

**2023 N Bar Ranch**  
**Elk Hunting Access (EHA) Agreement**

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This Elk Hunting Access (“EHA”) Agreement (“Agreement”) entered into by and between Wilks Montana- N Bar Ranch (“Landowner”) and Montana, Fish, Wildlife and Parks (“FWP”), under the provisions of Mont. Code Ann. § 87-2-513, authorizes the issuance of the following license(s) and permit(s):

Three (3) general elk licenses and three (3) 411-20 permits to the Landowner or lawful designee, for use only on land enrolled in this Agreement.

Additionally:

Three (3) public hunters from the list of successful 411-20 either sex permit holders will be selected by the Landowner from the following groups to hunt either-sex elk: local residents, non-residents, veterans, first-time hunters or hunter from non-profit groups such as Wounded Warrior, Big Hearts, public safety or other regional community members who contribute to the success of the ranch. These public hunters are allowed to hunt on lands enrolled in the Agreement.

Six (6) public hunters will be randomly selected by FWP from a list of 411-00 antlerless elk B license holders and will have access, by permission as set forth herein, to hunt antlerless elk on land enrolled in this Agreement. These licenses are valid in hunting district 411 and 535. FWP will be responsible for managing the hunter selection process and coordinating the selected hunters with the Landowner for scheduling purposes.

**Terms of the Elk Hunting Access Agreement include:**

1. Approximately 179,000 total acres of private land in Hunting District 411/535 will be enrolled, pursuant to the map attached hereto as Exhibit A.
2. Enrolled property will be open to free public elk hunting with any legal weapon, from October 21-November 26 and November 27-February 15, as set forth herein.
3. Access shall be coordinated with [REDACTED] (the “Landowner Contact”), who can be contacted at [REDACTED].
4. Terms of access include:
  - a) The above-described public hunters selected for access under this agreement must contact the Landowner Contact to schedule their hunts in accordance with the notice requirements provided by FWP. The Landowner requires that hunters must provide at least thirty (30) days advance notice. Maximum number of hunting days for each public hunter is five (5).
  - b) When the public hunters contact the Landowner Contact, he/she will inform the public hunters of the rules and requirements governing the access. This includes but is not limited to:
    - a. Signing written permission slips or FWP hunter-sign in rosters to provide public hunter contact information for FWP’s evaluation of program;

- b. Abiding by all state and federal hunting statutes, regulations, and rules;
  - c. Following all Landowner rules, which will be provided in advance of the hunt. These may include reasonable hunter management restrictions including a limitation on the total number of days a public hunter may access the property;
  - d. Maintaining proper safety procedures regarding firearms and/or archery equipment;
  - e. Maintaining proper vigilance aimed at preventing property damage to the Landowner, and to promptly report any property damage that may occur to the Landowner or the Landowner Contact;
  - f. Ensuring all gates are left as originally found;
  - g. Using best efforts to prevent fires and keep the Landowner's property free of litter at all times;
  - h. How harvested game may be retrieved;
  - i. Check-in with Landowner Contact upon arrival;
  - j. Accompaniment requirements; and
  - k. How wounded animals may be pursued.
- c) If a hunter wounds an elk and is unable to harvest and retrieve it, they are not allowed to shoot at another elk on the Landowner's property. Hunters must notify the Landowner or Landowner Contact prior to pursuing any wounded elk.
- d) The Landowner or Landowner Contact are not responsible for contacting any hunter to report the presence or absence of elk.

The Landowner or Landowner Contact may terminate a hunter's access rights under this Agreement for failure to abide by these requirements. The hunter may be dismissed from the Landowner's property immediately on such occurrence; the Landowner or Landowner Contact should notify FWP of the dismissal as soon as practicable.

5. Satisfaction data will be acquired through FWP surveys of the Landowner associated with this Agreement. Completion of the Landowner satisfaction survey and harvest survey is required for the Landowner to be eligible to participate in a future EHA Agreement. FWP will also survey the public hunters that were provided access to hunt on the Landowner's property.

6. By signing below, the Landowner agrees to submit a comprehensive public hunter list (with legible contact information in a format required by FWP) for all additional public hunters in excess of the three required public hunters that were offered an opportunity to hunt under this Agreement no later than March 1 of the next license year (if applicable).

\_\_\_\_\_  
Dustin Temple, Acting Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mark Taylor, Landowner Authorized Representative

\_\_\_\_\_  
Date

MAY 12 2023



## 2023 ELK HUNTING ACCESS (EHA) AGREEMENT APPLICATION

**RETURN TO: FWP LICENSING - PO BOX 200701 HELENA MT 59620-0701**

Please mail or submit this form to the addresses above via the State of Montana file transfer system and including any additional required documentation. Documents submitted electronically must be scanned and submitted as a PDF.

All information below is required and must be submitted  
BY 5:00 PM ON MAY 15, 2023.

Completing this form does not guarantee your application will be approved by the Fish and Wildlife Commission. Eligibility requirements are listed in Part D.

### PART A: DESCRIPTION OF PROPERTY AND PUBLIC HUNTER OPPORTUNITY

- 1) **NAME in which the land is recorded (i.e. ranch name, corporate/partnership name, or individual on the deed):** N Bar Ranch
- 2) **LANDOWNER CONTACT INFORMATION (FOR DEPARTMENT USE ONLY)**
  - a. **NAME:** Mark Taylor
  - b. **MAILING ADDRESS:** 1 South Montana Ave., Suite #M-2 Helena, MT 59601
  - c. **PHONE NUMBER:** [REDACTED]
  - d. **EMAIL:** [REDACTED]
- 3) **COUNTY:** Fergus
- 4) **TOWNSHIP, RANGE, SECTION:** See attached deed information and map on file with Department
- 5) **HUNTING DISTRICT(S):** 411 and 535
- 6) **NUMBER OF ACRES TO BE ENROLLED:** Approximately 179,000
- 7) **MAXIMUM NUMBER OF HUNTING DAYS FOR EACH PUBLIC HUNTER (if applicable):** # 5 DAYS
- 8) **NUMBER OF DAYS ADVANCE NOTICE REQUIRED FOR PUBLIC HUNTERS (if applicable):** # 30 DAYS
- 9) **HUNTING SEASON(S) PUBLIC HUNTERS WILL BE ALLOWED ACCESS:**
  - a. **GENERAL RIFLE (REQUIRED)**
  - b. **ARCHERY**
  - c. **MUZZLELOADER**
  - d. **ELK SHOULDER SEASON (if applicable)**



10) PLEASE DESCRIBE ANY HUNTER MANAGEMENT PRACTICES OR REQUIREMENTS FOR PUBLIC HUNTERS UNDER THE TERMS OF THE PROPOSED AGREEMENT.

- a. CHECK-IN WITH LANDOWNER OR REPRESENTATIVE UPON ARRIVAL
- b. LANDOWNER OR LO REPRESENTATIVE ACCOMPANIMENT REQUIRED WHILE HUNTING
- c. WALK-IN HUNTING ONLY
- d. MOTORIZED GAME RETRIEVAL ALLOWED
- e. NO OFFROAD DRIVING
- f. NO DRIVING ON MUDDY ROADS
- g. OTHER  \_\_\_\_\_

11) PUBLIC HUNTER RANCH CONTACT SECTION *This is the person who will coordinate public hunting access. (If identical to landowner contact information above or if the property is going to be managed by the Block Management Program check this box  and skip to #12).*

- a. PUBLIC HUNTER CONTACT NAME: \_\_\_\_\_
- b. MAILING ADDRESS: \_\_\_\_\_
- c. PHONE NUMBER: \_\_\_\_\_
- d. EMAIL: \_\_\_\_\_

12) DOES THE LANDOWNER/APPLICANT WISH TO SELECT UP TO ONE-THIRD OF THE PUBLIC HUNTERS REQUIRED FOR THESE AGREEMENTS?

- a. Choose one: (YES  / NO  skip to #15 next page).

13) PLEASE SELECT THE CRITERIA THE LANDOWNER/APPLICANT WILL USE TO SELECT UP TO ONE-THIRD OF THE PUBLIC HUNTERS FROM A LIST PROVIDED BY FWP.

- a. LOCAL RESIDENTS
- b. VETERANS
- c. FIRST TIME HUNTERS
- d. OTHER  Non-profit sponsored hunters (e.g. Wounded Warrior, Big Hearts and Hope Project), public safety, and other regional community members who contribute to the success of the Ranch.

14) SEX OF ELK ALLOWED TO BE HUNTED BY LANDOWNER SELECTED PUBLIC HUNTER(S) ON THE ENROLLED PROPERTY (In accordance with regulations):

- a. BULL
- b. COW
- c. BOTH



**15) SEX OF ELK ALLOWED TO BE HUNTED BY DEPARTMENT SELECTED PUBLIC HUNTERS ON THE ENROLLED PROPERTY (In accordance with regulations):**

- a. BULL
- b. COW
- c. BOTH

**16) DOES THE LANDOWNER/APPLICANT ANTICIPATE ALLOWING ADDITIONAL PUBLIC ELK HUNTING ACCESS ABOVE THE MINIMUM REQUIRED THROUGH THIS PROGRAM?**

- a. YES
- b. NO
- c. UNCERTAIN AT THIS TIME OF APPLICATION

**PART B: LANDOWNER LICENSE INFORMATION**

LIST BELOW THE LANDOWNER AND/OR ELIGIBLE LANDOWNER DESIGNEE(S) BELOW WHO WISH TO RECEIVE AN APPLICABLE ELK LICENSE AND/OR PERMIT. ELIGIBLE DESIGNEES MAY ALSO BE IMMEDIATE FAMILY MEMBERS OR FULL-TIME EMPLOYEES.

**TOTAL NUMBER OF ELK LICENSE AND/OR PERMITS IN EXCHANGE FOR FREE PUBLIC ACCESS UNDER THESE AGREEMENTS REQUESTED BY THE LANDOWNER AND/OR LANDOWNER DESIGNEE: # 3**

IF MORE THAN TWO INDIVIDUALS WISH TO RECEIVE A LANDOWNER LICENSE/PERMIT THROUGH THIS PROGRAM PLEASE INCLUDE ADDITIONAL COPIES OF THIS PAGE.

- 1) NAME: Farris Wilks
- 2) DATE OF BIRTH (MM/DD/YYYY) & ALS#: [REDACTED]
- 3) MAILING ADDRESS: 52 Headquarters Loop, Grassrange, MT 59032
- 4) RELATIONSHIP TO LANDOWNER:
  - a. SELF
  - b. IMMEDIATE FAMILY MEMBER
  - c. FULL-TIME EMPLOYEE
- 5) EMAIL ADDRESS: [REDACTED]
- 6) LICENSE AND PERMIT TYPE REQUESTED (IF APPLICABLE):
  - a. (LICENSE) GENERAL ELK LICENSE
  - b. (PERMIT) 411-20



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- 1) NAME: Dan Wilks
- 2) DATE OF BIRTH (MM/DD/YYYY) & ALS#: [REDACTED]
- 3) MAILING ADDRESS: 52 Headquarters Loop, Grassrange, MT 59032
- 4) RELATIONSHIP TO LANDOWNER:
- a. SELF
  - b. IMMEDIATE FAMILY MEMBER
  - c. FULL-TIME EMPLOYEE
- 5) EMAIL ADDRESS: [REDACTED]
- 6) LICENSE AND PERMIT TYPE REQUESTED (IF APPLICABLE):
- a. (LICENSE) GENERAL ELK LICENSE
  - b. (PERMIT) 411-20

#### PART C: REQUIRED ADDITIONAL INFORMATION

##### **ALL APPLICATIONS FOR EHA AGREEMENTS MUST INCLUDE:**

- **Copy of the property deed, property tax bill, or contract to purchase. If this information does not match Montana Cadastral, your application will be rejected.**
- **Signatory authority documentation.** If the land in which you are proposing for this agreement application is listed as a corporation, sole proprietorship, limited liability company, partnership, limited partnership, limited liability partnership, trust or an association, you **MUST** provide documentation that you have the legal authority to make this decision on behalf of the business. (i.e. articles of incorporation, partnership agreement, certificate of trust, etc.)
- **One map showing the area available public hunting access opportunity for the landowner (or designee) and public hunters provided access through this program.**

#### PART D: INFORMATION FOR FREE PUBLIC HUNTING ACCESS APPLICATIONS

- To be eligible, you must 1) own occupied elk habitat that the department determines large enough to accommodate successful public hunting and 2) provide



- 1) NAME: Staci Wilks
- 2) DATE OF BIRTH (MM/DD/YYYY) & ALS#: [REDACTED]
- 3) MAILING ADDRESS: 52 Headquarters Loop, Grassrange, MT 59032
- 4) RELATIONSHIP TO LANDOWNER:
  - a. SELF
  - b. IMMEDIATE FAMILY MEMBER
  - c. FULL-TIME EMPLOYEE
- 5) EMAIL ADDRESS: [REDACTED]
- 6) LICENSE AND PERMIT TYPE REQUESTED (IF APPLICABLE):
  - a. (LICENSE) GENERAL ELK LICENSE
  - b. (PERMIT) 411-20

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- **One map showing the area available public hunting access opportunity for the landowner (or designee) and public hunters provided access through this program.**

**PART D: INFORMATION FOR FREE PUBLIC HUNTING ACCESS APPLICATIONS**

- To be eligible, you must 1) own occupied elk habitat that the department determines large enough to accommodate successful public hunting and 2) provide



a free access opportunity for the public hunters identified in the terms of this proposed agreement.

- This access shall take place during authorized hunting season(s) for the applicable licenses/permits possessed by the public hunters. This does not preclude the landowner from implementing hunter management practices such as limiting the number of hunters at any given time.
- Public hunters must be provided identical land access during their hunt as the landowner or landowner's designee has during their hunt; e.g. a landowner may not "reserve" a section of the enrolled property for themselves.
- A designee may be an immediate family member or an authorized full-time employee of the landowner. An immediate family member is defined as an individual who is related within the second degree of kinship by blood or marriage to the landowner. The second degree of kinship includes a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter.
- The landowner reserves the right in writing to deny access for cause, including but not limited to intoxication, violation of landowner conditions for use of the property, or previous misconduct on a landowner's property.
- For every landowner or landowner designee that is issued a license and/or permit, three public hunters already holding a license/permit identified in the terms of the agreement will be selected for free access opportunities on the property.
- FWP will pick, at minimum, two of the three public hunters. Depending on the hunting district regulations and the terms of the agreement, these hunters will be chosen at random from a list of successful elk permit holders, Elk B License holders, or from a public sign-up list.
- The landowner may select up to one-third of the public hunters from a list of qualifying individuals provided to the landowner by FWP. If the landowner does not wish to select a public hunter, FWP will select instead.
- Licenses and/or permits issued as a result of this program are valid only on the private property identified in this application. They are nontransferable and may not be sold or bartered.
- The landowner may not charge the public hunters selected through this program a fee for hunting access on land identified in this application.



- If you are interested in donating your issued license to a disabled veteran, please review the DONATE LICENSE PROGRAMS section and Donation of Hunting License to Military Veterans application at: <https://fwp.mt.gov/hunt/licensingbasics>
- For additional EHA agreement program information see: <https://fwp.mt.gov/hunt/landownerprograms/public-elk-access-agreements>

**PART E: FUTURE REPORTING REQUIREMENTS AND LANDOWNER SIGNATURE**

- If the application is approved by the commission, I agree to submit a list (with legible contact information in a format required by the department) for all additional public hunters offered an opportunity to hunt, under this agreement by MARCH 1 of the next license year. This list is for additional public hunters allowed to hunt over the minimum required by this program.
- I attest that the information provided in this application packet is true to the best of my knowledge and belief.
- **COMPLETING AN END OF SEASON LANDOWNER/DESIGNEE HARVEST SURVEY AND LANDOWNER SATISFACTION SURVEY IS REQUIRED TO BE ELIGIBLE FOR THIS PROGRAM IN FUTURE YEARS. PLEASE SPECIFY WHICH ADDRESS FWP SHOULD SEND THE LANDOWNER SURVEYS TO.**
  - LANDOWNER ADDRESS
  - PUBLIC HUNTER CONTACT/RANCH CONTACT ADDRESS

**SIGNATURE OF LANDOWNER OR LANDOWNER'S AUTHORIZED REPRESENTATIVE:**

Name: [Signature] Date: 5-4-23

**PRINTED NAME OF LANDOWNER OR LANDOWNER'S AUTHORIZED REPRESENTATIVE:**

Name: Farris Wilks Date: 5-4-23

