

Appendix 1: Project Team Members

Maria Blevins

Communication Studies

Vailferree Brechtel

Communication Studies

Allen Byrd

Department of Geography - Community and Environmental Planning

Brooke Havice

Environmental Studies Department

Kassidy Kern

Interdisciplinary Studies Department

Kassi Miller

Resource Conservation

Daisy Patterson

Environmental Studies Department

James Reiff

The University of Montana Law School

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FACULTY

Jim Burchfield, Ph.D.

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The University of Montana

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Matthew McKinney, Ph.D.

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Director, Public Policy Research
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Appendix 2: Letter of Introduction



Public Policy Research Institute
516 N. Park Ave.
Helena, MT 59601
406-457-8475
www.umtpri.org

September 26, 2007

Individual's Name
Organization (if applicable)
Mailing Address
City, State Zip

Dear Name,

In response to concerns expressed by The Ninemile Wildlife Movement Areas Workgroup and Trout Unlimited, we are assessing interests and concerns with respect to land use, growth, and wildlife in the Ninemile Corridor. We thought you might be interested in these issues, and we would very much like to speak with you about any thoughts you might have.

While this assessment is part of our educational training as students in The University of Montana's Natural Resource Conflict Resolution (NRCR) Program, our hope is that it will also inform and invigorate your efforts to address these issues. The NRCR Program is a graduate-level program designed to prepare future leaders with skills in collaboration and conflict resolution. A list of students and faculty participating in this project is included with the memo as Attachment A. Our job is to act as impartial, nonpartisan servants of all stakeholders, and we are guided by the Association for Conflict Resolution's professional code of conduct.

We are contacting several community members and organizations that represent diverse viewpoints on land use, growth, and wildlife in the Ninemile Corridor. We would like to meet with you for about 60 minutes to listen to your interests and expectations for the future of the Ninemile Corridor. The interviews are voluntary and confidential. We will not attribute any information or ideas to you or anyone else in our report. During the next couple of weeks, we will be contacting you to schedule an interview. Our plan is to conduct the interviews during the month of October, and we are available to meet with you in person or, as an alternative, conduct the interview over the phone.

Once we have completed the interviews, we will synthesize our findings into a report. We will also integrate best practices for dealing with similar issues based on a review of the literature. Again, the idea here is to inform and invigorate your efforts to address these issues in the Ninemile Corridor. A draft of the report will be distributed to everyone we interview, as well as to other people interested in or affected by these issues. We plan to convene a community meeting to review the findings, conclusions, and options for the future.

Thank you in advance for your participation. Please feel free to contact Matt McKinney, Chair of the NRCR Program and Director of the Public Policy Research Institute, or Jim Burchfield, Associate Dean of the College of Forestry and Conservation, with any questions or suggestions. We look forward to working with you in the near future.

Sincerely,

Dr. Jim Burchfield
Associate Dean, College of Forestry and Conservation
The University of Montana

Appendix 3: Interview Questions

Values

1. Why is the Ninemile a special place to you?

- Probe based on the response to the above question; ask them to elaborate
- What specifically brought you to the community?
- What are the unique characteristics that define the Ninemile?

Change

2. How is the Ninemile corridor changing?

- What are the most important changes?
- What are the consequences of this change?

3. Tell me about the most important issues related to land use?

4. Tell me about the most important issues related to growth?

- What is drawing people to your community?

5. Tell me about the most important issues related to wildlife?

Conflict

6. Do you perceive any conflicts among people with diverse viewpoints or interests?

- What do you think is the source of these conflicts?

Options

7. What do you think needs to be done to address the issues you have identified?

- What do you see as the ideal future for the Ninemile?
- What would have to change in order for that to happen?
- What is currently being done?
- Are these efforts adequate?

8. Do you think there would be any value in convening some type of community-based dialogue around these issues?

- If no, why not?
- If yes, what issues should be addressed?
- Would you be willing to participate?

Conclusion

9. Is there anything else you would like to share?

10. Who else should we talk to?

- Name, community, organization, phone, email

Appendix 4: Master List of Contacts

Letter was sent to all soliciting interviews, all listed were sent invitations to the follow-up community meeting & will be sent a copy of this report

USDA Forest Service

Garry Edson - Ninemile District
Ranger
20325 Remount Road
Huson, MT 59846
406-626-5408

Beth Kennedy - Wildlife Biologist
PO Box 460
Superior MT 59872
406-822-3964

Scott Spaulding - Ninemile Ranger
District Fisheries Biologist
20325 Remount Road
Huson, MT 59846
scottspaulding@fs.fed.us
406-626-5424

Laura Ward - Fire Management
Officer
20325 Remount Road
Huson, MT 59846
406-626-5422

Montana Fish, Wildlife & Parks

Tara Comfort
Conservation District
3550 Mullan Road
Missoula, MT 59808
(406) 829-3395

Jamie Jonkel - Wildlife Biologist
3201 Spurgin Road
Missoula, MT 59804
406-542-5508

Ladd Knotek - Fisheries Biologist
(WMA member)
3201 Spurgin Road
Missoula, MT 59804
406-542-5506

Montana Department of Transportation

M Dot Region 1 Commissioner
Kevin Howlett
PO Box 153
Arlee, MT 59821
406-745-3525

Dwane Kailey - District
Administrator
PO Box 7039
Missoula, MT 59807-7039
406-523-5800

Ranchers

Ed & Nancy Richardson - Sixmile
Ranchers
16250 Roman Creek Road
Frenchtown, MT 59834
406-626-4737

Residents

Geri & Gene Ball
22075 Ninemile Rd.
Huson, MT 59846

Judy & Bob Bungarz
17579 Remount Road
Huson, MT 59846
406-626-5761

Becky & Mark Colip
26350 Butler Creek Road
Huson, MT 59846

Kurt Cyr
18815 Remount Road
Huson, MT 59846
kurt@9mileschoolhouse.com
406-626-5499

Eleanor Danesh
Coordinator, Ninemile Wildlife
Working Group
1380 W. Ninemile Road
Huson, MT 59846
edanesh@mtwi.net
406.626.5675

Jeff Hull & Ronnie Flannery
27075 Ninemile Road
Huson, MT 59846

Fred & Shirley Hager
29695 Ninemile Road
Huson, MT 59846
406-626-5544

Krist Hager
Office address: 114 W. Pine
Missoula, MT 59802
406-546-7556

Will & Sharell Hamilton
26986 River Run
Huson, MT 59846
406-626-0679

Mick & Gerry Hines
29203 Highway 10 West
Huson, MT 59846
406-626-4420

Rod & Lynn Kruckenberg
29267 Highway 10 West
Huson, MT 59846
406-722-8215

Danielle Lattuga
17255 Remount Road
Huson, MT 59846
lattugad@hotmail.com

Mack & Connie Long
P. O. Box 325
Huson, MT 59846
406-626-5539

Sue Matthews
21435 Ninemile Road
Huson, MT 59846
406-626-1919

Bruce & Tracy Mikesell
Remount Road
Huson, MT 59846
406-626-5676

Harvey Millhouse
16915 Remount Road
Huson, MT 59846
406-626-5630

Elizabeth Oleson
28862 Ninemile Road
Huson, MT 59846
406-626-0071

Bill & MaryEllen Sayles
17495 Sixmile Road
Huson, MT 59846
406-626-4327

Jeannie & Chris Siegler
19475 Conifer Drive
Huson, MT 59846
406-626-5611

Chuck Spoon
17915 Remount Road
Huson, MT 59846
406-626-2406

Ralph & Betty Thisted
28850 Nine Mile Road
Huson, MT 59846
406-626-5693

Small Businesses

Famous 9 Mile House
28030 Old Hwy 10 W
Huson, MT 59846
famous9milehouse@aol.com
406-626-5668

Garden City Fungi
32350 Old Spur Road
Huson, MT 59846
406-626-5757

Lewis and Clark Trail Adventure
Gia & Wayne Fairchild
PO Box 9051
Missoula, MT 59807
raft@montana.com
406-728-7609

Rafter Horse Boarding
18805 Six Mile Road
Huson, MT 59846
406-626-2582

River Edge Resort
PO Box 501
Alberton, MT 59820

Treecycle
Erich and Holly Degner
21555 Conifer Drive
Huson, MT 59846
treecycle@blackfoot.net

Woodland Restoration, Inc.
Matt Arno - Professional Restoration
Forester
PO Box 460254
Huson, MT 59846

Real Estate/Developers.
George Sherwood - Broker
Montana Preferred Properties
16840 Beckwith St
Frenchtown, MT 59834-9646
Phone: (406) 626-4555

Jennifer Thornton
RE/MAX Realty Consultants, LLC
1701 South Avenue West
Missoula, MT 59801
406-549-8855

Missoula County Commissioners
200 W. Broadway
Missoula, MT 59802
406-258-4877
406-721-4043

Larry Anderson
landerson@co.missoula.mt.us

Bill Carey
bcarey@co.missoula.mt.us

Jean Curtiss
jcurtiss@co.missoula.mt.us

Missoula County Rural Initiatives
Matt Boulanger - Associate Planner
317 Woody St.
Missoula, MT 59802
mboulanger@co.missoula.mt.us
406-258-4869

Mel Waggy - Rural Landscape
Scientist
317 Woody St.
Missoula, MT 59802
mwaggy@co.missoula.mt.us
406-258-3707

Confederated Salish/Kootenai
Dale Becker - Wildlife Manager
Confederated Salish & Kootenai
Tribes
PO Box 278
Pablo, Montana 59855
daleb@cstkt.org
406-883-2888 ex. 7278

Wildlife Enthusiasts
Kim Davitt - American Wildlands
Director of Missoula Field Office
114 W. Pine St. Suite 4
Missoula, MT 59801
kdavitt@wildlands.org
406-728-2087

Rob Roberts - Trout Unlimited
Middle Clark Fork Restoration
Coordinator
401 E. Spruce St.
Missoula, MT 59802
rroberts@tu.org
406-543-1192

Appendix 5: List of Individuals Interviewed (Incomplete)

USDA Forest Service

Garry Edson - Ninemile District Ranger

Scott Spaulding - Ninemile Ranger District Fisheries Biologist

Montana Fish, Wildlife & Parks

Tara Comfort - Conservation District

Ladd Knotek - Fisheries Biologist (WMA member)

Residents

Geri & Gene Ball

Kurt Cyr

Eleanor Danesh

Will & Sharell Hamilton

Danielle Lattuga

Harvey Millhouse

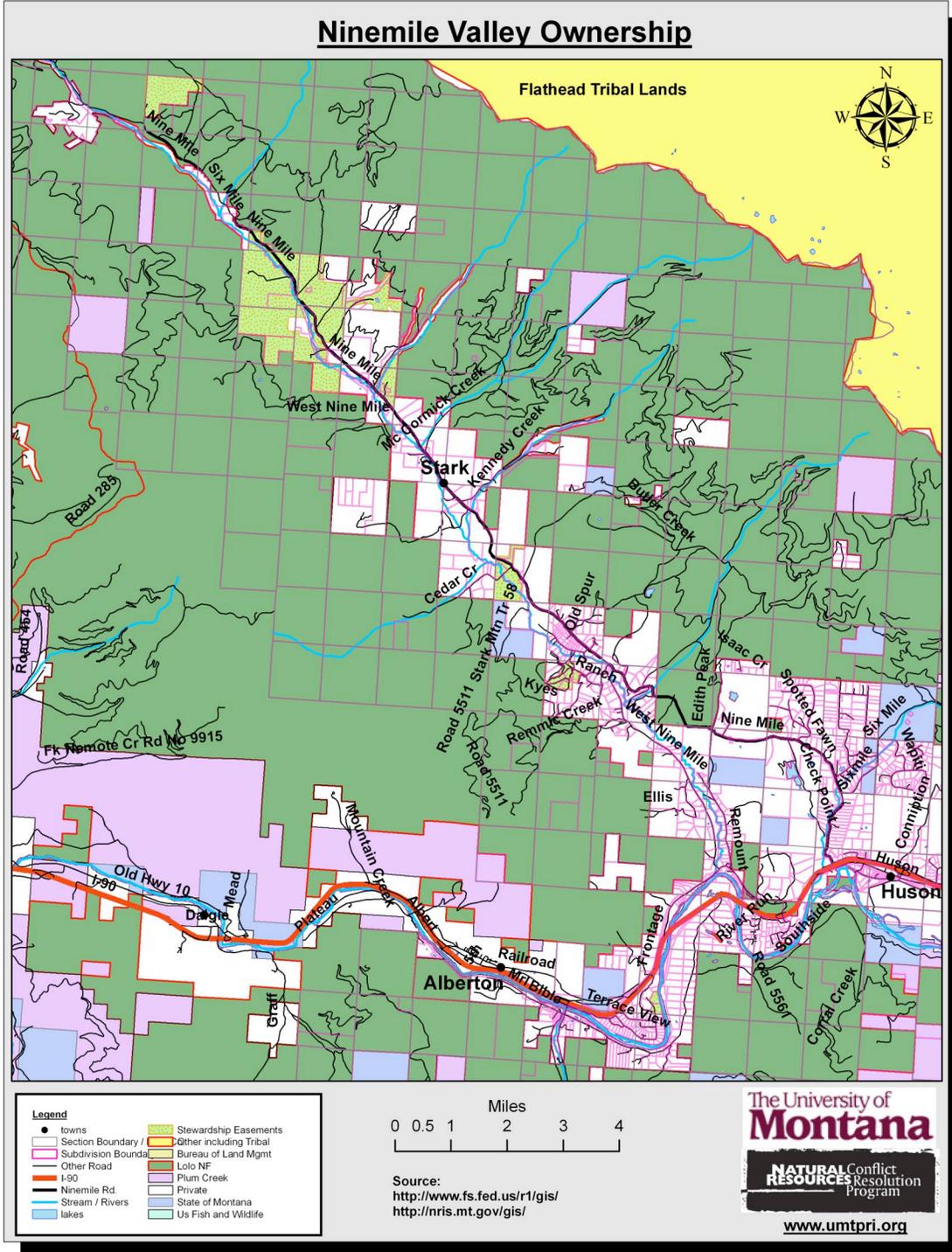
***The list remains incomplete, as we are awaiting confirmation responses from those interviewed before including them.

Appendix 6: Public Meeting Participants

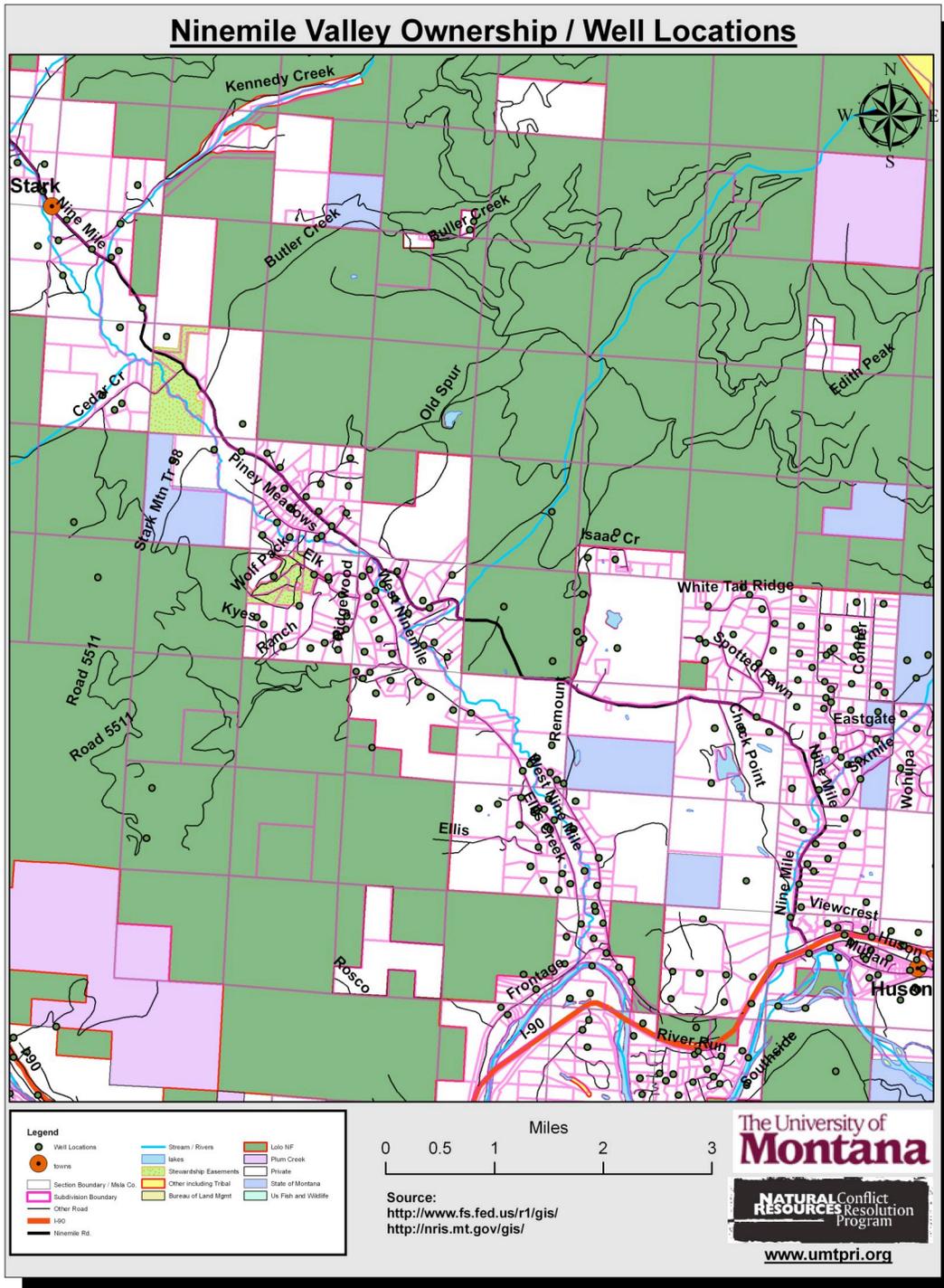
Community Forum Participants December 7, 2007

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE NUMBER</u>	<u>EMAIL</u>
Richard Werst	29955 Southside Rd Alberton, MT	406-722-2614	RBWerst@gmail.com
Harry Kenck	32105 Piney Meadows Ln Huson, MT	406-626-5322	hrk@montana.com
Ralph and Betty Thisted	28850 Nine Mile Rd Huson, MT 59846	406-626-5693	thistede@bigsky.net
Rob Roberts	401B East Spruce St Missoula, MT 59802		rroberts@tu.org
Ryan Domsalla	Ninemile R.S.	406-626-5201	rdomsalla@fs.fed.us
Scott Spaulding	Ninemile R.S.	406-626-5424	scottspaulding@fs.fed.us
Garry Edson	Ninemile R.S.	406-626-5408	gedson@fs.fed.us
Jeannie Siegler	19475 Conifer Huson, MT	406-626-5611	csiegler@montana.com
Fred and Shirley Hager	29695 Ninemile Rd Huson, MT	406-626-5544	
Bob and Judy Bungarz	17579 Remount Rd Huson, MT		bungarz@peoplepc.com
Sue Matthews	21413 Nine Mile Rd Huson, MT	406-626-1919	matthews@bigsky.net
Colleen Jones	27450 Nine Mile Huson, MT	406-626-4109	mccormickcrk@aol.com
Eleanor Danesh	1380 W. Ninemile Huson, MT	406-626-5675	edanesh@mtwi.net
Mel Waggy	200 W Broadway Missoula, MT	406-258-3707	
Joan Robinson	24150 Ninemile	406-626-5557	
Jim Olmstead	River Run	406-626-2514	ar3186b@aol.com
Will Hamilton	26986 River Run	406-626-0679	husonhamilton@juno.net
Jan Phillips	22105 Ninemile Rd	406-626-5331	fe_appys@bigsky.net
Danielle Lattuga	17255 Remount Rd	406-626-5456	lattugad@hotmail.com
Jenny Blake	405 Fairview Ave	406-529-4381	jennyblake711@hotmail.com
Michelle Tafoya	405 Fairview Ave		mtafoya@du.edu
Krist Hager			kristhager@mac.com

Appendix 7: Ninemile Valley Ownership Map



Appendix 8: Ninemile Valley Ownership / Well Locations Map



Appendix 9: Principles for Collaborative Governance

- 1) Collaborative governance needs to be intentionally designed and coordinated. It will not happen by accident.
- 2) Collaborative governance should be professionally designed and coordinated by impartial, nonpartisan process managers jointly selected by the stakeholder representatives.
- 3) Collaborative governance is most likely to succeed when a critical mass of the affected stakeholders - including decision-makers - agree to participate and select their own representatives for the dialogue.
- 4) All participants must strive for transparency and communicate in good faith their interests, expectations, and predispositions.
- 5) Participants must be allowed to jointly name issues and frame options, thereby clarifying their underlying interests and predispositions.
- 6) Scientific and technical experts should help inform and invigorate the dialogue by helping participants name problems, frame options, analyze the consequences of alternative courses of action.
- 7) Collaborative governance must be managed in line with an agenda, ground rules, a timetable, and a budget approved by all the parties.
- 8) The product of collaborative governance needs to be a written agreement that the participants commit to support.
- 9) The product of collaborative governance is a recommendation, not a final decision.
- 10) Policy choices / decisions must be monitored so that continuous adjustments can be made. The complexity of most ecosystems means that we do not know enough to be able to anticipate (or model) the full range of effects of most important policy decisions. In the face of this complexity and the uncertain impacts of policy choices, it is best to take an adaptive management approach.

CODE OF THE NEW AMERICAN WEST

LEMHI COUNTY, IDAHO

CODE OF THE NEW WEST - Lemhi County, Idaho

- Appreciate our natural beauty and be a good steward of your land.
- Show respect for our people, wildlife and traditions.
- Practice good citizenship. Participate in our community to preserve and improve the good things we have and give back some measure of what we all receive from being a part of this rural community. It is truly a wonderful place to live.

A guide for making an informed decision about purchasing a parcel of land in Lemhi County, Idaho

OVERVIEW:

Lemhi County has many positive qualities. It has great natural beauty and is far from the congestion of cities. The people are friendly and there is a hometown feeling. But it is important for you to be aware of the realities of living in rural Idaho and the differences from life in an urban area. You need to be aware that county and small town governments are not able to provide the same levels of services that urban governments can. You may find some of the following information discouraging but those who choose to live here find that the benefits outweigh the disadvantages. You need to be aware that the rugged life you enjoy during brief vacations here can turn onerous when experienced on a long-term basis. Winters may not be severe, but they are long. Increasing fuel prices, long distances to specialty shopping, isolation, limited cultural opportunities, etc. can combine to make living in or close to town attractive over the long haul. Demographic studies have shown that in several rural counties many new residents leave the area within 3 to 5 years because of a lack of up-front awareness of the topics covered in this guide. Many newcomers have false expectations of bringing their urban lifestyle to rural areas only to find that once here the reality is otherwise.

ROADS & ACCESS:

The fact that you can drive to your property in nice weather does not mean that this is achievable all of the time. Many county roads are unpaved. Such roads can be dusty in summer, muddy when rainy and quite slippery and not well plowed in winter. An all wheel drive vehicle is not an extravagance in such a situation. With limited funds to work with it is unlikely that currently unpaved roads will be paved in the foreseeable future. There have been problems with new residents learning after the fact that the access to their properties is not what they assumed or were lead to believe. You need to determine if the road to your property is public or private. Individuals are responsible for the maintenance and plowing of private roads - which can be quite expensive, and for ensuring that they are capable of accommodating emergency response vehicles.

UTILITIES & PUBLIC SERVICES:

Of the many Counties serviced by Eastern Idaho Community Action Partnership, Lemhi County has the most elderly population. With the influx of retirees, it would appear that this trend will continue. There are several programs tailored to the needs of seniors; Outreach, meals, activities, counseling and hospice care. Utilities such as water, sewer, electric, telephone and other services you are used to may be unavailable or not operate at

urban standards. Electric power is not available in every part of Lemhi County. Power outages are more frequent than in more developed areas and it is important that you make provisions to weather such outages. Due to limited funds, several public services are staffed by volunteers. Response times for police, fire and emergency medical services in the county can be much longer than you may be accustomed to. Costs to taxpayers are kept down by the willingness of the populace to go without many things that urban people regard as essential. Should you decide to locate here, don't expect neighbors to join a petition asking for improved services. On the other hand, you may be pleasantly surprised at the quality and extent of our volunteer services and associations. Our Library is a public facility that is controlled by a volunteer Board of Directors, which is continually trying to improve both the quality of services and the facility itself. So is our hospital, which is one of the newest and most capable rural hospitals in the State. Another outstanding example is our Arts Council. The cultural richness that they bring to our isolated community is amazing, given the very limited resources they have to work with. Our Hospice is one of only 2 all volunteer Hospices in the State. There are many other such organizations. You might consider joining one that provides a service or function that you feel strongly about.

CONSTRUCTION:

Idaho requires that all construction contractors be registered. Lemhi County is

zoned and building permits are required. Prior to obtaining a building permit you will need approval of your wastewater treatment system by District 7 Health Department. Please be aware that there have been problems in some high groundwater areas with pathogens in drinking water wells from septic tank drain fields on adjacent properties. You would be well advised to contact both the Building Inspector's office and District 7 Health to become aware of applicable requirements for new construction or remodeling.

AGRICULTURE:

You need to be aware that Idaho has "Right to Farm" legislation that protects farmers and ranchers from nuisance and liability lawsuits. Idaho also has an "Open Range" law, which means that if you do not want cattle or other livestock on your property it is your responsibility to fence them out. Some agricultural practices you may find disturbing such as haying at night, burning ditches to control weeds and trailing livestock on public roads are economic necessities as well as traditional activities. State law protects livestock from pets and pets found harassing or attacking livestock can be shot. There is mandatory weed control which means that you are responsible for controlling noxious weeds on your property. You also need to be aware of irrigation and ditch access rights. Don't assume you automatically have a right to the water in a ditch on your property or exclusive access to that ditch.

SCHOOLS & EDUCATION:

Our school system meets state standards. Funding has been an ongoing issue and probably will be for the foreseeable future. We are in the process of replacing several very old school buildings. Consequently, funding for extracurricular activities is quite limited. If you would like your children to participate in such activities, you may have to pay for them as well as for associated transportation costs. School buses travel only on maintained county roads designated as school bus routes. If you live on an isolated private road, you may have to transport your children to a designated pickup point. We have an excellent distance-learning program, which is operated out of the Salmon Business and Innovation Center. Scholastic and technical programs are available there.

LAW ENFORCEMENT:

The crime rate in Lemhi County is probably much lower than where you now live. There is a reason for this. Our judicial system believes that "Jail Time Deters Crime" and penalties for breaking the law may be much more severe than you are accustomed to. This is intentional, for such penalties are meant to change behavior. You will find our law enforcement personnel courteous, capable and helpful. Please obey our laws.

Revised 12/15/2005

CODE OF THE NEW WEST
As it Applies to Gallatin County, MONTANA

Introduction: It is important to become aware of the realities of living in rural Montana. It is also important for you to know that life in the country is different from life in the city. You need to be prepared.

As you look for a place to make your home, look at the community and its people. County and small town governments are often unable to provide the same level of service that large city governments provide. You should think about transportation, communication, education, health care, employment and public services that are essential to our modern way of life. To that end, we are providing you with the following information to help you make an educated and informed decision before you purchase property or build a home

1.0 ROADS AND ACCESS: The fact that you can drive to your property does not necessarily guarantee that your guests or emergency vehicles can. Please consider:

1.1 Emergency response times (sheriff, fire, ambulance, etc.,) cannot be guaranteed. Under some conditions, you may find that emergency response is extremely slow due to circumstances beyond the control of emergency service providers.

1.2 There can be problems with the legal aspects of access, especially if your "access" crosses someone else's property. It is wise to obtain legal advice and understand that easements may be necessary.

1.3 Gallatin County maintains approximately 200 bridges, 200 miles of pavement, and 1,100 miles of dirt and gravel roads. There are public roads in this County that are not maintained (meaning no grading or snow removal). Check with the County Road and Bridge Office to determine the status of a specific road.

1.4 Gallatin County experiences extreme weather conditions which can damage or destroy roads and bridges. It is wise to determine whether or not your private access road was properly engineered and constructed. Even with proper engineering, annual road maintenance can be expected. This can require renting or owning special equipment (tractors, snow blades, etc.).

1.5 Many large construction vehicles cannot navigate narrow roads and bridges. If you plan to build, it is prudent to check out construction access. Rural residences can be more costly to build due to delivery fees and cost required to get materials to your site.

1.6 School buses travel only on maintained public roads previously designated as school bus routes by the school district. Children may need to be driven to designated school bus pick-up locations.

1.7 In extreme weather even County-maintained roads can become impassable. You may need a four-wheel drive vehicle with chains to travel on some snow-packed roads. Snow removal on some County roads may take up to 72 hours. Under certain conditions, roads become narrower. Yielding the right of way is not merely a legal concept, it is a critical safety issue. Living in a rural area means developing special driving skills and good judgment. Driving off road to avoid bad road sections can make a situation worse, tearing up road banks and accelerating erosion. (Don't do it.)

1.8 Don't expect neighbors to join a petition asking for improved service from the County. This includes, but is not limited to: road paving and maintenance, snow removal, and animal and child advisory signage. Rural counties survive on volunteerism. Costs are kept down by the willingness of the populace to go without many things suburban and urban people regard as necessities. Rural people cherish their independence and willingness to take care of their own.

1.9 Natural disasters, especially floods, can destroy roads. Although Gallatin County will repair and maintain County roads, subdivision and private roads are the landowners' responsibility. Rain and run-off can turn a dry creek bed into a raging torrent, washing out roads, bridges and culverts. Residents served by private roads and/or bridges have been hit with large bills for repairs and/or reconstruction after floods.

1.10 Unpaved roads generate dust and often lots of it. In dry years dust is a pervasive problem. At the least, dust is an unpleasant and on-going fact of life for most rural residents. In some cases, health problems can result.

1.11 If your road is unpaved, it is highly unlikely that Gallatin County will pave it in the foreseeable future. Check with the County if a seller of property indicates that unpaved roads will be paved!

1.12 Unpaved roads often "washboard" when dry and dusty, and become muddy and slippery when wet. Vehicle maintenance costs can go up with regular travel on rural County roads.

1.13 Sometimes it may seem we're still in the days of the Pony Express. Don't expect the same urban efficiency with regards to mail, newspaper and other delivery services.

1.14 Clearly display your address at your driveway entrance for use by emergency services and delivery vehicles.

1.15 It is not unusual for a County snowplow to block your driveway with snow during plowing.

Remember, it is illegal to remove snow from your driveway into a County right-of-way. Find another location to store snow.

2.0 UTILITY SERVICES: Water, sewer, natural gas, cable television, electric, telephone and other services may be unavailable or not up to par with urban standards. Also, be prepared for delays.

2.1 Telephone communication can be a problem, especially in Gallatin County's mountainous areas. Cellular phones may not work in all areas.

2.2 Sewer service is generally available only within municipalities. You will need to use an approved septic system or other treatment process. Soil type, depth to ground water or bedrock, stream and river setbacks, and slope are important elements in determining the cost and function of your system. Contact the Gallatin City-County Environmental Health Department for requirements.

2.3 Most rural residents rely on wells for their water supply. You should know the differences between well and municipal water supplies. Costs to establish a well can be considerable, and water quality and quantity are often unreliable. Water quantity is becoming increasingly problematic in Gallatin County and the west. If you're expecting daily showers, water for the garden, water for agricultural purposes, there may not be enough to do it all.

2.4 Electric service is not available to every region of Gallatin County. It can be very expensive to extend power lines to remote areas.

2.5 Proper utility easements are essential. Be sure you know where your utilities come from and if needed easements are in place.

2.6 Electric power in single phase is standard, but a three-phase service configuration comes at a premium and is not available everywhere. If you have special power requirements, it is important to know what level of service can be provided to your property.

2.7 Electric service fees usually consist of a one-time hook-up fee and thereafter your monthly bill. It is important to know both costs before making a decision to purchase a specific piece of property.

2.8 Power outages are a fact of rural living. Be prepared. An outage can turn off your well pump, your freezer, your heat source, computer, etc. Make sure you have provisions to survive minus power for up to week in severe cold.

2.9 Trash removal is sometimes unavailable or inconvenient in rural areas. It is illegal to create your own trash dump, even on your own land. It is important to research your options regarding removal and recycling. Animal-proof refuse containers are a good idea in many areas and also be aware that many zoning districts require animal-proof containers. Contact the Gallatin City-County Environmental Health Department and the Gallatin County Planning Department.

3.0 THE PROPERTY: Owning rural land means knowing how to care for it. Continual stewardship and land management are essential elements of rural life. There are many issues that can affect your property. It is important to research these items before purchasing land.

3.1 Encroachment permits are required for access onto County-maintained roads. A proposed driveway may conflict with safety and traffic flow. If possible, please check with the Road Department regarding such access prior to purchasing your property. Existing easements may require you to allow construction of roads, power lines, sewer lines, etc. across your land. Some easements may not be recorded. Check these issues carefully.

3.2 Many property owners do not own the mineral rights below their property. Subsurface owners often have the ability to alter surface characteristics in order to extract minerals. It is very important to know the type of minerals under your land and who owns them. Be aware that adjacent mining uses can expand and cause negative impacts.

3.3 You may be provided with a plat of your property. Do not assume the plat is accurate unless the land has been surveyed and pins placed by a licensed surveyor.

3.4 Fences and outbuildings often straddle property lines. A survey of the land is the only way to confirm the location of your property lines.

3.5 Many subdivisions and planned unit developments have covenants or deed restrictions that limit the use of the property. It is important to obtain a copy of the covenants (or confirm that there are none) and make sure that you can live with those rules. Also, a lack of covenants can cause problems between neighbors.

3.6 Property owner associations are required to take care of common elements such as road maintenance, snow removal, weeds, open space, etc. A dysfunctional property owners' association or poor covenants can cause problems for you and possibly involve you in expensive litigation.

- 3.7 Property owners' associations typically collect dues. The property owners' association bylaws will tell you how the organization operates and how dues are set.
- 3.8 Open fields and pasture land will probably not remain so indefinitely. The Gallatin County Planning Department can help determine whether property is zoned and if there are plans for future development. The view from your property may change.
- 3.9 Portions of Gallatin County are zoned. Before you buy or build, check with the Gallatin County Planning Department to see if zoning restrictions apply to the property. You may need a land use permit prior to construction and certain uses may be restricted.
- 3.10 Your new homesite is a particularly important decision because it is so permanent. Recent arrivals often build their homes on the highest ridge or hilltop. There can be numerous disadvantages to such siting. Weather and exposure can wreck havoc with hilltop homes. Access and obtaining water can also present problems. Plus such siting can spoil everyone else's view.
- 3.11 Understanding the soil and its limitations can be very useful. Soil properties affect a site's susceptibility to erosion and help identify areas classified as wetlands. Soil types can help determine appropriate building and road locations, septic systems, crop or hay production and landscaping. The Natural Resources and Conservation office has information on soils.
- 3.12 Gallatin County landowners are responsible for controlling noxious weeds on their property and can be held legally accountable if they fail to do so. The Gallatin County Weed District coordinator can help you identify noxious weeds and devise the best plan of attack.
- 3.13 If you have a ditch on your property, the ditch owners have the right to access your property to obtain water and maintain the waterway.
- 3.14 Water rights that are sold with the property may not give you the right to use the water from any ditches crossing your land without coordinating with a neighbor who also uses the water. Other users may have senior rights to the water that can limit your use or require you to pay for the oversizing or other ditch improvements.
- 3.15 It is important to make sure that any water rights you purchase with the land will provide enough water to maintain fruit trees, pastures, gardens or livestock.
- 3.16 The water flowing in irrigation ditches belongs to someone. You cannot assume you have a right to this water.
- 3.17 All natural water bodies, including streams and lakes are owned by the people of Montana. To protect our waterways, permits are typically required prior to any alterations. For instance, to install a culvert or a bridge, or to stabilize eroding streambanks, a "310" permit is required under the Natural Streambed and Land Preservation Act. Please contact the appropriate Conservation District for requirements.
- 3.18 Flowing water can be a hazard, especially to young children. Before you decide to live near an active ditch, consider the possible danger to your family. Ditch owners are not legally responsible for accidents. Also, flow levels may change abruptly without warning.
- 3.19 Irrigation ditches can raise ground water levels. Be sure to check if there is a seasonal ground water fluctuation that may affect your basement or well.
- 3.20 Gallatin County is blessed with world-renowned fisheries, which provide an important component of our economy. Many new residents want to establish their own fishery in the form of a private pond. While private ponds provide recreational and aesthetic benefits, they can also be detrimental to our wild fisheries if they are not carefully built off-stream. To be licensed for private stocking, ponds must be built off-stream, be screened from wild fishes, have proper water rights and be designed to avoid impacting nearby waterways. Make sure to contact Montana Fish, Wildlife & Parks for permitting requirements.

4.0 MOTHER NATURE: Rural residents usually experience more problems when the elements and earth turn unfriendly. Here are some thoughts to consider:

- 4.1 The physical characteristics of your property can be positive and negative. Trees are a wonderful environmental amenity, but also provide the fuel behind forest fires. Building at the top of a forested draw should be considered as dangerous as building in a flash flood area. Grassland fires are not uncommon. Defensible perimeters are very helpful in protecting buildings from forest or grassland fires and inversely can protect the forest or grassland from igniting if your house catches on fire. If you start a forest or grassland wildfire, you may get the bill to put it out. Contact your local fire district for more information.
- 4.2 Steep slopes can slide in unusually warm weather. Large rocks can also roll down these slopes and present a great danger to people and property.
- 4.3 North-facing slopes or canyons rarely see direct sunlight in the winter. There is a possibility that snow

will accumulate and not melt until spring. Also, it snows in the Rockies year-round. Don't be surprised if the Fourth of July parade gets snowed out.

4.4 Land topography can tell you where the water will go during heavy precipitation. Sometimes landowners fill a ravine only to find water running through their home during the next storm.

4.5 A flash flood can occur, especially during the summer months and spring run-off, turning a dry gully into a raging river. It is wise to consider this when building. Portions of the County have delineated floodplains or flood-prone areas where home construction is either prohibited or regulated. You may need a floodplain permit. Contact the Gallatin County Planning Department.

4.6 Many residents protect their homes with sandbags. The County may not be able to provide sand bags, equipment or people to protect private property from flooding.

4.7 Nature can provide you with some wonderful neighbors. Most, such as deer and eagles, are positive additions to the environment. However, even "harmless" animals like deer can cause problems like crossing roads unexpectedly or eating gardens and trees. Rural development encroaches on the traditional habitat of coyotes, bobcat, mountain lions, rattlesnakes, ground squirrels, bears, mosquitoes and other possibly dangerous or nuisance creatures. It's best to know how to avoid them. In general, it is wise to enjoy wildlife from a distance and make appropriate accommodations for your trash and pets.

The Montana Department of Fish, Wildlife & Parks and the Gallatin County Extension Office are two good resources for information. They have many free publications to help educate you about living in the wild.

4.8 The weather is one of the most talked about things in the Rocky Mountains. If you plan to make Gallatin County your permanent home, expect seasonal fluctuations (temperatures, snow, winds, rainfall). Although the weather can be unpredictable year-round, recorded averages can give you an idea of what to expect. Sometimes it's not the severity of winter, but the length that can get you down. Many people have moved to Gallatin County following a pleasant stay during the summer or fall, experienced one or two long, tough winters, then moved away.

4.9 Gallatin County is seismically active. We have earthquakes and areas of unstable soil associated with this seismic activity. Check with US Geologic Survey (USGS) and the Montana Department of Commerce, Building Codes Division for more information.

5.0 AGRICULTURE: The people who first settled here brought water to the barren, arid east slope of the Rockies through an ingenious system of water diversion. This water has allowed agriculture to become an important part of our environment. There are a few things you need to know:

5.1 Farmers often work around the clock, especially during planting and harvest time. Hay is often swathed or baled at night. Adjoining agricultural activity may disturb your peace and quiet.

5.2 Land preparation and other operations can cause dust, especially during windy and dry weather.

5.3 Farms occasionally burn their ditches and fields to keep them clean of debris, weeds and other obstructions. This burning creates smoke that you may find objectionable.

5.4 Chemicals (mainly fertilizers and herbicides) are often used in growing crops. You may be sensitive to these substances and many people actually have severe allergic reactions. Many of these chemicals are applied by crop dusters (airplanes) early in the morning.

5.5 Animal manure can, and often does, cause "objectionable" odors. What else can we say? No whining!

5.6 Agriculture is an important business in Gallatin County. If you choose to live among farms and ranches, do not expect county government to intervene in the normal day-to-day operations of your agri-business neighbors. In fact, Montana has "Right to Farm" legislation protecting farmers and ranchers from nuisance and liability laws.

5.7 Montana has an open range law. This means if you do not want cattle, sheep or other livestock on your property, it is your responsibility to fence them out. It is not the responsibility of the rancher to keep his/her livestock off your property.

5.8 Animals are dangerous. Bulls, stallions, rams, boars, and buffalo can attack human beings. Children need to know that it is not safe to enter pens or pastures where animals are kept. Also, dangerous wildlife may also frequent urban areas.

5.9 Much of Gallatin County receives minimal precipitation. As a result, we have a problem with dust. Even with irrigation, grasslands have limited grazing. Your parcel of land can reasonably support only so many animals. In addition, the year-round presence of animals can damage and destroy grasslands, leaving the land barren: a difficult and expensive problem to restore. The Gallatin County Extension Office can help you with these issues.

5.10 Moving to the country is not a license to let pets roam. Even gentle, beloved family pets can become

nuisances, predators, or prey to coyotes, neighbors, etc. State law protects livestock from pets. Pets found attacking or harassing livestock can be shot.

5.11 The trailing of livestock herds on roadways is an economic necessity and tradition. Slow down immediately whenever you encounter a cattle drive.

6.0 PUBLIC LANDS: Since such a large portion of land in Gallatin County is public there are several issues that arise from land adjacent to public lands. The guide "Who Fixes the Fence?" (A Landowners Guide to Your Neighboring National Forest) is available to help you.

IN CONCLUSION: Images of the Old West draw people to an area once filled with miners, farmers, ranchers, loggers and other agricultural workers. Often newcomers are much more romantic about the West than the old-timers and have false hopes about bringing their urban lifestyles into the great outdoors. They come with false expectations. They believe they can fax and e-mail from the mountaintop. In the New West, the information superhighway is often a dirt road.

The information presented here is intended as a guideline and an introduction to some of the realities of rural living. You may discover other issues that have not been covered. We encourage you to research and examine all aspects of country living so you will enjoy Gallatin County and not have any unpleasant surprises.

Our County elected officials, administration and staff pride themselves on their accessibility. By publishing the Code of the New West, Gallatin County is in no way divesting itself of its responsibility to its constituents. We offer these comments in the sincere hope you better understand how things work in the country.

Gallatin County is a wonderful place to live, work and raise a family. We hope this information will help enhance the quality of your life. Respect your neighbors' livelihood and property, and be aware that your actions may have an adverse impact on your neighbors, human and otherwise.

But then isn't that why you came here?

People live here and move to Gallatin County for the open space, the quiet, the availability of outdoor activities. They also value the sense of community, interest in the arts, dirt roads, lack of crowds, and cozy neighborhood restaurants, shops, stores, saloons and grocery stores, which are owned and operated by people who know and care about their customers as friends.

Although many of the previous statements may sound discouraging, we believe the benefits far outweigh the inconveniences. Not only is it the way it is, but it is also the way we like it. That's why we live here and hope that if you choose to be our neighbors, you will embrace the whole experience of living in Montana. For more information on any of these issues, please contact the appropriate agency.

CODE OF THE NEW WEST

As good citizens of Montana, we promise to:

1. Appreciate the splendor of Montana's natural beauty; the opportunity to live here; the quality of life we enjoy.
2. Be a good steward of the land; to take personal responsibility for keeping our land weed and trash free; to promote recycling.
3. Show respect for our state laws, for wildlife, for the land and for the people ... especially those engaged in farming and ranching.
4. Be goodwill ambassadors, showing friendliness to visitors and neighbors alike.
5. Take pride in how we maintain our property, our businesses, our communities, and ourselves.
6. Become informed about how things are done in our communities and in the state, so that we fully understand the realities of living in rural Montana.
7. Take political action: read, vote, become informed, participate when necessary, to preserve and improve the good things we have.
8. Get involved with our communities, to give back some measure of what we receive from being a part of the larger family.
9. Work together for the good of the whole, neighborhood, community, county, state, nation and world.

Resources: *Madison County Code of the West & Welcome to the West*, Corporation for Northern Rockies