL RESOURCES &	2008-06-11	2017-12-31	PRIVATE MOBILE RADIO SERVICE	0.01
HIGH RIDGE ROAD USERS ASSOCIATION	2008-04-24	2018-12-31	FLPMA ROAD PERMIT	0.11
SCIARETTA, SCOTT	2010-05-27	2019-12-31	OUTFITTING AND GUIDING SERVICE	
MISSOULA COUNTY	2008-02-25		FRTA ROAD EASEMENT	18.80
MIKE SMITH	2008-07-31	2012-12-31	CORRAL, PEN, OR LIVESTOCK AREA	0.25
KEHOE WAYMAN	2008-07-31	2012-12-31	CORRAL, PEN, OR LIVESTOCK AREA	0.25
SWAN LAKE VOLUNTEER FIRE DEPT.	2008-08-07	2018-12-31	WATER TRANS PIPELINE < 12" D	0.01
DEBRA & TONY MOORS	2008-09-19	2018-12-31	FLPMA ROAD PERMIT	0.05
SHEAVER'S CRK/LAKE CNTY WATER & SEWER DIST.	2001-06-13	2010-12-31	WATER TRANS PIPELINE < 12" D	1.60
TABOR, PAT	2008-08-26	2016-12-31	OUTFITTING AND GUIDING SERVICE	
BRESNAN MICROWAVE OF MONTANA, LLC	2009-06-08	2018-12-31	FOSSIL FUEL POWERPLANT	0.02
BRESNAN MICROWAVE OF MONTANA, LLC	2009-06-08	2018-12-31	POWERLINE	3.97
BRESNAN MICROWAVE OF MONTANA, LLC	2009-06-08	2018-12-31	FLPMA ROAD PERMIT	2.10
BRESNAN MICROWAVE OF MONTANA, LLC	2009-06-08	2018-12-31	MICROWAVE-INDUSTRIAL	0.03
WILLIAMS, MIKE	2009-04-23	2019-12-31	SIGN	0.20
WILLIAMS, MIKE	2009-04-23	2019-12-31	FLPMA ROAD PERMIT	0.18
CABELL, ALICE	2009-09-26	2018-12-31	SIGN	0.01
CABELL, ALICE	2009-09-26	2018-12-31	FLPMA ROAD PERMIT	0.10
SWAN ECOSYSTEM CENTER	2009-07-08	2013-12-31	RECREATION EVENT	
RYLOCAIT, INC		2018-12-31	FLPMA ROAD PERMIT	0.78
RYLOCAIT, INC		2018-12-31	WATER TRANS PIPELINE < 12" D	0.02
AUDRA & ERIC ADELBERGER	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.60
CAMPBELL, BRENT A. & CARLA E.	2009-04-13	2028-12-31	RECREATION RESIDENCE	0.55
COE, RICHARD H.	2009-04-13	2028-12-31	RECREATION RESIDENCE	0.50
DUERKSEN, AARON & ELIZABETH	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.50
FORD, SUSAN	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.50
GILLIARD, BARI LYNN AND FRED	2009-03-27	2028-12-31	RECREATION RESIDENCE	0.50
HALL, J. TIFFIN	2009-05-14	2028-12-31	RECREATION RESIDENCE	0.50
HARPER, WILLIAM J.	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.50
HAUGH, ALFRED	2009-04-13	2028-12-31	RECREATION RESIDENCE	0.46
ROBERT & PHYLLIS HEYER	2009-03-27	2028-12-31	RECREATION RESIDENCE	0.50
BLANCHE KEILMAN	2009-04-13	2028-12-31	RECREATION RESIDENCE	0.50



KIEHL LIVING TRUST	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.50
KOBYLENSKI, LEONARD	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.50
MARK O'KEEFE	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.60
SANDERS, CATHERINE S	2009-05-07	2028-12-31	RECREATION RESIDENCE	0.50
SUSAN ALLEY	2009-04-24	2028-12-31	RECREATION RESIDENCE	0.62
MICHAEL BOURKE	2009-04-24	2028-12-31	RECREATION RESIDENCE	0.60
COFFEE, DONNA L	2009-04-03	2028-12-31	RECREATION RESIDENCE	0.55
CAROLE EVANS	2009-05-01	2028-12-31	RECREATION RESIDENCE	0.50
LORI MICKEN	2009-03-27	2028-12-31	RECREATION RESIDENCE	0.47
PATTERSON, LAURA MAE	2009-03-27	2028-12-31	RECREATION RESIDENCE	0.60
CHARLES PETERSON	2009-04-13	2028-12-31	RECREATION RESIDENCE	0.51
JAMES THOMPSON	2009-03-27	2028-12-31	RECREATION RESIDENCE	0.58
TOTH, MARNEE L.	2009-04-13	2028-12-31	RECREATION RESIDENCE	0.48
DIANE TRIPP	2009-05-01	2028-12-31	RECREATION RESIDENCE	0.60
JOHN WUNDERLICH	2009-04-13	2028-12-31	RECREATION RESIDENCE	0.64
LARSON, CAROL & ROGER	2009-04-03	2028-12-31	RECREATION RESIDENCE	1.00
WATERS, SUE ELLEN & LAUGHLIN	2009-05-07	2028-12-31	RECREATION RESIDENCE	1.40
GLESSNER, LaRAE	2009-06-01	2028-12-31	RECREATION RESIDENCE	0.50
KREBS, W. DOUGLAS & VICKI L.	2009-04-24	2028-12-21	RECREATION RESIDENCE	0.55
PECK LAKE ROAD USERS ASSOCIATION	2009-11-12	2019-12-31	FLPMA ROAD PERMIT	0.12
REED, ROBERT AND BETTY	2009-11-17	2028-12-31	RECREATION RESIDENCE	0.60
PLUM CREEK TIMBER CO. INC.	2001-03-02		FRTA ROAD EASEMENT	1.35
MONTANA STATE OF	2011-01-24	2019-12-31	WAREHOUSE AND STORAGE YARD	3.18
WETHERELL, KEVIN	2009-08-03	2028-12-31	RECREATION RESIDENCE	0.50
CORSI, CHRIS AND ANN	2009-08-03	2028-12-31	RECREATION RESIDENCE	1.00
ROBERT & RUTH KORN	2009-11-17	2019-12-31	FLPMA ROAD PERMIT	0.59
TIENSTRA, JOSEPH AND KAREN	2009-11-09	2019-12-31	WATER TRANS PIPELINE < 12" D	0.34
BJORGE, ERIC	2009-09-24	2016-12-31	OUTFITTING AND GUIDING SERVICE	
MAC VINNEDGE	2009-10-30	2016-12-31	OUTFITTING AND GUIDING SERVICE	
DONALD BIELENBERG	2009-12-17	2029-12-31	FLPMA ROAD EASEMENT	0.23
SIPPRELL, JANETTE A	2010-02-26	2028-12-31	RECREATION RESIDENCE	0.47
YWCA MISSOULA	2010-06-30	2012-12-31	OUTFITTING AND GUIDING SERVICE	
FLATHEAD LUTHERAN BIBLE CAMP	2010-10-14	2012-12-31	OUTFITTING AND GUIDING SERVICE	
BASE CAMP BIGFORK, LLC	2010-09-29	2012-12-31	OUTFITTING AND GUIDING SERVICE	
WALLACE, GAIL	2011-01-12	2020-12-31	FLPMA ROAD PERMIT	1.33
KPAX TV COMMUNICATIONS, INC.	2011-02-18	2020-12-31	FIBER OPTICAL CABLE	0.05
LOWE, LAWSON	2010-11-11	2011-12-31	OUTFITTING AND GUIDING SERVICE	
MISSOULA COUNTY DEPT OF PUBLIC WORKS	2011-01-20	2015-12-31	STOCKPILE SITE	1.00
FLATHEAD COUNTY PARKS & REC	2011-08-16	2020-12-31	PARK OR PLAYGROUND	0.32
FLATHEAD VALLEY ARCHERY	2011-07-01	2015-12-31	RECREATION EVENT	
WOODS BAY WATER & SEWER DISTRICT	2011-11-02	2021-12-31	WATER STORAGE TANK	1.60
CRUZ, RALPH	2011-10-26	2028-12-31	RECREATION RESIDENCE	0.50
HALL, DANIEL		2028-12-31	RECREATION RESIDENCE	0.50
BARRAZZA, STACY	2011-11-17	2020-12-31	IRRIGATION WATER TRANS PIPELINE < 12" D	0.05
LINCOLN, SHANA		2020-12-31	FLPMA ROAD PERMIT	0.19
NORTHWESTERN TELEPHONE SYSTEMS	1993-05-03	2003-12-31	TELEPHONE AND TELEGRAPH LINE	16.32
PLUM CREEK TIMBER CO. INC.	1989-04-21		FRTA ROAD EASEMENT	0.01
PLUM CREEK TIMBER CO. INC.	1994-12-20		FRTA ROAD EASEMENT	0.60
PLUM CREEK TIMBER CO. INC.	1995-04-10		FRTA ROAD EASEMENT	1.05
PLUM CREEK TIMBER CO. INC.	1995-04-10		FRTA ROAD EASEMENT	2.76
PLUM CREEK TIMBER CO. INC.	1995-04-10		FRTA ROAD EASEMENT	4.18
BLACKTAIL MTN SKI AREA, LLC	1997-10-27	2036-12-31	WINTER RECREATION RESORT	1,020.00
FRANKE, WILLIAM A.	2001-06-01	2010-12-31	FLPMA ROAD PERMIT	0.14
CENTURY TEL of MONTANA	1999-08-31	2000-12-31	TELEPHONE AND TELEGRAPH LINE	2.01
CENTURY TEL of MONTANA	1999-08-31	2000-12-31	FIBER OPTICAL CABLE	8.15
BURLINGTON NORTHERN & SANTE FE RR	1981-12-03		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1968-06-17		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1982-03-23		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1982-09-21		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1984-03-06		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1982-12-22		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1974-12-19		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1983-01-14		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1983-03-08		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1982-08-23		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1983-01-25		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1983-07-08		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1984-08-03		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN & SANTE FE RR	1987-04-07		FRTA ROAD EASEMENT	0.01



BURLINGTON NORTHERN & SANTE FE RR	1986-08-11		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1974-12-17		FRTA ROAD EASEMENT	0.01
PLUM CREEK TIMBER CO. INC.	2001-06-15		FRTA ROAD EASEMENT	10.46
PLUM CREEK TIMBER CO. INC.	2001-06-15		FRTA ROAD EASEMENT	0.96
ARROWOOD FAMILY TRUST	2001-06-25	2010-12-31	FLPMA ROAD PERMIT	0.18
McMULLEN, JULIE A. & DANIEL W.	2001-07-09	2010-12-31	WATER TRANS PIPELINE < 12" D	0.09
B & L ROAD USER'S ASSOCIATION	2003-02-07	2011-12-31	FLPMA ROAD PERMIT	0.16
LAKE COUNTY SOLID WASTE DISTRICT	2003-02-28	2012-12-31	SOLID WASTE DISPOSAL SITE	1.00
MISSOULA COUNTY	2003-09-30	2012-12-31	PARK OR PLAYGROUND	5.00
PLUM CREEK TIMBER CO. INC.	2002-02-02		FRTA ROAD EASEMENT	1.08
HOLLAND LAKE LODGE, INC.	2002-03-01	2016-12-31	RESORT	10.53
GORDON RANCH LTD.	2002-04-08	2012-12-31	LIVESTOCK AREA	40.00
GORDON RANCH LTD.	2002-04-16	2012-12-31	FLPMA ROAD PERMIT	0.06
GORDON RANCH LTD.	2002-05-16	2012-12-31	IRRIGATION WATER DITCH	0.20
GORDON RANCH LTD.	1936-06-17	2001-12-31	IRRIGATION WATER DITCH	2.06
VIRGIL & BARBARA BURNS	2002-04-01	2012-12-31	SIGN	0.01
U.S. AIR FORCE	2002-05-30	2022-12-31	PRIVATE MOBILE RADIO SERVICE	73.60
ZACKARY, FORT & JANE	2002-04-30	2012-12-31	WATER TRANS PIPELINE < 12" D	0.05
<b>Spotted Bear Ranger District Permits</b>				
NORTHSTAR AVIATION		2013-04-30	OUTFITTING AND GUIDING SERVICE	
GLACIER JET CENTER	2011-08-07	2013-04-30	OUTFITTING AND GUIDING SERVICE	
SHAWN LITTLE	2005-05-12	2015-04-30	OUTFITTING AND GUIDING SERVICE	
JACK RICH	2005-07-12	2015-04-30	OUTFITTING AND GUIDING SERVICE	
EDWARD CHEFF	2005-07-20	2015-04-30	OUTFITTING AND GUIDING SERVICE	
RICHARD WAYMAN	2005-08-21	2015-04-30	OUTFITTING AND GUIDING SERVICE	
MILLS, RON	2005-08-24	2015-04-30	OUTFITTING AND GUIDING SERVICE	
GILCHRIST, GREG	2005-07-25	2015-04-30	OUTFITTING AND GUIDING SERVICE	
MARK MOSS	2005-07-25	2015-04-30	OUTFITTING AND GUIDING SERVICE	
MIKE SMITH	2005-07-27	2015-04-30	OUTFITTING AND GUIDING SERVICE	
LEE, JASON	2005-08-01	2015-04-30	OUTFITTING AND GUIDING SERVICE	
GREG NELSON	2005-08-01	2015-04-30	OUTFITTING AND GUIDING SERVICE	
CLANTON, PAT	2007-04-17	2015-04-30	OUTFITTING AND GUIDING SERVICE	
CRARY, DUSTY	2007-07-31	2015-04-30	OUTFITTING AND GUIDING SERVICE	
EDWARD CHEFF	2008-06-13	2015-04-30	OUTFITTING AND GUIDING SERVICE	
MT DEPT OF FISH, WILDLIFE & PARKS	2008-08-27	2018-12-31	WILDLIFE WATER SUPPLY	0.13
HARRY WORKMAN	2008-08-17	2015-04-30	OUTFITTING AND GUIDING SERVICE	
LEE, LISA	2011-07-19	2029-12-31	RESORT	10.57
LEE, LISA	2011-07-19	2029-12-31	OUTFITTING AND GUIDING SERVICE	
SKYLINE OUTFIT, INC.	2011-07-19	2027-12-31	RESORT	5.00
SKYLINE OUTFIT, INC.	2011-07-19	2027-12-31	OUTFITTING AND GUIDING SERVICE	
PAWS UP OUTFITTERS	2009-06-17	2015-04-30	OUTFITTING AND GUIDING SERVICE	
ATHELAS OUTDOOR MINISTRY, INC.	2010-05-11	2015-12-31	OUTFITTING AND GUIDING SERVICE	
GRIFFIN, REX	2010-06-01	2015-04-30	OUTFITTING AND GUIDING SERVICE	
EDWARDS, JEFF	2011-04-18	2029-12-31	RESORT	4.90
EDWARDS, JEFF	2011-04-18	2029-12-31	OUTFITTING AND GUIDING SERVICE	
WILDERNESS TREATMENT CENTER	2011-06-07	2015-04-30	OUTFITTING AND GUIDING SERVICE	
BOWE, ROBY	2011-05-06	2015-04-30	OUTFITTING AND GUIDING SERVICE	
KMON, MICHAEL	2011-04-04	2013-04-30	OUTFITTING AND GUIDING SERVICE	
LONG, CONNIE	2011-06-20	2013-04-30	OUTFITTING AND GUIDING SERVICE	
RED EAGLE AVIATION	2011-07-05	2013-04-30	OUTFITTING AND GUIDING SERVICE	
PIEDMONT AIR SERVICE		2013-04-30	OUTFITTING AND GUIDING SERVICE	
MONTANA BY AIR, LLC	2011-07-27	2013-04-30	OUTFITTING AND GUIDING SERVICE	
MINUTEMAN AVIATION, INC.	2011-07-19	2013-04-30	OUTFITTING AND GUIDING SERVICE	
KRUGER HELICOPTER	2011-08-20	2013-04-30	OUTFITTING AND GUIDING SERVICE	
<b>Hungry Horse Ranger District Permits</b>				
BONNEVILLE POWER ADMIN.	1969-06-05		MICROWAVE-INDUSTRIAL	0.06
BONNEVILLE POWER ADMIN.	1969-09-17		PASSIVE REFLECTOR	0.06
BONNEVILLE POWER ADMIN.	1994-03-08	2024-12-31	POWERLINE	137.74
FLATHEAD COUNTY	1988-08-05		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1982-04-27		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1982-04-27		FRTA ROAD EASEMENT	4.25
FLATHEAD COUNTY	1983-05-16		FRTA ROAD EASEMENT	2.22
FLATHEAD COUNTY	1984-12-24		FRTA ROAD EASEMENT	14.28
FLATHEAD COUNTY	1988-08-05		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1983-05-16		FRTA ROAD EASEMENT	4.93
FLATHEAD COUNTY	1984-12-24		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1983-05-16		FRTA ROAD EASEMENT	0.91
FLATHEAD COUNTY	1984-12-24		FRTA ROAD EASEMENT	1.15
MONTANA DEPARTMENT OF TRANSPORTATION	1981-01-12		DOT EASEMENT	8.80

MONTANA DEPARTMENT OF TRANSPORTATION	1979-04-20		DOT EASEMENT	4.79
MONTANA DEPARTMENT OF TRANSPORTATION	1982-01-05		DOT EASEMENT	70.00
MONTANA DEPARTMENT OF TRANSPORTATION	1981-12-07		DOT EASEMENT	7.18
MONTANA DEPARTMENT OF TRANSPORTATION	1981-12-29		DOT EASEMENT	9.47
MONTANA DEPARTMENT OF TRANSPORTATION	1981-12-29		DOT EASEMENT	74.60
MONTANA DEPARTMENT OF TRANSPORTATION	1981-12-29		DOT EASEMENT	5.36
MONTANA DEPARTMENT OF TRANSPORTATION	1984-08-17		DOT EASEMENT	12.91
MONTANA DEPARTMENT OF TRANSPORTATION	1982-06-02		DOT EASEMENT	77.00
MONTANA DEPARTMENT OF TRANSPORTATION	1989-04-10		DOT EASEMENT	0.25
MONTANA DEPARTMENT OF TRANSPORTATION	1986-10-27		DOT EASEMENT	388.00
TRAILS END ROAD USERS ASSOC.	2003-10-15	2013-12-31	FLPMA ROAD PERMIT	1.31
ZOMER, HANK	2004-05-19	2013-12-31	CONVENIENCE ENCLOSURE	2.94
MT DEPT OF FISH, WILDLIFE & PARKS	2004-09-09	2014-12-31	WATER DIVERSION, WEIR	0.01
GLACIER NATIONAL PARK	2004-07-09	2014-12-31	WEATHER STATION	0.01
MICHAEL DIVISH	2004-12-14	2014-12-31	WATER TRANS PIPELINE < 12" D	0.12
TUNNEL CR. UNDEVELOPMENT COMPANY	2004-12-14	2014-12-31	FLPMA ROAD PERMIT	0.10
MONTANA DEPT OF HIGHWAYS	2005-01-12	2014-12-31	STOCKPILE SITE	5.44
LEONARD & GAIL SEURER	2005-07-08	2015-12-31	WATER TRANS PIPELINE < 12" D	0.09
FLATHEAD COUNTY	2005-02-18		FRTA ROAD EASEMENT	3.00
CROFT PETROLEUM CO.	2000-07-28	2010-12-31	OIL AND GAS PIPELINE	0.41
WILDERNESS RIVER OUTFITTERS	2005-06-07	2015-04-30	OUTFITTING AND GUIDING SERVICE	
MCMILLIAN, RANDY AND JULIE	2005-11-07	2015-12-31	WATER TRANS PIPELINE < 12" D	0.11
GREG MCCLURE	2005-10-24	2015-12-31	SIGN	0.03
TRIPLE "D" GAME FARM, INC.	2005-12-14	2010-12-31	COMMERCIAL STILL PHOTOGRAPHY	
TRIPLE "D" GAME FARM, INC.	2005-12-14	2010-12-31	MOTION PICTURE AND TV LOCATION	
KLEPPER-CRINER, JUDIE J	2006-04-24	2016-12-31	WATER TRANS PIPELINE < 12" D	0.02
GILBERT GREYN	2006-05-02	2016-12-31	WATER TRANS PIPELINE < 12" D	0.01
JOHN DALIMATA	2006-11-09	2016-12-31	CULTIVATION - HAY FIELD	20.12
WAYNE TATE	2006-08-22	2016-12-31	WATER TRANS PIPELINE < 12" D	0.05
BEAN, WINNIE	2006-09-28	2016-12-31	WATER TRANS PIPELINE < 12" D	0.02
MONTANA STATE OF	1992-08-24	2012-12-31	SERVICE BUILDING	3.50
MONTANA DEPT OF HIGHWAYS	1995-03-08	2012-12-31	SERVICE BUILDING	3.30
PETE, ALBERT	2007-01-04	2016-12-31	FLPMA ROAD PERMIT	0.09
CHEETAH HERDERS ATHLETIC CLUB	2006-12-20	2011-10-31	RECREATION EVENT	
U.S. BUREAU OF RECLAMATION - HH OFFICE	2000-10-02	2024-12-31	FIBER OPTICAL CABLE	2.52
MONTANA RIVER ANGLERS, LLC	2007-03-03	2016-12-31	OUTFITTING AND GUIDING SERVICE	
GLACIER RAFT CO.	2007-02-02	2013-04-30	OUTFITTING AND GUIDING SERVICE	
MONTANA RAFT COMPANY	2007-02-27	2013-04-30	OUTFITTING AND GUIDING SERVICE	
WILD RIVER ADVENTURES, INC.	2007-02-02	2013-04-30	OUTFITTING AND GUIDING SERVICE	
RICHARD BIRSELL	2007-01-29	2016-12-31	OUTFITTING AND GUIDING SERVICE	
DESERT MOUNTAIN TV DISTRICT	2007-11-26	2017-12-31	BROADCAST TRANSLATOR/LOW POWER TV & FM	0.22
BNSF RAILWAY COMPANY	2008-02-15	2017-12-31	MICROWAVE-INDUSTRIAL	0.20
GLACIER ELECTRIC COOP	2007-03-29	2027-12-31	POWERLINE, REA FINANCED	31.36
DALIMATA, CHRISTOPHER	2007-06-20	2017-12-31	WATER TRANS PIPELINE < 12" D	0.19
KELLY, BRIAN	2008-01-22	2017-05-01	SKI SLOPE OR SKI TRAIL	27.07
HUNGRY HORSE DEVELOPMENT ROAD USERS	2007-05-23	2036-12-31	FLPMA ROAD EASEMENT	0.40
MT DEPT OF FISH, WILDLIFE & PARKS	2007-11-16	2027-12-31	FISH HATCHERY	21.80
MT DEPT OF FISH, WILDLIFE & PARKS	2008-03-27	2012-12-31	RESOURCE SURVEY	
BNSF RAILWAY COMPANY	2011-02-14	2020-12-31	FIBER OPTICAL CABLE	54.97
BNSF RAILWAY COMPANY		2020-12-31	FACILITY MANAGER	1.00
MARION FOLEY	2008-08-06	2018-12-31	FLPMA ROAD PERMIT	1.14
HUNGRY HORSE WATER DISTRICT	2008-09-26	2018-12-31	DEBRIS AND SILTATION IMPOUNDMENT	0.62
GLACIER WILDERNESS RESORT	2008-09-26	2018-12-31	FLPMA ROAD PERMIT	1.04
PAOLA WATER COMMISSION	2000-11-09	2011-12-31	WATER TRANS PIPELINE < 12" D	0.04
GLACIER WILDERNESS RESORT	2008-10-28	2018-10-31	SKI SLOPE OR SKI TRAIL	8.55
BECHARD, JASON & CHERYL	2008-12-29	2028-12-31	RECREATION RESIDENCE	0.25
ROBERT BENDER	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.17
BURGLUND, STEVEN KENNETH	2008-12-29	2028-12-31	RECREATION RESIDENCE	0.20
CHANDLER, GAIL & GREG	2008-12-16	2028-12-31	RECREATION RESIDENCE	0.25
DANOS, DONNA J	2008-12-29	2028-12-31	RECREATION RESIDENCE	0.11
JAMES & CYNTHIA HAJOST	2008-12-17	2028-12-31	RECREATION RESIDENCE	0.31
HAJOST, LEONA	2008-12-17	2028-12-31	RECREATION RESIDENCE	0.26
KENNEDY, MONA KAY	2008-12-29	2028-12-31	RECREATION RESIDENCE	0.25
LEROY LIST	2008-12-29	2012-07-31	RECREATION RESIDENCE	0.26
RICHARD STEINER	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.11
DEANNA & MICHAEL BABB	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.57
BRUNER, STANLEY E	2008-12-17	2028-12-31	RECREATION RESIDENCE	0.73
BRYAN FAMILY RECREATIONAL TRUST	2008-12-11	2028-12-31	RECREATION RESIDENCE	0.57
FAGAN, GLINDA & JOSEPH	2008-12-30	2028-12-31	RECREATION RESIDENCE	0.65

ANNA GALLUS	2008-12-11	2028-12-31	RECREATION RESIDENCE	0.65
GRIMES FAMILY CABIN TRUST	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.69
CHARLES GRANT	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.69
HEDGPETH, MELVIN	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.64
CARL HENSLEY	2008-12-29	2028-12-31	RECREATION RESIDENCE	0.68
JOHN & NANCY HEWITT	2008-12-11	2028-12-31	RECREATION RESIDENCE	0.61
HOWARD JOHNSON	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.64
LORENTZEN/JACOBSON FAMILY CABIN TRUST	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.67
MATHESON FAMILY LIVING RECREATNL TRUST	2008-12-30	2028-12-31	RECREATION RESIDENCE	0.62
MOCKO FAMILY LIVING RECREATIONAL TRUST	2008-12-10	2028-12-31	RECREATION RESIDENCE	0.87
DAVID RICARDS	2008-12-16	2028-12-31	RECREATION RESIDENCE	0.50
SCHARN FAMILY CABIN TRUST	2008-12-29	2028-12-31	RECREATION RESIDENCE	0.66
GLEN WYSEL	2008-12-17	2028-12-31	RECREATION RESIDENCE	0.92
ESSEX WATER AND SEWER DISTRICT	2009-05-11	2019-12-31	WATER TRANS PIPELINE < 12" D	1.79
CORAM CNTY WATER & SEWER DIST.	2009-04-30	2019-12-31	FLPMA ROAD PERMIT	0.10
PINNACLE WATER ASSOCIATION	2009-05-29	2019-12-31	WATER TRANS PIPELINE < 12" D	0.10
THOMAS & SHARON BENGSTON	2000-12-18	2010-12-31	WATER TRANS PIPELINE < 12" D	0.06
MARJORIE SPINLER	2009-04-22	2019-12-31	FLPMA ROAD PERMIT	0.11
SMITHSONIAN INSTITUTE	2009-05-08	2014-09-30	RESOURCE SURVEY	
FLATHEAD VALLEY COMMUNITY COLL	2009-04-29	2019-04-30	OUTFITTING AND GUIDING SERVICE	
BIG SKY BIBLE CAMP	2009-05-18	2015-04-30	OUTFITTING AND GUIDING SERVICE	
FLATHEAD LUTHERAN BIBLE CAMP	2009-05-26	2015-04-30	OUTFITTING AND GUIDING SERVICE	
LANIER, JASON	2009-05-26	2016-12-31	OUTFITTING AND GUIDING SERVICE	
KARHU REVOCABLE LIVING TRUST	2009-08-04	2028-12-31	RECREATION RESIDENCE	0.65
DAVE & CHRISTIE JOLLY	2009-09-24	2019-12-31	WATER TRANS PIPELINE < 12" D	0.03
PAOLA WATER COMMISSION		2020-12-31	WATER TRANS PIPELINE < 12" D	0.04
CATHCART, CLINT	2000-12-18	2010-12-31	WATER TRANS PIPELINE < 12" D	0.01
FLATHEAD COUNTY	2010-09-14	2019-12-31	PRIVATE MOBILE RADIO SERVICE	0.50
MONTANA COUNCIL BOY SCOUTS	2010-01-29	2015-02-28	RECREATION EVENT	
HAWKINSON, VIRGIL C	2011-01-03	2028-12-31	RECREATION RESIDENCE	0.68
GREAT NORTHERN GUIDES, LLC	2010-06-10	2013-04-30	OUTFITTING AND GUIDING SERVICE	
THOMPSON, STEVE	2011-05-23	2013-12-31	OUTFITTING AND GUIDING SERVICE	
LASKEY, MARTIN A	2000-11-28	2010-12-31	FLPMA ROAD PERMIT	0.19
McCREEDY, CHRIS	2011-04-23	2012-12-31	OUTFITTING AND GUIDING SERVICE	
MONTANA HIGHWAY PATROL	2010-09-16	2022-12-31	PRIVATE MOBILE RADIO SERVICE	0.00
H & D ENTERPRISES	2011-04-12	2013-12-31	OUTFITTING AND GUIDING SERVICE	
TABOR, PAT	2011-05-09	2012-04-30	OUTFITTING AND GUIDING SERVICE	
MONTANA ACADEMY, INC.	2011-06-01	2011-10-01	OUTFITTING AND GUIDING SERVICE	
CHEETAH HERDERS ATHLETIC CLUB	2011-11-03	2016-12-31	RECREATION EVENT	
DENNY, DAVID R	2011-11-09	2028-12-31	RECREATION RESIDENCE	0.17
JOHNSON, BERNICE	2011-11-07	2028-12-31	RECREATION RESIDENCE	0.64
LEROY LIST		2028-12-31	RECREATION RESIDENCE	0.26
BURLINGTON NORTHERN	2000-12-18	2011-12-31	WATER TRANS PIPELINE >=12" D	0.27
BURLINGTON NORTHERN	2000-12-18	2011-12-31	FLPMA ROAD PERMIT	4.79
JENSEN, CARLA & DOUGLAS	2001-03-20	2010-12-31	FLPMA ROAD PERMIT	0.03
MARTHA SLOAN	2001-05-22	2011-12-31	CULTIVATION - HAY FIELD	7.52
CENTURY TEL of MONTANA	1995-11-16	2005-12-31	TELEPHONE AND TELEGRAPH LINE	19.63
CENTURY TEL of MONTANA	1995-11-16	2005-12-31	FIBER OPTICAL CABLE	0.67
BURLINGTON NORTHERN	1989-07-11		RAILROADS RIGHT-OF-WAY	4.34
ROBERT SKANS	2001-10-22	2011-12-31	WATER TRANS PIPELINE < 12" D	0.07
CHARLES MC ALPINE	2001-11-13	2011-12-31	WATER TRANS PIPELINE < 12" D	0.02
B & W ASSOCIATION	2001-10-10	2011-12-31	WATER TRANS PIPELINE < 12" D	0.13
NORTHWESTERN CORPORATION	2003-02-19	2022-12-31	OIL AND GAS PIPELINE	273.74
DODIE RIDENOUR	2002-11-05	2012-12-31	SIGN	0.01
GLACIER WILDERNESS RESORT	2003-03-10	2013-12-31	SIGN	0.01
HUNGRY HORSE WATER DISTRICT	2003-10-15	2013-12-31	WATER TRANS PIPELINE < 12" D	0.78
QWEST CORPORATION	2004-03-02	2005-12-31	TELEPHONE AND TELEGRAPH LINE	43.41
<b>Glacier View Ranger District Permits</b>				
STEWART KIENOW	2000-12-20	2010-12-31	FLPMA ROAD PERMIT	0.38
DONALD SULLIVAN	2001-01-24	2010-12-31	WATER TRANS PIPELINE < 12" D	0.07
BONNEVILLE POWER ADMIN.	1969-05-27		POWERLINE	29.30
GLACIER NATIONAL PARK	1963-05-21		FLPMA ROAD PERMIT	0.07
DEPARTMENT OF NATURAL RESOURCES AND	2008-11-25	2011-11-30	FLPMA ROAD PERMIT	0.02
CITY OF COLUMBIA FALLS	1969-07-16		FLPMA ROAD PERMIT	1.25
CITY OF COLUMBIA FALLS	1969-04-07		DEBRIS AND SILTATION IMPOUNDMENT	50.00
FLATHEAD COUNTY	1980-11-19		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1984-12-24		FRTA ROAD EASEMENT	0.38
FLATHEAD COUNTY	1999-06-14		FRTA ROAD EASEMENT	5.83
PAUL GENOVESE	2008-09-03	2018-12-31	WATER TRANS PIPELINE < 12" D	0.28



MONTANA DEPT OF NATURAL RESOURCES &	2009-01-15		FRTA ROAD EASEMENT	1.52
MONTANA DEPT OF NATURAL RESOURCES &	2009-01-15		FRTA ROAD EASEMENT	48.27
MICHAEL CLANTON	2009-05-04	2019-12-31	FLPMA ROAD PERMIT	1.43
GLACIER INSTITUTE	2009-04-03	2019-04-30	OUTFITTING AND GUIDING SERVICE	
RED MEADOW WATER ASSOC.	2009-05-29	2019-12-31	WATER TRANS PIPELINE < 12" D	0.06
50702 ROAD USERS ASSOCIATION	2009-05-22	2019-12-31	FLPMA ROAD PERMIT	0.67
U.S. DEPARTMENT OF HOMELAND SECURITY	2009-10-05	2018-12-31	PRIVATE MOBILE RADIO SERVICE	0.10
C. LANE REAL ESTATE, L.P.	2010-01-19	2011-12-31	OTHER IMPROVEMENT	0.79
GLACIER NATIONAL PARK	2010-04-19	2025-12-31	PRIVATE MOBILE RADIO SERVICE	0.10
J&L SNOWMOBILE RENTALS, LLC	2010-01-22	2012-10-31	OUTFITTING AND GUIDING SERVICE	
MONTANA DEPT OF NATURAL RES & CONS	2010-03-08	2039-12-31	FRTA ROAD EASEMENT	0.48
EAST RED MEADOW DR ROAD USERS ASSOC		2040-12-31	FLPMA ROAD EASEMENT	0.50
SWAN MOUNTAIN SNOWMOBILING, LLC	2011-02-04	2012-04-30	OUTFITTING AND GUIDING SERVICE	
MONTANA DEPT OF NATURAL RES & CONS	2011-05-31		FRTA ROAD EASEMENT	0.06
MONTANA DEPT OF NATURAL RES & CONS	2011-08-10		FRTA ROAD EASEMENT	1.82
MONTANA DEPT OF NATURAL RES & CONS	2000-09-14		FRTA ROAD EASEMENT	147.20
SULLIVAN, DAN G.	2000-12-20	2010-12-31	FLPMA ROAD PERMIT	0.01
PINE, WILLIAM D.	2002-02-13	2012-12-31	FLPMA ROAD PERMIT	0.01
FREUND, PETER	2002-02-14	2012-12-31	WATER TRANS PIPELINE < 12" D	0.01
R.C COGLIATI	2002-10-23	2012-12-31	FLPMA ROAD PERMIT	0.09
U.S. BORDER PATROL	2003-11-24	2013-12-31	SERVICE BUILDING	0.94
GLACIER INSTITUTE	2002-06-26	2012-12-31	EDUCATION CENTER	8.73
KELLY, STEVE AND SANDI	2002-09-09	2012-12-31	FLPMA ROAD PERMIT	1.31
FLEMING, DONALD & DAWNA	2004-05-05	2013-12-31	TELEPHONE AND TELEGRAPH LINE	0.05
SANDEFER, JOAN M	2003-11-18	2013-12-31	TELEPHONE AND TELEGRAPH LINE	0.65
WRIGHT ROAD ACCESS ASSO.	2003-10-27	2013-12-31	FLPMA ROAD PERMIT	0.35
GREGORY & MERECE WOZNICK	1996-03-06		FLPMA ROAD EASEMENT	1.10
WAGNER, ALLEN W	2004-10-12	2014-12-31	FLPMA ROAD PERMIT	0.49
RAY & JUANITA HART	2004-12-23	2014-12-31	WATER TRANS PIPELINE < 12" D	0.04
HELEN FOREMAN TRUST	2005-08-19	2035-12-31	FLPMA ROAD EASEMENT	0.09
MONTANA DEPT OF NATURAL RES & CONS	2005-11-28		FRTA ROAD EASEMENT	5.92
MONTANA DEPT OF NATURAL RES & CONS	2005-11-28		FRTA ROAD EASEMENT	5.44
SUE, PHILIP	2006-12-04	2016-12-31	WATER TRANS PIPELINE < 12" D	0.03
CLARK, JOE	2006-12-04	2016-12-31	FLPMA ROAD PERMIT	0.17
DENNIS & LINDA RICHARDSON	2007-07-23	2017-12-31	WATER TRANS PIPELINE < 12" D	0.01
NEWTON ROAD USERS ASSOCIATION	2007-07-17	2017-12-31	FLPMA ROAD PERMIT	1.72
WURTZ HILL WATER ASSN.	2007-07-02	2017-12-31	WATER TRANS PIPELINE < 12" D	0.24
ROSALIND YANISHEVSKY	2007-07-17	2017-12-31	FLPMA ROAD PERMIT	0.95
MT DEPT OF FISH, WILDLIFE & PARKS	2007-11-26	2014-12-31	RESOURCE SURVEY	
FLATHEAD SNOWMOBILE ASSOC.	2008-02-05	2027-12-31	SHELTER	0.25
<b>Tally Lake Ranger District Permits</b>				
WINTER SPORTS, INC.	1999-12-17	2038-12-31	WINTER RECREATION RESORT	2,650.00
BONNEVILLE POWER ADMIN.	1968-10-30		POWERLINE	14.90
FLATHEAD COUNTY	1989-09-12		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1987-11-18		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1990-04-23		DOT EASEMENT	32.55
FLATHEAD COUNTY	1982-02-05		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1983-05-16		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1983-05-16		FRTA ROAD EASEMENT	5.14
FLATHEAD COUNTY	1983-03-08		FRTA ROAD EASEMENT	0.01
FLATHEAD COUNTY	1982-02-05		FRTA ROAD EASEMENT	0.99
FLATHEAD COUNTY	1982-02-05		FRTA ROAD EASEMENT	0.67
FLATHEAD COUNTY	1982-05-10		FRTA ROAD EASEMENT	6.28
U.S. POSTAL SERVICE	2004-07-06	2014-12-31	MAILBOX	0.10
LINCOLN ELECTRIC COOP., INC.	2007-09-18	2027-12-31	POWERLINE, REA FINANCED	36.28
KNIGHTS OF COLUMBUS	2000-02-03	2010-12-31	MONUMENT	0.10
EAGLE'S NEST HOMEOWNERS ASSOC.	2005-01-25	2014-12-31	FLPMA ROAD PERMIT	0.12
MILLER, ORVILLE C.	2002-12-13	2011-12-31	FLPMA ROAD PERMIT	0.98
POTTER CREEK ROAD ASSOCIATION	2003-04-02	2012-12-31	FLPMA ROAD PERMIT	3.64
MYRON HAYNES	2006-01-03	2015-12-31	FLPMA ROAD PERMIT	0.69
MOR-CUL-HOR ROAD ASSOCIATION	2005-11-22	2015-12-31	FLPMA ROAD PERMIT	0.05
RICHARD WOODRUFF	2005-12-23	2015-12-31	FENCE	0.03
RICHARD WOODRUFF	2005-12-23	2015-12-31	FLPMA ROAD PERMIT	2.90
JAMES ARMSTRONG	2005-12-23	2015-12-31	FLPMA ROAD PERMIT	0.47
HARRIS, ROBERT L AND EVALENA J	2006-02-27	2014-12-31	FLPMA ROAD PERMIT	0.81
HALL, BARBARA	2006-02-14	2012-12-31	FLPMA ROAD PERMIT	0.48
VIRGINIA BROWN	2006-03-10	2015-12-31	FLPMA ROAD PERMIT	1.45
JERRY FRANKEN	2006-05-22	2015-12-31	FLPMA ROAD PERMIT	0.22
KEN KRAMER	2006-02-27	2015-12-31	FLPMA ROAD PERMIT	0.50

MANICKE, ELWIN	2006-02-14	2015-12-31	FLPMA ROAD PERMIT	0.10
MARGARET HUBBER	2006-03-10	2015-12-31	FLPMA ROAD PERMIT	1.45
FITZSIMMONS, ALAN & LAURA	2006-02-27	2015-12-31	FLPMA ROAD PERMIT	0.20
ROBERT SAND	2006-02-14	2015-12-31	FLPMA ROAD PERMIT	0.40
MRS. JOHN THOMPSON	2006-02-14	2015-12-31	FLPMA ROAD PERMIT	0.88
RICHARD NELSON	2006-03-10	2015-12-31	FLPMA ROAD PERMIT	0.01
CARL HANSEN	2006-03-10	2015-12-31	FLPMA ROAD PERMIT	0.88
PAT HART	2006-02-27	2015-12-31	FLPMA ROAD PERMIT	0.88
ZUCKERT, GREGORY C.	2006-07-09	2015-12-31	FLPMA ROAD PERMIT	0.07
RAYIAS, MARIA	2006-05-02	2012-12-31	OTHER IMPROVEMENT	0.03
RAYIAS, MARIA	2006-05-02	2012-12-31	FLPMA ROAD PERMIT	0.05
TIBBAN, JAMES A	2006-05-22	2012-12-31	IRRIGATION WATER TRANS PIPELINE < 12" D	0.50
DELDA UNSER	2006-10-11	2015-12-31	FLPMA ROAD PERMIT	0.88
FOX CEDAR ROAD USERS ASSOCIATION	2006-12-17	2016-12-31	FLPMA ROAD EASEMENT	0.89
BIG MOUNTAIN SEWER DISTRICT	2007-02-27	2016-12-31	SEWAGE TRANSMISSION LINE	3.76
ROGERS, ROD	2007-01-10	2011-12-31	RESIDENCE	0.01
MAGERA FAMILY TREES, LLC	2007-02-12	2016-12-31	FLPMA ROAD PERMIT	2.20
HOOVES & CO. DISTANCE RIDERS	2007-02-06	2011-12-31	RECREATION EVENT	
BERGESON, DONOVAN M	2007-08-31	2017-12-31	IRRIGATION WATER TRANS PIPELINE < 12" D	0.11
WEESE ENTERPRISES	2010-02-25	2020-12-31	FACILITY MANAGER	0.10
BENNY BEE, SR.	2008-09-15	2027-12-31	POWERLINE	1.73
BENNY BEE, SR.	2008-09-15	2027-12-31	FLPMA ROAD PERMIT	2.55
BENNY BEE, SR.	2008-09-15	2027-12-31	AM AND FM RADIO BROADCAST	4.00
BNSF RAILWAY COMPANY	2008-10-24	2016-12-31	MICROWAVE-INDUSTRIAL	0.50
FLATHEAD COUNTY	2007-10-15	2022-12-31	PRIVATE MOBILE RADIO SERVICE	0.50
PLUM CREEK TIMBER CO., L.P.	2007-12-06		FLPMA ROAD EASEMENT	0.40
PTARMIGAN VILLAGE	2007-09-17	2017-12-31	OTHER IMPROVEMENT	0.01
PTARMIGAN VILLAGE	2007-09-17	2017-12-31	FLPMA ROAD PERMIT	0.05
SAM MCGOUGH	2007-08-19	2017-12-31	WATER TRANS PIPELINE < 12" D	0.07
MONTANA FOREST PRODUCTS	2007-09-17	2017-12-31	FLPMA ROAD PERMIT	0.28
HANEY, RICHARD C. & ANNA M.	2007-10-01	2017-12-31	FLPMA ROAD PERMIT	0.03
MONTANA DEPT OF NATURAL RESOURCES &	2007-11-26	2022-12-31	PRIVATE MOBILE RADIO SERVICE	0.05
HALL, GARY E. & RITA	2008-02-20	2017-12-31	WATER TRANS PIPELINE < 12" D	0.10
HALL, GARY E. & RITA	2008-02-20	2017-12-31	RESERVOIR	0.07
TALLYHO LAND, LLC	2008-08-15	2018-12-31	FLPMA ROAD PERMIT	0.12
PLUM CREEK TIMBER CO., L.P.	2008-03-06		FRTA ROAD EASEMENT	20.65
PLUM CREEK TIMBER CO., L.P.	2008-03-06		FRTA ROAD EASEMENT	4.07
HANSON LAKE ROAD ASSO.	2008-09-05	2018-12-31	FLPMA ROAD PERMIT	1.29
GRATCH, SALLIE	2008-11-24	2018-12-31	FLPMA ROAD PERMIT	0.15
McDONALD, MICHAEL & LORI	2008-11-24	2017-12-31	FLPMA ROAD PERMIT	0.02
MONTANA DEPT OF NATURAL RESOURCES &	2009-05-22		FRTA ROAD EASEMENT	3.50
MONTANA DEPT OF NATURAL RESOURCES &	2009-05-22		FRTA ROAD EASEMENT	24.29
SANDERS, BILLY RAY	2009-04-02	2018-12-31	FENCE	0.09
SANDERS, BILLY RAY	2009-04-02	2018-12-31	WATER TRANS PIPELINE < 12" D	0.06
IRON HORSE / OUTDOOR PURSUITS	2009-06-22	2019-12-31	OUTFITTING AND GUIDING SERVICE	
MARION, SHEILA	2009-07-29	2015-12-31	FLPMA ROAD PERMIT	0.88
MARION, SHEILA	2009-07-29	2015-12-31	WATER TRANS PIPELINE < 12" D	0.02
BALL, SHERWOOD & CELIA		2019-12-31	FLPMA ROAD PERMIT	0.50
FLATHEAD COUNTY	2010-04-01	2030-12-31	FRTA ROAD EASEMENT	3.53
BAR W GUEST RANCH	2010-06-15	2019-12-31	OUTFITTING AND GUIDING SERVICE	
THE WORLD OUTDOORS	2010-05-28	2019-12-31	OUTFITTING AND GUIDING SERVICE	
HIGHLAND MEADOWS ASSOCIATION	2011-01-21	2020-12-31	FLPMA ROAD PERMIT	1.44
COLCO, L.L.C.	2011-01-03	2020-12-31	FLPMA ROAD PERMIT	0.94
FAUTH, RAY & WYNETTE	2010-12-17	2020-12-31	FLPMA ROAD PERMIT	0.76
STONE MOUNTAIN ESTATES HOMEOWNERS	2011-01-03	2020-12-31	FLPMA ROAD PERMIT	1.21
WARREN, MIKE		2020-12-31	FLPMA ROAD PERMIT	0.02
RAPPAPORT, JAMES R	2003-08-03	2012-12-31	FLPMA ROAD PERMIT	0.67
UPPER LOST CREEK ROAD ASSOCIATION	2004-04-28	2012-12-31	FLPMA ROAD PERMIT	2.38
PLUM CREEK TIMBER CO. INC.	1989-04-25		FRTA ROAD EASEMENT	0.01
PLUM CREEK TIMBER CO. INC.	1984-07-12		FRTA ROAD EASEMENT	0.01
PLUM CREEK TIMBER CO. INC.	1995-12-15		FRTA ROAD EASEMENT	0.43
PLUM CREEK TIMBER CO. INC.	1995-12-15		FRTA ROAD EASEMENT	0.52
BURLINGTON NORTHERN & SANTE FE RR	1970-11-20		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1975-05-20		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1975-05-20		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1981-12-07		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1982-05-13		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1982-01-22		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1984-04-05		FRTA ROAD EASEMENT	0.01

BURLINGTON NORTHERN RAILROAD	1984-07-12		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1981-07-23		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1983-08-05		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1982-04-02		FRTA ROAD EASEMENT	0.01
BURLINGTON NORTHERN RAILROAD	1981-06-02		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1970-11-20		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1978-08-24		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1975-05-20		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1978-08-24		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1982-05-13		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1982-01-22		FRTA ROAD EASEMENT	0.01
GLACIER PARK COMPANY	1981-12-07		FRTA ROAD EASEMENT	0.01
CENTURY TEL of MONTANA	1993-01-08	2002-12-31	TELEPHONE AND TELEGRAPH LINE	35.65
CENTURY TEL of MONTANA	1993-01-08	2002-12-31	FIBER OPTICAL CABLE	11.29
GARY CROWE	1997-07-30	2027-12-31	FLPMA ROAD EASEMENT	0.10
AMERICAN TIMBER COMPANY	2002-03-15	2012-12-31	FLPMA ROAD PERMIT	0.17
640-SIX LIMITED PARTNERSHIP	2002-06-14	2032-12-31	FLPMA ROAD EASEMENT	0.29
SHEEHAN, BRIAN	2002-09-09	2011-12-31	FLPMA ROAD PERMIT	0.06