

Montana Code Annotated 2021

TITLE 77. STATE LANDS

CHAPTER 3. ROCK, MINERAL, COAL, OIL, AND GAS RESOURCES

Part 1. Prospecting Permits and Mining Leases

Mining Leases Authorized

77-3-102. Mining leases authorized. (1) The board may, in its discretion and subject to the other provisions of this part, lease state lands, including the beds of navigable streams and the beds of navigable bodies of water and the reserved mineral rights of the state in lands sold or leased by the state, to any person, association, or corporation for the purpose of prospecting for or mining metalliferous minerals or gems.

(2) These leases may be for a period of time determined by the board, subject to limitations contained in the grants by which the state has acquired title to lands or mineral rights so leased.

(3) Leases issued under this part must give the lessee, so long as the lessee complies with the terms and conditions of the lease, the exclusive right of possession of the lands or mineral rights leased, subject to any reservations contained in the leases.

(4) In making the leases, the board may exercise business discretion as long as this part is not violated.

History: (1), (2)En. Sec. 2, Ch. 148, L. 1937; amd. Sec. 36, Ch. 428, L. 1973; Sec. 81-602, R.C.M. 1947; (3),(4)En. Sec. 3, Ch. 148, L. 1937; amd. Sec. 1, Ch. 205, L. 1947; amd. Sec. 37, Ch. 428, L. 1973; Sec. 81-603, R.C.M. 1947; R.C.M. 1947, 81-602, 81-603(part); amd. Sec. 2554, Ch. 56, L. 2009.