

**AMENDMENT TO THE AGREEMENT FOR THE
OPERATION AND MAINTENANCE OF THE SILOS RECREATION AREA
AT CANYON FERRY RESERVOIR
BETWEEN BROADWATER COUNTY
AND
CANYON ENTERPRISE, INC.**

WHEREAS, the parties entered into an Agreement for the Operation and Maintenance of the Silos Recreation Area at Canyon Ferry Reservoir on April 8, 2021.

WHEREAS, section 15 of that agreement states that the agreement, "may be amended, modified, supplemented, or superseded only by mutual agreement of the Parties hereto exhibited by a written instrument duly signed by the Parties."

WHEREAS, section 3.11 allows that, "the Manager shall be responsible for all repairs not covered by casualty insurance up to and including the amount of \$3,000."

WHEREAS, section 3.12 under the Courtesy Dock section requires the Manager be responsible for all dock repairs up to and including the amount of \$3,000 and states that, "The County shall be responsible for any amount of a specific repair not covered by insurance exceeding \$3,000."

WHEREAS, section 3.12 under the Floating Docks section requires the Manager be responsible for all dock repairs up to and including the amount of \$3,000 and states that, "once the Manager has expended \$3,000 for a specified repair, the County shall be responsible for any amount of a specific dock repair exceeding \$3,000."

WHEREAS, since the agreement was signed is has become evident that there needs to be an agreement in place regarding what will happen if money is spent that it is the County's responsibility to pay and the original contract is silent on that point.

NOW, THEREFORE, in consideration of the above the parties agree by mutual agreement to amend the Agreement for the Operation and Maintenance of the Silos Recreation Area at Canyon Ferry Reservoir that was executed by the parties on April 8, 2021 with the following addition to the contract:

The Parties agree if the Manager is going to spend any money that it is the obligation of the County to pay, the Manager will first approach the Broadwater County Commission with a request for funds including the amount requested and information about the reason for the request. The Broadwater County Commission will discuss the request at a Commission Meeting and approve or deny the request at a Commission Meeting. If the Manager spends money prior to the approval of the County, then the manager agrees that it is optional for the County to reimburse those funds.

This is the entirety of the agreement between the parties regarding the amendment to the Agreement for the Operation and Maintenance of the Silos Recreation Area at Canyon Ferry Reservoir that was

executed by the parties on April 8, 2021. No other amendments or modifications are made to the Agreement.

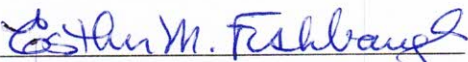
IN WITNESS WHEREOF, the Parties execute this amendment to the Agreement for the Operation and Maintenance of the Silos Recreation Area at Canyon Ferry Reservoir:

Broadwater County:

Darrel Folkvord
Chair of the Broadwater County Commission

Date

Canyon Enterprises


Printed Name: ESTHER M FISHBAUGH

2-21-22
Date