

EXCAVATION PERMIT

Big Horn County, Montana, upon the terms and conditions hereinafter specified, does hereby grant to _____ of _____, as "Permittee", permission to excavate for the purpose of installing a utility line. Excavation and installation shall be completed on and under the following premises:

1. Excavation for the placement of said utility line shall commence on _____ and shall be completed not later than _____.
2. The excavation and restoration of the excavated area shall be done in a good and workmanlike manner with the least disturbance to the aforementioned premises.
3. The Permittee shall erect and maintain all necessary and proper warnings, barricades, signal lights, and other safety devices as may be necessary to insure the safety of the traveling public.
4. The Permittee hereby assumes all responsibility for accidents and damages which may arise out of said excavation project and the installation of the utility line. Big Horn County, Montana, shall not be liable for injuries or death to any person whomsoever which may arise out of said excavation project and installation of the (ditch) utility line, or for the loss of, or damage to, any property. The Permittee, in accepting this permit, agrees to protect, indemnify, and save harmless Big Horn County, Montana, from and against any and all liability of loss, cost, damage, expense, and claims of any kind or character arising directly or

indirectly out of or incident to the existence, use, maintenance, or condition of said excavation and the utility line to be installed.

5. Permittee shall file notice of the precise location of the utility line or lines placed pursuant to this Permit, as the same pertain to any Big Horn County right-of-way, easement, or county road. Notice shall be filed in the appropriate road file located in the Office of the Big Horn County Clerk & recorder. In no event shall Big Horn County be liable for damage caused by its agents or employees in the event of negligence on the part of the County.
6. In the event that the utility line or lines must be relocated for any reason, including the County's abandonment of its right-of-way, easement or county road, or survey error, Permittee agrees to assume all cost of such relocation.
7. Permittee hereby acknowledges that any repairs or maintenance occasioned by the settling of the utility line or lines, shall be at Permittee's sole expense.

DATED this _____ day of _____,
_____.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

By: _____
Chairman

ATTEST:

CLERK & RECORDER, BIG HORN COUNTY

PERMITTEE