



CITY OF GILLETTE

Utilities Department

611 N. Exchange Ave. • Gillette, Wyoming 82716
Phone 307.686.5276 • Fax 307.686.6564
www.gillettewy.gov

May 3, 2023

Campbell County
Department of Public Works
Attn: Matt Olsen, PE, Director
500 S. Gillette Ave., Suite 1400
Gillette, WY 82716

RE: Regional Water Joint Powers Agreement Amendment One

Matt,

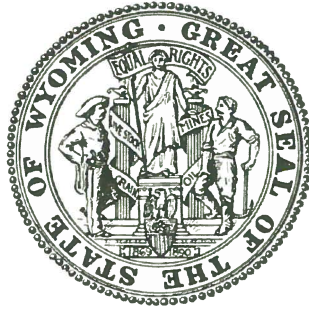
Enclosed is one (1) fully executed original of Amendment One to the Gillette Regional Water Supply System Joint Powers Agreement for the County's permanent records. The Gillette City Council approved Amendment One during their regular meeting on January 10, 2023. The Campbell County Board of Commissioners approved Amendment One during their regular meeting on January 17, 2023. The Wyoming Attorney General approved Amendment One on March 15, 2023.

Please contact me at 307.686.5262 or mikec@gillettewy.gov if you have any questions.

Sincerely,
CITY OF GILLETTE

Michael H. Cole, PE
Utilities Director

Copy: Sean Brown, City Attorney, City of Gillette – one fully executed original
Alicia Allen, City Clerk, City of Gillette – one fully executed original
File – one fully executed copy



Office of the Attorney General

Governor
Mark Gordon

Attorney General
Bridget Hill

Civil Division
109 State Capitol
Cheyenne, Wyoming 82002
307-777-7886 Telephone
307-777-3687 Fax

Chief Deputy Attorney General
Ryan Schelhaas

Deputy Attorney General
Brandi Monger

March 17, 2023

Sean Brown
Gillette City Attorney
201 E. 5th Street
Gillette, Wyoming 82716

Re: Amendment One to the Gillette Regional Water Supply System Joint Powers Agreement

Dear Mr. Brown:

Enclosed please find three signed originals of the above-referenced agreement, approved by the Attorney General.

If you have any questions, please feel free to contact me at 307-777-6990.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cole R. White".

Cole R. White
Assistant Attorney General

Enclosure

AMENDMENT ONE
to
GILLETTE REGIONAL WATER SUPPLY SYSTEM
JOINT POWERS AGREEMENT

City of Gillette, Wyoming
County of Campbell, Wyoming

THIS AMENDMENT ONE to the Gillette Regional Water Supply System Joint Powers Agreement is made and entered into by the duly authorized representatives of Campbell County, herein after referred to as the “County”, and the City of Gillette, herein after referred to as the “City”, both of which are located in the State of Wyoming and are both “agencies” as defined by W.S. 16-1-103(a)(i) and for the purposes of this Amendment shall be referred to as “Participating Agencies”.

WHEREAS, the Participating Agencies entered into a Gillette Regional Water Supply System Joint Powers Agreement (“JPA”) to define the ownership, management, operations, administration and financing of the Gillette Regional Water Supply System. The JPA had an Effective Date of January 4, 2011, which is the date the JPA was approved by the Wyoming Attorney General; and

WHEREAS, Section 7.1 of the JPA defines a Designated Service Area (“DSA”) as identified within Exhibit C of the JPA which encompasses areas within Campbell County for which water service can be provided; and

WHEREAS, Section 5 of the JPA established a Regional Water Panel (“Panel”) and Section 5.4 e) enables the Panel to provide recommendation to the Participating Agencies regarding requests for water from potential Wholesale Customers outside the DSA and the corresponding expansion of the DSA; and

WHEREAS, Section 7.2 c) of the JPA provides a process for potential wholesale customers to petition the Regional Water Panel for changes to the DSA to accommodate an expanded service area; and

WHEREAS, Matt Olsen, Executive Director of Public Works on behalf of Campbell County, Wyoming (“County”), by virtue of a letter dated December 7, 2022, provided a formal request to the Panel to expand the DSA to include the land depicted within Exhibit A attached to and incorporated in this Amendment; and

WHEREAS, Doug Carlton, Managing Partner of Carlton Construction (“Developer”) on behalf of Michael J. Barlow, Trustee of the Robert F. Barlow Revocable Trust dated February 21, 1992 and Officer of Barlow Brothers, LLC (“Property Owner”), by virtue of a letter dated November 28, 2022, has petitioned the Panel for the DSA to be expanded to include the land depicted within Exhibit B attached to and incorporated in this Amendment; and

WHEREAS, the Panel approved Resolution 22-01, attached and incorporated within this Amendment, during their regular meeting on December 15, 2022; and

WHEREAS, Resolution 22-01 recommends the Participating Agencies expand the DSA to include the land depicted within Exhibit A and Exhibit B; and

WHEREAS, Resolution 22-01 also recommends the Participating Agencies approve Amendment One to the Gillette Regional Water Supply System Joint Powers Agreement to remove Exhibit C and replace with Exhibit C attached to and incorporated in this Amendment, depicting the expanded Designated Service Area.

THEREFORE, THE PARTIES HEREBY MUTUALLY AGREE TO AMEND THE JPA AS FOLLOWS:

1. The Designated Service Area is hereby expanded to include the land depicted within Exhibit A and Exhibit B; and
2. Exhibit C to the JPA shall be removed and replaced with the Exhibit C attached to and incorporated within this Amendment, depicting the expanded Designated Service Area.
3. All other aspects of the Gillette Regional Water Supply System Joint Powers Agreement shall remain unchanged.

CITY OF GILLETTE, WYOMING



Shay Lundvall, Mayor

(S E A L)

ATTEST:



Alicia Allen, City Clerk

CAMPBELL COUNTY, WYOMING



Colleen Faber, Chair

(S E A L)

ATTEST:



Cindy Lovelace, County Clerk

APPROVAL BY ATTORNEY GENERAL

In accordance with Wyo. Stat. 16-1-105(a)(ii), the Wyoming Attorney General has reviewed this Amendment One to the Gillette Regional Water Supply System Joint Powers Agreement and determined that the Amendment is compatible with the laws and constitution of the State of Wyoming.

Approved this 15th day of March, 20 23.



Attorney General, State of Wyoming

**GILLETTE REGIONAL WATER PANEL
RESOLUTION 22-01**

A Resolution Recommending Approval of Amendment One to the Gillette Regional Water Supply System Joint Powers Agreement to Expand the Designated Service Area and replace the Exhibit C Map.

WHEREAS, Campbell County (“County”) and the City of Gillette (“City”), collectively known as the “Participating Agencies” entered into a Joint Powers Agreement (“JPA”) to define the ownership, management, operations, administration and financing of the Gillette Regional Water Supply System with an Effective Date of January 4, 2011 which is the date the JPA was approved by the Wyoming Attorney General; and

WHEREAS, Section 7.1 of the JPA defines a Designated Service Area (“DSA”) as identified within Exhibit C of the JPA which encompasses areas within Campbell County for which water service can be provided; and

WHEREAS, Section V. of the JPA established a Regional Water Panel (“Panel”) and Section 5.4 e) enables the Panel to provide recommendation to the Participating Agencies regarding requests from water from potential Wholesale Customers outside the DSA and the corresponding expansion of the DSA; and

WHEREAS, Section 7.2 c) of the JPA provides a process for potential wholesale customers to petition the Regional Water Panel for changes to the DSA to accommodate an expanded service area; and

WHEREAS, Matt Olsen, Executive Director of Public Works on behalf of Campbell County, Wyoming (“County”) has provided a formal request to the Panel to expand the DSA to include the land depicted within Exhibit A; and

WHEREAS, Doug Carlton, Managing Partner of Carlton Construction (“Developer”) on behalf of Michael J. Barlow, Trustee of the Robert F. Barlow Revocable Trust dated February 21, 1992 and Officer of Barlow Brothers, LLC (“Property Owner”) have petitioned the Panel for the DSA to be expanded to include the land depicted within Exhibit B.

NOW THEREFORE BE IT RESOLVED BY THE REGIONAL WATER PANEL:

1. The Panel recommends the Participating Agencies expand the Designated Service Area to include the land depicted within Exhibit A and Exhibit B attached and incorporated within this Resolution; and
2. The Panel recommends the Participating Agencies approve Amendment One to the Gillette Regional Water Supply System Joint Powers Agreement to remove the Exhibit C Map and replace with the attached Exhibit C Map, incorporated within this Resolution, depicting the expanded Designated Service Area.

PASSED, APPROVED, AND ADOPTED this 15th day of December 2022.


E. Loren Crain, Chairman

ATTEST:

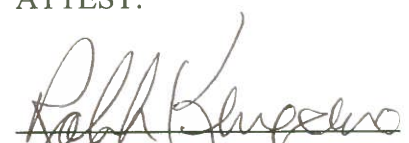
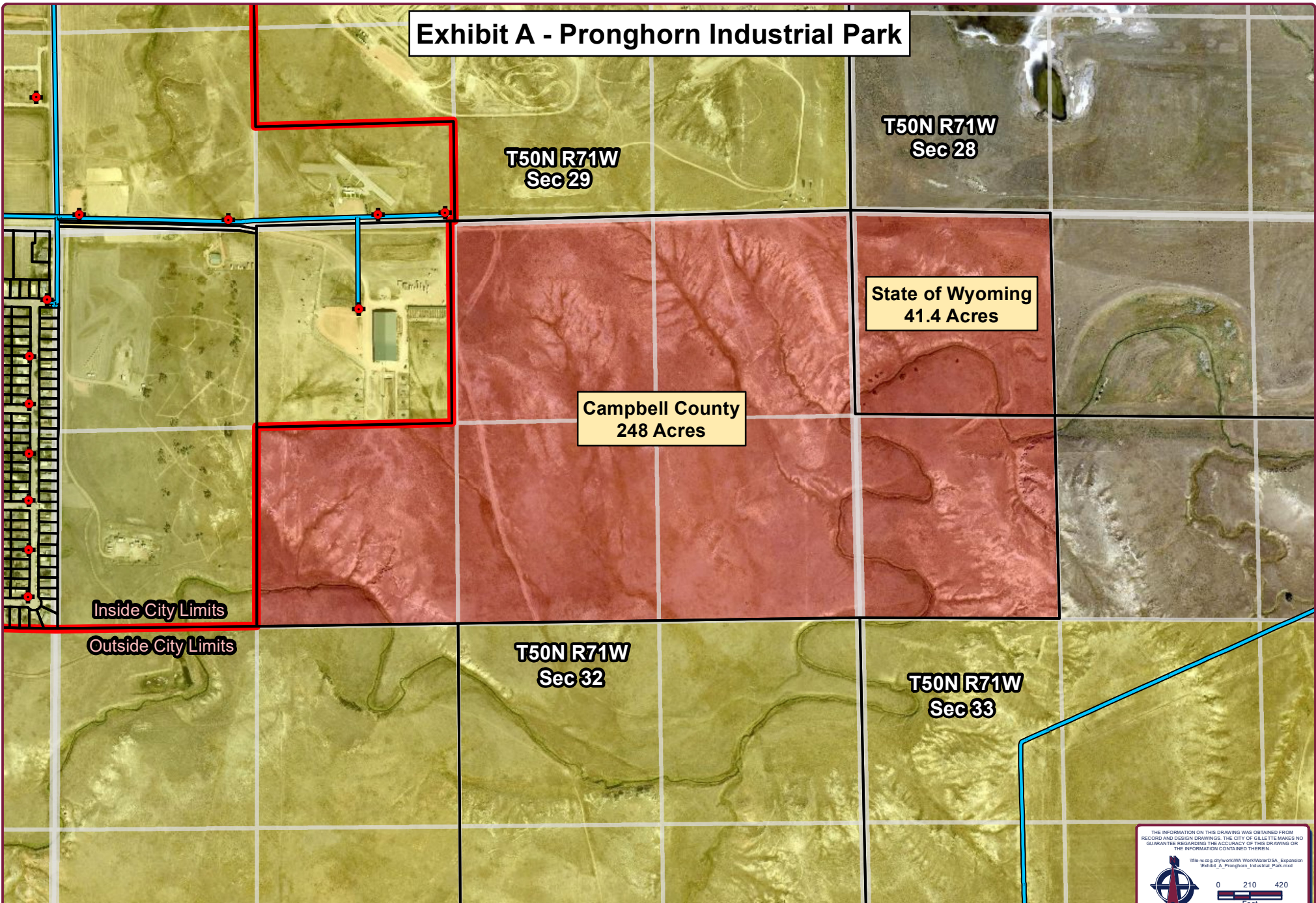

Ralph Kingan, Vice Chairman

Exhibit A

Exhibit A - Pronghorn Industrial Park



- + Fire Hydrants
- County Tax Parcels
- PLSS Sections
- DSA Expansion Area
- City Water Lines
- City Limits
- PLSS Quarter Sections
- Existing DSA Area

CITY OF GILLETTE
 Information Technology GIS
 P.O. Box 3003
 Gillette, Wyoming 82717-3003
 Phone (307) 686-5364
 www.gillettewy.gov

THE INFORMATION ON THIS DRAWING WAS OBTAINED FROM RECORDS AND DESIGN DRAWINGS. THE CITY OF GILLETTE MAKES NO GUARANTEE REGARDING THE ACCURACY OF THIS DRAWING OR THE INFORMATION CONTAINED THEREIN.

Title: http://www.gillettewy.gov/Work/Water/DSA_Expansion/Exhibit_A_Pronghorn_Industrial_Park.mxd

0 210 420
Feet

Exhibit A
Pronghorn Industrial Park

December 07, 2022

Service With P.R.I.D.E.
 Productivity Responsibility Integrity Dedication

Exhibit B

Exhibit B - Barlow Ranch

T50N R73W
Sec 29

T50N R73W
Sec 28

Robert F Barlow
Revocable Trust
329.1 Acres

T50N R73W
Sec 32

T50N R73W
Sec 33

- 🔴 Fire Hydrants
- 🟦 City Water Lines
- ▭ County Tax Parcels
- ▭ PLSS Sections
- ▭ PLSS Quarter Sections
- 🟥 DSA Expansion Area
- 🟡 Existing DSA Area

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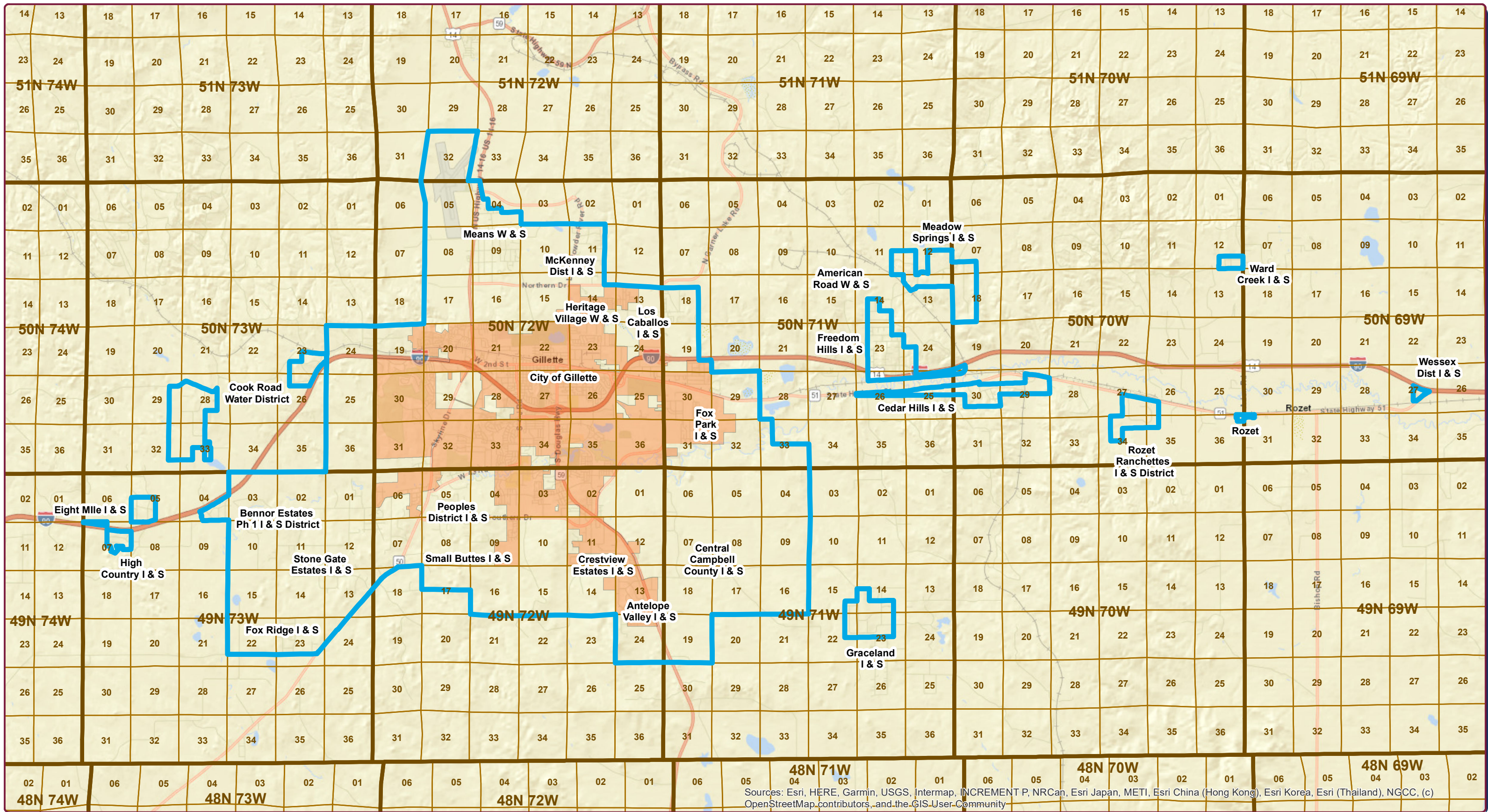
0 250 500
Feet

Exhibit B
Barlow Ranch

December 07, 2022

Service With P.R.I.D.E.
Productivity Responsibility Integrity Discussion

Exhibit C



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

- Legend**
- Designated Service Area (DSA)
 - Township
 - Sections
 - City Limits

Exhibit C
Amendment One
Gillette Regional Water Supply System Joint Powers Agreement
Designated Service Area
January 2023



1 in = 1.87 miles