

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

Letter of Intent

Whereas, the Lazy J Utility Association, Inc. (“LJUA”) is a Montana non-profit corporation created for the purpose of owning, administering and operating a community water supply system for certain real properties; for owning, administering and operating a community wastewater system for certain real properties; and for providing fire suppression water to a fire hydrant located on certain real property.

Whereas, unless otherwise noted, the services listed above shall be collectively referred to as “LJUA Services”.

Whereas, LJUA provides the community water supply system and community wastewater supply system to the following real properties:

Tract 1 of Certificate of Survey No. 2450, located in Section 5, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official survey thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana (Document No. 2159775), EXCEPTING THEREFROM all of the Amended Plat of Lazy J South Subdivision, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana (Plat Reference: J-492-A) (referred to as “Tract 1 Remainder”);

And,

Lazy J South Subdivision, according to the Final Plat of Lazy J South Subdivision, which is a tract of land being a portion of Tract 1 of Certificate of Survey No. 2450, located in the southeast ¼ of Section 5, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana (Plat Reference J-492), as amended by Amended Plat of Lazy J South Subdivision, located in the southeast ¼ of Section 5, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana (Plat Reference J-492-A), according to the official records thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana (referred to as “Lazy J South Property”).

Whereas, LJUA provides the community water supply system to the following real property:

Tract 2 of Certificate of Survey No. 2450, located in Section 5, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official survey thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana (Document No. 2159775) (referred to as “Tract 2”).

Whereas, LJUA provides fire suppression water to a fire hydrant located on the following real property:

Tract 1 and Tract 2 of the Final Plat of Minor Subdivision No. 373, located in the NE1/4 of the NE1/4 of Section 8, Township 7 South, Range 4 East, P.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana (Plat Reference Minor 373) (referred to as "Buck's T-4 Property").

Whereas, unless otherwise noted, the real properties listed above shall be collectively referred to as the "Service Area").

Whereas, the LJUA's "Water System" means the wells, booster stations, mechanical buildings, storage/holding tanks, pipes, mains, pressure reducing valves, treatment and disinfection systems, fire hydrants, and utility easements used to construct, operate and maintain water pipelines, mains, and utilities, with the usual services, valves, connections, manholes, accessories, and appurtenances for the purposes of transmitting water over, through and across Service Area owned, leased, used or controlled by the LJUA.

Whereas, the LJUA's "Wastewater System" means the sewage treatment system, including but not limited to septic tanks, recirculating tanks, dosing tanks, drainfields, pipes, mains, pumps, pressure reducing valves, treatment and disinfection systems, and utility easements used to construct, operate, and maintain sewer pipelines, mains, and utilities, with the usual services, valves, connections, manholes, accessories, and appurtenances, for the purposes of transmitting wastewater over, through, and across the Service Area owned, leased, used or controlled by the LJUA.

Whereas, LJUA is the owner of and/or has the right to use the Water System, Wastewater System, certain water permits, certain mitigation water rights, and certain easements in order to provide one or more of the LJUA Services to the Service Area.

Whereas, the Gallatin Canyon County Water and Sewer District ("District") is a form of local government responsible for its publicly owned water and wastewater services.

Whereas, the District does not presently own or have access to water or wastewater treatment and/or disposal, or water diversion and distribution facilities for property within the District's boundaries, but the District is actively pursuing such facilities and if successful the District desires to provide wastewater collection, treatment and disposal services ("District Wastewater Services") to customers ("District Users") within the District boundaries;

Whereas, the District is assessing and evaluating an agreement with the Big Sky County Water and Sewer District to provide for District Wastewater Services from the District for property within the District's boundaries;

Whereas, the District (upon receiving applicable approvals) has the ability to include the Service Area within the boundaries of the District.

Whereas, in the event the District is able to enter into an agreement or contract with the Big Sky Water and Sewer District to provide for District Wastewater Services, or any other agreement or contract to otherwise procure facilities to provide District Wastewater Services, the LJUA and the District desire to enter into applicable agreements whereby the District will have the right to use and/or acquire the LJUA's Water System, Wastewater System, water permit, water mitigation rights, and/or easements in order for the District to provide one or more of the LJUA Services to the LJUA Users within the Service Area.

Whereas, in the event the District enters into an agreement or contract with the Big Sky Water and Sewer District to provide for District Wastewater Services, or any other agreement or contract to otherwise



PUBLIC MEETING MINUTES

Wednesday March 6th, 2024, 10:30am

This meeting was held via zoom only

I. Regular Board Meeting Public Forum

A. Call to Order/start recording

The meeting was called to order at 10:31 and recording was started. Altman and Olsen were present, making quorum.

B. Revise February Meeting Minutes- *Action*

The minutes were reviewed by board members prior to the meeting. There were no edits.

Altman moved to approve the minutes as presented. Olsen seconded. No discussion. The motion passed unanimously.

C. Public comment on relevant non-agenda items – *Discuss*

None.

II. New Business

A. Board member updates and correspondence – *Discuss*

WGM group updated a project timeline showing construction in 2026, possibly 2027 and coordinated with BSRAD. BSRAD is interested in coordinating this project with the proposed roundabout at HWY 191 and 64. Discussions around increasing BSRAD funding are ongoing – there are lots of questions about what that could look like and how this corresponds with the 1% tax vote. BSRAD will also evaluate whether or not the \$12M could be used for a Canyon Sewer Treatment Plant. Ongoing coordination is needed.

Altman recently attended a county commission meeting and says they made it clear that they want the Canyon Sewer Project to happen.

B. Annexation and Outreach Committee updates – *Discuss*

There has been no committee meeting since the last board meeting. Timing of the next subcommittee was discussed with no conclusion.

C. Annexation Petitions Review and Potential Annexation Ordinance and/or rejection resolution – *Action*

Many petitions have been received. New legal counsel reviewed and updated the ordinance and resolution.

The map showing petitioning properties was reviewed. The three circled properties were discussed further. The Kirchmayr is across the highway in an area not currently planned for sewer. This property hasn't been included in the design to date, but could be. This would likely be expensive to connect. The board discussed if this makes sense to annex at this point.

The Trailer Court's petition was found to be incomplete – this should be evaluated for annexation later, once an updated petition has been completed. The property may also have been sold since this was originally submitted. One other incomplete petition has been received after the board packet was sent out so is not included here.

The Delzer property in upper ramshorn is not contiguous with the existing District so is ineligible to annex via this petition process. Because it is part of an HOA, there should be further coordination with the HOA before annexing such properties, even if they were contiguous.

Olsen clarified that this annexation doesn't guarantee service. There was some discussion about whether or not to annex Kirchmayr because of the potential high cost to connect.

The District will provide written notice once they have definite ability to build a sewer and then properties have 60 days to leave. There is no timeline on the ability serve individual properties.

Properties could also leave later if the connection cost is too high.

The board would like to annex them for now, with the understanding that they can choose to leave later if the cost to connect is deemed too high.

The trailer court was removed from the draft ordinance – wait for review with a complete petition.

The Delzer property was also removed from the draft ordinance.

John wanted to clarify language in the draft ordinance the language saying that the "GCCWSD has the capacity to serve all such lands." DePuy clarified that this language came from the MCAs. Language saying "and in accordance with the petitions for annexations" was added.

Depuy clarified the ordinance needs to be read word for word. Altman read the ordinance (see attached).

Tara questioned, in property 25, why there was "1/". That was what was included in the petition. It was verified that this was supposed to be "1/4".

During the second reading at the next meeting, Altman can say "as read during the first reading"

Olsen moved to approve Ordinance 2024 -1 with the correction identified by Tara. Altman seconded. No Discussion. The motion passed unanimously.

The Delzer Ramshorn property description was transferred to the draft resolution to reject.

Altman read Resolution 2024 -1 (see attached).

Olsen moved to approve Resolution 2024-1. Altman seconded. No discussion. The motion was passed unanimously.

D. BSCWSD-BSRAD-GCCWSD “joint project subcommittee” Updates – Discuss

There has been no meeting since the last board meeting. Rates and getting a treatment and disposal agreement are the main tasks.

E. Canyon Sewer Project Updates – Discuss

WGM Group provided 5 new documents to board members and to DEQ for preliminary review. This summarized work to date the draft plan for the next year of data collection.

A draft environmental assessment was briefly discussed – this will help meet MEPA and NEPA and likely smooth infrastructure approval steps.

WMG Group and DEQ are meeting March 19th for project updates and planning. Altman will no longer be able to join. Olsen probably can't join, but may try via zoom.

A Nutrient Load Data Validation process was also briefly discussed. This will help solidify the net nutrient reduction plan.

Design is at 30%. It shouldn't progress to 60% until several items are solidified (will BSCWSD treat our effluent, do we have easements for lift stations, where is the roundabout going/how big, etc.) In the meantime, a Canyon specific treatment plant will be evaluated further to see how feasible it is.

F. BSRAD and ARPA Draw Requests and Invoice Payments – Action

Summary of budget and expenditures was briefly reviewed. Board members were provided this prior to the meeting.

*Altman moved to approve the BSRAD and ARPA draw requests and invoices payments as presented.
Olsen seconded. No discussion. The motion passed unanimously.*

G. BSRAD ‘Feasibility’ Work Order proposal from WGM Group – Action

WGM reviewed a new scope of work that aims to help meet BSRAD's feasibility finding – it has a total fee estimate of \$149,000. BSRAD's feasibility funds that will cover this expire June 30th. See attached.

Canyon WRRF evaluation is not the District's first choice, but will be a useful planning tool.

*Altman moved to approve the Work Order as presented. Olsen seconded. There was no discussion.
The motion passed unanimously.*

H. GCCWSD Secretary and General Manager – Discuss

This is covered in the next agenda item.

I. GCCWSD Bylaws updates – Action

DePuy reviewed and updated the GCCWSD Bylaws to get them in compliance with current MCAs and make them clearer. The last version was based on another District's bylaws that must have been out of date.

The board members should spend the next month reviewing these in more detail.

The District probably doesn't need a general manager yet. The District should have a secretary be appointed and paid as a District employee. The bookkeeper kind of fits this role – it should be

clarified if the board wants her to continue to fill this role. Or they could hire someone else as a separate role.

III. Old Business

A. Board Expansion and Member Appointments and Resignation Process – Discuss

The County Elections Office clarified that in the last few years the number of qualified electors has increased beyond 10 (even without annexations) – this should trigger the expansion of the board to 5 members. The filing period to get on the ballot for this May has passed. In the interim, DePuy will craft a resolution to appoint board members for a 1 year term - these board members would have to go through the election process at the next May election.

DePuy is trying to clarify whether or not representatives of businesses can serve as board members when there are other people eligible to be directors.

B. Lazy J Utility Letter of Intent – Action

Altman and DePuy reviewed this in more detail since the last meeting. They confirmed that it has no commitments but shows that both entities are willing to talk more and coordinate participation of Lazy J in the Sewer project.

*Altman moved to authorize himself to sign the Letter of Intent and return that to John Romney.
Olsen seconded. There was no discussion. The motion passed unanimously.*

C. COI statement – Renae Schumacher – Discuss

Schumacher was not present. This agenda item was tabled.

IV. Any Other Business Which May Properly Come Before the Board – Discuss

It was clarified that a second set of annexation petitions could be reviewed at the next meeting – they would have their first reading while the one approved today would have their second reading.

V. Next Meeting Planning

A. Date & Draft Agenda – Discuss

The next meeting will be held at 10am, April 9th, via zoom only. This is a different time and day than normal.

VI. Adjourn

Olsen moved to adjourn. Altman seconded. No Discussion. The motion passed unanimously.

Recording was stopped at 11:42am.

Minutes Drafted by: Michelle Pond, WGM Group

Minutes Approved: 4.9.2024

Signed: Scott Altman, Board President



GCCWSD MEETING ATTENDANCE SHEET

10:30 AM; 3/6/2024; Zoom Only



#	Name	Affiliation	Contact	Remote Attendance?
1	Michelle Pond	WGM Group	Mpond@wgmgroupp.com	X
2	Mace Mangold	WGM Group	mmangold@wgmgroupp.com	X
3	Scott Altman	GCCWSD Board	orock9530@me.com	X
4	Jon Olsen	GCCWSD Board	jolsen@lonemountainland.com	X
5	Shane Strong	AE2S	sstrong@wgmgroupp.com	X
6	Tara DePuy	Legal		X
7	Kristin Gardner	Ramshorn + GRTF	kristin@gallatinrivertaskforce.org	X
8	Marlene Sadaj			X
9	Kelsey Wagner	AE2S	kelsey.wagner@ae2s.com	X
10	Abby Indreland	WGM Group	aindreland@wgmgroupp.com	X
11	Brad Niva			X
12	Nick Banish	GLWQD		X
13	Johnny			X
14	Drew Shafer	GLWQD		X
15	Xian Fan			X



PUBLIC MEETING AGENDA

Wednesday March 6th, 2024, 10:30am

This meeting will be held via zoom only

<https://us06web.zoom.us/j/82213277329?pwd=uM6HCtIAjgtx4F8lrSg4QcXHta3kjK.1>

(see next page for call in details)

I. Regular Board Meeting Public Forum

- A. Call to Order/start recording
- B. Revise February Meeting Minutes- *Action*
- C. Public comment on relevant non-agenda items – *Discuss*

II. New Business

- A. Board member updates and correspondence – *Discuss*
- B. Annexation and Outreach Committee updates – *Discuss*
- C. Annexation Petitions Review and Potential Annexation Ordinance and/or rejection resolution – *Action*
- D. BSCWSD-BSRAD-GCCWSD “joint project subcommittee” Updates – *Discuss*
- E. Canyon Sewer Project Updates – *Discuss*
- F. BSRAD and ARPA Draw Requests and Invoice Payments – *Action*
- G. BSRAD ‘Feasibility’ Work Order proposal from WGM Group – *Action*
- H. GCCWSD Secretary and General Manager – *Discuss*
- I. GCCWSD Bylaws updates - *Action*

III. Old Business

- A. Board Expansion and Member Appointments and Resignation Process – *Discuss*
- B. Lazy J Utility Letter of Intent – *Action*
- C. COI statement – Renae Schumacher - *Discuss*

IV. Any Other Business Which May Properly Come Before the Board – *Discuss*

V. Next Meeting Planning

- A. Date & Draft Agenda – *Discuss*

VI. Adjourn

***Public comment is encouraged before all
non-emergency non-ministerial Actions.***

Meeting Agendas



www.gallatincanyonwsd.com

Join Zoom Meeting

<https://us06web.zoom.us/j/82213277329?pwd=uM6HCtIAjgtx4F8lrSg4QcXHta3kjK.1>

Meeting ID: 822 1327 7329

Passcode: 079466

One tap mobile

+17193594580,,82213277329#,,,*079466# US

+12532050468,,82213277329#,,,*079466# US

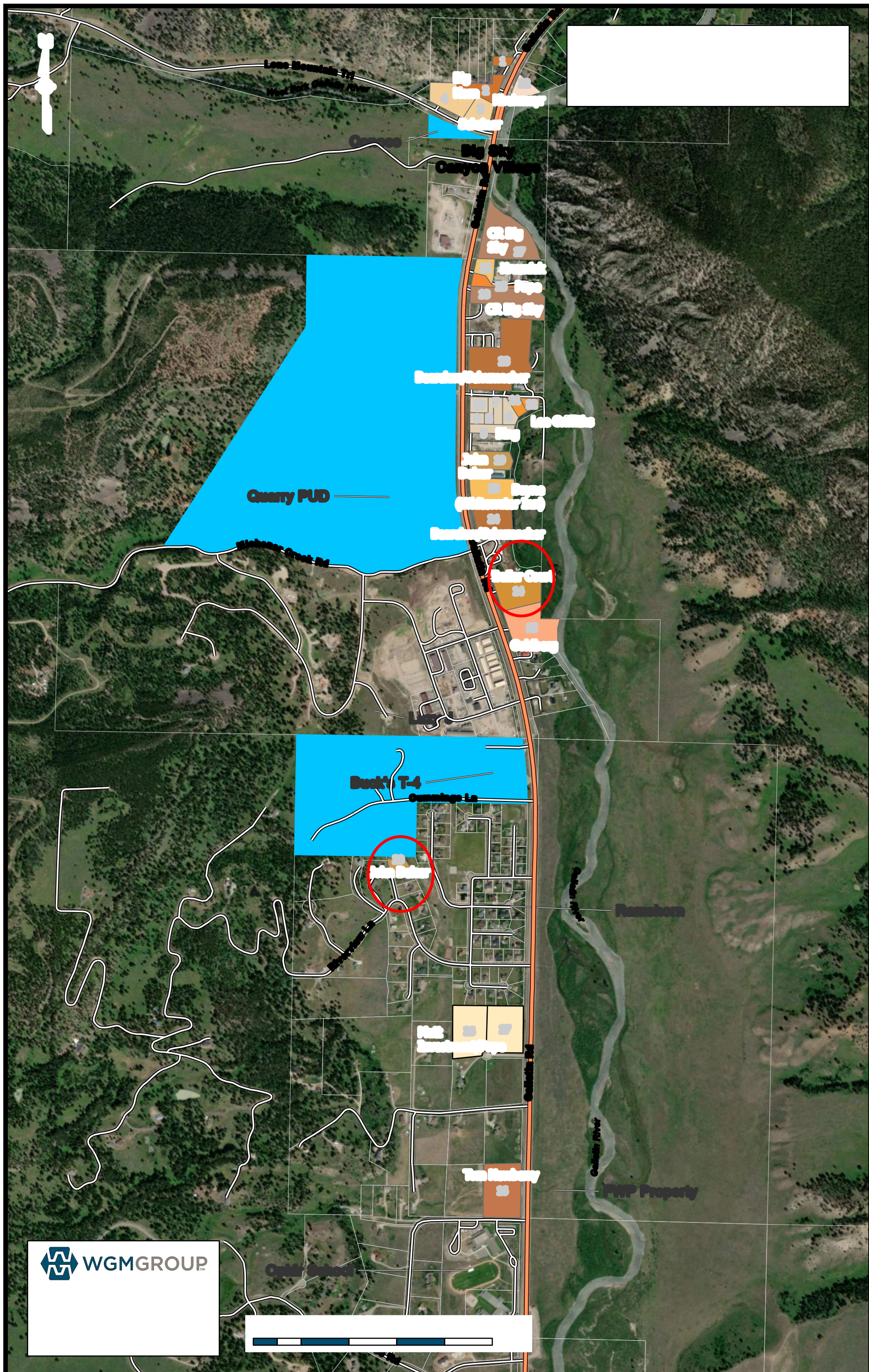
Dial by your location

- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
 - +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
 - +1 360 209 5623 US
 - +1 386 347 5053 US
 - +1 507 473 4847 US
 - +1 564 217 2000 US
 - +1 646 931 3860 US
 - +1 689 278 1000 US
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
 - +1 305 224 1968 US
 - +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)

Meeting ID: 822 1327 7329

Passcode: 079466

Find your local number: <https://us06web.zoom.us/j/khpDpDoKV>



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

Petition for Annexation

Whereas, DT Ventures ("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: gallatincanyonwsd@gmail.com	<u>Tom Newberry</u> c/o _____ <u>PO Box 161552</u> <u>Big Sky, MT 59716</u> Email: <u>bigskytrees@aol.com</u>
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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 5 day of Oct, 2023



Petitioner

By: Thomas Newberry

Exhibit A

Insert Montana Cadastral Information (Legal Description)

Big horn tracts, S32, T06 S, R04 E, Acres 1.75
lots E, R, L and F Plat E-52-~~10~~ A

Big horn Tracts S32, T06 S, R04 E, lot N, acres .491
in NE4SE4, plat E-52A

Before the Gallatin County Canyon Water and Sewer District

Petition for Annexation

Whereas, (Western Mountain Investments LLC) (“Petitioner”) owns all that real property set out and described on Exhibit A hereto in Gallatin County, Montana; (the “Lands”);

Whereas, Petitioner wishes to incorporate the Lands within the boundaries of the Gallatin County Canyon Water and Sewer District (the “District”), and otherwise annex the Lands 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 Lands or any property currently within its boundaries;

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, notwithstanding the current lack of water and wastewater facilities and service, Petitioner desires to incorporate the lands within the boundaries of the District;

Whereas, the District will not assess or otherwise charge landowners within its boundaries any fee, cost, or other expense unless and until it enters into contracts or agreements with the Big Sky Water and Sewer District to provide for wastewater treatment within the District, or otherwise enters in contracts or agreements to procure facilities to provide for such treatment;

Whereas, in the event that Petitioner gives notice in writing to the District of its intent to exclude its Lands from the District within sixty (60) calendar days of the effective date of any agreement or contract with the Big Sky Water and Sewer District to provide for wastewater treatment, or within sixty (60) calendar days of the effective date of any agreement or contract to otherwise procure facilities to provide for such treatment, then and in that event the District shall be resolution exclude any Lands owned by Petitioner from the District;

Whereas, Petitioner presently owns and uses a wastewater system and groundwater well on the Lands that are exercised to provide water and treatment in amounts that equal 1,108 commercial gallons per day as issued used by the Department of Environmental Quality;

Whereas, Petitioner does 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, owner intends additional development on this site and intends to have future growth serviced by the District;

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

Dated this 22 day of May 2023

Petitioner

By: Michael Schreiner, Manager

Exhibit A

Tract 2-A of COS 2975

A tract of land located in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 6 South, Range 4 East, P M.M., County of Gallatin, State of Montana and more completely described as follows:

Commencing at the SE sixteenth corner (SE 1/16) of Section 32, T6S, R4E, P.M.M., thence N59°04'25"E-433.39 feet more or less to the TRUE POINT OF BEGINNING, a point on the Northerly right-of-way of State Highway No. 0S-004(F)U90, thence first course, departing said right-of-way, N31°41'35"E-300.12 feet, thence second course, S63°28'24"E-209.29 feet to a point on the Westerly right-of-way of State Highway Project No. FHP 42 J5 K1. third and fourth courses along said right-of-way, thence third course, along a decreasing spiral curve with a chord of S12°31'27"W-205.99 feet, thence fourth course, S11°54'22"W-50.45 feet to a point of intersection of the Westerly right-of-way of State Highway Project No. FHP 42 J5 K1 and the Northerly right-of-way of State Highway No. 0S-004(F)U90, thence fifth and final course, 303.70 feet along a non-tangent curve to the right with a radius of 1372.39 feet and long chord bearing of N73°00'36"W-303.08 feet to the point of beginning.

Said parcel containing \pm 1.645 acres.

Before the Gallatin County Canyon Water and Sewer District

Petition for Annexation

Whereas, (Winchester Holdings LLC) (“Petitioner”) owns all that real property set out and described on Exhibit A hereto in Gallatin County, Montana; (the “Lands”);

Whereas, Petitioner wishes to incorporate the Lands within the boundaries of the Gallatin County Canyon Water and Sewer District (the “District”), and otherwise annex the Lands 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 Lands or any property currently within its boundaries;

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, notwithstanding the current lack of water and wastewater facilities and service, Petitioner desires to incorporate the lands within the boundaries of the District;

Whereas, the District will not assess or otherwise charge landowners within its boundaries any fee, cost, or other expense unless and until it enters into contracts or agreements with the Big Sky Water and Sewer District to provide for wastewater treatment within the District, or otherwise enters in contracts or agreements to procure facilities to provide for such treatment;

Whereas, in the event that Petitioner gives notice in writing to the District of its intent to exclude its Lands from the District within sixty (60) calendar days of the effective date of any agreement or contract with the Big Sky Water and Sewer District to provide for wastewater treatment, or within sixty (60) calendar days of the effective date of any agreement or contract to otherwise procure facilities to provide for such treatment, then and in that event the District shall be resolution exclude any Lands owned by Petitioner from the District;

Whereas, Petitioner presently owns and uses a wastewater system and groundwater well on the Lands that are exercised to provide water and treatment in amounts that equal 1,108 commercial gallons per day as issued used by the Department of Environmental Quality;

Whereas, Petitioner does 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, owner intends additional development on this site and intends to have future growth serviced by the District;

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

Dated this 22 day of May 2023

Petitioner

By: Michael Schreiner, Manager

Exhibit A

Tract 3-A of COS 2975

A tract of land located in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 6 South, Range 4 East, P.M.M., County of Gallatin, State of Montana end more completely described as follows:

Commencing at the SE sixteenth comer (SE 1/16) of Section 32, T6S, R4E, P.M.M., thence N00°08'43"W-403.41 feet more or less to the TRUE POINT OF BEGINNING, a point on the Northerly right-of-way of State Highway No. 0S-004(F)U90, thence first course. departing said right-of-way, N00°08'43"W-51.72 feet, thence second course, N00°08'43"W-131.66 feet thence third course, N00°10'44"W-23.87 feet, thence fourth course, N89°51'07"-300.00 feet, thence fifth course, S00°09'03"E-57.52 feet, thence sixth course, S68°22'37"E-140.84 feet, thence seventh course, S76°32'21"E-102.75 feet, thence eighth course, S31°41'35"W-300.12 feet to a point on the Northerly right-of-way of State Highway No. 0S-004(F)U90, ninth and tenth courses along said right-of-way, thence ninth course, along a decreasing spiral curve with a chord of N64°46'54"W-146.86 feet, thence tenth and final course, N63°47'32"W-267.42 feet to the point of beginning.

Said parcel containing ± 2.975 acres.

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

Petition for Annexation

Whereas, Doug and Jo Dean Bing ("Petitioner") owns all that real property set out and described on Exhibit A hereto in Gallatin County, Montana; (the "Lands");

Whereas, Petitioner wishes to incorporate the Lands within the boundaries of the Gallatin County Canyon Water and Sewer District (the "District"), and otherwise annex the Lands 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 Lands or any property currently within its boundaries;

• 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, notwithstanding the current lack of water and wastewater facilities and service, Petitioner desires to incorporate the lands within the boundaries of the District;

Whereas, the District will not assess or otherwise charge landowners within its boundaries any fee, cost, or other expense unless and until it enters into contracts or agreements with the Big Sky Water and Sewer District to provide for wastewater treatment within the District, or otherwise enters in contracts or agreements to procure facilities to provide for such treatment;


Whereas, in the event that Petitioner gives notice in writing to the District of its intent to exclude its Lands from the District within sixty (60) calendar days of the effective date of any agreement or contract with the Big Sky Water and Sewer District to provide for wastewater treatment, or within sixty (60) calendar days of the effective date of any agreement or contract to otherwise procure facilities to provide for such treatment, then and in that event the District shall by resolution exclude any Lands owned by Petitioner from the District;

(include where applicable) Whereas, Petitioner presently owns and uses a wastewater system and groundwater well on the Lands 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;

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

Dated this 22 day of MAY, 2023


Petitioner
By: Douglas K Bray

Property Record Card

Summary

Primary Information

Property Category: RP
Geocode: 06-0339-05-1-05-06-0000
Primary Owner:
BING DOUGLAS K & JODEAN M
50645 GALLATIN RD
GALLATIN GATEWAY, MT 59730-9651
NOTE: See the Owner tab for all owner information

Subcategory: Residential Property
Assessment Code: 00RLF19256
PropertyAddress: GALLATIN RD
BIG SKY, MT 59716
COS Parcel:

Certificate of Survey:
Subdivision: SILVER HORSESHOE RANCH SUB
Legal Description:
SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 6, ACRES 1.11
Last Modified: 5/26/2023 11:00:17 AM

General Property Information

Neighborhood: 206.109.H
Living Units: 0
Zoning:
Linked Property:

Property Type: IMP_R - Improved Property - Rural
Levy District: 06-123912-72N 12
Ownership %: 100

No linked properties exist for this property

Exemptions:
No exemptions exist for this property

Condo Ownership:
General: 0
Limited: 0

Property Factors

Topography:
Utilities:
Access:
Location:

Fronting:
Parking Type:
Parking Quantity:
Parking Proximity:

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	1.110	532,795.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
12/4/2017			12/4/2017	2600269	Quit Claim Deed
6/30/2004	2155	137D			
6/26/1998	186	1928D			
6/24/1998	186	1546D			
6/24/1998	186	1548D			
4/10/1995	152	2809C			
2/23/1995	151	2507D			

Owners

Party #1

Default Information: BING DOUGLAS K & JODEAN M
50645 GALLATIN RD

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Joint Tenant w/Right of Survivorship

Last Modified: 12/13/2017 9:51:13 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2023	532795	2050	534845	COST
2022	330060	1790	331850	COST
2021	330060	1790	331850	COST

Market Land

Market Land Item #1

Method: Acre

Type: Primary Site

Width:

Depth:

Square Feet: 00

Acres: 1.11

Valuation

Class Code: 2101

Value: 532795

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvement #1

Type: Residential

Description: RRS1 - Shed, Frame

Quantity: 1

Year Built: 2008

Grade: L

Condition:

Functional:

Class Code: 3301

Dimensions

Width/Diameter: 14
Height:

Length: 8
Bushels:

Size/Area:
Circumference:

Outbuilding/Yard Improvement #2

Type: Residential

Description: RRS1 - Shed, Frame

Quantity: 1

Year Built: 2009

Grade: L

Condition:

Functional:

Class Code: 3301

Dimensions

Width/Diameter: 10

Length: 12

Size/Area:

Height:

Bushels:

Circumference:

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

Property Record Card

Summary

Primary Information

Property Category: RP
Geocode: 06-0339-05-1-05-12-0000
Primary Owner:
BING DOUGLAS K & JODEAN M
50645 GALLATIN RD
GALLATIN GATEWAY, MT 59730-9651
NOTE: See the Owner tab for all owner information

Subcategory: Residential Property
Assessment Code: 00RLF19254
PropertyAddress: FRENCHMAN RD
BIG SKY, MT 59716
COS Parcel:

Certificate of Survey:
Subdivision: SILVER HORSESHOE RANCH SUB
Legal Description:
SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 10, ACRES 0.84
Last Modified: 5/26/2023 11:00:17 AM

General Property Information

Neighborhood: 206.009
Living Units: 0
Zoning:
Linked Property:

Property Type: VAC_R - Vacant Land - Rural
Levy District: 06-123912-72N 12
Ownership %: 100

No linked properties exist for this property

Exemptions:
No exemptions exist for this property

Condo Ownership:
General: 0
Limited: 0

Property Factors

Topography:
Utilities:
Access:
Location:

Fronting:
Parking Type:
Parking Quantity:
Parking Proximity:

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.840	137,738.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
12/4/2017			12/4/2017	2600269	Quit Claim Deed
6/30/2004	2155	137D			
6/26/1998	186	1928D			
6/24/1998	186	1546D			
6/24/1998	186	1548D			
4/10/1995	152	2809D			
2/23/1995	151	2507D			

Owners

Party #1

Default Information: BING DOUGLAS K & JODEAN M
50645 GALLATIN RD

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Joint Tenant w/Right of Survivorship

Last Modified: 12/13/2017 10:36:52 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2023	137738	0	137738	COST
2022	69839	0	69839	COST
2021	69839	0	69839	COST

Market Land

Market Land Item #1

Method: Acre **Type:** Non-Buildable

Width: **Depth:**

Square Feet: 00 **Acres:** 0.84

Valuation

Class Code: 2101 **Value:** 137738

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 06-0339-05-1-05-11-0000

Primary Owner:
BING DOUGLAS K & JODEAN M
50645 GALLATIN RD
GALLATIN GATEWAY, MT 59730-9651

Subcategory: Residential Property

Assessment Code: 00RLF19253

PropertyAddress: FRENCHMAN RD
BIG SKY, MT 59716

COS Parcel:

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: SILVER HORSESHOE RANCH SUB

Legal Description:
SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 9, ACRES 0.69

Last Modified: 5/26/2023 11:00:17 AM

General Property Information

Neighborhood: 206.009

Property Type: VAC_R - Vacant Land - Rural

Living Units: 0

Levy District: 06-123912-72N 12

Zoning:

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography:

Utilities:

Access:

Location:

Fronting:

Parking Type:

Parking Quantity:

Parking Proximity:

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.690	130,285.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
12/4/2017			12/4/2017	2600269	Quit Claim Deed
6/30/2004	2155	137D			
6/26/1998	186	1928D			
6/24/1998	186	1546D			
6/24/1998	186	1548D			
4/10/1995	152	2809C			
2/23/1995	151	2507D			

Owners

Party #1

Default Information: BING DOUGLAS K & JODEAN M
50645 GALLATIN RD

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Joint Tenant w/Right of Survivorship

Last Modified: 12/13/2017 10:10:59 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2023	130285	0	130285	COST
2022	65726	0	65726	COST
2021	65726	0	65726	COST

Market Land

Market Land Item #1

Method: Acre

Type: Non-Buildable

Width:

Depth:

Square Feet: 00

Acres: 0.69

Valuation

Class Code: 2101

Value: 130285

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 06-0339-05-1-05-10-0000

Primary Owner:
BING DOUGLAS K & JODEAN M
50645 GALLATIN RD
GALLATIN GATEWAY, MT 59730-9651

Subcategory: Residential Property

Assessment Code: 00RLF19252

PropertyAddress: FRENCHMAN RD
BIG SKY, MT 59716

COS Parcel:

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: SILVER HORSESHOE RANCH SUB

Legal Description:
SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 8 REM., ACRES 0.53

Last Modified: 5/26/2023 11:00:17 AM

General Property Information

Neighborhood: 206.109.H

Property Type: VAC_R - Vacant Land - Rural

Living Units: 0

Levy District: 06-123912-72N 12

Zoning:

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography:

Fronting:

Utilities:

Parking Type:

Access:

Parking Quantity:

Location:

Parking Proximity:

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.530	432,283.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
12/4/2017			12/4/2017	2600269	Quit Claim Deed
6/30/2004	2155	137D			
6/26/1998	186	1928D			
6/24/1998	186	1546D			
6/24/1998	186	1548D			
4/10/1995	152	2809C			
2/23/1995	151	2507D			

Owners

Party #1

Default Information: BING DOUGLAS K & JODEAN M
50645 GALLATIN RD

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Joint Tenant w/Right of Survivorship

Last Modified: 12/13/2017 10:05:40 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2023	432283	0	432283	COST
2022	210188	0	210188	COST
2021	210188	0	210188	COST

Market Land

Market Land Item #1

Method: Acre **Type:** Primary Site

Width: **Depth:**

Square Feet: 00 **Acres:** 0.53

Valuation

Class Code: 2101 **Value:** 432283

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings
No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land
No ag/forest land exists for this parcel

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 06-0339-05-1-05-07-0000

Primary Owner:
BING DOUGLAS K & JODEAN M
50645 GALLATIN RD
GALLATIN GATEWAY, MT 59730-9651

Subcategory: Residential Property

Assessment Code: 00RLF19251

PropertyAddress:

COS Parcel:

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: SILVER HORSESHOE RANCH SUB

Legal Description:
SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, ACRES 0.46, TR SHOWN ON PLAT 20 FM 332

Last Modified: 5/26/2023 11:00:17 AM

General Property Information

Neighborhood: 206.109.H

Property Type: VAC_R - Vacant Land - Rural

Living Units: 0

Levy District: 06-123912-72N 12

Zoning:

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography:

Fronting:

Utilities:

Parking Type:

Access:

Parking Quantity:

Location:

Parking Proximity:

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.460	415,308.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
12/4/2017			12/4/2017	2600269	Quit Claim Deed
6/30/2004	2155	137D			
6/26/1998	186	1928D			
6/24/1998	186	1546D			
6/24/1998	186	1548D			
4/10/1995	152	2809C			
2/23/1995	151	2507D			

Owners

Party #1

Default Information: BING DOUGLAS K & JODEAN M
50645 GALLATIN RD

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Joint Tenant w/Right of Survivorship

Last Modified: 12/13/2017 9:54:47 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2023	415308	0	415308	COST
2022	251498	0	251498	COST
2021	251498	0	251498	COST

Market Land

Market Land Item #1

Method: Acre

Width:

Square Feet: 00

Type: Primary Site

Depth:

Acres: 0.46

Valuation

Class Code: 2101

Value: 415308

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 06-0339-05-1-05-08-0000

Primary Owner:
BING DOUGLAS K & JODEAN M
50645 GALLATIN RD
GALLATIN GTWY, MT 59730-9651

Subcategory: Residential Property

Assessment Code: 00RLF18289

PropertyAddress: 47360 GALLATIN RD
BIG SKY, MT 59716

COS Parcel:

NOTE: See the Owner tab for all owner information

Certificate of Survey:
Subdivision: SILVER HORSESHOE RANCH SUB

Legal Description:
SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, ACRES 0.803, TR SHOWN ON PLAT 17 FM 468

Last Modified: 5/26/2023 11:00:17 AM

General Property Information

Neighborhood: 206.109.H

Living Units: 0

Zoning:

Linked Property:

Property Type: VAC_R - Vacant Land - Rural

Levy District: 06-123912-72N 12

Ownership %: 100

No linked properties exist for this property

Exemptions:
No exemptions exist for this property

Condo Ownership:
General: 0 **Limited:** 0

Property Factors

Topography:

Utilities:

Access:

Location:

Fronting:

Parking Type:

Parking Quantity:

Parking Proximity:

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.803	486,179.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
1/3/2005	2174	783D			
11/17/1994	149	1679D			

Owners

Party #1

Default Information: BING DOUGLAS K & JODEAN M
50645 GALLATIN RD
Ownership %: 100
Primary Owner: "Yes"
Interest Type: Conversion
Last Modified: 10/7/2009 9:09:40 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2023	486179	0	486179	COST
2022	298677	0	298677	COST
2021	298677	0	298677	COST

Market Land

Market Land Item #1

Method: Acre
Width:
Square Feet: 00

Type: Primary Site

Depth:

Acres: 0.803

Valuation

Class Code: 2101

Value: 486179

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

Before the Gallatin County Canyon Water and Sewer District

Petition for Annexation

Whereas, Lee Griffiths (“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: gallatincanyonwsd@gmail.com	<u>Lee Griffiths</u> c/o _____ PO Box 160522 Big Sky MT 59716 Email: _____ griff210@hotmail.com
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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 1st day of October, 2023

Lee Griffiths
Petitioner
By: *Lee Griffiths*

Exhibit A

Insert Montana Cadastral Information (Legal Description)

SILVER HORSESHOE RANCH SUB

Legal Description:

SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 11, ACRES 0.59

and

SILVER HORSESHOE RANCH SUB

Legal Description:

SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 12, ACRES 0.5

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

Petition for Annexation

Whereas, Boyne Properties, Inc. ("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 confirm Petitioner's inclusion of the Land in 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 not timely provided, or if such written notice states that Petitioner elects to exclude the Land from the District, 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 Petitioner has timely provided written notice of its intent to include the Land in the District;

Whereas, Petitioner presently owns and uses a wastewater system and groundwater well on the Land that are exercised to provide water and treatment;

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: gallatingcanyonwsd@gmail.com	Boyne Properties, Inc. c/o Chad Wilson P.O. Box 160001 Big Sky, MT 59716 Email: chad.wilson@bigskyresort.com
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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 8th day of September, 2023


Petitioner

By: Chad Wilson
VP of Construction & Development - Big Sky Resort

Exhibit A

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.

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

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Petition for Annexation

Whereas, (insert name of landowner) ("Petitioner") owns all that real property set out and described on Exhibit A hereto in Gallatin County, Montana; (the "Lands");

Whereas, Petitioner wishes to incorporate the Lands within the boundaries of the Gallatin County Canyon Water and Sewer District (the "District"), and otherwise annex the Lands 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 Lands or any property currently within its boundaries;

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, notwithstanding the current lack of water and wastewater facilities and service, Petitioner desires to incorporate the lands within the boundaries of the District;

Whereas, the District will not assess or otherwise charge landowners within its boundaries any fee, cost, or other expense unless and until it enters into contracts or agreements with the Big Sky Water and Sewer District to provide for wastewater treatment within the District, or otherwise enters in contracts or agreements to procure facilities to provide for such treatment;

Whereas, in the event that Petitioner gives notice in writing to the District of its intent to exclude its Lands from the District within sixty (60) calendar days of the effective date of any agreement or contract with the Big Sky Water and Sewer District to provide for wastewater treatment, or within sixty (60) calendar days of the effective date of any agreement or contract to otherwise procure facilities to provide for such treatment, then and in that event the District shall be resolution exclude any Lands owned by Petitioner from the District;

(include where applicable) Whereas, Petitioner presently owns and uses a wastewater system and groundwater well on the Lands 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;

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

Dated this 29th day of August, 2023

Riverside Trailer Park
Firehole Properties Inc

Petitioner

By: Jeannette H. Fell President

Jeannette H. Fell

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

15

Petition for Annexation

Whereas, Stuart Goldberg, DBA Northern Lights Development No.1, LLC. (“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;

Whereas, Petitioner presently owns and uses a wastewater system and groundwater well on the Land that are exercised to provide water supply and wastewater management;

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 <u>PO Box 161030</u> <u>Big Sky, MT 59716</u> Email: gallatincanyonwsd@gmail.com	Stuart Goldberg Northern Lights Development PO Box 161734 Big Sky, MT 59716-1734 stuart925@gmail.com
---	---

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 13th day of September, 2023

Northern Lights Development No.1, LLC

Petitioner

By: 

Exhibit A

Property Record Card

Tax Year 2023

[Print](#)

Summary

Primary Information

Property Category: RP

Geocode: 06-0339-05-1-01-10-0000

Primary Owner:
NORTHERN LIGHTS DEVELOPMENT NQ 1 LLC
PO BOX 161734
BIG SKY, MT 59716-1734
NOTE: See the Owner tab for all owner information

Certificate of Survey: 615

Subdivision:
Legal Description:
S05, T07 S, R04 E, C.O.S. 615, PARCEL 1, IN SE4, ACRES 5.21
Last Modified: 7/14/2023 3:10:50 AM

Subcategory: Residential Property

Assessment Code: 00RLF18496

PropertyAddress: 46910 GALLATIN RD
GALLATIN GATEWAY, MT 59730

COS Parcel: 1

General Property Information

Neighborhood: 206.009.W2

Living Units: 3

Zoning:

Linked Property:

Property Type: IMP_R - Improved Property - Rural


Levy District: 06-123912-72N 12

Ownership %: 100

Linked Property	Link Type	
06-00RLF18496-001	Real Property/Personal Property Link	View

Exemptions:

No exemptions exist for this property



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

Petition for Annexation

Whereas, Thomas Newberry ("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;

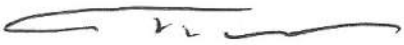
Whereas, any notice required to be provided pursuant to this Petition for Annexation shall be delivered to the following persons:

Address	Contact info
Tom Newberry 8140 PO Box 161552 Big Sky, MT	
Email: Bigskytrees@aol.com	406 579 7297 Email:

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 20 day of Nov, 2023



Petitioner

By: Thomas Newberry

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.

minor Sub 372, 508, T07S, R04E, Lot 3 and 3A
Acres 5.63

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

Petition for Annexation

Whereas, CR Big Sky ("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 supply and wastewater management;

(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: gallatincanyonwsd@gmail.com	<u>Karl Cook</u> <u>1276 N 15th Ave</u> <u>Bozeman MT 59715</u> Email: <u>Karl@cookdevelopmentmt.com</u>
---	---

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 4 day of Dec, 2023


Petitioner

By: Karl Cook

Exhibit A

S32, T06 S, R04 E, C.O.S. 1635, PARCEL 1, ACRES 6.499

S05, T07 S, R04 E, C.O.S. 1246A, PARCEL 1A, ACRES 4.752

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

Petition for Annexation

Whereas, JOHN DELZER ("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 supply and wastewater management;

(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: gallatincanyonwsd@gmail.com	<u>JOHN DELZER</u> <u>Box 160347</u> <u>BIG SKY, MT 59716</u> Email: <u>JOHN@DELZERBIZ.COM</u>
---	---

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 13TH day of JANUARY, 2024


Petitioner

By: JOHN M. DELZER

Exhibit A

Please use the space provided to enter your property's legal description. Montana Cadastral can be used to find this information or reach out to the District if you have any questions.

(e.g., 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.)

SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E,
LOT 2A, ACRES 2.11, PLAT H-12A

AND

RAMSHORN VIEW ESTATES SUB PH1,
S08, T07 S, R04 E, BLOCK 6, LOT 2,
ACRES 0.714, IN E2, PLAT J-276

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

Petition for Annexation

Whereas, ANTHONY KRUSNIAK ("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;

Exhibit A

Please use the space provided to enter your property's legal description. Montana Cadastral can be used to find this information or reach out to the District if you have any questions.

(e.g., 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.)

LEGAL DESC: ~~to~~ S05 T07S, R04E, C.D.S.
Parcel 1A, ACRES 1.039
1549A

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

Petition for Annexation

Whereas, Markus Kuehn ("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 supply and wastewater management;

(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: gallatincanyonwsd@gmail.com	<u>Markus Kirchmeyer</u> <u>P.O. Box 161108</u> <u>Big Sky, MT 59716</u> Email: <u>Kirchmeyer.markus@gmail.com</u>
---	--

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 12/30 day of December 2023



Petitioner

By: Markus Kirchmeyer

Exhibit A

Please use the space provided to enter your property's legal description. Montana Cadastral can be used to find this information or reach out to the District if you have any questions.

(e.g., 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.)

S 32, T06 S, R04E, C.O.S 2317, Parcel 2

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

Petition for Annexation

Bearclaw Land, LP

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 supply and wastewater management;

(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: gallatincanyonwsd@gmail.com	Patrick Schumacher Bearclaw Land 1627 W. Main #135 Bozeman, MT 59715 Email: patschumacher25@yahoo.com
--	---

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 15 day of February, 2024

Bearclaw Land, LP
Petitioner
By: [Signature]

Exhibit A

Please use the space provided to enter your property's legal description. Montana Cadastral can be used to find this information or reach out to the District if you have any questions.
(e.g., 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.)

① S05, T07S, R04E, C0S. 1246E
Parcel 1, Acres 8.978

② Minor Sub 212, S05, T07S, R04E,
Lot A2B, Acres 3.33

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

Petition for Annexation

Whereas, Pape Investment, LLC - MUTI INVESTMENT, LLC ("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 supply and wastewater management; *only on the Pape investment parcel for sewer.*

(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; *Mutt investment has a well for pasturing horses.*

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: gallatincanyonwsd@gmail.com	<i>Jerry and Becky Pape</i> <i>PO Box 160088</i> <i>BIG SKY, MT 59716</i> Email: <i>becca.pape@lawpe.com</i>
---	---

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 15th day of February, 2024

Becky H. Pape
Mutt Pape

Petitioner
By: *Becky H. Pape*
Mutt Pape

Exhibit A to Petition for Annexation

Pape Investment, LLC Parcel:

A tract of land in the NE 1/4, NE 1/4 of Section 5, Township 7 South, Range 4 East, M.P.M., Gallatin County, Montana, more particularly described as follows: Beginning at a point which bears South along the East line of Section 5, Township 7 South, Range 4 East, a distance of 325 feet; thence South 89°54' West and parallel with the North line of said Section 5 a distance of 811 feet, more or less to a point on the Easterly right of way of U.S. Highway #191, as now located and constructed; thence bearing Northerly along said right of way a distance of 155 feet; thence South 78°42' East a distance of 140 feet; thence South 33°42' East a distance of 122.72 feet; thence North 89°54' East and parallel with the North line of said Section 5, a distance 589.6 feet, more or less, to a point on the East line of Section 5; thence South along the East line of said Section 5 a distance of 25 feet to the point of beginning. All according to the official plat thereof on file and of record in the office of the County Clerk and Recorder for Gallatin County, Montana. Survey recorded in Book 146, Page 330.

Mutt Investment, LLC Parcel:

Lots 1 and 2 of Minor Subdivision No. 174, located in the SEY, of Section 8, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

The Pape Investment, LLC parcel has both a sewer treatment system and a well, both of which would be abandoned to tie into the District.

The Mutt Investment, LLC parcel is vacant and has a well for purposes of pasturing horses. We would not want to abandon that well until such time as the property is developed. We are unsure how that will work with tying into the District.

ORDINANCE 2024 - 1

An Ordinance of the Gallatin Canyon County Water and Sewer District (GCCWSD) Accepting Petitions to Annex and Associated Annexations

Whereas the GCCWSD has received petitions from the owners of the lands hereinafter referenced to include their lands within the boundaries of the GCCWSD,

Whereas the Board of Directors ("Board") has determined that all the lands described hereinafter are contiguous with the current boundaries of the GCCWSD, and that the GCCWSD has the capacity to serve all such lands and in accordance with the petitions for annexation;

Whereas, the Board has determined that the inclusion of the lands hereinafter described within the boundaries of the GCCWSD is in the best interests of the GCCWSD;

NOW THEREFORE, pursuant to its authorities under MCA 7-13-2341(5), be it ordained by the board of directors of the Gallatin Canyon County Water and Sewer District that the following described lands are annexed, in accordance with the Petitions for Annexation, incorporated within, and otherwise included with the District.

1. Big Horn Tracts, S32, T06 S, R04 E, Lot N, Acres .491 in NE4SE4, Plat E-52-A
2. Big Horn Tracts, S32, T06 S, R04 E, Acres 1.75 Lots E,R,L and F Plat E-52-A
3. Tract 2-A of COS 2975

A tract of land located in NE¼SE¼ of Section 32, Township 6 South, Range 4 East, P M.M., County of Gallatin, State of Montana and more completely described as follows:

Commencing at the SE sixteenth corner (SE 1/16) of Section 32, T6S, R4E, P.M.M., thence N59°04'25"E-433.39 feet more or less to the TRUE POINT OF BEGINNING, a point on the Northerly right-of-way of State Highway No. 0S-004(F)U90, thence first course, departing said right-of-way, N31°41'35"E-300.12 feet, thence second course, S63°28'24"E-209.29 feet to a point on the Westerly right-of-way of State Highway Project No. FHP 42 J5 K1. third and fourth courses along said right-of-way, thence third course, along a decreasing spiral curve with a chord of S12°31'27"W-205.99 feet, thence fourth course, S11°54'22"W-50.45 feet to a point of intersection of the Westerly right-of-way of State Highway Project No. FHP 42 J5 K1 and the Northerly right-of-way of State Highway No. 0S-004(F)U90, thence fifth and final course, 303.70 feet along a non-tangent curve to the right with a radius of 1372.39 feet and long chord bearing of N73°00'36"W-303.08 feet to the point of beginning.

Said parcel containing ±1.645 acres.

4. Tract 3-A of COS 2975

A tract of land located in NE¼SE¼ of Section 32, Township 6 South, Range 4 East, P.M.M., County of Gallatin, State of Montana end more completely described as follows:

Commencing at the SE sixteenth corner (SE 1/16) of Section 32, T6S, R4E, P.M.M., thence N00°08'43"W-403.41 feet more or less to the TRUE POINT OF BEGINNING, a point on the Northerly right-of-way of State Highway No. 0S-004(F)U90, thence first course. departing said

right-of-way, N00°08'43"W-51.72 feet, thence second course, N00°08'43"W-131.66 feet thence third course, N00°10'44"W-23.87 feet, thence fourth course, N89°51'07"-300.00 feet, thence fifth course, S00°09'03"E-57.52 feet, thence sixth course, S68°22'37"E-140.84 feet, thence seventh course, S76°32'21"E-102.75 feet, thence eighth course, S31°41'35"W-300.12 feet to a point on the Northerly right-of-way of State Highway No. 0S-004(F)U90, ninth and tenth courses along said right-of-way, thence ninth course, along a decreasing spiral curve with a chord of N64°46'54"W-146.86 feet, thence tenth and final course, N63°47'32"W-267.42 feet to the point of beginning.

Said parcel containing ±2.975 acres.

5. Silver Horshoe Ranch SUB, S05, T07 S, R04 E, Lot 6, ACRES 1.11
6. Silver Horshoe Ranch SUB, S05, T07 S, R04 E, Lot 10, ACRES 0.84
7. Silver Horshoe Ranch SUB, S05, T07 S, R04 E, Lot 9, ACRES 0.69
8. Silver Horshoe Ranch SUB, S05, T07 S, R04 E, Lot 8 REM, ACRES 0.53
9. Silver Horshoe Ranch SUB, S05, T07 S, R04 E, ACRES 0.46, TR SHOWN ON PLAT 20 FM 332
10. Silver Horshoe Ranch SUB, S05, T07 S, R04 E, ACRES 0.803, TR SHOWN ON PLAT 17 FM 468
11. SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 11, ACRES 0.59
12. SILVER HORSHOE RANCH SUB, S05, T07 S, R04 E, Lot 12, ACRES 0.5
13. 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
15. S05, T07 S, R04 E, C.O.S. 615, Parcel 1, IN SE4, ACRES 5.21
16. Minor Sub 372, S08, T07 S, R04E, Lot 3 and 3A, Acres 5.63
17. S32, T06 S, R04 E, C.O.S. 1635, PARCEL 1, ACRES 6.499
18. S05, T07 S, R04 E, C.O.S. 1246A, PARCEL 1A, ACRES 4.752
19. Silver Horshoe Rand Sub, S05, T07S, R04 E, Lot 2A, Acres 2.11, Plat H-12A
21. S05, T07S, R04E, C.O.S, Parcel 1A, Acres 1.039, 1549A
22. S32, T06 S, R04 E, C.O.S 2317, Parcel 2
23. S05, T07S, R04E, C.O.S. 1246E, Parcel 1, Acres 8.978
24. Minor Sub 212, S05, T07S, R04 E, Lot A2B, Acres 3.33
25. A tract of land in the NE 1/4, NE1/4 of Section 5, Township 7 South, Range 4 East, M.P.M., Gallatin County, Montana, more particularly described as follows: Beginning at a point which bears South along the East line of Section 5, Township 7 South, Range 4 East, a distance of 325 feet; thence South 89°54' West and parallel with the North line of said Section 5 a distance of 811 feet, more or less to a point on the Easterly right of way of U.S. Highway #191, as now located and constructed; thence bearing Northerly along said right of way a distance of 155 feet; thence South 78°42' East a distance of 140 feet; thence South 33°42' East a distance of 122.72 feet; thence North 89°54' East and parallel with the North line of said Section 5, a distance of 589.6 feet, more or less, to a point on the East line of Section 5; thence South along the East line of said Section 5 a distance of 25 feet to the point of beginning. All according to the official plat thereof on file and of record in the office of the County Clerk and Recorder for Gallatin County, Montana. Survey recorded in Book 146, Page 330.
26. Lot 1 of Minor Subdivision No. 174, located in the SEY, of Section 8, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.
27. Lot 1 of Minor Subdivision No. 174, located in the SEY, of Section 8, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

1st Reading and Approval: March 6, 2024.



Scott Altman, Board President

2nd Reading and Approval: _____, 2024

Scott Altman, Board President

(ordinance is effective thirty (30) days after the second reading)

Attest:

_____, **Secretary**

RESOLUTION 2024 – 1

A Resolution of the Gallatin Canyon County Water and Sewer District (GCCWSD) to Reject Petitions to Annex

Whereas the owner of the lose lands described as Ramshorn View Estates Sub PH1, S08, T07S, R04E, Block 6, Lot 2, Acrea 0.714, INE2, Plat J-276 has filed a petition to incorporate or annex their lands within the GCCWSD;

Whereas, the lands of the petitioners are not contiguous with the boundaries of the GCCWSD, and would therefore require an affirmative vote of the qualified electors of the GCCWSD prior to their annexation and inclusion, as well as the approval of the Board of Directors of the GCCWSD; and/or

Whereas the Board of Directors determined that annexation of these properties is not in the best interest of the GCCWSD at this time;

Therefore, BE IT RESOLVED;

The petition to annex or otherwise include those lands described as Ramshorn View Estates Sub PH1, S08, T07S, R04E, Block 6, Lot 2, Acrea 0.714, INE2, Plat J-276 within the GCCWSD is hereby denied at this time, without prejudice to petitioners to refile such petition at such time as infrastructure for wastewater treatment is further developed by GCCWSD.

Done this 6th day of March, 2024.

Scott Altman, Board President

Attest:

_____, **Secretary**

CONTRACT AND INVOICE SUMMARY

			03/06/24			
Project No.	Description	Budget	Invoice Packet	Billed to Date	Total	Remaining
CANYON DISTRICT ADMINISTRATION						
200323.3	FY24 Grant Administration	\$42,000.00	\$5,082.60	\$19,917.70	\$25,000.30	\$16,999.70
200323.4	FY24 District Admin & Outreach	\$65,000.00	\$12,507.98	\$34,359.89	\$46,867.87	\$18,132.13
Knaub & Company	Accounting	\$5,000.00	\$132.00	\$1,416.25	\$1,548.25	\$3,451.75
	Legal Counsel (contracted T&M)	\$20,000.00	\$0.00	\$0.00	\$0.00	\$20,000.00
	Bonding Counsel	\$20,000.00	\$0.00	\$0.00	\$0.00	\$20,000.00
	Grant Audit	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
Subtotal		\$162,000.00	\$17,722.58	\$55,693.84	\$73,416.42	\$88,583.58
CANYON SEWER ENGINEERING						
220724.1 (WO#1)	Discharge Permitting (2023)	\$230,000.00	\$18,965.73	\$191,874.23	\$210,839.96	\$19,160.04
220724.2 (WO#2)	30% Sewer Engineering	\$315,880.00	\$21,755.63	\$256,782.20	\$278,537.83	\$37,342.17
220724.3 (WO#3)	Expanded Disposal, Baseline EA	\$97,500.00	\$9,674.50	\$78,744.65	\$88,419.15	\$9,080.85
220724.4 (WO#4)	BSRAD Feasibility (remaining Items)	\$149,000.00	\$0.00	\$0.00	\$0.00	\$149,000.00
220724.5 (WO#5)	Discharge Permitting (2024)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
220724.6 (WO#6)	60% Sewer Engineering	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
AE2S Connection Fee & Rate Study		\$50,000.00	\$15,000.00	\$0.00	\$15,000.00	\$35,000.00
Subtotal		\$842,380.00	\$65,395.86	\$527,401.08	\$592,796.94	\$249,583.06
BSCWSD - HIGHWAY 64 INFRASTRUCTURE ENGINEERING						
AE2S 30% Engineering		\$300,000.00	\$20,458.95	\$269,120.58	\$289,579.53	\$10,420.47
AE2S Pre-60% Deisgn Items		\$106,500.00	\$0.00	\$0.00	\$0.00	\$106,500.00
Subtotal		\$406,500.00	\$20,458.95	\$269,120.58	\$289,579.53	\$116,920.47
CANYON WATER SYSTEM PER						
220806.1 Canyon Water System PER		\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00
Subtotal		\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00

GRANT TRACKING DASHBOARD - FY24

Revision Date 2/29/2024

Current Invoice Total: \$ 88,577.39

GRANT TRACKING DASHBOARD - FY24									ARPA - PHASE 1.1				BSRAD - PHASE 1.1		
									Quarterly reports by 7th of month following quarter close.				All grant admin paid by BSRAD.		
									CASH ON HAND	State ARPA <small>Agmt ends 12/31/25 For costs between 3/3/21 & 12/31/26</small>	County ARPA <small>For costs "obligated" between 3/3/21 & 12/31/24 (costs paid before 9/30/26 when agmt ends)</small>		FY24 Budget (7/1/23-6/30/24)	Feasibility* <small>(communal w/BSCWSD) Deadline: 6/30/24</small>	Interlocal
										Competitive	Min Allocation	LFR			
Revision Date 2/29/2024								Budget Remaining:	\$ 51,141.51	\$ 1,432,066.54	\$ 347,123.35	\$ 207,520.00	\$ 126,451.58	\$ 199,910.64	\$ 12,000,000.00
Invoice Date	Vendor	Invoice Number	Amount	Project #	Purpose (Project/ Non-Project)	General Invoice Description	Notes	Draw Request Date	\$ 151,616.71	\$2M	\$542,480	\$207,520	\$200,000	\$380K Spend before the \$12M	\$12M
2/13/2024	WGM Group	71323	\$ 5,082.60	200323.3	project	Grant admin							\$ 5,082.60		
2/13/2024	WGM Group	71324	\$ 12,507.98	200323.4	SPLIT	District admin & outreach	\$1,554.53 = project						\$ 12,507.98		
3/1/2024	Knaub & Co.	030124-30	\$ 132.00	accounting	non-project	February Bookkeeping							\$ 132.00		
2/13/2024	WGM Group	71311	\$ 18,965.73	220724.1	project	WO#1								\$ 18,965.73	
2/13/2024	WGM Group	71307	\$ 21,755.63	220724.2	project	WO#2					\$ 21,755.63				
2/13/2024	WGM Group	71312	\$ 9,674.50	220724.3	project	WO#3								\$ 9,674.50	
2/27/2024	AE2S/BCWSD	93061	\$ 20,458.95	230314.1	project	lift station, force main, pipeline					\$ 20,458.95				
2/1/2024	Knaub & Co.	020124-58	\$ 55.00	accounting	non-project	January Bookkeeping		2/23/2024					\$ 55.00		
1/23/2024	AE2S/BSCWSD	92410	\$ 29,110.00	230314.1	project	lift station, force main, pipeline		2/23/2024			\$ 29,110.00				
1/9/2024	WGM Group	71002	\$ 11,772.90	220724.3	project	WO#3		2/23/2024						\$ 11,772.90	
1/9/2024	WGM Group	70999	\$ 15,457.94	220724.2	project	WO#2		2/23/2024			\$ 15,457.94				
1/9/2024	WGM Group	71001	\$ 17,381.55	220724.1	project	WO#1		2/23/2024						\$ 17,381.55	
1/9/2024	WGM Group	70993	\$ 3,789.20	200323.3	Project	Grant admin		2/23/2024					\$ 3,789.20		
1/9/2024	WGM Group	70994	\$ 5,244.25	200323.4	SPLIT	District admin and outreach		2/23/2024					\$ 5,244.25		
1/1/2024	Knaub & Co.	010124-45	\$ 88.00	accounting	non-project	December bookkeeping		2/23/2024					\$ 88.00		
12/14/2023	AE2S/BSCWSD	91674	\$ 3,515.00	230314.1	project	lift station, force main, pipeline		2/23/2024			\$ 3,515.00				
12/1/2023	Knaub & Co.	120123-44	\$ 132.00	accounting	non-project	November bookkeeping		2/23/2024					\$ 132.00		
11/21/2023	AE2S/BSCWSD	91263	\$ 40,857.13	230314.1	project	lift station, force main, pipeline		2/23/2024			\$ 40,857.13				
9/26/2023	AE2S/BSCWSD	89984	\$ 31,641.77	230314.1	project	lift station, force main, pipeline		2/23/2024			\$ 31,641.77				
12/8/2023	WGM Group	70713	\$ 3,993.90	200323.3	project	Grant admin		2/23/2024					\$ 3,993.90		
12/8/2023	WGM Group	70716	\$ 6,792.24	200323.4	SPLIT	District admin and outreach		2/23/2024					\$ 6,792.24		
12/12/2023	WGM Group	70801	\$ 16,006.55	220724.3	project	WO#3		2/23/2024						\$ 16,006.55	
12/12/2023	WGM Group	70795	\$ 32,560.23	220724.2	project	WO#2		2/23/2024			\$ 32,560.23				
12/12/2023	WGM Group	70800	\$ 27,527.49	220724.1	project	WO#1		2/23/2024						\$ 27,527.49	
11/1/2023	Knaub & Co.	110123-40	\$ 176.00	accounting	non-project	October bookkeeping		11/30/2023					\$ 176.00		
10/1/2023	Knaub & Co.	100123-32	\$ 219.45	accounting	non-project	September bookkeeping		11/30/2023					\$ 219.45		
6/27/2023	AE2S/BSCWSD	88043	\$ 17,787.74	230314.1	project	lift station, force main, pipeline		12/5/2023		\$ 17,787.74					
7/24/2023	AE2S/BSCWSD	88705	\$ 60,729.09	230314.1	project	lift station, force main, pipeline		12/5/2023		\$ 60,729.09					
8/22/2023	AE2S/BSCWSD	89364	\$ 38,934.63	230314.1	project	lift station, force main, pipeline		12/5/2023		\$ 38,934.63					
10/24/2023	AE2S/BSCWSD	90596	\$ 75,655.22	230314.1	project	lift station, force main, pipeline		12/5/2023		\$ 75,655.22					
11/6/2023	WGM Group	70379	\$ 6,151.90	200323.3	project	Grant admin		11/30/2023					\$ 6,151.90		
11/6/2023	WGM Group	70380	\$ 6,173.10	200323.4	non-project	District admin & outreach		11/30/2023					\$ 6,173.10		
11/7/2023	WGM Group	70415	\$ 22,226.20	220724.3	project	WO#3	12/5/2023, 11/30/2023		\$ 6,536.10					\$ 15,690.10	
11/7/2023	WGM Group	70411	\$ 32,577.74	220724.2	project	WO#2	12/5/2023		\$ 32,577.74						
11/7/2023	WGM Group	70414	\$ 19,862.52	220724.1	project	WO#1	11/30/2023							\$ 19,862.52	
10/10/2023	WGM Group	70207	\$ 8,077.20	220724.3	project	WO#3	12/5/2023, 11/30/2023		\$ 1,697.50					\$ 6,379.70	
10/10/2023	WGM Group	70203	\$ 38,811.64	220724.2	project	WO#2	12/5/2023		\$ 38,811.64						
10/10/2023	WGM Group	70205	\$ 12,394.75	220724.1	project	WO#1	11/30/2023							\$ 12,394.75	
10/11/2023	WGM Group	70263	\$ 1,563.10	200323.3	project	Grant admin	11/30/2023						\$ 1,563.10		
10/11/2023	WGM Group	70264	\$ 983.10	200323.4	SPLIT	District admin & outreach	11/30/2023						\$ 983.10		
9/12/2023	WGM Group	69920	\$ 7,428.10	200323.4	non-project	District admin & outreach	10/20/2023						\$ 7,428.10		
9/12/2023	WGM Group	69919	\$ 2,859.40	200323.3	project	Grant admin	10/20/2023						\$ 2,859.40		
9/11/2023	WGM Group	69907	\$ 14,201.20	220724.3	project	WO#3	10/20/2023							\$ 14,201.20	
9/11/2023	WGM Group	69905	\$ 56,586.91	220724.2	project	WO#2	10/24/2023		\$ 56,586.90						
9/11/2023	WGM Group	69906	\$ 20,973.71	220724.1	project	WO#1	10/24/2023		\$ 20,973.71						
9/1/2023	Knaub & Co.	090123-35	\$ 501.60	accounting	non-project	August bookkeeping	10/20/2023						\$ 501.60		
6/14/2022	WGM Group	66051	\$ 20,294.68	200323.2	project	MCEP/RRGL grant apps, District admin			\$ 20,294.68						
5/10/2022	WGM Group	65624	\$ 17,874.07	200323.2	project	MCEP/RRGL grant apps, District admin			\$ 17,874.07						
8/11/2023	WGM Group	69731	\$ 7,739.10	220323.4	project	District admin & outreach	9/12/2023						\$ 7,739.10		
8/11/2023	WGM Group	69730	\$ 1,560.20	220323.3	project	Grant admin	9/12/2023						\$ 1,560.20		

8/10/2023	WGM Group	69705	\$	49,939.74	220724.2	project	WO#2	9/8/2023		\$	49,939.74											
8/9/2023	WGM Group	69700	\$	10,232.37	220724.1	project	WO#1	9/12/2023							\$	10,232.37						
8/9/2023	WGM Group	69701	\$	6,460.60	220724.3	project	WO#3	9/8/2023		\$	6,460.60											
8/1/2023	Knaub & Co.	080123-43	\$	114.95	accounting	non-project	July bookkeeping	9/12/2023						\$	114.95							
7/1/2023	Knaub & Co.	070123-41	\$	261.25	accounting	non-project	June bookkeeping	9/12/2023						\$	261.25							
6/6/2023	WGM Group	68999	\$	23,184.40	220724.2	project	WO#2	9/8/2023		\$	23,184.40											
Adjustment for Previous Draws										\$	138,058.45											
Cash on Hand Adjustment thru 2/6/24										\$	62,031.45											
Cash on Hand Adjustment thru 2/28/24										\$	275.00											
								Spent	\$	100,475.20	\$	567,933.46	\$	195,356.65	\$	-	\$	73,548.42	\$	180,089.36	\$	-

MASTER SERVICES AGREEMENT WORK ORDER #4

PROJECT TITLE:
Canyon Sewer Engineering
CLIENT:
Gallatin Canyon County Water & Sewer District
WGM GROUP PROJECT NUMBER:
220724.4

As stated in the Master Services Agreement (Agreement) for the above-referenced client dated March 31, 2023, the Agreement may be modified by written amendment executed by both parties and defined in Work Orders incorporated into the Agreement. This document details the scope and fee associated with Work Order #4. By both parties signing below, this document becomes incorporated into the Agreement as an Exhibit and is subject to the terms and conditions of said Agreement.

Services under this Work Order are intended to address remaining project requirements per the Big Sky Resort Area District (BSRAD) "Determination of Feasibility of Canyon Sewer Project" interlocal agreement. Specific objectives include:

- Written correspondence with Montana Department of Environmental Quality (DEQ) specific to irrigation reuse and groundwater discharge disposal capacity estimates and permitting feasibility
- Preliminary easement agreements with key landowners (lift station locations, conveyance infrastructure alignments)
- Written correspondence with Montana Department of Transportation (MDT) specific to feasibility of obtaining necessary right-of-way access permits
- Value engineering and refined cost estimation of the current 30% design drawings to aid evaluation of economic feasibility
- Evaluation of a Canyon wastewater treatment facility as an alternative to the planned Highway 64 conveyance infrastructure and Big Sky County Water and Sewer District (BSCWSD) treatment capacity purchase

WORK ORDER SCOPE OF SERVICES:

Phase 01: Project Management & QA/QC \$10,000

WGM's project manager will actively manage the project team, allocating appropriate resources and keeping in regular contact with the client. The PM will proactively evaluate project progress, calculating earned value to ensure we're on track at each step in the process. The following tasks are included:

- Develop, manage, and communicate project scope, schedule, and budget
- Provide oversight, coordination, resource allocation, and task delegation with WGM internal team and Project Team subconsultants
- Client correspondence and Project Team meetings

- Assist Client with Stakeholder identification and Project communication
- Complete earned value estimating and invoicing
- Provide internal QA/QC of project scope, schedule, production, and deliverables
- QA/QC review and compilation of overall Project/Team design and deliverables

Deliverables: Scope, fee estimate, contract, monthly progress updates (during scheduled Board meetings)

Phase 02: 30% Design Evaluation & Alternative Analysis (Hwy 191 Gravity Collection) \$46,000

WGM will evaluate the current 30% level design package and provide potential cost saving alternatives. Cost saving alternatives include evaluation of alternate alignment and potential force main scenarios to collect Service Area 4 (east side of Highway 191). Cost estimate refinement will include evaluation of unit prices assumed for all collection and conveyance piping and current pricing for recent utility work completed in the Big Sky area. The following tasks are included:

- Attend Joint Committee meeting and present current 30% level project layout, costs, and prospective cost saving measures
- Provide 3rd party peer review quality assurance of 30% plans and engineer's opinion of probable construction costs (EOPCC)
- Provide collection system alternatives aimed at reducing construction costs produced with 30% level design. Anticipated alternatives are limited to the following:
 - Remove gravity collection extension (west side Hwy 191) from Buck's T4 to Michener Creek Rd
 - Raise gravity sewer along east side of Hwy 191 as high as possible to require most Service Area 4 connections via individual pumped service connections
 - Include low pressure force main header only along east side of Hwy 191 to serve Service Area 4 – all gravity main located on west side of Hwy 191
 - Reduce collection main depths to extent feasible including potential intermediate lift station and force main along Hwy 191 to pump to primary 64/intersection lift station.
- EOPCC for above identified system alternatives to include 20-year life cycle/O&M costs for additional Hwy 191 lift station

Deliverables: PDF Drawings of collection system alternatives defined in the above Phase; EOPCC for alternatives defined in the above Phase; Brief containing 3rd party peer review comments.

Exclusions: Regulatory permitting applications/submittals.

Phase 03A: Collection & Conveyance to Canyon WRRF \$15,000

WGM will provide concept design for sewer collection and conveyance to Canyon Water Resource Recovery Facility (WRRF). The following tasks are included:

- Provide 2D conceptual pipeline layouts for systems to collect and convey wastewater to a central Canyon treatment facility
- Locate and provide site layout for Canyon lift station to pump flows to Canyon treatment facility
- Provide concept design level EOPCC for collection/conveyance system to Canyon treatment facility

Phase 03B: Canyon WRRF – AE2S **\$63,000**

WGM will revisit the Canyon Area WRRF alternative presented in the preliminary engineering report (PER) and update design criteria and costs associated with a long-term (permanent) and short-term (temporary) MBR facility and reuse water pumping and distribution. A more comprehensive scope for this phase is included herein as “Attachment A-1: Scope Definition” and made part of this Work Order.

Phase 03 Assumptions: The proposed Canyon treatment facility location is assumed to be located on Quarry property for this scope. One Canyon lift station is anticipated to pump wastewater to the Canyon treatment facility and is assumed to be similar in scope/scale/cost as the current 30% lift station design.

Deliverables: PDF Drawings of Collection and Conveyance system to Canyon WRRF defined in above Phase 3; Tech Memo presenting Canyon WRRF alternatives and EOPCC.

Exclusions: Regulatory permitting applications/submittals.

Phase 04: Private Easement Coordination **\$10,000**

WGM will identify property owners requiring easements for current and alternative infrastructure locations/alignments and engaging those property owners towards “good faith” agreements. The following tasks are included:

- Following Client’s selection of a preferred project alternative, identify Hwy 191 property/owners requiring easements
- Identify Hwy 191 property/owners requiring easements with current 30% design project alignment
- Schedule and attend up to two (2) meetings with each identified property owner to determine feasibility to utilize respective properties
- Generate draft template utility easement agreement for property owner review/concurrence
- Generate preliminary easement exhibits for identified property owner review/concurrence

Deliverables: Property owner map and list with owner disposition/status; draft easement agreement for Board approval; preliminary easement exhibits

Exclusions: Executed easement agreements.

Phase 05: MDT Coordination **\$5,000**

WGM will continue to coordinate the project with MDT’s engineering staff to advance occupancy and permitting feasibility for linear infrastructure and lift stations within MDT R/W. The following tasks are included:

- Continue design coordination and communication with MDT on project design, MDT facility anticipated improvements, and occupancy allowances
- Schedule and lead field design meeting with staff to review project alignment, encroachments and crossings, and coordinate/document MDT-directed field adjustments, recommendations, and concerns

Deliverables: MDT meeting minutes; Client memo detailing meeting discussion and outcomes

Exclusions: Permit applications/submittals and/or encroachment/occupancy permits (anticipated during final design phase)



ADDITIONAL SERVICES

Services not specifically described in the tasks above are not included in this scope of work.

FEE ESTIMATE

Our fees will be billed on a time and materials basis with an estimated budget of **\$149,000**. Fees are valid through August 2024 and may need to be adjusted if the project extends beyond this date. A cost summary is provided below.

COST SUMMARY		
01	Project Management and QA/QC	\$10,000
02	30% Design Evaluation & Alternatives Analysis (Hwy 191 Gravity Collection)	\$46,000
03A	Collection & Conveyance to Canyon WRRF	\$15,000
03B	Canyon WRRF – AE2S	\$63,000
04	Private Easements Coordination	\$10,000
05	MDT Coordination	\$5,000
TOTAL		\$149,000

SCHEDULE

WGM is prepared to begin work immediately upon contract execution. The above scope will be substantially complete by June 30, 2024. Deliverable schedule for individual phases will be coordinated with Client and subconsultant AE2S to support timely project advancement.

WGM Group, Inc. Acceptance of Work Order:

Mace Mangold, PE

Senior Project Engineer

(sign)

(date)

Client Authorization to Proceed with Work Order:

Scott Altman

GCCWSD President

(sign)

(date)



WGM Group, Inc.
Gallatin Canyon Wastewater Collection and Disposal
AE2S PROJECT NO.: P13277-2023-002

Attachment A-1: Scope Definition

Project Overview

The following scope is for further engineering evaluation and analysis of treatment alternatives for the **Gallatin Canyon Wastewater Collection and Disposal** project.

Big Sky County Water and Sewer District (BSCWSD) is partnering with the Gallatin Canyon County Water and Sewer District (GCCWSD) to complete this project to centralize wastewater collection, treatment, and disposal for the Gallatin Canyon thereby helping the Canyon reduce its current environmental impacts and limit its longer-term impacts on the Gallatin River and local drinking water wells. Detailed in the 2021 WGM and AE2S Gallatin Canyon Sewer Preliminary Engineering Report (PER), this project includes a new sewer collection system for the Canyon Area.

The project includes the collection system with roughly five miles of sewer collection gravity main along Highway 191 and throughout the existing Canyon Area development corridor. Wastewater will be conveyed largely by gravity to the Canyon Area WRRF. AE2S will assist WGM with overall QA/AC and flow generation development and projections that inform the basis of design.

The PER alternatives for a Canyon Area WRRF will be revisited and further developed. Wastewater will be screened, de-gritted, treated through a series of anaerobic/anoxic/aerobic zones to maximize biological nutrient removal, nearly all the particulate solids will be removed by the membrane filtration system, and disinfected. Biosolids alternatives will be evaluated including treatment onsite such as aerobically digested, dewatered, and composted with sawdust and coarse green waste or offsite disposal. The high-quality effluent will be disposed of in the Canyon Area.



The proposed Pre-60% Engineering Evaluation includes:

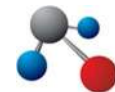
- Update the Long Term MBR WRRF Design Criteria and Costs from the PER and develop further design details to support costs, site location, and site layout.
 - Below grade concrete basins, above ground CMU buildings, full architectural / site civil / HVAC / electrical / I&C multidisciplinary design team, multiple suppliers, modular / scalable to handle long term flows
 - Collection system conveyance (lift station(s) and force main(s)) needs based on location
- Develop the Near Term Packaged MBR Plant Design Criteria, Costs, Site Location, and Site Layout.
 - Shipping container on mat slab, singular supplier, limited design team needs, outdoor / exposed systems, capacity cap
 - Collection system conveyance (lift station(s) and force main(s)) needs based on location
- Document findings and recommendations in a Technical Memorandum.
- Reuse pumping and distribution system.
- Participate in meetings with Engineer and Owner.

Assumptions

- Site survey and treatment facility location including logistic (land owner negotiations, easements, land acquisition, or Right of Ways) and cost differences between locations (by Others).
- Federal, state, county, and environmental permitting (by Others).
- ROW, easements, and land acquisition evaluation (by Others).

Scope Summary

Phase 01 - Project Management	
<i>Subtasks</i>	<p>1.1 Development of the scope, schedule, and budget:</p> <ul style="list-style-type: none"> • Define project objectives and steps to achieve objectives with the Engineer. • Identify milestones and critical deadlines of the project that meet the Engineer's expectations. • Develop the budget based on the previously defined objectives and identified milestones and refine according to consultations with the Engineer. <p>1.2 Project management</p> <ul style="list-style-type: none"> • Manage internal schedule and workload • Project planning and development of scope, schedule, and budget • Assist Engineer with preparation and submittal of contract documents to satisfy any funding conditions <p>1.3 Project Coordination</p> <ul style="list-style-type: none"> • Facilitate meetings with Engineer • Update Project Team and Engineer on project status and communicate recommendations • Refine decisions with Engineer integral to the design process • Prepare and submit monthly invoices for progress payments
<i>Deliverables</i>	<ul style="list-style-type: none"> • Client meeting agendas, minutes, and presentation slides



	<ul style="list-style-type: none"> ○ Three (3) meetings total • Monthly progress updates
<i>Total (Proposed Hours/Total Fee)</i>	<ul style="list-style-type: none"> • 30 • \$6,300

Phase 02 – Study and Report: Canyon Area Treatment Alternative Analysis, Site Layouts, and Cost Estimates. The deliverables include a TM documenting design criteria for equipment and ancillary systems, and builds upon previous work in the PER.

<i>Subtasks</i>	<p>2.1 Update Canyon Area MBR WRRF Design Criteria and Costs from the PER and Develop Further Design Details</p> <ul style="list-style-type: none"> • Review and update MBR Alternative description from PER • Develop further design details to support updated Site Layout and Cost Estimate <p>2.2 Develop Site Layout for Long Term Canyon Area MBR WRRF</p> <ul style="list-style-type: none"> • Develop preliminary Site Layout to support updated Cost Estimate and site location <p>2.3 Develop Design Criteria for Near Term Canyon Area Packaged MBR Plant</p> <ul style="list-style-type: none"> • Work with vendors and equipment suppliers to determine preliminary equipment sizing and layout • Determine additional needs for fully functional and operational system • Develop design details to support Site Layout and Cost Estimate <p>2.4 Develop Site Layout for Near Term Canyon Area Packaged MBR Plant</p> <ul style="list-style-type: none"> • Develop preliminary Site Layout to support updated Cost Estimate and site location <p>2.5 Develop Cost Estimate for Near Term Canyon Area Packaged MBR Plant</p> <ul style="list-style-type: none"> • Develop Cost Estimate for Near Term Canyon Area Packaged MBR Plant included items outside of the scope of the packaged system for a fully functional and operational system <p>2.6 Technical Memorandum</p> <ul style="list-style-type: none"> • Alternatives Comparison and Recommendations <p>2.7 Owner Review</p> <ul style="list-style-type: none"> • Presentation of 30% Design deliverables to Owner • Incorporate Owner feedback into future design milestones <p>2.8 Project Expenses</p>
<i>Deliverables</i>	<ul style="list-style-type: none"> • Technical Memorandum including Site Layouts and Cost Estimates • Workshop and Presentation to District
<i>Total Proposed Hours and Fees</i>	<ul style="list-style-type: none"> • 288 • \$50,600

Phase 020 Schedule:

- **TBD (Expecting 3 months)**

procure facilities to provide District Wastewater Services, the District shall provide the LJUA 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 certified mail, three (3) days after it is mailed; if by email, forty-eight (48) hours after it is emailed.

Whereas, the LJUA and the District shall then have one hundred and eighty (180) calendar days from delivery of the written notice described in the preceding paragraph to agree in writing to the terms and conditions in which the District may have the right to use and/or acquire the LJUA's Water System, Wastewater System, water permit, water mitigation rights, and/or easements in order for the District to provide one or more of the LJUA Services to the LJUA Users within the Service Area.

Whereas, any notice required to be provided pursuant to this Letter of Intent shall be delivered to the following persons:

Gallatin Canyon County Water & Sewer District PO Box 161030 Big Sky, MT 59716 Email: gallatincanyonwsd@gmail.com	Lazy J Utility Association, Inc. John Romney, President PO Box 161190 Big Sky, MT 59716 Email: mjromney@gmail.com
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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.

Whereas, if the LJUA and the District are unable, for any reason, to enter into a written agreement as contemplated herein within the time period set forth herein, this Letter of Intent shall expire. Nothing within this Letter of Intent shall be construed or interpreted as a binding obligation to enter into a written agreement; rather, this Letter of Intent is merely an expression of the parties' desire and willingness to attempt to negotiate the terms and conditions under which the District may have the right to use and/or acquire the LJUA's Water System, Wastewater System, water permit, water mitigation rights, and/or easements in order for the District to provide one or more of the LJUA Services to the LJUA Users within the Service Area.

NOW THEREFORE, in accordance with the foregoing recitals, the LJUA and the District herein agree to this non-binding Letter of Intent.

Dated this _____ day of _____, 20__.

Lazy J Utility Association, Inc.

By: _____
M. John Romney
Its: President

Gallatin Canyon Water & Sewer District

By: _____
Its: