DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION



TO: Representative Chas Vincent, Chairman Environmental Quality Council

Mary Sexton, DNRC Director FROM:

RE: EQC Request for Dates Navigable Rivers Were Surveyed

Attached, you will find a list that represents the rivers, legal descriptions, and dates when they were originally surveyed by the General Land Office (GLO). Every river in the state of Montana is subject to the survey requirements for the original federal government surveys, before and after statehood. You will note in the information provided that the dates for a particular Township and Range may vary. The timing and completion of surveys depended on budget constraints, time, availability of the surveyors, unfavorable conditions and other variables. The Montana GLO/Bureau of Land Management survey dates range from 1867 forward.

The map referenced at committee and subsequent narrative was developed in accordance with the definition of "navigable river" in Section 2 of SB 507, as amended in conference committee. Our current information on historic documentation of commercial use formed the first filter for waterways included on the map and list. The red lines on the map indicated the waterways with evidence that have been judicially determined to be navigable. The blue areas on the map show locations that have historic evidence of commercial use and that have been meandered by the GLO. The attached list represents only the blue areas without the red line overtop. The Department will be drafting rules to implement SB 507 this winter. When a draft is available, we will forward to you and Senator Hamlett.

Cc: Todd Everett

Senator Hamlett

GLO/BLM Meandered Waterways with Historic Evidence of Commercial Use Without Judicial Determination of Navigablity on DNRC SB507 waterway map, Sept. 30, 2009 ed.

		90.0	.,		SB507 waterway map, Sept. 30, 2009 ed.	
30Sept09 Page 1	T	Dia	D		** = View Looking Downstream	** = View Looking Downstream
River	Twn	Dir	Rng	Dir	**Left Bank Meandered	**Right Bank Meandered
			10			
Big Hole	1	Ν	10	W	Oct. 19-20, 1916	Oct. 19-20, 1916
Distilate		0	10	14/	0	0
Big Hole		S	10	vv	Sept. 8-18, 1916	Sept. 8-18, 1916
Bitteroot	2	N	01	W	July 3-5, 1890	July 3-5, 1890
Billerool	2	IN	21	vv	July 3-3, 1890	July 3-5, 1890
Bitteroot	3	N	21	W	May 29 - June 10, 1890	May 29 - June 10, 1890
Difference	0		21	**	May 25 0010 10, 1000	
Bitteroot	4	N	21	w	June 27-July 20, 1889	June 27 - July 20, 1889
Difference					ound Er ouly 20, 1000	
Boulder	2	S	13	E	Sept. 17-18, 1890	
Boulder		S	13			Nov 8-12, 1892
		-				
Boulder	2	S	14	E	Sept. 15, 1890	
Boulder		S	14			Aug. 25, 1898
Boulder	1	S	14	E	July 30 -Aug. 31, 1886	
Boulder	1	S	14	E		Aug. 31-Sept.1, 1898
Boulder		Ν	14		July 25-29, 1886	
Boulder	1	Ν	14	E		Aug 13-16, 1898
Clearwater	17	Ν	15	W	Oct. 12-13, 1896	Oct. 12-13, 1896
Clearwater	16	Ν	15	W	Oct 13 to Nov 4, 1890	Oct 13 to Nov 4, 1890
The theory of March	01	N.1	10	147		
Flathead Main	31	N	19	W	July 11-15, 1903	July 11-15, 1903
Flathead Main	30	NI	10	W	April 7-9, 1904	April 7.0.1004
	30	IN	19	vv	April 7-9, 1904	April 7-9, 1904
Flathead Main	30	N	20	۱۸/	Feb. 3-28, 1891	Feb. 3-28, 1891
Flathead Main	30			W	Sept. 14, 1902	Sept. 14, 1902
	50		20	vv	Sepi. 14, 1902	
Flathead Main	30	N	21	W	Feb. 3-28, 1891	
Flathead Main	30		21		100.020,1001	July 7-24, 1892
	00					oaly / 11, 1001
Flathead Main	29	Ν	21	W	Aug. 28 to Sept. 19, 1892	Aug. 28 to Sept. 19, 1892
Flathead Main	28	Ν	21	W	Jan. 11-31, 1891	Jan. 11-31, 1891
Flathead Main	28	Ν	21	W	July 30 to Aug. 22, 1892	July 30 to Aug. 22, 1892
Flathead Main	28	Ν	20	W	Nov. 20 to 26, 1872	Nov. 20 to 26, 1872
Flathead Main	27			W		Nov. 28 to Dec. 2, 1872
Flathead Main	27	Ν	20	W	Nov. 13 to Dec. 10, 1890	Nov. 13 to Dec. 10, 1890
Flathead Main	26	Ν	20	W	Aug. 7, 1902	Aug. 7, 1902
Flathead Main	18	Ν	24	W	July 20, 1904	July 20, 1904
		N.		14/		
Flathead Main	18	N	25	٧V	Oct. 11-17, 1894	Oct. 11-17, 1894
	10	N	~	14/	Oct 1 10 1004	Opt 1 10, 1004
Flathead Main	19	IN	25	vv	Oct. 1-10, 1894	Oct. 1-10, 1894
Flatboad Middla Fl	01	N	17	۱۸/	luly 12, 1026 to Sont 21, 1027	luly 12, 1026 to Sopt 01, 1027
Flathead Middle Fk	31	IN	17	vv	July 13, 1926 to Sept. 21, 1927	July 13, 1926 to Sept. 21, 1927
Flathead Middle Fk	32	N	10	W	Aug. 26-28, 1902	Aug. 26-28, 1902
	32	I N	19	vv	109. 20-20, 1902	nuy. 20-20, 1002
Flathead Middle Fk	31	N	10	W	July 11-15, 1903	July 11-15, 1903
	51	1 1	13	**		
Flathead N. Fk	34	N	20	w	June 8-23, 1892	June 8-23, 1892
		<u> </u>	20			
	1	I	I			

Flathead N. Fk	32	Ν	20	W	Aug. 15-17, 1902	Aug. 15-17, 1902
	terways	with	Historic	Evi	lence of Commercial Use Without Judi	icial Determination
	of Navi	igabli	ity on D	NRC	SB507 waterway map, Sept. 30, 2009 e	
30Sept09 Page 2 River	Twn	Di#	Rng	Dir	** = View Looking Downstream **Left Bank Meandered	<pre>** = View Looking Downstream **Right Bank Meandered</pre>
niver	TWN	זוע	ппу	זוע		
Flathead N. Fk	31	N	20	W	July 20, 1903	July 20, 1903
						
Flathead N. Fk	31	Ν	19	W	July 11-15, 1903	July 11-15, 1903
Flathead S. Fk Flathead S. Fk	30 30			W W	April 7-9, 1904 July 6 - Sept. 18, 1940	April 7-9, 1904
Flathead S. FK	30	IN	19	vv	July 6 - Sept. 18, 1940	July 6 - Sept. 18, 1940
Flathead S. Fk	30	N	20	W	Sept. 14, 1902	Sept. 14, 1902
Marias	25	Ν	9	E	Sept. 1-12, 1891	Sept. 1-12, 1891
				_		
Marias	25	N	10	E	Sept. 17- Oct. 2, 1891	Sept. 17- Oct. 2, 1891
Milk	27	N	41	F	Aug. 17-26, 1891	Aug. 17-26, 1891
			1	<u> </u>		
Milk	27		42	Е	Aug. 26 -Sept. 5, 1891	Aug. 26 -Sept. 5, 1891
Milk	27	Ν	42	Е	May 1-5, 1906	
A 411				-		
Milk	28	N	39	F	Oct. 6-19, 1891	Oct. 6-19, 1891
Milk	28	N	40	F	Sept. 23 - Oct. 6, 1891	Sept. 23 - Oct. 6, 1891
	20		40	L_		
Milk	28	Ν	41	E	Sept. 7-22, 1891	Sept. 7-22, 1891
Stillwater (Flthd Trib)	33	Ν	24	W	Aug. 17-26, 1892	Aug. 17-26, 1892
Otillusetes (Elthed Trile)	00	NI	0.1	14/	Caret 10.05 1001	0 ant 10 05 1001
Stillwater (Flthd Trib)	32	IN	24	vv	Sept. 12-25, 1931	Sept. 12-25, 1931
Sun	20	N	3	W	Aug. 6-16, 1906	Aug. 6-16, 1906
			-			
Sun	20	Ν	2	W	Aug. 17 - Sept. 10, 1906	Aug. 17 - Sept. 10, 1906
Sun	21	N	1	W	Aug. 27 - Sept. 4, 1906	Aug. 27 - Sept. 4, 1906
Sun	21	N	2	W	Aug. 18, 1906	Aug. 18, 1906
	21			**	7.0g. 10, 1000	//dg. 10, 1000
Sun	20	Ν	3	E	Oct. 18-31, 1871	Oct. 18-31, 1871
Swan River	25		-	W	Sept. 16-22, 1917	
Swan River	25 25			W W		Sept. 17-18, 1917
Swan River Swan River	25			W	Sept. 1-6, 1921	July 18-23, 1921
Swan River	25		18			Aug. 29-31, 1921
Swan River	25	Ν	18	W	Sept. 7-11, 1921	
Swan River	25	Ν	18	W	June 28, 1935 - June 11, 1937	June 28, 1935 - June 11, 1937
Guar			10	141	0++ 17 Nov 0 1000	Oct. 17. No. 0 1000
Swan	26	IN	19	VV	Oct. 17 - Nov 2, 1892	Oct. 17 - Nov 2, 1892
Swan	27	N	19	W	Sept. 28 - Nov. 12, 1892	Sept. 28 - Nov. 12, 1892
			10			
Teton	24			Е	May 9-17, 1876	
Teton	24	Ν	8	Е		May 18-19, 1883
Terrere	-			_		
Tongue		S S	44 44		Sept. 22, 1917 - Oct. 8, 1917	Oct. 25, 1905
Tongue Tongue		S S	44		Oct. 3, 1928 - June 10, 1929	
		Ĕ		<u> </u>		
Tongue	1	S	44	Е	July 27- Aug. 2, 1887	July 27- Aug. 2, 1887
Tongue	1	Ν	44	E	Aug. 2-6, 1887	Aug. 2-6, 1887
L	1					

Tongue	1 N	45 E	Aug. 6-10, 1887	Aug. 6-10, 1887

GLO/BLM Meandered Waterways with Historic Evidence of Commercial Use Without Judicial Determination of Navigablity on DNRC SB507 waterway map, Sept. 30, 2009 ed.

30Sept09 Page 3		Iyabii			** = View Looking Downstream	** = View Looking Downstream
River	Twn	Dir	Rng	Dir	**Left Bank Meandered	**Right Bank Meandered
			g			
Tongue	2	N	44	Е	July 11-25, 1888	July 11-25, 1888
Tongue	2	Ν	45	Е	Aug. 11-16, 1887	Aug. 11-16, 1887
Tongue	3	Ν	46	E	Aug. 17-22, 1887	Aug. 17-22, 1887
_						
Tongue	3	Ν	47	F	Aug. 6-14, 1888	Aug. 6-14, 1888
Tongue	1	N	47	_	Aug. 23-29, 1887	Aug. 23-29, 1887
Tongue	4	IN	47		Aug. 23-29, 1007	Aug. 23-29, 1887
Tongue	6	N	48	F	Oct. 20-31, 1879	Oct. 20-31, 1879
Tongue		N	48		Nov. 7, 1911 - Nov. 6, 1913	
Tongue	7	Ν	47			Nov. 30 - Dec. 5, 1878
Tongue	7	Ν	47	E	Nov 1-6, 1911	
				_		-
Tongue		N	48			Oct. 4, 1883
Tongue	7	Ν	48	E	Nov. 6, 1911	
Tongue	0	N	47	C	Dec. 7-27, 1878	Dec. 7-27, 1878
Tongue		N	47		Nov. 1-4, 1911	Dec. 7-27, 1878
Tongue						
Yellowstone	6	S	8	Е	Nov. 6, 1874	
Yellowstone		S		Е		Apr. 25-27, 1885
Yellowstone		S		E	Aug. 25 - Sept. 10, 1874	
Yellowstone	5	S	8	Е		Sept. 28-29, 1888
	_	_		_		
Yellowstone		S S		E E	Aug. 26, 1874	hite 10,00, 1000
Yellowstone	5	5	9	E		July 13-22, 1886
Yellowstone	4	s	9	E	Sept. 11-12, 1874	
Yellowstone		S		E		Aug. 4-10,1886
	· ·			_		
Yellowstone	3	S	9	Е	Aug. 25 - Sept. 4, 1874	
Yellowstone	3	S	9	Е	July 17-30, 1886	July 17-30, 1886
Yellowstone	2	S		E	July 7-9, 1873	
Yellowstone	2	S	9	E E		Sept. 25-27, 1888
Yellowstone	2	S	9	E		Nov. 11, 1917
Yellowstone	2	S	10	F	Aug. 15-17, 1881	
Yellowstone		S	10			June 20-21, 1884
				_		
Yellowstone	2	S	11	Е	July 5-12, 1886	July 5-12, 1886
Yellowstone	2	S	12	E	June 24 - July 2, 1886	June 24 - July 2, 1886
		_		_		
Yellowstone		S	10		July 15,-18 1873	
Yellowstone	1	S	10	E		July 13-14, 1886
Yellowstone	1	S	11	F	Mar. 30, Apr. 2-4, 1877	
Yellowstone		S S	11		imai. 00, ημι. 2 ⁻⁴ , 10/7	Jan. 27-30, 1883
	1 '	Ĕ		F		
Yellowstone	1	S	12	Е	April 4-7, 1877	1
Yellowstone		S	12			July 15-17, 1886
Yellowstone		S	13		Apr. 9-10, 1877	
Yellowstone	1	S	13	E		July 19-25, 1886

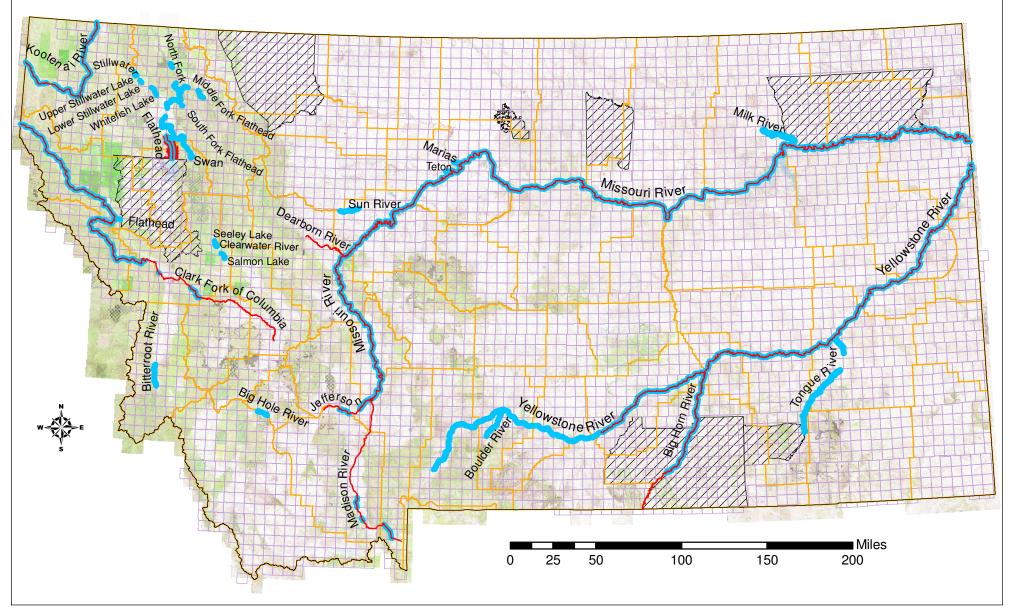
Yellowstone	1 N	13 E	Apr. 9-13, 1877	
Yellowstone	1 N	13 E		July 25, 1886 to Sept. 6-13, 1887

GLO/BLM Meandered Waterways with Historic Evidence of Commercial Use Without Judicial Determination of Navigablity on DNRC SB507 waterway map, Sept 30, 2009 ed.

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30Sept09 Page 4	Ture	Dir	Dra	Dir	** = View Looking Downstream **Left Bank Meandered	** = View Looking Downstream
River Yellowstone	Twn	N	Rng		Apr. 13-16, 1877	**Right Bank Meandered
Yellowstone		N		E	Apr. 15-10, 1877	July 25-29, 1886
Tellowstorie			17			000 20 20, 1000
Yellowstone	1	N	15	Е	April 17-19, 1877	
Yellowstone		N	15			Aug. 3-6, 1898
				1		
Yellowstone	1	Ν	16	Е	April 22, 1877	
Yellowstone	1	Ν	16	Е		Aug. 3, 1898
Yellowstone		S	16		Sept. 20-21, 1890	
Yellowstone	1	S	16	E		Dec. 10-13, 1901
Malla ata a		_	47	_		
Yellowstone Yellowstone		S S	17 17		Sept. 22-23, 1890	Nev. 10.10.1001
renowstone	1	5	17	E	Nov. 16-18, 1901	Nov. 16-18, 1901
Yellowstone	1	S	18	F	May 3, 1884	
Yellowstone		S	18			Nov. 24-25, 1901
	1	Ť		Ē		
Yellowstone	1	S	19	Е	April 30, 1884	
Yellowstone		S	19			Nov. 18-20, 1901
Yellowstone	2	S	18	Е	Nov. 21-22, 1901	Nov. 21-22, 1901
Yellowstone		S	19		Sept. 3-9, 1879	
Yellowstone	2	S	19	E		Nov. 18-20, 1901
		_		_		
Yellowstone		S	20		Aug. 21-31, 1878	
Yellowstone	2	S	20	E		Oct. 15-18, 1901
Yellowstone	2	S	21	F	Apr. 16, 1884	
Yellowstone		S	21			Oct. 15, 1901
T CIIOWS(OTIC	L	0				
Yellowstone	2	S	22	E	May 3, 1878	
Yellowstone	2	S	22			Nov. 30, 1904
				1		
Yellowstone		S	23		Sept. 13-20, 1878	
Yellowstone	2	S	23	Е		Dec. 27, 1904
Yellowstone		S			Sept. 22-27, 1878	
Yellowstone	2	S	24	E		Dec. 21-24, 1904
Vallawatana	0	0	01	-	Mov 1, 1070	
Yellowstone Yellowstone		S S	21	E	May 1, 1878	Oct. 14, 1901
	3	5				
Yellowstone	.3	S	22	F	May 3, 1878	
Yellowstone		S	22			Dec. 12, 1904
		<u> </u>	1	1		,
Yellowstone	3	S	23	Е	Sept. 18, 1878	
Yellowstone		S	23			June 5-6, 1911
		<u> </u>		<u> </u>		
		<u> </u>		<u> </u>		
		<u> </u>		<u> </u>		
				<u> </u>		
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GLO/BLM Meandered V	Vatorwave	with	Historia	Evi	L I dence of Commercial Use Without Judicial Determination
GLO/DLW Meandered V					SB507 waterway map, Sept. 30, 2009 ed.
30Sept09 Page 5		gabi	lity on D		
LAKE	Twn	Dir	Rng	Dir	Lake Meanders
Clearwater-Seeley	17	N	15	W	Oct. 12-13, 1896
Clearwater-Seeley	16	Ν	15	W	Oct. 13 - Nov. 4, 1890
Salmon Lake	15	Ν	14	W	Oct. 22, 1896
			1	I	
Salmon Lake	16	Ν	14	W	Oct. 13 - Nov. 4, 1890
Salmon Lake	16	Ν	15	W	Oct. 13 - Nov. 4, 1890
Stillwater Lake (Upper)	33	Ν	23	W	July 8-16, 1892
Stillwater Lake (Upper)	33	Ν	24	W	Aug. 11-26, 1892
Stillwater Lake (Lower)	32	Ν	23	W	Aug. 1 -Sept. 6, 1892
Swan Lake	25			W	July 2, 1909
Swan Lake	25			W	Oct. 9, 1914
Swan Lake	25			W	Oct. 14-15, 1915
Swan Lake	25			W	Sept. 12-15, 1917
Swan Lake	25			W	Sept. 17-18, 1917
Swan Lake	25			W	Oct. 9-12, 1917
Swan Lake	25			W	Oct. 11, 1917
Swan Lake	25			W	July 18-23, 1921
Swan Lake	25		18	W	Aug. 29-31, 1921
Swan Lake	25	Ν	18	W	June 28, 1935 - June 11, 1937
Swan Lake	26	N	18	W	Nov. 3-12, 1892
0				14/	
Swan Lake	26			W	Oct. 17 - Nov 2, 1892
Swan Lake	26			W	Aug. 3, 1902
Swan Lake	26	N	19	W	June 13-26, 1911
		NI		14/	
Whitefish Lake	31	N	22	W	June 22 - July 30, 1892

MONTANA NAVIGABLE RIVERS AND LAKES THAT REQUIRE MT-DNRC PERMITTING PURSUANT TO SB 507



Red lines and/or polygons indicate rivers and lakes in Montana with historic evidence of commercial use that have been judicially determined as navigable. Light blue lines indicate rivers and lakes with historic evidence of commercial use that are meandered on General Land Office survey plats and considered as navigable under SB 507 (Section 2). The State of Montana owns navigable waterways pursuant to the Equal Footing Doctrine, state statutes, and abundant case law. For more information, contact Trust Land Management Division, MT DNRC at (406) 444-2074. September 30, 2009 edition.