

**Before the Gallatin County Canyon  
Water and Sewer District**

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**Petition for Annexation**

Whereas, \_\_\_\_\_ (“Petitioner”) owns all that real property set out and described on Exhibit A hereto in Gallatin County, Montana; (the “Land”);

Whereas, Petitioner desires to incorporate the Land within the boundaries of the Gallatin Canyon County Water and Sewer District (the “District”), and otherwise annex the Land within the District;

Whereas, the District does not presently own or have access to wastewater treatment and/or disposal, or water diversion and distribution facilities for either the Land or any property currently within its boundaries, and therefore the District cannot yet determine what the fees, costs, or expenses will be to the Petitioner for the services and/or facilities to be provided by the District;

Whereas, the District is assessing and evaluating an agreement with the Big Sky County Water and Sewer District to provide for wastewater treatment from the District;

Whereas, in the event the District enters into an agreement or contract with the Big Sky Water and Sewer District to provide for wastewater treatment, or any other agreement or contract to otherwise procure facilities to provide for such treatment, the District shall provide Petitioner with written notice of the agreement or contract, along with a copy of the agreement or contract. The District’s notice shall be deemed delivered as follows: if by hand delivery, at the time it is hand delivered; if by mail, three (3) days after it is mailed; if by email, forty-eight (48) hours after it is emailed.

Whereas, Petitioner shall have sixty (60) calendar days from delivery of the written notice described in the preceding paragraph to exclude its Land from the District, by providing written notice to the District. Petitioner’s notice pursuant to this paragraph is deemed provided at the time it is personally delivered, mailed, or emailed. If such written notice is timely provided, then and in that event the District shall by resolution exclude the Land owned by Petitioner from the District;

Whereas, the District will not assess or otherwise charge Petitioner any fee, cost, or other expense unless and until the sixty (60) calendar days has expired and Petitioner has not timely provided written notice of its intent to exclude the Land from the District;

(include where applicable) Whereas, Petitioner presently owns and uses a wastewater system and groundwater well on the Land that are exercised to provide water and treatment in amounts that equal (insert) Equivalent Domestic Unit, as that term is used by the Department of Environmental Quality;

(include where applicable) Whereas, Petitioner does not intend to retire or otherwise eliminate the presently existing wastewater system and groundwater well used on the Lands solely as a result of annexing such lands within the District;

Whereas, any notice required to be provided pursuant to this Petition for Annexation shall be delivered to the following persons:

Gallatin Canyon County Water & Sewer District PO Box 161030 Big Sky, MT 59716 Email: <a href="mailto:gallatincanyonwsd@gmail.com">gallatincanyonwsd@gmail.com</a>	Boyne Properties, Inc. c/o Chad Wilson _____ _____ Email: _____
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Either party may designate a new person to receive notice by providing written notice of the new person and that person’s name, address, and email address.

NOW THEREFORE, in accordance with the foregoing recitals, Petitioner requests that the District adopt a resolution annexing the Land set forth in Exhibit A hereto within the boundaries of the District.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Petitioner

By: \_\_\_\_\_

**Exhibit A**

**Insert Montana Cadastral Information**

**EXAMPLE: Tract A-2-A of S & D Minor Subdivision No. 212, a tract of land located in the E1/2 of Section 5, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana.**