



SOURCES OF QUESTIONS FOR THE MONTANA SPECIFIC LAW AND RULE EXAMINATION FOR PROFESSIONAL LAND SURVEYOR APPLICANTS

General Sources

1. Bureau of Land Management (BLM) Manual (1973 Edition)
2. Brown's Boundary Control and Legal Principles
3. National Geodetic Survey (NGS) Website (www.ngs.noaa.gov)

Montana Code Annotated (MCA) – (leg.mt.gov/bills/mca_toc/)

1. Officers and Employees, County Attorney – § 7-4-2711, MCA
2. Officers and Employees, County Surveyor – Title 7, Chapter 4, Part 28, MCA
3. Vacation of Plats – Title 7, Chapter 5, Part 25, MCA
4. Actions for Damages Arising Out of Work on Improvements to Real Property or Land Surveying – § 27-2-208, MCA
5. Professionals and Occupations, General Provisions – Title 37, Chapter 1, MCA
6. Engineers and Land Surveyors – Title 37, Chapter 67, MCA
7. Property in General Real and Personal – Title 70, Chapter 1, MCA
8. Definitions and Kinds of Estates in Real Property – Title 70, Chapter 15, MCA
9. Rights and Obligations Incidental to Ownership in Real Property – Title 70, Chapter 16, MCA
10. Servitudes, Easements, and Covenants Running with the Land – Title 70, Chapter 17, MCA
11. Real Property – Accession, Fixtures, and Watercourses – Title 70, Chapter 18
12. Real Property Actions Generally, Limitations, and Adverse Possession – Title 70, Chapter 19, MCA
13. Transfer of Real Property – Title 70, Chapter 20, MCA
14. Recording Transfers and Other Transactions Relating to Real Property – Title 70, Chapter 21, MCA
15. Corner Recordation Act, Surveys and Coordinates – Title 70, Chapter 22, MCA
16. Unit Ownership Act – Condominiums – Title 70, Chapter 23, MCA
17. Quieting Title to Real Property – Title 70, Chapter 28, MCA
18. Eminent Domain – Title 70, Chapter 30, MCA
19. Construction Liens – Title 71, Chapter 3, Part 5, MCA
20. Planning Boards – Title 76, Chapter 1, MCA
21. Planning and Zoning – Title 76, Chapter 2, MCA
22. Local Regulation of Subdivisions – Title 76, Chapter 3, MCA
23. Sanitation in Subdivision – Title 76, Chapter 4, Part 1, MCA
24. Flood Plain and Floodway Management, Use of Flood Plains and Floodways – Title 76, Chapter 5, Part 4, MCA
25. Notice of Intention to Drill or Conduct Seismic Operations – Notice to Surface Owners - § 82-11-122, MCA

Administrative Rules of Montana (ARM) – (mtrules.org)

1. Subdivisions/On-site Subsurface Wastewater Treatment - ARM Department 17, Chapter 36
2. Board of Professional Engineers and Professional Land Surveyors – ARM Department 24, Chapter 183
3. Oil and Gas Conservation – ARM Department 36, Chapter 22, Subchapters 3 and 6
4. Navigable Waterways – ARM Department 36, Chapter 25, Subchapter 11

Other Legal Sources

1. United States Code
 - a. Surveyors of Mining Claims – 30 USC 39 (uscode.house.gov)
2. Cases
 - a. Marvin M. Brandt Revocable Trust v. United States, 134 S. Ct. 1257 (2014) (www.supremecourt.gov/opinions/13pdf/12-1173_nlio.pdf)
 - b. Our Lady of the Rockies, Inc. v. Peterson, 2008 MT 110 (<https://filenet.mt.gov/getContent?vsId={6A90AB2D-BA49-49FD-9841-21AB27C8DD47}&impersonate=true&objectType=document&objectStoreName=PR OD%20OBJECT%20STORE>)
 - c. Baertsch v. Lewis and Clark County, 256 Mont. 114 (1986) (<https://filenet.mt.gov/getContent?vsId={C055B833-7C8E-42FF-A5D8-151D69BED378}&impersonate=true&objectType=document&objectStoreName=PR OD%20OBJECT%20STORE>)
 - d. Schmuck v. Beck, 72 Mont. 606 (1925) (<https://casetext.com/case/schmuck-v-beck>)
3. Montana Attorney General Opinions
 - a. AG Opinion 40-80 (<http://courts.mt.gov/Portals/113/ag-opinions/40/80.pdf>)