

1313 Sherman Street, Room 721 Denver, CO 80203

October 10, 2014

Red Mesa Reservoir & Ditch Company Attn: Trent Taylor, Director 8877 County Road 100 Hesperus, CO 81326

# **RE:** Notice to Proceed – WSRA Grant – Red Mesa Feasibility Study

Dear Trent:

This letter is to inform you that the purchase order request for the WSRA grant to assist in the Red Mesa Feasibility Study in the Southwest River Basin was approved on October 10, 2014.

With the executed purchase order, you are now able to proceed with the project and begin invoicing the State of Colorado for costs incurred through June 30, 2015. Upon receipt of your invoice(s), the State of Colorado will provide payment no later than 45 days. I wish you much success in your project.

Sincerely,

/s/

Craig Godbout Program Manager Colorado Water Conservation Board Water Supply Planning Section 1313 Sherman St, Rm. 721 Denver CO 80203 (303) 866-3441, ext 3210 (office) (303) 547-8061 (cell) craig.godbout@state.co.us

Attachments





# STATE OF COLORADO Department of Natural Resources

ORDER Number:	POGG1 PDAA 20150000000000	00160 T	* IMPORTANT ** he order number and line 1	1	1		
Date:	10/10/14	ir	voices, packing slips, carto	ns and correspo	ndence		
Description			ILL TO				
	RA Basin - Red Mesa Feasibility Stud		OLORADO WATER BOA		ATION		
BUYER			313 SHERMAN STREET, F	ROOM 718			
Buyer:			ENVER, CO 80203				
Email:			HIP TO				
VENDOR REDMESA RESERVIOR & DITCH COMPANY 8877 County Road 100			COLORADO WATER BOARD CONSERVATION				
			1313 SHERMAN STREET, ROOM 718 DENVER, CO 80203				
		V	ENDOR INSTRUCTION	S:			
Line Item	Commodity/Item Code UOM	QTY	Unit Cost	Total Cost	MSDS Req.		
1	G1000	0	0.00	\$30,000.00			
Description	: PDAA WSRA Basin - Red Mesa F	easibility Stu	ıdy				
Start Date:	10/10/14 End I	Date: 06/30	/15				
TERMS AN	D CONDITIONS						
nttps://www	colorado.gov/osc/purchase-order-ter	ms-condition	<u>s</u>				
	DOCUME	NT TOTAL	= \$30,000.00				

# Exhibit A Statement of Work

# WATER ACTIVITY NAME – Red Mesa Feasibility Study

**GRANT RECIPIENT** – Red Mesa Reservoir and Ditch Company (Red Mesa)

**FUNDING SOURCE** – Water Supply Reserve Account Southwest Basin Grant (\$30,000), with matching funds from the applicant (\$10,000) and from the Southwestern Water Conservation District (\$30,000; approved by the SWCD Board at their 2/12/14 meeting).

# INTRODUCTION AND BACKGROUND

The Colorado State Engineer has identified the spillway at Red Mesa Dam as seriously deficient in flood routing capacity and has directed the owners to bring the spillway into compliance with the dam safety requirements for a high hazard dam, or face significant restriction of storage, up to and including a possible breach order. Because of the degree of current spillway inadequacy, the State Engineer's Office, in 2012, established a time frame of approximately 3 years to achieve compliance with their spillway requirements.

Two previous studies, performed by URS Corp. and funded largely through WSRA SW Basin grants, have resulted in the development of an Inflow Design Flood (IDF) which has been accepted for use by the State Engineer, and preliminary designs and cost estimates for several potential solutions to the spillway inadequacy problem. All cost-competitive solutions involve the construction of a new spillway on the left abutment of the dam in concert with dam crest raising to provide additional flood routing freeboard. Three scenarios of this type were evaluated and are considered potentially feasible, two of which involve additional reservoir storage considerations.

At this time, and using the results of the previous studies, Red Mesa wishes to proceed with the preparation of a Feasibility Study which would be used to obtain funding for design and construction of the necessary improvements to bring the spillway into compliance with the requirements of the Colorado State Engineer and possibly add storage capacity to the reservoir. The Feasibility Study will be completed by URS Corp. in accordance with the Colorado Water Conservation Board's Water Project Loan Program Guidelines and will establish and document the following:

- the need for the project
- the technical, economic, institutional and financial feasibility of the project
- the social and environmental impacts of the project

The Feasibility Study will use the results from previous studies and investigations to the maximum extent possible. The following previous studies will be utilized:

- URS Corporation. Spillway Alternatives Analysis, Red Mesa Reservoir. September 2013.
- URS Corporation. Incremental Damage Assessment and Inflow Hydrology for Red Mesa Dam. May 2011.

- Wright Water Engineers. Red Mesa Ward Dam Enlargement Feasibility Study. April 2003.
- Harris Water Engineering. Red Mesa Reservoir Enlargement Concluding Report. October 2001.

# **OBJECTIVES**

The objectives of the proposed Feasibility Study are to evaluate and discuss the following considerations, focusing on addressing the requirements to obtain a CWCB water project loan:

- 1. Water Demands and Water Rights A description of existing and future water demands, and the adequacy of water rights and the quality of water sources with respect to the intended use of the water.
- 2. Analysis of Alternatives A formulation and evaluation of potential alternatives for accomplishing the project sponsor's objective.
- 3. Selected Alternative A detailed description of the selected alternative, including a preliminary design and construction cost estimate, and a project schedule.
- 4. Impacts A description of project social and environmental impacts.
- 5. Institutional Considerations A summary of institutional considerations (such as permits, court actions, contracts, agreements, and other approvals) that are required for project implementation.
- 6. Financial Plan An analysis of project funding sources and the project sponsor's ability to repay all existing and projected debt service.

# TASKS

# Task 1 – Geotechnical Investigation

# **Description of Task**

A feasibility level geotechnical field investigation will be conducted to investigate subsurface conditions within the general extent of the proposed spillway widening and evaluate a potential borrow source for the proposed dam raise.

# Method/Procedure

The geotechnical field investigation for the spillway will consist of hollow-stem auger (HSA) borings and Standard Penetration Tests (SPT) to obtain disturbed samples for index property testing. URS will contract with a local drilling company to complete the drilling portion of the investigation. A URS field engineer will be on site full time during drilling operations to log borings, field classify soils, and package samples. The anticipated boring depth is 25 to 30 feet, or approximately five feet into bedrock, if encountered. Rock coring to evaluate quality of bedrock in the spillway is not planned as part of this feasibility level investigation.

The geotechnical field investigation for a potential borrow source will consist of test pit excavations and sample collection for index property testing. URS will contract with a local company to complete the test pit excavation portion of the investigation. A URS field engineer will be on site

full time during test pit excavation operations to log test pits, field classify soils, and package samples. The anticipated test pit excavation depth is about 10 feet. The potential borrow source is assumed to be within the reservoir limits or located adjacent to the reservoir on Red Mesa property.

A geotechnical testing program will be developed and completed to evaluate index properties of the material that will be excavated from the spillway widening and also the potential borrow source. Testing to establish engineering strength properties will not be completed as part of this feasibility level investigation. Published strength correlations with SPT information and index properties will be used to complete feasibility level analyses that are required as part of this study.

# Deliverable

Geotechnical Investigation Report

# Task 2 – Preparation of Technical Report

### **Description of Task**

A technical report will be prepared which assembles and documents the activities and processes for the below sub- tasks.

### Task 2.1 – Evaluation of Water Demands and Water Rights

URS will prepare a description and evaluation of existing and future water demands versus the adequacy of water supply and water rights and the quality of water sources with respect to the intended use of the water.

Assumption: URS will use the information and numerical and graphical tabulation of annual flows from previous studies, and will update with current available information, including a description of any anticipated effects from recently developed water supplies which might affect the project, such as Ridges Basin Reservoir (Lake Nighthorse) and Long Hollow Reservoir.

### Task 2.2 - Analysis of Alternatives

An evaluation of potential alternatives was previously conducted by URS in 2013. URS will update the alternatives analysis to meet the CWCB's Water Project Loan Program Guidelines and as appropriate based on the findings from the field investigation. URS will consult with Red Mesa to select a preferred alternative and provide a detailed description of the selected alternative, including a preliminary design.

Assumption: Alternatives will be based on the previously developed alternatives; all alternatives will be updated to meet CWCB Water Project Loan Program Guidelines.

### Task 2.3 - Cost Estimate and Implementation Schedule

URS will provide both a capital cost estimate and operations and maintenance cost estimate for the alternatives. A preliminary implementation schedule showing the beginning and completion dates for all activities required will be completed for the selected alternative.

# Task 2.4 - Social and Environmental Impacts Assessment

A description of project social and environmental impacts will be provided for the selected alternative regarding both man-made and natural environment impacts. The assessment will address local and/or regional plans for water resource development, land use, recreation, water quality management, economic development, and other social and environmental effects.

### Task 2.5 - Institutional Investigation

A summary of institutional considerations (such as permits, court actions, contracts, agreements, and other approvals) that are required for project implementation will be investigated and the applicable regulatory agencies will be contacted to confirm requirements.

### Task 2.6 - Financial Feasibility Analysis

URS will conduct a financial feasibility analysis describing the project funding sources and the project sponsor's ability to repay all existing and projected debt service.

# Method/Procedure

The preparation of the Feasibility Study will incorporate the results from previous studies and investigations to the maximum extent possible, updating with new information developed during the course of the study. URS will work closely with Red Mesa and the staff of the Colorado Water Conservation Board to obtain additional information to complete the Loan Feasibility Study as necessary.

# Deliverable

A technical report (Feasibility Study) in accordance with the Colorado Water Conservation Board Water Project Loan Program Guidelines.

# **REPORTING AND FINAL DELIVERABLE**

Reporting: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report (Feasibility Study) that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

# BUDGET

TOTAL COSTS							
		Costs		Source of Funds			
	Personnel	Other Direct Costs	Total Project Costs	WSRA Grant Funds	Matching Funds		
					SWCD	RMR&DC	
TASK 1 - Geotechnical Investigation	\$17,208.00	\$11,453.00	\$28,661.00	\$12,283.00	\$12,283.00	\$4,095.00	
TASK 2- Technical Report	\$3,576.00	\$483.00	\$4,059.00	\$1,740.00	\$1,740.00	\$579.00	
Task 2.1 - Water Demands and Water Rights	\$11,277.00	\$339.00	\$11,616.00	\$4,978.00	\$4,978.00	\$1,660.00	
Task 2.2 - Analysis of Alternatives	\$8,935.00	\$269.00	\$9,204.00	\$3,944.00	\$3,944.00	\$1,316.00	
Task 2.3 - Cost Estimate and Implementation Schedule	\$2,611.00	\$79.00	\$2,690.00	\$1,153.00	\$1,153.00	\$384.00	
Task 2.4 - Social and Environmental Impacts Assessment	\$2,955.00	\$89.00	\$3,044.00	\$1,305.00	\$1,305.00	\$434.00	
Task 2.5 - Institutional Investigation	\$1,605.00	\$49.00	\$1,654.00	\$709.00	\$709.00	\$236.00	
Task 2.6 - Financial Feasibility Study	\$8,807.00	\$265.00	\$9,072.00	\$3,888.00	\$3,888.00	\$1,296.00	
Total :	\$56,974.00	\$13,026.00	\$70,000.00	\$30,000.00	\$30,000.00	\$10,000.00	

	Personnel Costs						
Project Personnel: Hourly Rate:	Project Manager \$160.00	Senior Consultant \$191.00	Project Engineer \$116.00	Staff Engineer \$84.00	CADD Tech. \$84.00	Admin Assist \$47.00	Total Costs
TASK 1 - Geotechnical Investigation	12		27	132	6	12	\$17,208.00
TASK 2- Technical Report	20					8	\$3,576.00
Task 2.1 - Water Demands and Water Rights		50		20		1	\$11,277.00
Task 2.2 - Analysis of Alternatives		8	20	40	20	1	\$8,935.00
Task 2.3 - Cost Estimate and Implementation Schedule			4	24	1	1	\$2,611.00
Task 2.4 - Social and Environmental Impacts Assessment		4	4	20		1	\$2,955.00
Task 2.5 - Institutional Investigation		2		14		1	\$1,605.00
Task 2.6 - Financial Feasibility Study		24	36			1	\$8,807.00
Total Hours:	32	88	91	250	27	26	
Cost:	\$5,120.00	\$16,808.00	\$10,556.00	\$21,000.00	\$2,268.00	\$1,222.00	\$56,974.00

	Other Direct Costs						
Item:	Reproduction / Copies	Communication	Lodging	Mileage	Geotech Lab	Drilling Sub	Total
Units: Unit Cost:	No. \$125.00	(3% of labor)	Nights \$130.00	Miles \$0.56			
TASK 1 - Geotechnical Investigation	3	\$517	2	700	\$4,489	\$5,420	\$11,453.00
TASK 2- Technical Report	3	\$108					\$483.00
Task 2.1 - Water Demands and Water Rights		\$339					\$339.00
Task 2.2 - Analysis of Alternatives		\$269					\$269.00
Task 2.3 - Cost Estimate and Implementation Schedule		\$79					\$79.00
Task 2.4 - Social and Environmental Impacts Assessment		\$89					\$89.00
Task 2.5 - Institutional Investigation		\$49					\$49.00
Task 2.6 - Financial Feasibility Study		\$265					\$265.00
Total Units:	6		2	700			
Total Cost:	\$750.00	\$1,715.00	\$260.00	\$392.00	\$4,489.00	\$5,420.00	\$13,026.00

# **SCHEDULE**

Task	Start Date	Finish Date
1 – Geotechnical	NTP + 30 days	NTP + 90 days
Investigation		
2 – Technical	NTP + 90 days	NTP + 180 days
Report		

NTP = Notice to Proceed

# PAYMENT

Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

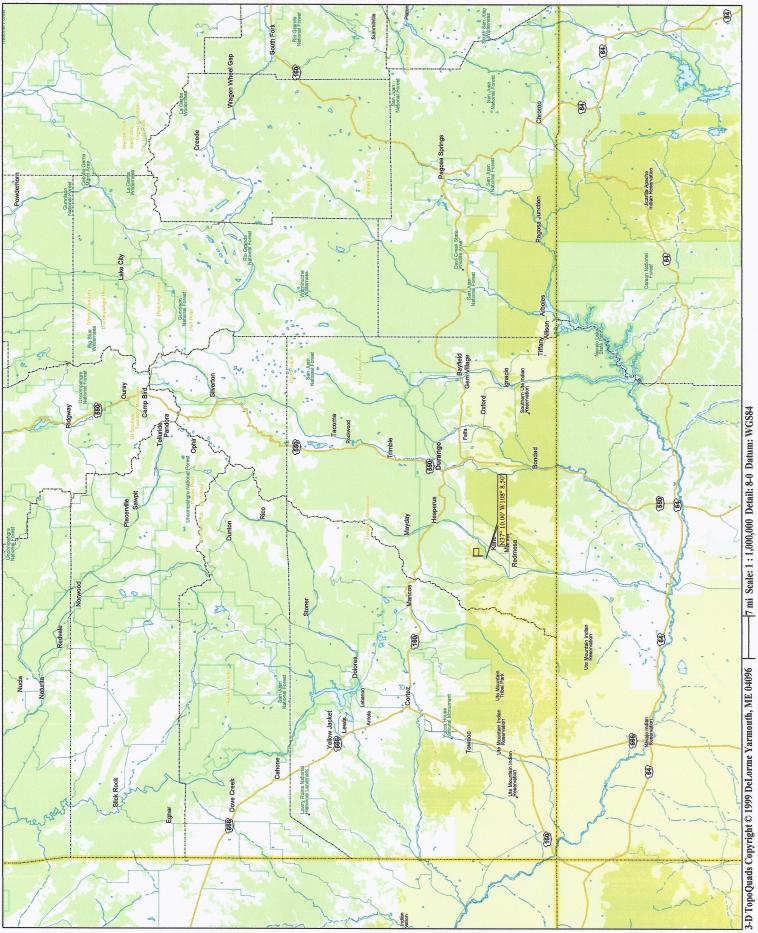


Exhibit B

### THE REDIESA WARD RESERVOIR & DITCH COMPANY.

ARTICLES OF INCORPORATION

OF

KNOW ALL MEN BY THESE PRESENTS. That we, Leo S. Taylor, James M. Slade, William Devenport, E. K. Ball and L. J. Dean, all residents of the County of La Plata and State of Colorado, and citizens of the United States, being desirous of associating ourselves together for the purposes and objects hereinafter set forth, and not for pecuniary profit, under, by virtue of and pursuant to the laws and statutes of Colorado in such case made and provided, do hereby associate ourselves together, and we do hereby make, execute and acknowledge this, our certificate in writing in triplicate, of an intention so to become a body corporate, not for pecuniary profit, and we state and set forth:

### ARTICLE I.

The corporate name of our said Company is "THE REDLESA WARD RESERVOIR & DITCH COMPANY".

#### ARTICLE II.

The particular business, purposes and objects for which our said Company is formed and organized are, to file on, appropriate or otherwise acquire four thousand acre feet, more or less, of the flood water of the La Plata River in said county and state, and other waters, for storage in reservoirs, for distribution and for the use of members of the Company and other persons entitled thereto, for domestic and irrigation purposes; to acquire by purchase or otherwise the title in the Company of the rights of way for headgates, ditches, flumes and of reservoirs for the carrying and conducting waters from the source of supply thereof to such reservoirs and the storage of such waters in such reservoirs, and the distribution of such waters to the members of the Company and other persons entitled thereto; to acquire by purchase or otherwise lands upon which to construct, maintain and operate the reservoirs of the Company for storage of waters therein for domestic and irrigation purposes; to construct, maintain and operate irrigation ditches, laterals, reservoirs and irrigation works, together with all necessary gates, dams, flumes, pipes and other appurtenances for the carrying, conveying storage and distribution of waters for irrigation and domestic purposes;

# Exhibit C

also to levy and collect pro rata and as may be provided by the by-laws of the Company, such assessments as may from time to time be necessary for the enlargement, repairs, maintenance, operation and superintendence of such irrigation works, ditches and reservoirs, and to provide for the sale of the memberships, membership certificates, rights and interests of the members of the Company and other persons entitled to receive water from said irrigation works, ditches and reservoirs for their default and neglect in payment of such assessments, all as may be provided by the by-laws of the Company.

### ARTICLE III.

The headgate of the main feeder canal and ditch for taking and receiving flood waters from the La Plata River for storage in the main reservoir of the Company is on the right (west) bank of said river in the northeast quarter of the Northwest quarter ( $NE_4^1 NW_4^1$ ) of Section 26, Township 34, north of Range 12, West of the N.M.P.M., La Plata County, Colorado, whence the north quarter corner of said section bears N. 76° 10' E. 1252 feet, more or less. From said headgate, said ditch extends in a general westerly direction on a line approximately as follows, to-wit:

> Beginning at such headgate, Thence N. 84° 00' W. 493 ft. to Sta. 1, N. 43° 50' W. 616 ft. to Sta. 2, .. S. 76° 25' W. 527 ft. to Sta. 3, -S. 62° 25' W. 883 ft. to Sta. 4, S. 51° 45' W. 564 ft. to Sta. 5 11 S. 27° 00' W. 210 ft. to Sta. 6, N. 08° 15' W. 570 ft. to Sta. 7, 11 S. 85° 00' W. 92 ft. to Sta. 8, 11 .. S. 76° 36' W. 792 ft. to Sta. 9, .. N. 79º 15' W. 204 ft. to Sta. 10, S. 60° 40' W. 289 ft. to Sta. 11, S. 47º 30' W. 910 ft. to Sta. 12, where it connects

with the reservoir of the Company hereinafter described. The stream and source from which the principal supply of water is to be taken for storage purposes in such reservoir is from the La Plata River, and the foregoing mentioned feeder and ditch to such reservoir from said river traverses portions of the the  $N_{\pm}^1$  of the  $NW_{\pm}^1$  of Section 26,  $SW_{\pm}^1$  of the  $SW_{\pm}^1$  of Section 23,  $N_{\pm}^1$  of the  $NE_{\pm}^1$  and the  $NE_{\pm}^1$ of the  $NW_{\pm}^1$  of Section 27, all in the above mentioned township.

#### ARTICLE IV.

The location of the main reservoir of the Company is on, and the

lands which will be inundated by the waters stored in such reservoir, consist

of the following, to-wit:

The east half of the northwest quarter of the northwest quarter  $(E_2^1, NN_1^1)$ , the west half of the northeast quarter of the northwest quarter  $(N_2^1, NS_1^1, NN_1^1)$  of Section 27, the South half of the southwest quarter  $(S_2^1, SN_1^1)$ , the northeast quarter of the southwest quarter  $(NE_2^1, SN_1^1)$ , the vest half of the northwest quarter of the southwest quarter  $(NE_2^1, SN_1^1)$ , the vest half of the northwest quarter of the northeast quarter  $(NE_2^1, SN_2^1)$ , the west half of the southwest quarter of the northeast quarter  $(NE_2^1, SN_2^1, SN_2^1)$ , the west half of the southwest quarter of the northeast quarter  $(NE_2^1, SN_2^1, NS_2^1)$ , and the east half of the southeast quarter  $(E_2^1, SE_4^1)$  of Section 22, all in Township 34, north of Range 12, west of the N.M. P.M., La Plata County, Colorado.

#### ARTICLE V.

The use for which said water is intended to be applied is for the irrigation of land and domestic purposes.

#### ARTICLE VI.

The term of existence of this Company shall be twenty (20) years, unless sooner dissolved according to law.

#### ARTICLE VII.

The number of directors of this Company shall be five (5), and Leo S. Taylor, James E. Slade, William Devenport, E. K. Ball and L. J. Dean shall manage the affairs and business of this Company for the first year of its existence.

### ARTICLE VIII.

The principal office of this Company shall be kept at Redmesa, La Plata County, Colorado, and a branch office may be opened and maintained at such other places in La Plata County, Colorado, as the Board of Directors may at any time determine, and the principal business of this Company shall be carried on in said La Plata County, Colorado.

#### ARTICLE IX.

The Directors of this Company are hereby empowered and directed to make such prudential by-laws as are proper and necessary for the management, conduct and control of the affairs, business and property of the Company, and shall include therein a provision for the issuance to the members of this Company certificates showing and evidencing the respective rights, interests and privileges of such members in the waters and in the use of waters for irrigation and domestic purposes as may be appropriated, conveyed and carried by

-3-

the ditches of said Company from the La Plata River and other sources and as may be stored in the reservoirs of the Company. That such membership certificates as issued by this Company shall set forth therein and thereby the amount of water of the several owners are entitled to use and enjoy for irrigation and domestic purposes as follows: one share for each acre foot of water as may be stored and distributed from the reservoirs of the Company. Also that said by-laws shall contain a provision that in the election of Directors of this Company cumulative voting shall be allowed to the members of this Company.

### ARTICLE X.

Assessments may be levied and made against the interests in the Company owned by the members hereof, respectively, as shown by and according to the certificates of the Company issued to them as herein provided and under the by-laws of the Company, at any annual or special meeting of such members, as shall be necessary to defray the expenses of repairing, improving, maintaining and operating the irrigation system, ditches and reservoirs of the Company, and for the discharge of the debts and liabilities of the Company of every nature and description.

### ARTICLE XI.

These Articles of Incorporation may be altered or amended by a vote of two-thirds of all membership certificates or shares of this Company issued and outstanding, at any regular meeting of the members, or at any special meeting of the members, whenever the call or notice for any such meeting shall contain the substance of such proposed alteration or amendments, and which such call or notice of such meeting shall be made and given in strict conformity with the by-laws of this Company.

IN WITHESS WHEREOF, We the incorporators hereof, have hereunto subscribed our names and affixed our seals as of this 2/3 day of July, A.D., 1923.

(SEAL (SEAL (SEAL) (SEAL) (SEAL)

-4-

STATE OF COLORADO, ) COUNTY OF LA PLATA. )

SS.

I. Michus Lio , a Notary Public in and for

347

said County in the State aforesaid, do hereby certify that Leo. S. Taylor, James M. Slade, William Devenport, E.K.Ball and L.J.Dean, who are personally known to me to be the persons whose names are subscribed to the annexed and foregoing Certificate or Articles of Incorporation, appeared before me this day in person, and each acknowledged that he signed, sealed and delivered said instrument of writing as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 23 day of Juney 1.D.,

1923.

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In Com

Ly commission expires July 30 19215. Mienuel Lee Notary Publ Public

CERTIFICATE OF RENEWAL OF THE CERTIFICATE OF INCORPORATION.

STATE OF COLORADO, ) ) COUNTY OF LA PLATA. )

89.

# TO WHOM IT MAY CONCERN.

THIS IS TO CERTIFY That at a special meeting of the shareholders of The Redmesa Ward Reservoir & Ditch Company, held at Redmesa, County of La Plata, Colorado, on the 3rd day of September, 1943, duly called by the stockholders representing at least ten (10) per cent of the entire cepital stock of the Company, the call being published once at least thirty days and not less that ten days prior to this date, in the Durango Herald-Democrat, a daily newspaper published at Durango, State of Colorado, and notice of said meeting having been mailed to each stockholder thirty (30) days prior to this date, there being represented at such meeting 22000 shares of the cepital stock of said Company out of a total of 29425 shares outstanding.

That at said meeting a resolution was passed to have extended the corporate existence of this Company perpetually from and after the date of the expiration of the corporate life, the same being on August, 27, 1943, the resolution receiving a majoity vote of all the outstanding stock of the Company. The Vice-President and Secretary were authorized to certify this resolution under the corporate seal of the company, to send such certificate to the Secretary of State of the State of Colorado, to file duplicate certificate under the seal of the Company in the office of the County Clerk and Recorder of the County of La Plata, State of Colorado, and in pursuance of such resolution, we do hereby certify the same under the seal of the Company.

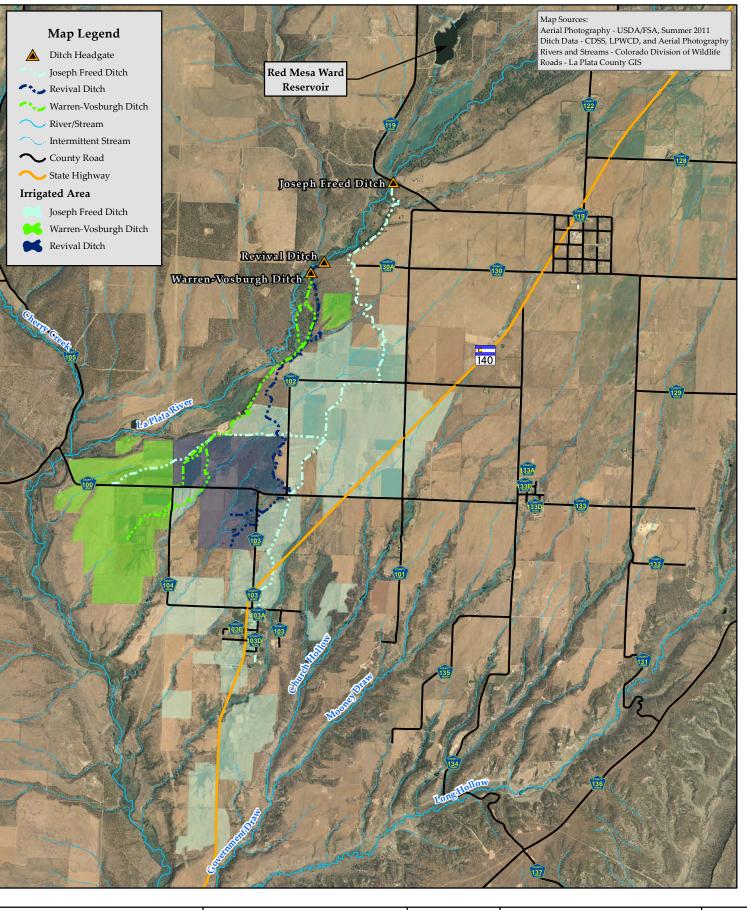
Wice-President,

Taylor

(Corporate Seal)

UNITED STATES OF AMERICA, SS. FICATE• STATE OF COLORADO. J. Byron A. Anderson, Secretary of State of the State of Colorado, do hereby certify that the annexed are full, true and complete copies of Articles of Incorpor-ation and Certificate of Renewal of the Certificate of Incorporation of THE REDMESA WARD RESERVOIR & DITCH COMPANY as filed in this office and admitted to record. IN TESTIMONY WHEREOF I have hereunto set/my/hand/and/affixed/the Great Seal of the State of Colorado, at the City of Denver this --- Twentieth-------July----- A. D. 1972 day of a. audente SECRETARY OF DP

Inthe States at American SS Shife utiChillury day GENTIFICATE I Ward S. Milliken, Secretary of State of the State of Colorado, do hereby certify that---- LEO S. TAYLOR -----Citizens of the United States and widents of the State of Colorado being derisens of forming a corporation not for perioriary profit, under and by virtue of the provis ions of Chapter. Vinction (19) of the General Statutes of the Rate of Colorado, entitled An Act to Provide for the Formation of Corporations" Approved March 14, 1577, have made, signed, acknowlidged, and this -- TWENTY-SEVENTH-- day of ---- AUGUST ---- 9.01923 That in such Certificate is set forth the name of such Corporation the particular busines and eljects for which said Corporation is formed, the number of its Directors; and the names of these Directors who are to manage the affairs and concerns of said Corporation for the first year of its existence, together with the location Now, Therefore, pursuant to the provisions of Section 132 of said Chapter 19, Thereby certify that thesa THE REDMESA WARD RESERVOIR & DITCH COMPANY is aduly organized Corporation under the laws of the State of Colorade In Testimony Whereof, Thave Rescunteset my hand and affixed the Great Scalof the State, at the City of Denner, this WENTY-SEVENTH lay of ----- AUGUST -----Q. O. \_\_\_\_ 1923 \_\_\_\_ Muclikes SECRITARY OF STATE





555 RiverGate Lane, Suite B4-82 Durango, CO 81301 (970) 385-2340ph 385-2341fx www.BikisWater.com

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Feet 0 1,1002,200 4,400 6,600 1 inch = 4,400 feet Designed by: MJK Checked by: EAB Date: 6/5/2012 Scale: 1:52,800

LPWCD Ditch Map

DRAFT Figure 1

# Exhibit D