EASEMENT NO. _____

DEPARTMENT OF NATURAL RESOURCES

Minnesota Department of Natural Resources
Application for Easement across State Land

(Submit 1 copy of the application and attachments)

The applicant, pursuant to Minnesota Statutes, sections 84.63, 84.631, or 85.015, subd. 1b applies for an Easement to Cross State Land described below, in accordance with all maps, plans, specifications and other supporting documentation submitted with this application and made a part hereof.

Name of Applicant (PRINT OR TYPE):	
Street Address (& Mailing, if different):	
Contact Person:	Telephone No.:
E-mail Address:	Alternate No. (i.e. Cell):

1. EASEMENT TYPE: (check one)

- ☐ Highway/road - If public road project, indicate Project #_____
- ☐ Trail
- ☐ Ingress and egress over trail right-of-way
- ☐ Flowage for development of fish and game resources, stream protection, flood control, and appurtenances
- ☐ Flowage for stream protection, flood control, and appurtenances
- ☐ Flowage for flood control

2. EASEMENT TERM: (check all that apply)

- ☐ Permanent
- ☐ Temporary
- ☐ Road easement to individual across school trust land – 50 year maximum

3. IMPROVEMENTS AND CONSTRUCTION: (check all that apply)

- ☐ No existing road/highway
- ☐ No new construction proposed
- ☐ Existing highway/road
- ☐ Existing trail crossing
- ☐ New construction proposed
- ☐ Reconstruction of existing road/highway

4. EASEMENT DETAILS: Number each easement applied for consecutively and identify each forty or government lot. Separate the permanent easements from the temporary. Also, please include a beginning and ending date if the easement is temporary.

No.	Forty (i.e. SE ¼ NW ¼ or Govt. Lot No.)	Sec.	Twp.	Range	County	Total Acres	Type of Easement (Permanent or Temporary)	Beginning Date (if Temporary)	Ending Date (if Temporary)
							Perm. or Temp.		
							Perm. or Temp.		
							Perm. or Temp.		
							Perm. or Temp.		
							Perm. or Temp.		

5. Provide a detailed legal description and survey, engineering drawing or survey quality map for the requested easement. If government entity, include construction plans and profile drawings for easement applications that propose construction or re-construction, as indicated on Page 3 of this application.

6. **If government entity, attach County Board or Township resolution, or other documentation that provides authority for the application and easement.**

7. **If you are not a government entity, provide a copy of the deed for your property that will be benefitted by the easement. Also, provide documentation of connecting easement(s) if the proposed easement does not directly connect your property to a public road.**

8. **Make check payable to the Department of Natural Resources, in the amount of $2000 for the application fee. Send application, appropriate attachments, and application fee to Regional Office where easement is located. See page 4 for map and corresponding address.**

Any written correspondence from the Department of Natural Resources relating to this proposed project must be included with this application and will become a part of this easement record. Environmental and archeological reviews must be completed before an easement is granted.

Instructions for Completing Application for Easement across State Land

The DNR may grant permanent and temporary easements to governmental units under Minn. Stat., sec. 84.63 across all DNR-administered lands. The DNR may grant permanent and temporary road easements to individuals under Minn. Stat., sec. 84.631 on DNR administered lands other than trust fund lands. Road easements granted to individuals on school trust fund land are limited to a maximum term of fifty years. The DNR additionally has authority to grant easements under Minn. Stat., section 85.015, subd. 1b for pre-existing trail crossings.

STEP 1. CONTACT THE DNR REGIONAL SUPERVISOR FOR THE DIVISION OF LANDS & MINERALS: The Regional Supervisor will work with the DNR's Area Supervisor responsible for managing the land over which you are requesting an easement and can answer questions about the review process. Please refer to Page 4 of this application to identify the correct DNR region, based on the location of the land. The Regional Supervisor will refer you to the DNR Area Supervisor to discuss potential impacts to the state land.

STEP 2. MEET ON-SITE WITH THE DNR AREA SUPERVISOR PRIOR TO SUBMITTING THE APPLICATION: This meeting should occur in the conceptual stages of a project so the Area Supervisor's initial recommendations can be incorporated into project plans. Items for discussion may include land ownership, resource and environmental concerns, access routes, plans, drainage, erosion control, wetlands, re-vegetation, etc. Incorporating the Area Supervisor's recommendations will assist in expediting the DNR's review. After the easement application package is submitted, it will be reviewed by other divisions within the DNR. This will result in either a) approval, b) approval with additional recommendations and conditions, or c) denial of the easement.

STEP 3. COMPLETE THE APPLICATION FOR EASEMENT ACROSS STATE LAND: This checklist is to assist the applicant in completing the application. An easement number will be assigned by DNR, Division of Lands and Minerals staff upon receiving the completed application.

- ☐ **Name and Address**: Fill in the legal name(s) of the individual(s) or agency with whom the easement should be issued. Also, provide the mailing address and phone number(s).

- ☐ **Contact Person and Telephone Number**: When the applicant is represented by another party in obtaining the easement, that party should be identified by name, address and phone number. Otherwise, indicate a specific individual applicant or officer as the contact.

- ☐ **Easement Type***:* Check the appropriate box.

- ☐ **Easement Details***:* Starting at number one, number and describe each forty or government lot. Each forty or government lot crossed must be listed on a separate line. Separate the permanent easements from the temporary. Also, there must be ~~a~~ beginning and end dates if the easement is temporary.

- ☐ **Application Fee:** Include a check in the amount of $2,000 for the application fee. This fee is to cover reasonable costs for reviewing the application and preparing the easement. Application fees will not be refunded even if the application is withdrawn or denied.

STEP 4. PROVIDE THE REQUIRED APPLICATION ATTACHMENTS:

- ☐ **Detailed legal description of easement (REQUIRED):** A legal description of the requested easement area shall be supplied, including the locations of the basis of the legal description.

- ☐ **Survey and/or detailed location map (REQUIRED)**: A survey, engineering drawing, or survey quality map showing the location of the requested easement as well as the locations used in the legal description shall be included with the application.

Additional Application Attachment Requirements for Government Entities:

☐ **Plans (REQUIRED):** Provide plans for construction, cross sections, erosion control, drainage, re-vegetation and other relevant documentation. These items must be included for public road projects. For other types of construction projects please contact the Regional Operations Supervisor to determine what plans will be required.

☐ **Resolution: (REQUIRED FOR ALL GOVERNMENT ENTITIES):** The application will be considered incomplete if submitted without a County or Township Board Resolution, or other documentation that provides authority for the application and easement.

Additional Application Attachment Requirements for Individuals:

☐ **Deed (REQUIRED):** If the easement is to provide access to private land, include a copy of the current deed so the easement can be issued for the benefit of access to the property described on that deed.

☐ **Segmented Easements (REQUIRED):** If the requested easement will not connect your ownership to a public road, provide documentation of existing or proposed easements necessary to connect the property to a public road.

STEP 5. MAIL APPLICATION PACKET: Mail one copy of the application, attachments, and $2,000 application fee to the appropriate Regional Supervisor where easement request is located, as shown on the map on Page 4 of this application. If application is received without the application fee, the application will be returned.

Additional and/or Follow-Up Attachments:

☐ **Environmental review documentation:** If the requested easement is part of a project for which an environmental assessment worksheet (EAW) or an environmental impact statement (EIS) is required or for which a petition for an EAW or EIS is under review, this easement is not valid until the environmental review is complete, consistent with Minnesota Rules, part 4410.3100. The outcome of the environmental review may affect work authorized by this easement.

☐ **Funding restriction documentation**: Provide if DNR advises the easement is over land acquired with funding restrictions.

☐ **Permits and approvals documentation**: Provide documentation and written correspondence pertaining to rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city, and township zoning.

☐ **Appraisal** (optional): The DNR may accept an appraisal done by an appraiser with the appropriate Minnesota license. The appraisal will need to meet USPAP guidelines and possibly Federal Aid guidelines. Please contact the Regional Operations Supervisor to determine if Federal Aid guidelines are applicable. The DNR will review the appraisal for acceptance. Submitting an acceptable appraisal may expedite the processing of the easement. The state will calculate the easement fee during the processing of easement if an appraisal is not submitted with the application.

EASEMENT PROCESSING:
Once the application is received, it will be assigned an easement number. An acknowledgment letter or email will be sent to the applicant or contact person indicating receipt of the application and the number assigned. The legal description will be reviewed by DNR for approval. Depending on how the property was obtained by the DNR, the application may need review and approval by Federal or other public agencies, which may delay processing of the easement. After the easement application package is submitted, it will be reviewed by other divisions within the DNR. This will result in either a) approval, b) approval with recommendations and conditions, or c) denial of the easement.

EASEMENT FEE: DNR Regional staff will review the easement application and complete a valuation of the land if an appraisal has not been submitted. If an appraisal has been submitted, it will be reviewed by the DNR and either accepted or rejected. The DNR will calculate an easement fee which is payment for the market value of the easement. The fee for a temporary easement is typically 50% of the market value, but can vary depending on the term of the easement and the impact to state land. There is no market value easement fee for pre-existing trail crossing easements.

MONITORING FEE: Applicants proposing projects that require the preparation of special terms and conditions and/or monitoring during construction can be assessed a Monitoring Fee. The Monitoring Fee may include projected costs for monitoring construction. DNR will determine if a monitoring fee is needed. DNR will provide the applicant with an estimate of the monitoring fee prior to assessment of the fee.

Once the valuation has been completed and all approvals are obtained, the applicant will be sent a letter asking for payment of the easement fee and, if applicable, the monitoring fee. DNR will not issue the easement document until the applicant has paid all fees in full. Once payment is received, the easement document will be prepared and signed by Division of Lands and Minerals. The applicant will then be sent the completed easement. It is the applicant's responsibility to record the easement in the office of the county recorder.

Upon completion of construction of the improvement for which the easement was issued, DNR will refund the unused balance of any monitoring fee payment.

Utilities: Utilities may not cross DNR administered lands without a utility license to cross State lands. Utilities mean lines, cables, and conduits for telephone, fiber optic, or electric power, and pipelines for gases, liquids, or solids in suspension, and any other such items covered by the licensing requirements of Minnesota Statutes, section 84.415. Please request an Application for License to Cross Public Lands and Waters from the DNR website at www.dnr.state.mn.us.

Northwest Region
Regional Operations Supervisor
DNR Lands and Minerals
2115 Birchmont Beach Road NE
Bemidji, MN 56601
(218) 308-2627

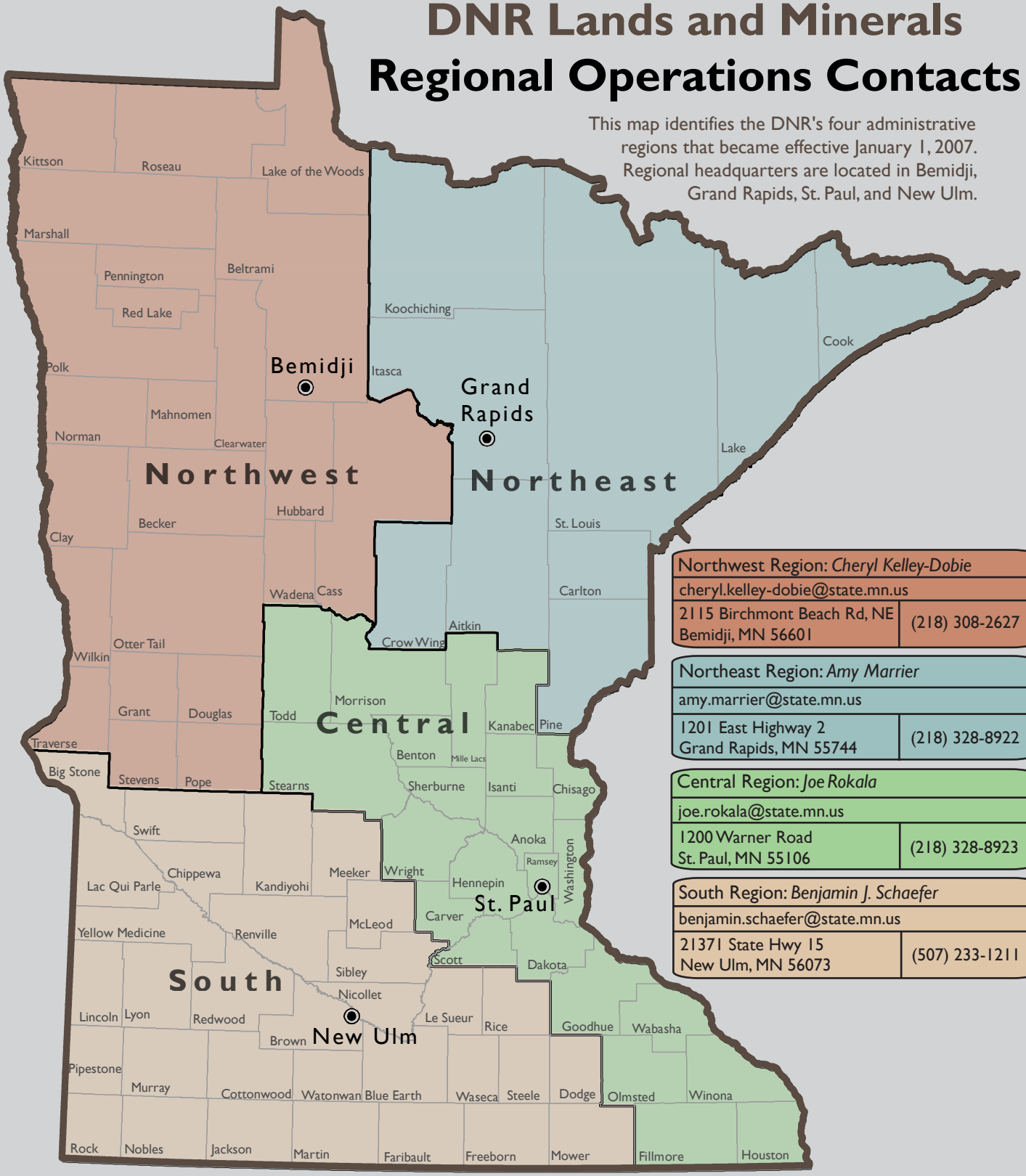
Central Region
Regional Operations Coordinator
DNR Lands and Minerals
1200 Warner Road
St. Paul, MN 55106
(218) 328-8923

Northeast Region
Regional Operations Supervisor
DNR Lands and Minerals
1201 E. Highway 2
Grand Rapids, MN 55744
(218) 328-8922

Southern Region
Regional Operations Coordinator
DNR Lands and Minerals
21371 State Hwy 15
New Ulm, MN 56073-5228
(507) 233-1211

DNR Lands and Minerals
Regional Operations Contacts

This map identifies the DNR's four administrative regions that became effective January 1, 2007. Regional headquarters are located in Bemidji, Grand Rapids, St. Paul, and New Ulm.



Northwest Region: *Cheryl Kelley-Dobie*	
cheryl.kelley-dobie@state.mn.us	
2115 Birchmont Beach Rd, NE Bemidji, MN 56601	(218) 308-2627

Northeast Region: *Amy Marrier*	
amy.marrier@state.mn.us	
1201 East Highway 2 Grand Rapids, MN 55744	(218) 328-8922

Central Region: *Joe Rokala*	
joe.rokala@state.mn.us	
1200 Warner Road St. Paul, MN 55106	(218) 328-8923

South Region: *Benjamin J. Schaefer*	
benjamin.schaefer@state.mn.us	
21371 State Hwy 15 New Ulm, MN 56073	(507) 233-1211

Map by DNR Lands and Minerals Division
January 2, 2024

DEPARTMENT OF NATURAL RESOURCES