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# Gardiner Ranger District News Release



For Immediate Release  
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## **Road Access to Ferrell Lake in Tom Miner Basin is Restricted**

Due to a recent court decision, vehicle access to the Ferrell Lake area is limited to private landowners within the Grizzly Meadows Subdivision, according to Ken Britton, District Ranger for the Gardiner Ranger District of the Gallatin National Forest. Ferrell Lake is located about 3 miles west of the Tom Miner Road – Highway 89 junction, 16 miles north of Gardiner, on National Forest System land.

The road access to Ferrell Lake has been popular among hunters since 1993, when the Rocky Mountain Elk Foundation and Forest Service jointly purchased 891 acres of private land in that area to protect elk winter range. The purchased land included several lots within the proposed Grizzly Meadows subdivision.

“For the past 13 years we have assumed the public, as well as the Forest Service, had the right to drive vehicles to Ferrell Lake via the Grizzly Meadow subdivision road, because the United States purchased lots within the subdivision”, said Britton.

That assumption changed with a 2004 Montana Sixth District Judicial Court decision that resolved a dispute between two Grizzly Meadows landowners. The Court ruled that the subdivision roads are private in nature and not open to general use by other lot owners in the subdivision, let alone the general public, unless the road provides access to their lot. The Forest Service has reviewed this case and determined the agency has the right to access national forest system lands for administrative purposes only.

“The ruling has changed our thinking”, said Britton. “We will likely approach the

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homeowners association to see if we can acquire a public easement on the subdivision road to Ferrell Lake”, he added.

In the interim, people interested in accessing the Ferrell Lake area should only consider foot or horse access from Rock Creek Road #993, located approximately two miles north of Ferrell Lake.

For more information, contact the Gardiner Ranger District at 406-848-7375.

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