



SUPPLY IRRIGATING DITCH COMPANY

(303) 776-7207

P.O. BOX 1826

LONGMONT, COLORADO 80502-1826

September 17, 2014

CWCB Finance Section
1580 Logan, Suite 600
Denver, Co. 80203
Attn: Anna Mauss

Dear Ms. Mauss:

Please find enclosed an Emergency Loan Application and Feasibility Study prepared on behalf of the Supply Irrigating Ditch Company. All attachments and supporting documents are also enclosed.

This application has been prepared based on a preliminary analysis of the post-flood condition of the Ditch Company's river diversion structure; channel to headgate; culverts under Highway 66; and ditch bank to the tunnel provided by Deere and Ault Consultants in correspondence dated December 20, 2013.. CDOT cleaned the culverts and some patchwork was done to the channel to the headgate and ditch bank to the tunnel in the spring of 2013. As a result, the repairs may not be as expensive as the December 20, 2013 analysis suggests. Enclosed in this packet is FEMA's worksheet describing their analysis of the condition and estimated costs for the project.

The problem the Supply Irrigating Ditch Company has at this time is that the Company is commencing the necessary procurement process to comply with FEMA funding, and the Company has not yet contracted with an engineering firm for further analysis of necessary repairs and design. The City of Longmont is assisting with this procedure; however, it may be several weeks before the engineer is selected and the design commenced. In the meantime, it would appear to be appropriate to submit the application based on the upper end of estimated costs.

Please review the material and let me know if you need additional documentation or clarification.

Thank you for your assistance with this request.

Sincerely,

Dan Grant
Secretary/Treasurer
dan@dangrantbookkeeping.com
Enc.
CC
Board of Directors
Attorney Phillip Wong

Colorado Water Conservation Board
Emergency Funding for Damaged River Diversions/Dams
from the September 2013 Flood Event

Emergency Loan Application and Feasibility Study


Prepared for:

Supply Irrigating Ditch Company
P.O. Box 1826
Longmont, Co. 80502-1826
303-776-7207

Prepared by:

Daniel R. Grant with assistance from Mark McLean of Deere and Ault Consultants in
correspondence dated December 20, 2013

P.O. Box 1826
Longmont, Co. 80502-1826
303-776-7207

Signature	
	Return a signed hard copy <u>and an electronic copy</u> to: CWCB Finance Section 1580 Logan, Suite 600 Denver, CO 80203 Attn: Anna Mauss Ph. 303.866.3441x 3224 e-mail: anna.mauss@state.co.us
Completed By/Title (Print) Daniel R. Grant, Secretary and Treasurer	
Signature/Date  9/17/14	

FEASIBILITY STUDY APPROVAL
Pursuant to Colorado Revised Statutes 37-60-121 & 122, and
in accordance with policies adopted by the Board, the
CWCB staff has determined this Feasibility Study meets all
applicable requirements for approval.

 11/7/2014
Signed _____ Date

Agency/Company Information		
Name: Supply Irrigating Ditch Company		
Address: P.O. Box 1826, Longmont, Co. 80502-1826		
Phone: (303) 776-7207	Email: dan@dangrantbookkeeping.com	
Organization Type: <input checked="" type="checkbox"/> Ditch Co, <input type="checkbox"/> Irrigation District		Incorporated: YES
Incorporation Date: March 20, 1909	In good standing with the Secretary of State: YES	
Number of acres irrigated 2,521	Number of [400] Shares/ <input type="checkbox"/> Taps	
Avg. Water Diverted/Yr Direct Flow 4,650 acre-feet; Avg. Water Diverted/Yr Total Water Diverted 9,780 acre-feet		
Number of Shareholders? 172	Current Assessment \$ 160.00 /share	
	Projected Assessment \$ 160.00 /share	
Contact Information		
Contact/Title: Daniel R. Grant, Secretary/Treasurer		
Address: P.O. Box 1826, Longmont, Co. 80502-1826		
Phone: (303) 776-7207	Email: dan@dangrantbookkeeping.com	
Engineer: To be determined – This will be determined through the FEMA required procurement process		
Phone: ()	Email:	
Attorney: Phillip S. Wong		
Phone: (303) 776-3511	Email: pw8543@aol.com	
Project Location Information		
County: Boulder	Water District: 5	
River Basin: South Platte	Water Source: St. Vrain Creek	
Project Summary		
Project Type: (circle one or more) Diversion Structure / Dam		
Estimated Engineering Costs: \$37,000	Estimated Construction Costs: \$183,000	
Other Costs (Describe Above): Contingency \$66,000	Estimated Total Project Costs: \$286,000	
Requested Loan Amount: \$286,000	Date Funding is Needed? December 2014	
Possible other funding sources: Colorado Division of Homeland Sec./FEMA - \$124,091		
Attachments		
<input checked="" type="checkbox"/>	Last two years Financial Statements	
<input checked="" type="checkbox"/>	Shareholders List	
<input checked="" type="checkbox"/>	Articles of Incorporation/ By-laws	
<input checked="" type="checkbox"/>	Location Map/Service Area	
<input type="checkbox"/>	Shareholder Resolution (submit prior to contracting)	
<input type="checkbox"/>	Attorney Opinion Letter (submit prior to contracting)	

Project Background

During the unprecedented flood of September 2013 in the tributaries to the South Platte River, a significant number of diversion structures and dams along the river corridor were damaged. The Project repair/rehabilitation proposed in this Feasibility Study received significant damage as a result of the flood.

Water Rights

The water rights impacted by this project include:

Name	Water Court Case	Appropriation Date	Adjudication Date	Amount (cfs or AF)	Avg. Annual Yield (AF)
Supply Irrigating Ditch Company	CA1387	May 31, 1878	June 2, 1882	92.2	4,650

Project Description

During the unprecedented flood of September 2013, the Supply Ditch facilities were damaged. Pre-flood there was a concrete dam across the river to provide head for the diversion. The dam directed water toward the Supply Ditch gate structure which appears to have been undamaged by the flood. Post-flood, a small portion of the diversion dam appears to remain in place, but the majority of the dam failed due to erosion of the stream bed causing the collapse of the structure into a scour hole.

Flood debris accumulating on a trash rack prior to the ditch entrance into the tunnel caused the ditch to back up and overflow its south bank upstream of the tunnel. The bank has been patched together temporarily, but approximately 750 feet of the bank needs to be rebuilt.

The channel from the diversion structure to the ditch headgates needs additional excavating in order to carry the full decree.

Alternative 1 – Do Nothing: This alternative is considered unacceptable. Failure to replace the headgate would prevent the diversion of the Company's water rights leading to the abandonment of the water rights and the ditch.

Alternative 2 – Rebuilding Collaboratively with Improvements: There were discussions on August 14, 2014 and August 27, 2014 with representatives from the Town of Lyons; City of Longmont; Boulder County Wildlife and Environment; St. Vrain and Left Hand Water Conservancy District and the Supply Irrigating Ditch Company. The purpose of the meetings was to discuss the possibility of incorporating a kayaking feature with the diversion structure as

well as creating wildlife and fish habitat as it pertains to fish passage and the impact of in-stream structures. These discussions did not proceed as the costs would increase and there was doubt that the Town of Lyons could provide the supporting funds.

Selected Alternative 3 –

Deere and Ault Consultants recommend reconstructing the damaged diversion dam in the same location, size and for the same function as the pre-flood structure with improvements. The rebuilt structure should include a good hydraulic cutoff and energy dissipation which should provide additional protection of the structure under future flood flow conditions. For preliminary cost estimating purposes, the structure is envisioned to be constructed of grouted boulders (3ft x 3ft x 3 ft), with concrete grout to 1.5 ft of depth). Permanent repair of the ditch bank at the tunnel will require removal of the temporary fill, subgrade preparation, import of suitable fill material and placement of that fill in compacted lifts. Excavating work from the proposed new diversion structure through the channel to the headgates will need to provide adequate capacity to divert the Company decree and storage as well as available free river water.

Cost Estimate

The Project cost estimate, provided by Deere and Ault Consultants, Inc. is \$286,000 and is further broken down as follows:

Task	Cost
Design, Construction Engineering, Geotechnical, Surveying, Permitting and Testing	\$37,000
Construction – Phase I	\$56,000
Construction – Phase II	\$127,000
Other	
Contingency	\$66,000
Total	\$286,000

Supply Irrigating Ditch Company is applying for a loan not to exceed \$286,000.

Financial Analysis

The Supply Irrigating Ditch Company has \$69,660 in existing debt as summarized below:

Lender	Original Balance	Current Balance	Annual Payment	Maturity Date	Collateral
Guaranty Bank and Trust Company	\$88,467	\$69,660	\$8,820	July 2016	1 st D.O.T. 4033 Ute Highway, Longmont, Co. 80503

The Supply Irrigating Ditch Company's sources of income include: Stockholder Assessments and Supervision cost reimbursement from St. Vrain Reservoir and Fish Company recreation lease income.

Note: Be sure to attach

- Two years of financial statements (required) - Attached
- Shareholder list (showing owner name, # of shares owned, and identify each owner as agricultural or municipal) - Attached
- Articles of Incorporation/By-laws - Attached

Schedule

Construction of the Project is expected to commence December, 2014. Project completion is estimated to occur by February, 2015.

Economic, Social, and Environmental Effects

If the diversion structure, headgate channel, and rebuilt tunnel channel are not completed, the Supply Irrigating Ditch Company cannot divert its full decree. The impact to the shareholders is the potential loss of free river water as well as their pro-rata share of river decree and storage when available. The shareholders will suffer economic loss from not being able to irrigate with as much water as possible when the water is available.

Permits

Supply Ditch is likely to be exempt from Section 404 permitting due to the predominately agricultural use of water diverted through the ditch headgate. A grading permit with Boulder County may be required.

DEERE & AULT

CONSULTANTS INC.

December 20, 2013

Mr. Dan Grant, Secretary
Supply Irrigating Ditch Company
P.O. Box 1826
Longmont, CO 80502-1826

Re: 2013 Flood Damage to the Supply Ditch – Scope of Work and Cost Estimate

Dear Dan:

During the unprecedented flood of September 2013 the Supply Ditch was damaged in three regards. Pre-flood there was a concrete dam across the river to provide head for the diversion. The dam directed water toward the Supply Ditch gate structure which appears to have been undamaged by the flood. Post-flood, a small portion of the diversion dam appears to remain in place, but the majority of the dam failed due to erosion of the stream bed causing the collapse of the structure into a scour hole.

Flooding caused the twin box culverts that convey the Supply Ditch under Highway 36 to fill with sediment. The northern box is approximately half full (vertically) of sediment and the southern box is approximately three-quarters or more full (vertically). The sediment extends throughout the approximately 100 foot length of each box.

Flood debris accumulating on a trash rack prior to the ditch entrance into the tunnel caused the ditch to back up and overflow its south bank upstream of the tunnel. The bank has been patched together temporarily, but approximately 750 feet of the bank needs to be rebuilt.

Repairs

We recommend reconstructing the damaged diversion dam in the same location, size and for the same function as the pre-flood structure with improvements. The rebuilt structure should include a good hydraulic cutoff and energy dissipation which should provide additional protection of the structure under future flood flow conditions. Because of its location, the Company should consider the extent to which fish and boat passage can be incorporated into the design of the replacement structure. For preliminary cost estimating purposes, the structure is envisioned to be constructed of grouted boulders (3ft x 3ft x 3 ft, with concrete grout to 1.5 ft of depth).

The cleaning of the box culverts may be accomplished by the Colorado Department of Transportation (CDOT). However, we have estimated the quantity of material to be removed and provided an estimate of the cost in case CDOT does not do the work.

Permanent repair of the ditch bank at the tunnel will require removal of the temporary fill, subgrade preparation, import of suitable fill material and placement of that fill in compacted lifts.

Preliminary Cost Estimate

Deere & Ault Consultants, Inc. estimates the total cost of the repairs at \$286,000 including design and construction engineering and contingencies. A more detailed breakdown of the estimated costs is attached.

Task	Cost
Design and Construction Engineering, Geotechnical, Surveying, Permitting and Testing	\$37,000
Construction – Phase I	\$56,000
Construction – Phase II	\$127,000
Subtotal Construction	\$183,000
Contingency	\$66,000
Total	\$286,000

Approach

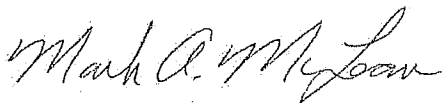
The Project is expected to be accomplished in two phases. During early 2014, the CDOT or the Company should clean out the Highway 36 culverts, reconstruct the south ditch bank at the tunnel, and install a temporary boulder diversion dam in St. Vrain Creek. Following the 2014 irrigation season, the Company could undertake the design and permanent reconstruction of the diversion dam. Final completion of Phase 2 could be accomplished prior to the 2015 irrigation season.

Permits

Supply Ditch is likely to be exempt from Section 404 permitting due to the predominately agricultural use of water diverted through the ditch headgate. A grading permit with Boulder County may be required.

Sincerely,

DEERE & AULT CONSULTANTS, INC.



Mark A. McLean, P.E.
Principal

Attachments

ENGINEERS ESTIMATE OF PROBABLE CONSTRUCTION COSTS
SUPPLY DITCH DIVERSION DAM RECONSTRUCTION AND DITCH REPAIRS

12/20/2013

Item	Description	Quantity	Unit	Cost	Extension
	Phase 1 – Temporary Diversion and Ditch Repairs				
1	Mobilization @ 5%	1	LS	\$3,000	\$3,000
2	Diversion Dam Site Preparation / Demolition	1	LS	\$10,000	\$10,000
3	Temporary River Diversion/ Care of the River / Dewatering	1	LS	\$5,000	\$5,000
4	Temporary Boulder Dam	1	LS	\$15,000	\$15,000
5	Remove Sediment from Box Culverts	1	LS	\$5,000	\$5,000
6	Repair Ditch Bank at Tunnel Entrance	3,500	CY	\$5	\$18,000
	Subtotal Phase 1				\$56,000
	Phase 2 – Permanent Diversion Dam Reconstruction				
7	Mobilization @ 5%	1	LS	\$6,000	\$6,000
8	Temporary River Diversion/ Care of the River / Dewatering	1	LS	\$5,000	\$5,000
9	Grouted Boulder Check Dam	330	CY	\$350	\$116,000
	Subtotal Phase 2				\$127,000
	Grand Total Phase 1 and Phase 2				\$183,000

Construction
 Items
 Subtotal **\$183,000**

Engineering
 and Permitting
 @ 20% **\$37,000**

Construction
 and
 Engineering
 Subtotal **\$220,000**

Contingencies
 @ 30% **\$66,000**

TOTAL \$286,000

<u>P</u>	
Applicant Name:	Application Title:
SUPPLY IRRIGATING DITCH COMPANY	SUIDCO1-WATER CONTROL FACILITIES
Period of Performance Start:	Period of Performance End:
	03-14-2015

Subgrant Application - Entire Application

Application Title: SUIDCO1-WATER CONTROL FACILITIES

Application Number:

Application Type: Subgrant Application (PW)

Bundle Reference # (Amendment #)	Date Awarded

Subgrant Application - FEMA Form 90-91

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET					
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA	4145 - DR -CO	SUIDCO1	013-U53BR-00	01-07-2014	D
APPLICANT: SUPPLY IRRIGATING DITCH COMPANY				WORK COMPLETE AS OF: 01-07-2014 : 11 %	
Site 1 of 1					
DAMAGED FACILITY:			COUNTY: Boulder		
Supply Ditch					
LOCATION:				LATITUDE:	LONGITUDE:
Current Version:				40.219895	-105.26248
Supply Irrigating Ditch Company is located on the ST. Vrain Creek, Headgate GPS @40.218996 -105.261344 Boulder Dam GPS @40.219895 -105.262489 Ditch is at Mile Marker 21 on Route 66(Ute Highway), Lyons town line.				40.218996	-105.26134
DAMAGE DESCRIPTION AND DIMENSIONS:					
Current Version:					
During the incident period starting September 11, 2013 and ending September 30, 2013, The Supply Irrigating Ditch Company's Facilities experienced damage in four (4) identified locations.					
1. DAMAGE SITE #1 - SUPPLY DITCH TO FACILITY HEADGATE: A grouted Boulder Dam directed water toward the Supply Ditch head gate. The Headgate structure appears to have been undamaged by the flood. Flood waters inundated the facility headgate spilling over the Flood debris accumulating on a trash rack prior to the entrance to the Box Culvert and plugging a Double-Box Culvert with debris and causing rock, silt and sand to completely fill the service ditch supplying the headgate. (450'L x 30"W x 7'D = 3,500 CY) After filling of the supply ditch the flood waters then re-divert to the main creek channel raising the level of water an causing the boulder dam diversion to fail.					
2. DAMAGE SITE #2 - PLUGGING A TWIN BOX CLUVERT: Flooding caused the twin box culverts(10Ft wide x 3 1/2 Ft Tall x 100 Ft long) that convey the Supply Ditch under Highway 36 to fill with sediment. The sediment extends throughout the approximately 100 foot length of each box, the cleaning of these culverts IS THE RESPONSIBILITY OF the Colorado Department Of Transportation (CDOT).					
3. DAMAGE SITE #3 - (DOWNSTREAM) A SUPPLY DITCH WASH OUT AND a SMALL HEADGATE DAMAGED which supplies THE HICKS FARM (private property) (Eligible at 15.56%)					
4. DAMAGE SITE #4 - BOULDER DAM DIVERSION STRUCTURE:(40.219895 -105.262489) Flood debris accumulating on a trash rack prior to the entrance to the Box Culvert caused the ditch to back up upstream of the Head gate Facilities causing the supply ditch to fill in with rock and gravel from the flood waters. The filling of the supply ditch caused the flood waters to re-divert to the main creek channel there rising the level of water and causing the boulder dam (approximately 70 Ft Long X 3 Ft Wide x 4.25 Ft Deep) to fail due to erosion by flood waters of the stream bed causing the collapse of the structure into a scour hole.					
Supply Irrigating Ditch Company shareholders are at a rate of 15.56% eligibility. Head Gate damages is paid at the rate of 100% (FEMA paid share 75%)					
SCOPE OF WORK:					

Current Version:

The Supply Irrigating Ditch Company will utilize contract services, Force Account Labor and Rental Equipment with operator, to repair/rebuild the Supply Ditch Facilities, by utilizing better construction practices. The reconstruction of the damaged diversion dam will be in the same location, utilizing better construction practices which have been developed in the intervening years since the original construction of the failed boulder dam.

The applicant will use good engineering practices as per 44 CFR 206.226 (Restoration of damaged facility, standards, state that FEMA will fund the repair or replacement of facilities in accordance with FEMA Policy.) The rebuilt structure will include a good hydraulic cutoff for energy dissipation, this is a better construction practice which was developed over the years and is now a common practice in the construction trade, which should provide additional protection of the structure under future flood flow conditions. A good hydraulic cutoff essentially means that the structure be rebuilt in such a way as to reduce underflow which over time could otherwise threaten its stability. This could be done in a number of ways, but typically it would be viewed as making the primary structure deep enough into the stream bed such that underflow is reduced significantly.

Energy dissipation refers to the hydraulics of flow over the structure. The drop in the elevation of water moving from the higher stream elevation just upstream of the diversion, to the lower stream elevation below the diversion, represents energy that must be safely dissipated in order to protect the structure and stream from erosion. Unprotected, the falling higher velocity water would erode the alluvial stream bed material just downstream of the structure, and eventually undermine it, which unchecked could lead to its failure.

Incorporating the two concepts of hydraulic cutoff and energy dissipation into the replacement structure will reduce the chance of future structure failure due to flood flows. The structure is envisioned to be a Grouted Boulder Check Dam, 30 ft long-river direction, 80 ft wide plus 10 ft on each side for a hard bank and 3 ft thick, a total of 9,000 CF or 330 CY.

WORK COMPLETED:

1. ENGINEERING SERVICES

A) \$ 1,350.00 PROFESSIONAL SERVICES INV #08947
\$ 1,350.00 TOTAL

2. DAMAGE SITE #1 - Cleaning out the Supply Ditch of Rock & Sand (450'L x 30'W x 7'D)

A) \$ 3,348.06 FORCE ACCOUNT LABOR
B) \$ 4,000.00 RENTAL EQUIPMENT W/OPERATOR INV #1040
C) \$ 525.00 RENTAL EQUIPMENT W/OPERATOR INV #1042
D) \$ 4,800.00 RENTAL EQUIPMENT WO/OPERATOR INV #43166
\$ 12,673.06 TOTAL

3. DAMAGE SITE #3 - SUPPLY DITCH WASHOUT (DOWNSTREAM) & SMALL HEADGATE DAMAGE supplying Hicks Farm (Private Property) eligible at 15.56%

A) \$ 3,900.00 Contract Services INV # 709111
B) \$ 2,500.00 CONTRACT SERVICES INV. #1048
\$ 6,400.00 TOTAL
\$ 995.84 ELIGIBLE AMOUNT @ 15.56%

\$ 15,018.90 TOTAL WORK COMPLETED.

WORK TO BE COMPLETED

1. DAMAGE SITE #2

THIS SITE IS NOT THE RESPONSIBILITY OF THE APPLICANT IT IS THE RESPONSIBILITY OF COLORADO DEPARTMENT OF TRANSPORTATION (CDOT)
NO COST TO APPLICANT

2. DAMAGE SITE #4 - BOULDER DAM DIVERSION STRUCTURE (40.219895 -105.262489)

A) \$ 6,000.00 MOBILIZATION
B) \$ 5,000.00 TEMPORARY RIVER DIVERSION/CARE OF RIVER/DEWATERING
C) \$ 115,500.00 GROUTED BOULDER CHECK DAM
\$ 126,500.00 TOTAL ESTIMATED COST

\$ 141,518.90 SUB-GRANT APPLICATION ESTIMATED COST.
PROJECT NOTES

1. SHAREHOLDER PERCENTAGE: All described work that is in support of the function of the Supply Ditch Company's main Head gate, is work that is eligible at 100% (Paid by FEMA at 75%). Ditch repairs and headgate repairs are downstream from the main head gate and the headgate that was damaged served private property this work is eligible at 15.56% or \$ 995.84 (\$6,400.00)

The applicant has been notified that they must report any Federal Funds(loans/Grants) recieved from any other source than FEMA to prevent duplication of Funding. The applicant does have Insurance, the policy is on file at the JFO.

2. LARGE PROJECTS: are funded using a final accounting of actual costs. The steps for processing a large project are described below.

2a. A Project Worksheet is prepared by the Project Officer. FEMA approves funding using the estimate and obligates the Federal share of the funds to the State.

2b. As the project proceeds, the Applicant periodically request funds from the State to meet expenses that have been incurred or that are expected in the near future. It may take time to process a request for funds through the State system, and the Applicant should take this into account when timing requests for funds.

2c. When the project is complete, the State determines the final cost of accomplishing the eligible work, often performing inspections or audits to do so. The State then submits a report on the completed project to FEMA, certifying that the Applicant's costs were incurred in the completion of eligible work.

2d. After reviewing the State's report, FEMA will consider adjusting the amount of the grant to reflect the actual cost of the eligible work. While proceeding with the project, the Applicant must ensure that grant funds are used only for eligible work. When reviewing final costs, the State cannot provide funds for costs that are outside the scope of work approved by FEMA. The Applicant should contact the State if changes to the scope of work are foreseen or identified during performance of the work. Similarly, an Applicant may find during construction that FEMA's initial estimate is too low. If this happens, the Applicant should request an increase in the funds FEMA has made available for the work. As with changes in scope, the Applicant should request funding level increases through the State as soon as the need becomes apparent

3. RECORD RETENTION: As described in 44 CFR 13.43, applicant must maintain all work-related records for a period of three (3) years from applicant

closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs.

4. **PROCUREMENT:** The applicant is required to adhere to the applicable State Government Procurement Laws, Rules and Regulations and maintain adequate records to support the basis for all purchasing of goods and materials and contracted services for projects approved under the Public Assistance program, as stated in 44 CFR 13.36. The applicant has advised they have/will follow their normal procurement procedures.

5. **PERMITS:** The applicant must obtain all necessary Federal, State and Local Permits prior to the commencement of work. Noncompliance with this requirement may jeopardize eligibility and the receipt of Federal funds.

6. **DIRECT ADMINISTRATIVE COSTS:** The subgrantee was made aware of its eligibility for Direct Administrative Costs but declined to participate.

7. **MITIGATION:** No measure of mitigation has been considered feasible/reasonable and no further action is required for the HMP. Applicant is not requesting HMP.

8. **DOCUMENTATION REVIEW:** 20% or more sampling of the documentation was reviewed/validated and found to be complete and reasonable by the FEMA Project specialist. If applicable, copies of the applicant's pertinent pre-disaster policies, invoices, cancelled checks (or other proof of payment) were reviewed and samples of payroll data are attached.

Does the Scope of Work change the pre-disaster conditions at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Special Considerations included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hazard Mitigation proposal included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there insurance coverage on this facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
		*** Version 0 ***			
		Other			
1	0000	Work Completed	0/LS	\$ 0.00	\$ 0.00
2	9070	ENGINEERING AND DESIGN SERVICES	1/LS	\$ 1,350.00	\$ 1,350.00
3	9007	Labor	1/LS	\$ 3,348.06	\$ 3,348.06
4	9004	Rented Equipment	1/LS	\$ 9,325.00	\$ 9,325.00
5	9001	Contract	1/LS	\$ 995.84	\$ 995.84
6	0000	Work to be Completed	0/LS	\$ 0.00	\$ 0.00
7	9000	CEF Cost Estimate (See Attached Spreadsheet)	1/LS	\$ 148,248.00	\$ 148,248.00
8	9903	No Direct Administrative Costs	1/LS	\$ 0.00	\$ 0.00
				TOTAL COST	\$ 163,266.90
PREPARED BY GEORGE DEPAOLO			TITLE Project Specialist	SIGNATURE	
APPLICANT REP. Daniel Grant			TITLE Secretary/Treasurer	SIGNATURE	

SUPPLY IRRIGATING DITCH COMPANY :

Conditions Information

Review Name	Condition Type	Condition Name	Description	Monitored	Status
No Conditions					

Internal Comments

No.	Queue	User	Date/Time	Reviewer Comments
No Comments				



Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
Date and Time: 03/28/2014 02:30 PM
ID Number: 19871049034
Document number: 20141206996
Amount Paid: \$25.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Amendment

filed pursuant to §7-90-301, et seq. and §7-130-105 of the Colorado Revised Statutes (C.R.S.)

ID number 19871049034

1. Entity name THE SUPPLY IRRIGATING DITCH COMPANY

(If changing the name of the corporation, indicate name before the name change)

2. New Entity name
(if applicable) _____

3. *(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

☒ Other amendments are attached.

4. If the nonprofit corporation's period
of duration as amended is less than
perpetual, state the date on which the
period of duration expires

(mm/dd/yyyy)

or

If the nonprofit corporation's period of duration as amended is perpetual, mark this box ☒

5. *(Optional)* Delayed effective date _____

(mm/dd/yyyy)

6. Additional information may be included pursuant to other organic statutes such as title 12, C.R.S. If
applicable, mark this box ☐ and include an attachment stating the additional information.

Notice:

Causing this document to be delivered to the secretary of state for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

7. Name(s) and address(es) of the
individual(s) causing the document
to be delivered for filing

Grant

(Last)

Daniel

(First)

R

(Middle)

(Suffix)

PO Box 1826

(Street name and number or Post Office Box information)

Longmont

(City)

CO

(State)

80502

(Postal/Zip Code)

United States

(Country – if not US)

(Province – if applicable)

(The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark this box ☐ and include an attachment stating the name and address of such individuals.)

Disclaimer:

This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.

Article Second, Section (f) of the Articles of Incorporation to be amended to read in its entirety:

(f) To authorize by a majority vote of the Board of Directors, the power to buy or sell Company assets, excluding any Company ownership in the St. Vrain Reservoir and Fish Company (Beaver Park Reservoir); and to further authorize by a majority vote of the Board of Directors, the authority borrow money on its note or otherwise, for corporate purposes, in an amount not to exceed \$250,000.00 in any one transaction. Any transaction exceeding \$250,000.00 would require the approval by a majority vote of the shareholders of the Company.

10031

Boulder, Colo., August 17, 1913

Mr. W. L. McCaslin,
Longmont, Colorado.

Dear Sir:

I hereby certify that the Supply Irrigation
Ditch Company does not pay any taxes in Boulder County,
Colorado, and is not assessed for local taxes in said
Boulder County, Colorado.

Yours truly,

John M. Cheney
Assessor, Boulder County,
Colorado.

-Entered on Tax record 8-23-1913
M.L.

CERTIFICATE OF INCORPORATION
OF
THE SUPPLY IRRIGATING DITCH COMPANY.

KNOW ALL MEN BY THESE PRESENTS, That we, CHARLES E. BAKER, HENRY CULVER, FRED D. GIBSON, JOSEPH LEY and RAY E. MARSHES, residents of the State of Colorado, have associated ourselves together as a corporation under the name and style of THE SUPPLY IRRIGATING DITCH COMPANY, for the purpose of becoming a body corporate and politic under and by virtue of the laws of the State of Colorado, and in accordance with the provisions of the laws of said State, we do hereby make, execute and acknowledge, in quadruplicate, this certificate in writing of our intention so to become a body corporate under and by virtue of said laws.

FIRST.

The corporate name and style of our said corporation shall be: THE SUPPLY IRRIGATING DITCH COMPANY.

SECOND.

The objects for which our said corporation is formed and created are:

(c). To acquire and become the owner of, by purchase, condemnation or other lawful means, and to construct, operate and maintain, with the appurtenances, that certain canal or ditch, known as the "SWEET DITCH", with headgate located on the north bank of St. Vrain Creek, at a point or place near the south west corner of section seventeen (17), in township three (3) north, of range seventy (70) west of the 6th P.M., in Boulder County, Colorado, and with line of ditch, described as near as may be, as follows:

In said township and range, and in said county, from said headgate, running in a southwesterly course, across sections seventeen (17) and twenty (20) to a point near the center of the north east quarter of said section 20; thence easterly and northeasterly across said quarter section, and across the north west quarter of section twenty one, the south half of section sixteen, the north east quarter of said section 21; the south half of section fifteen, the north east quarter of section twenty two; the north half of section twenty three; the south east quarter of section fourteen, and northerly, across the west half of section thirteen, easterly, across the north east quarter of section thirteen and northerly across the east half of section twelve to the south east quarter of section one; thence, in township three north, of range sixty nine west of the 6th P.M., in said County, across the south half of section six and five, and northeasterly, across the north east quarter of section five and the north half of section four and thence, in township four north, in said township and range, in Larimer County, Colorado, across the south east quarter of section thirty three and the south west quarter of section thirty four; thence, southeasterly, in said township three (3) north, of range sixty nine west, in Boulder County, Colorado, across the west half and the south east quarter of section three (3), the east half of section ten and the west half of section eleven, the north east quarter of section fourteen the north west quarter of section thirteen, the north east quarter of section thirteen and the south east quarter of said section thirteen to the county line between the counties of Boulder and Weld, in the State of Colorado; thence in township three (3) north, of range sixty eight west, in Weld County, easterly and north easterly across the south half of section eighteen and the north east quarter of said section

eighteen, the north west quarter of section seventeen, and northerly across the west half of section eight and the south east quarter of section five, and terminating at a natural ravine or gulch, in the north east quarter of said section five, in said last mentioned township and range, in said Weld County, Colorado; the line of said ditch from its headgate being more particularly the line of said "SUPPLY DITCH", as the same is at present located and constructed and being a natural landmark in said mentioned townships and ranges.

(b). To acquire and become the owner of all the appurtenances of said ditch, and all property, rights, privileges, franchises, water and water decrees of the present owner of said ditch, the Supply Ditch Company, a corporation.

(c). To divert from St. Vrain Creek and other sources of water supply water for the irrigation of the lands of the stockholders of the company and of their assigns and for such other purposes as may be determined by the stockholders.

(d). To acquire all necessary lands and rights of way and to construct, manage, maintain, keep in repair, enlarge and improve the whole or any part of said property and to superintend the division and delivery of said water.

(e). To acquire other water from other natural streams and to acquire appropriations of water heretofore made by others, if deemed expedient by its stockholders, and for this purpose it may become a stockholder and hold, own, vote, sell or pledge the stock thus acquired, in other irrigation, ditch and reservoir corporations.

(f). To borrow money on its note or otherwise, for corporate purposes only, and to provide for the securing and payment of same on its full paid capital stock or by trust deed, pledge or mortgage of its corporate property, decess and franchises, whenever deemed necessary by its board of directors; provided expressly however that no bonded or other indebtedness, except ordinary running expenses for the proper protection, repair and maintenance of its corporate property, shall be contracted by or on behalf of the company, of any nature, nor shall any of the corporate property be sold, transferred, conveyed or encumbered, unless the same be authorized by stockholders of the company owning three fourths ($\frac{3}{4}$) of the entire capital stock of said company, at a regular or special meeting of the stockholders called for that purpose.

(g). To take, own and convey real estate the same as a natural person for the purposes for which the company is organized and to promote its business, and to acquire other ditches and canals, in addition to said "Supply Ditch", when the stockholders shall so determine.

(h). To construct and maintain all needed pipe lines and tunnels required for its corporate purposes, and to take stock in

telephone companies and to construct telephone lines of its own or assist others therein for the purpose only of facilitating or carrying on its own business and maintaining and operating its property.

(1). To do any and all things necessary or convenient for the proper carrying out of our said objects.

THIRD.

Water is to be diverted from St. Vrain Creek at said headgate of said "SUPPLY DITCH". Water is also to be diverted from any other sources of natural water supply including seepage and percolating waters. The use to which said waters are to be applied is for irrigation and domestic purposes.

FOURTH.

The corporation shall have a first lien on all the shares of stock of the registered holder thereof for any and all indebtedness of such stockholder to the corporation, whether such indebtedness to the corporation accrued before or after such stockholder became a stockholder of the company and such lien shall continue until such indebtedness shall have been fully paid, and such stock shall not be transferred on the books of the company until such indebtedness be fully paid, unless such transfer shall

be made subject to the lien of such indebtedness.

FIFTH.

The capital stock of our said company shall be twenty thousand (\$20,000) dollars, to be divided into four hundred (400) shares of a par value of fifty (\$50) dollars, for each share, and said stock shall be non-assessable, except as provided by the laws of Colorado.

SIXTH.

Our said corporation is to exist for the term of twenty (20) years.

SEVENTH.

No agreement, contract or obligation calling for the payment or expenditure of any money shall ever be made by any officer of the company or by any person acting for it, unless the same shall first have been duly authorized by the board of directors at a meeting duly and regularly held, except in cases of emergency where prompt action is necessary to protect or preserve the property of the company from loss or damage; and no bill, account or claim against said company shall ever be allowed or paid by it, unless the specific items for such bill, account or claim shall first

7.
have been presented to and allowed at a meeting of the board of directors duly and regularly held.

EIGHT.

The operations of our said company shall be carried on in the counties of Boulder, Weld and Larimer in the State of Colorado, and the principal place and business office of said corporation shall be located in the City of Longmont, in the County of Boulder and State of Colorado.

NINE.

The affairs and management of our said corporation are to be under the control of five (5) directors, and CHARLES H. BAKER, HENRY CULVER, FRED D. GIBSON, JOSEPH LEE and RAY R. MATTHEWS are hereby selected to act as said directors and to manage the affairs and concerns of said corporation during the first year of its corporate existence and until their successors are elected ^{and} duly qualified.

TEN.

The directors shall have power to make such prudential by-laws as they may deem proper for the management of the affairs of the corporation; subject however to the right of the stockholders by majority vote at any regular or special meeting

of the company, to repeal, alter, amend or add to any or all of such by-laws, and no by-law adopted by the stockholders shall be amended by the directors, nor shall the directors adopt any by-law in conflict with any adopted by the stockholders.

IN TESTIMONY WHEREOF, We have hereunto set our hands and seals, this fifteenth day of March, A.D. 1909.

Charles H. Baker (Seal). Fred D. Gibson (Seal)
Henry R. Culver (Seal). Joseph Lee (Seal)
Ray P. Mathews (Seal).

State of Colorado,
ss.
County of Boulder,

I, Gray Secor, a Notary Public, in and for said county, in the state aforesaid, do hereby certify, that Charles H. Baker, Henry Culver, Fred D. Gibson, Joseph Lee and Ray R. Mathews, who are personally known to me to be the persons whose names are subscribed to the foregoing certificate of incorporation, appeared before me, this day in person and acknowledged that they signed, sealed and delivered the said instrument of writing as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 15th day of March, A.D. 1909. My commission expires November 18th, 1909.

Gray Secor
Notary Public.

40034 - 77

Articles of Incorporation

of the

Supply Distributing

Company

DOMESTIC

This document has been inspected
and properly entered on the Re-
cords of The Flat Tax Department.

Date Oct 2, 1968 OK

George E. Cox

FILED in the office of the Secretary of
State of the State of New York
A. D. 1968, at New York City
Recorded in Book 112 Page 211

James E. Cox

Recorded by
Haley

Page 3-45

Countersigned by
Haley

CERTIFICATE OF IMPRESSION OF CORPORATE SEAL

We the undersigned, President and Secretary of
THE SUPPLY IRRIGATING DITCH COMPANY,

a corporation existing under and by virtue of the laws of the State of Colorado, do hereby certify
that at a directors' meeting, held on the 20th day of March,
A. D. 1909, the following was adopted as the corporate seal of said Company:
"A circular disk with the words 'THE SUPPLY IRRIGATING DITCH
COMPANY' and the word 'COLORADO' on the outer edge, and the
word 'SEAL' in the center."
in the form of a circle, an impression of which is hereto attached, and adopted as the corporate
seal of said corporation.

IN WITNESS WHEREOF, We,

CHARLES H. BAKER

President, and

W. L. McCaslin,

Secretary, have

hereto set our hands and the seal of the Company, this 20th
day of March, A. D. 1909.

C. H. Baker

President.

W. L. McCaslin

Secretary



STATE OF COLORADO,
County of Boulder

I,

Gray Seabr

Notary Public in and for said County, in the State aforesaid, do hereby certify that

Charles H. Baker and W. L. McCaslin

who are personally known to me to be the persons whose names are subscribed to the annexed
instrument, appeared before me this day in person and acknowledged that they signed,
sealed and delivered the said instrument of writing as their free and voluntary act for the
uses and purposes therein set forth.

Given under my hand and notarial seal, this 20th
day of March, A. D. 1909.

My Commission expires November 15th 1909.

Gray Seabr

Notary Public.

49060

CERTIFICATE OF IMPRESSION
OF CORPORATE SEAL

THE SECRETARY OF THE INTERIOR

DOMESTIC.

Filed in the office of the Secretary of the
Bureau of Land Management on the 23rd day of
March 1900. *Recorded in*
at 100 *of the G. H. Records in*
Book 130 Page 144

JAMES B. PEARCE

James B. Pearce

Received by
Rec'd by
2-2-07

Received by
Rec'd by
2-2-07

CERTIFICATE OF RENEWAL
OF THE
CORPORATE EXISTENCE
OF
THE SUPPLY IRRIGATING DITCH COMPANY

WHEREAS, The term of years for which The Supply Irrigating Ditch Company, a corporation organized under the laws of the State of Colorado, has expired, or is about to expire, by lawful limitation, and such corporation has not been administered upon as an expired corporation or gone into liquidation or had any settlement of its affairs;

NOW, THEREFORE, THIS IS TO CERTIFY:

(a). That a special meeting of the stockholders of said corporation was duly called by stockholders owning more than ten per cent. of the entire capital stock of said company to be held, and which was duly held, at The First National Bank of Longmont, Colorado, on Saturday, January 11th, 1930, at 10 o'clock in the afternoon, for the purpose of submitting to the votes of the stockholders of said company the question of renewal of said corporation for another term of not exceeding twenty (20) years from the date of the expiration of its present term of existence, and for the purpose of taking any and all action necessary and proper to be had at said meeting with respect to said renewal.

(b). That notice of such meeting, stating the time and place thereof, and the purpose for which it was to be held, was published for four consecutive weeks by five insertions in the "Longmont Call", a newspaper published at Longmont, Colorado, and printed nearest the place where the said corporation has kept its principal office, and said notice was likewise mailed to each stockholder of the company at least thirty days prior to the time fixed for said meeting.

(c). At said meeting a majority of stock of the company was represented and there was then submitted to the vote of the stockholders of said company the question of renewal of the corporation by the following resolution:

RESOLUTION

WHEREAS, the term of years for which The Supply Irrigating Ditch Company, a corporation organized under the laws of the State of Colorado, has expired or is about to expire by lawful limitation, and such corporation has not been administered upon as an expired corporation or gone into liquidation or had any settlement of its affairs;

NOW, THEREFORE, Be it resolved by the stockholders of said company in special meeting for this purpose assembled, that the corporate life of said company shall be renewed for another term of twenty (20) years from the date of the expiration of its present corporate existence; that the president and secretary of this company shall, under the seal of the company, certify the fact of said renewal and shall make as many certificates as may be necessary, so as to file one in the office of the Recorder of Deeds in each county wherein the company may do business, and one in the office of the Secretary of State."

The vote upon the said question as submitted by said resolution was thereupon taken by ballot, and each stockholder was entitled to vote and voted as many votes as he owned shares of stock in the said company, or held proxies therefor; and a majority of the entire outstanding capital stock of the company was voted in favor of said resolution and in favor of a renewal of the said corporation for another term of twenty (20) years from the date of the expiration of its present corporate existence; and in accordance with the said resolution and the statute in such case provided, we, the president and secretary of said company, do hereby certify the fact of said renewal, under the seal of said company.

IN WITNESS WHEREOF, We, respectively the President and Secretary of said Company, do, under its seal, execute this certificate this eleventh day of January, A.D. 1930.

W. M. Marshall

President.
W. E. Adams

Secretary.

S-264-4

91142

Certificate of Renewal

The Supply

*Engineering
Article Company*

Office of the FIA

Date *Jan 30, 1930*
W.E. White

DOMESTIC

RECORDED

BOOK 314 PAGE 55

FILED In the Office of the Secretary of
State of the State of Oklahoma on the

17 day of *January* 1930

A.B. 172 C. & J. *W. J. Armstrong*
CHAS. W. ARMSTRONG

By *W. J. Armstrong*
Filing Clerk

This document has been inspected
and properly entered on the
records of the Flat Tax Department

OK

Date *Oct 8, 1968*

W. J. Armstrong
Filing Clerk

State of Colorado, }
County of Boulder, } ss.

CERTIFICATE OF RENEWAL

TO WHOM IT MAY CONCERN:

This is to certify that a special meeting of the stockholders of The Supply Irrigating Ditch Company held at the office of The First National Bank of Longmont, at Longmont, Colorado, on the 10th day of March, A.D. 1950, duly called by the stockholders representing at least ten per cent (10%) of the entire capital stock of the company, the call being duly published for two successive weeks in the Longmont Times-Call, a newspaper published at Longmont, Boulder County, 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 251.5 shares of the capital stock of said company out of a total of 400 shares outstanding.

That at said meeting a resolution was passed to have extended the corporate existence of this said company in perpetuity, from and after the date of the expiration of its corporate life, the resolution receiving a majority vote of all the outstanding stock of the company. The 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 certificates under seal of the company in the office of the recorder of deeds of the County of Boulder and State of Colorado, and in pursuance of such resolution, we do hereby certify the same under the seal of the company.

Hervey A. Cook
President.

Attest:

W. B. Anderson

117997

CERTIFICATE OF RENEWAL

THE SUPPLY IRRIGATING DITCH COMPANY

RECORDED

BOOK 574 PAGE 178

DOMESTIC

FILED in the office of the Secretary of
State, of the State of Colorado, on the
6th day of APRIL

A.D. 1950, at 3:00 o'clock AM

GEORGE J. BAKER,

Secretary of State

File OK *[Signature]* 3

FILED IN THE OFFICE OF THE SECRETARY OF STATE

This document has been inspected
and properly entered on the re-
cords of The Flat Tax Department.

OK

Date *April 11-1950* m.w.

[Signature] Clerk

Oct 8, 1968

291351

STATE FORM 100
(10-6-74)

STATEMENT OF CHANGE OF REGISTERED OFFICE
OR REGISTERED AGENT, OR BOTH.

To the Secretary of State
of the State of Colorado

Pursuant to the provisions of the Colorado Corporation Act, the undersigned corporation, organized under the laws of the State of Colorado, submits the following statement for the purpose of changing its registered office or its registered agent, or both, in the State of Colorado:

First: The name of the corporation is Supply Irrigating Ditch Company

Second: The address of its REGISTERED OFFICE is 401 Main St., Longmont
Longmont, CO 80501

Third: The name of its REGISTERED AGENT is Daniel R. Grant

Fourth: The address of its registered office and the address of the business office of its registered agent, as changed, are identical.

Fifth: The address of its place of business in Colorado is 401 Main St., Longmont
Colorado, 80501

Supply Irrigating Ditch Company (Note 1)

X George Farley (Note 2)
By President

STATE OF Colorado
County of Boulder

Before me, _____, a Notary Public in and for the said County and State, personally appeared George Farley who acknowledged before me that he is the President of Supply Irrigating Ditch Company a Colorado corporation, that he signed the foregoing, and that the statements contained therein are true.

In witness whereof I have hereunto set my hand and seal this 8th day of August, A.D. 1975.

My commission expires 6-5-78

Notary Public

- Notes:
1. Exact corporate name of corporation making the statement.
 2. Signature and title of officer signing for the corporation, must be President or Vice President except for nonprofit.
 3. Signature of Notary Public must be exactly as shown on Notarial Seal, and must agree with notarial commission.
 4. This document must be typewritten.

PERMIT ONE
Fee \$ 1.00

CLERK
SEP 3

. 4081

RECORDED
ROLL 299 PAGE 4083

BY-LAWS of the
SUPPLY IRRIGATING DITCH COMPANY

ARTICLE I. Officers.

The officers of this company shall consist of a President, Vice President, Secretary, Treasurer and Superintendent. The President and Vice President shall be elected by the Board of Directors upon the adoption of these by-laws and annually thereafter at the first meeting of the directors following the annual meeting of the stockholders. They shall hold office for one year and until their successors are elected and duly qualified. The other officers may be appointed by the directors at any meeting of the board and shall hold office at the will of the board. The office of Secretary and Treasurer may be held by one person. The salaries of the above officers shall be such as the board of directors may fix from time to time.

ARTICLE II. President.

The President shall preside at all meetings of the stockholders and directors. He shall be the chief executive officer and shall have a general oversight over the affairs of the company. He shall sign all orders on the Treasurer and all certificates of stock and other instruments of writing of the company.

ARTICLE III. Vice President.

The Vice President shall perform all the duties of the President in case of the absence or other inability of the President to act.

ARTICLE IV. Secretary.

The Secretary shall keep a correct record of all meetings of the company and directors. He shall collect all moneys due the company and pay the same over to the Treasurer. He shall be the custodian of the seal, books and papers of the company, and shall keep a record of all its business transactions, also he shall countersign all orders on the Treasurer, certificates of stock and other instruments of writing requiring the signature of the President.

ARTICLE V. Treasurer.

The Treasurer shall receive all moneys of the company and shall keep a correct account of the same, and shall pay them out, only, on the order of the President, countersigned by the Secretary.

ARTICLE VI. Superintendent.

The Superintendent, under the supervision of the President and Directors, shall have charge of the ditch of the company and the repairs thereof. He shall keep the time of the laborers and report the same to the Board of Directors at each regular meeting or whenever called upon by the President. He shall have control of all headgates and measuring boxes, and of the flow of the water into which the ditch and its distribution therefrom.

ARTICLE VII. Bonds.

The officers of the company shall give bonds for the faithful performance of their duties whenever deemed necessary by the directors; all bonds of the officers to be in such an amount and conditioned as the directors shall require and to be approved by the directors.

ARTICLE VIII. Annual Meetings.

The annual meetings of the stockholders shall be held some suitable place, in the City of Longmont, Colorado, on the second Saturday in January.

ARTICLE IX. Vacancies in Board of Directors.

Whenever a vacancy shall occur in the Board of Directors, the remaining directors shall fill such vacancy by appointment until the annual meeting and the new board of directors shall have been elected and shall have qualified.

ARTICLE X. Special Meetings.

Special meetings of the stockholders may be called by the President or by holders of 10% of the capital stock at any time upon notice given in the manner provided by law for the calling of annual meetings; the object of such meetings to be specified in the call.

ARTICLE XI. Meetings of the Directors.

The regular meeting of the Board of Directors shall be held on the last Saturday in each month, at the office of the Secretary. Special meetings shall be held at any time or place by giving notice of the time and place by the President or Secretary, or by any two Directors to each member of the board of directors. Such notice shall be delivered or mailed at least twenty-four hours previous to the time fixed for such meeting.

ARTICLE XII. Transfer of Stock.

Shares of stock may be transferred on the books of the Company by surrendering the certificates therefor to the Secretary accompanied by an order of transfer therefor signed by the holder and owner of such stock.

Water shall be diverted from the main ditch of the company by shareholders in proportion to their respective stock ownership by the Superintendent into headgates approved and authorized by the Board of Directors. In no event shall shares be transferred so that any shareholder has less than ONE share, without the express written approval of the Board of Directors. This restriction is necessary because of undue burdens that may be placed upon the company and its employees to measure small amounts of water.

ARTICLE XIII. Assessments.

All assessments shall be due and payable thirty days after notice thereof has been mailed, and water shall not be turned out on the order of any stockholder until his assessment shall have been paid.

ARTICLE XIV. Seal.

The company adopts as its corporate seal a circular disk with the words "THE SUPPLY IRRIGATING DITCH COMPANY" and the word "COLORADO" on the outer edge, and the word "SEAL" in the center.

ARTICLE XV. Amendment of By-laws.

These by-laws or any of them may be added to, altered, amended or repealed by the Board of Directors at any regular meeting, or special meeting called for that purpose, by majority vote of the Director of the Company.

ARTICLE XVI. Quorum.

At all meeting of the directors, three directors present shall constitute a quorum for the transaction of business.

AMENDMENTS TO BYLAWS OF
THE SUPPLY IRRIGATING DITCH COMPANY

The Bylaws of The Supply Irrigating Ditch Company are hereby amended as follows:

Article XII is hereby amended to read as follows:

"ARTICLE XII.

STOCK AND ASSESSMENTS.

12.1. Certificates and Transfer of Shares.

Certificates representing shares in the company shall be in such form as may be determined by the board of directors. Such certificates shall be signed by the president and secretary. Certificates for shares shall be consecutively numbered. Certificates surrendered to the company for transfer shall be canceled. No new certificates shall be issued until the former certificate for a like number of shares shall have been surrendered and canceled. No stock shall be transferred while the assignor of such certificate shall be indebted to the company. Transfer of shares shall be made on the stock transfer books of the company by the record holder thereof or by its legal representative upon surrender for such cancellation of the certificate for such shares and a duly executed assignment thereof. The person in whose name shares stand on the books of the company shall be deemed by the company to be the owner (or lienholder) thereof for all purposes.

12.2. Lost Shares: In case of a lost or destroyed certificate, a new one may be issued upon such terms and indemnity to the company as the board of directors may prescribe.

12.3. Liens and Assessments.

a. Assessments shall be made as provided by Colorado statutes relating to mutual ditch companies. Ref. C.R.S. § 7-42-104 (1973).

b. Lien on Shares. The Company shall have a first lien on all rights and shares of the registered shareholders thereof for any and all indebtedness of such shareholder to the Company, whether such indebtedness was incurred before or after the shareholder became a shareholder of the Company. This lien shall continue until this indebtedness shall have been paid in full, and the stock shall not be transferred on the books of the Company until such indebtedness shall be paid.

c. Assessments:

(1) Written notice of the assessments on stock, duly levied, shall be mailed by the Secretary or Treasurer to each shareholder at least thirty (30) days before due. If any shareholder shall fail to pay the assessment or other indebtedness against his stock when due, the Secretary or Treasurer shall sell so much of his stock as may be necessary to pay such assessment, together with interest, reasonable attorneys fees, publication and other expenses of sale, upon first giving one hundred eighty days (180) written notice and demand for such payment, by certified mail, return receipt requested, such notice to state that the stock will be sold if payment is not made within said period. Any proceeds of the sale in excess of such assessment and costs of sale shall be paid to the prior shareholder or to lienholders who are legally entitled to payment. All sales in connection therewith shall be held in a commercially reasonable manner which shall include publication in a newspaper of general circulation in the County not less often than four (4) times.

(2) All assessments or indebtedness of the Company, if not paid when due, shall draw interest at the rate of 18 per cent per annum thereon until paid.

(3) Water shall neither be delivered to a shareholder nor shares transferred until all assessments and indebtedness are paid.

(4) Endorsement on Certificates. Each stock certificate shall be endorsed to show the lien for the assessment, to-wit:

'The Company has a first lien on all shares for payment of any indebtedness due the Company by the shareholder and this stock and all rights thereunder shall neither be transferred nor water delivered pursuant thereto until such indebtedness shall be paid.'"

ARTICLES XIII, XIV, XV, and XVI are repealed and are hereby amended to read as follows:

"ARTICLE XIII.

HEADGATES, RESTRICTIONS ON SHARES
AND WATER USAGE.

13.1. Headgates. Water shall be diverted from the main ditch of the company by shareholders in proportion to their respective stock ownership by the superintendent into headgates approved and authorized by the Board of Directors. All headgates and diversion structures for taking water out of the main ditch shall be under the control of the Board of Directors and its duly appointed superintendents, and construction of headgates shall be in accordance with best irrigation and water usage practices and engineering feasibility. The original cost of all headgates from the main ditch into laterals shall be paid for by the shareholder served.

13.2. Minimum Shares. In no event shall shares be transferred so that any shareholder has less than one share, without the express written approval of the Board of Directors. This restriction is necessary because of undue burdens that may be placed upon the company and its employees to measure small amounts of water.

13.3. Change in Use. The shares in this company are for the primary purpose of delivering water to shareholders as a mutual irrigating ditch company and to bring water from the St. Vrain River to farms along the ditch for agricultural purposes. This bylaw shall not be construed to prohibit plans of augmentation, exchanges, changes in the nature of the use, time of use, place of use, return flow patterns, purpose of use, point of diversion or other changes in water rights, provided the changes are allowable under Colorado law and provided there is no damage to any vested rights of any other shareholder by virtue of any such change. The Board of Directors shall have discretionary authority to approve or disapprove such changes in the event there might be damage to another shareholder's vested interest. No such change shall be valid unless the same has been previously submitted in writing to the Board of Directors. In the event such change has not been approved, conditionally approved, or disapproved within ninety (90) days after the same has been submitted to the board, no approval by the Board of Directors shall be required. Each certificate of stock hereinafter transferred shall contain the following endorsement, to-wit:

"No shares shall be transferred to a shareholder so that he owns less than 1.00 share of stock, without the express written approval of the Board of Directors. Plans of augmentation, exchanges, changes in nature of use, time of use, return flow patterns, purpose of use or changes in point of diversion or other extended uses or changes in the water rights appertaining to these shares are subject to the reasonable approval of the Board of Directors as provided in the bylaws of the company'"

13.4. Reimbursement of Costs for Change of Use. The applicant for a change in use as described in Article 13.3 of these Bylaws, shall reimburse the Company for all of its reasonable costs and expenses in connection therewith, including, but not limited to, the following:

- a. Attorney's fees.
- b. Engineering fees.
- c. Court costs.
- d. Additional fees and costs for the Ditch Superintendent to administer said changes.
- e. Cost of measuring devices, additional or new headgates, division boxes, flumes and outlet structures.
- f. Storage and carrying fees and water to convert a direct flow water right into a storage right to pay and compensate shareholders and the company for seepage, shrinkage, evaporation, return flows, and additional maintenance.
- g. Any other reasonable expenses that are necessitated by hearings, contract negotiations, objections or protests to a water application and trials involving shares of the Company, so that the owner of stock being changed does not cause a disproportionate burden on the other shareholders' assessments or usage of water.

13.5. Ponds, Bridges, Lattices, Facilities and Other Structures. Any retention ponds, bridges, lattices, culverts, facilities or other structures that cross or affect the ditch

easement shall not be constructed prior to the approval in writing of the plans and specifications therefor by the board of directors as the company's engineer. The Ditch Company shall charge a reasonable crossing fee and be reimbursed for its attorneys fees, engineering fees and other expenses in such review.

ARTICLE XIV.

TAX EXEMPTION PROVISIONS.

14.1. General. This Company shall not have or exercise any power or authority, expressly, by interpretation, or operation of law to, directly or indirectly, engage in any activity that would prevent it from qualifying (and continuing to qualify) as a corporation described in Section 501(c)(12) of the Internal Revenue Code of 1954, and valid regulations issued thereunder. In furtherance thereof, this Company shall not be operated for the purpose of carrying on a business for profit. The assets of this Company shall not be used for purposes not within the meaning of Section 501(c)(12) of said Code. Eighty-five percent or more of the Company's income is contemplated to be received from its members for the sole purpose of meeting losses and expenses. Assessments shall be made pro rata and on a patronage basis in accordance with the amount of water to which each shareholder is entitled. Water and any other services shall be furnished to the shareholder at cost.

14.2. Rights and Interests of the Shareholders. Rights and interests of the shareholders in the assets of the Company shall

be determined in proportion to their patronage with the Company which also conforms to the number of shares of stock owned by each member. The Company shall not retain funds in excess of those needed to meet current losses and expenses and for purposes such as retiring indebtedness incurred in acquiring assets, expanding the services of the Company or maintaining reserves for necessary purposes. Funds shall not be retained beyond the reasonable needs of the Company.

14.3 Involuntary Termination of Ownership. Involuntary termination of ownership of stock shall not occur except for nonpayment of assessments, indebtedness as outlined in Article 12.3 of these Bylaws, or by operation of law.

ARTICLE XV.

MISCELLANEOUS.

15.1. Indemnification. Except to the extent that such sums are covered by insurance, the company and its shareholders shall indemnify any person who is a party or is threatened to be made a party to any threatened or pending civil action, suit, or proceeding, by reason of the fact that such person is or was a director, officer, or employee of this company, against expenses (including attorney's fees), judgments and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit, or proceeding, unless such person's acts or omissions were dishonest, fraudulent, malicious, criminal, ultra vires or the result of gross negligence.

15.2. Quorum. At all meetings of the directors, three directors present shall constitute a quorum for the transaction of business.

15.3. Amendments. These bylaws or any of them may be added to, altered, amended or repealed by the Board of Directors at any regular meeting, or special meeting called for that purpose, by majority vote of the Directors of the Company.

Dated this 7 day of April, 1989.

THE SUPPLY IRRIGATING DITCH COMPANY

Donald F. Leonard
Director

Harold A. Leonard
Director

ATTEST:

W. R. East
Secretary

Harley Lushman
Director

Alvan Markham
Director

Paul Tugel
Director

March 1, 1978

Stockholders
Supply Irrigating Ditch Company

At the regular annual meeting of the Stockholders held January 13, 1978 at 2:00 P.M. in the First National Bank Building, a motion was made, seconded and passed to amend the bylaws of the Supply Irrigating Ditch Company.

Article XII is hereby amended to read as follows:

Article XII. Transfer of Stock

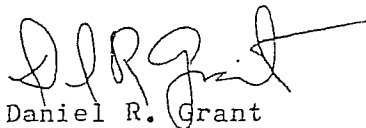
Shares of stock may be transferred on the books of the Company by surrendering the certificates therefor to the secretary accompanied by an order of transfer therefor signed by the holder and owner of such stock.

Water shall be diverted from the main ditch of the company by shareholders in proportion to their respective stock ownership by the superintendent into headgates approved and authorized by the Board of Directors. In no event shall shares be transferred so that any shareholder has less than ONE share, without the express written approval of the Board of Directors. This restriction is necessary because of undue burdens that may be placed upon the company and its employees to measure small amounts of water.

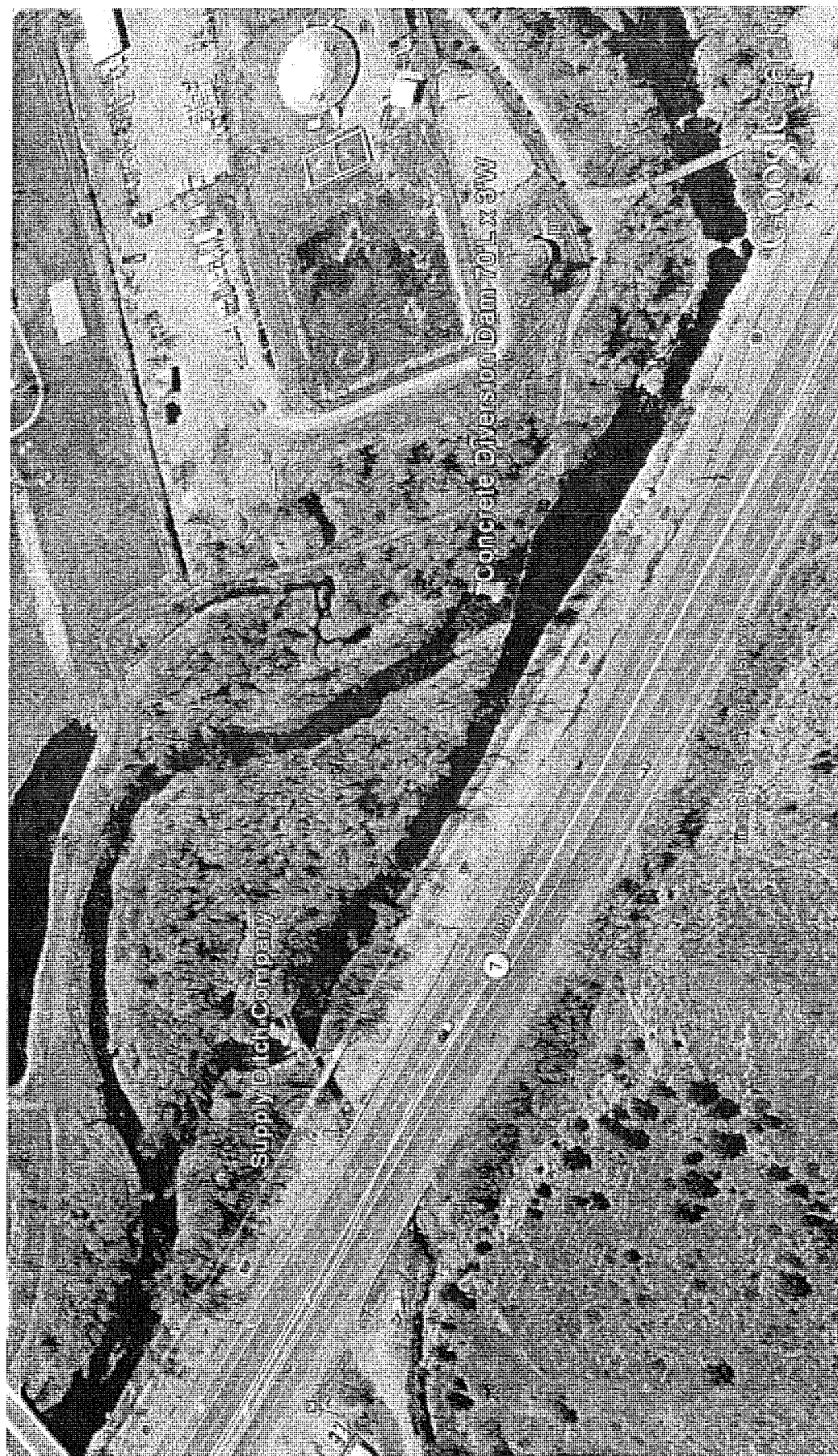
The effective date of the amendment is January 13, 1978.

Ownership of less than one share of stock on that date is not affected, but must remain intact for any future transfers.

Sincerely,



Daniel R. Grant
Secretary
Supply Irrigating Ditch Company



Diversion Dam for Supply Ditch Company dated 2/29/2006 Dam was 70'L x 3'W.



Supply Ditch Company after the flood event 2013

Supply Ditch Total Acres = 6048

Supply Ditch Total Irrigated Acres = 2521

