

ML47 Documentation List

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Executive Summary - Lateral Ditch ML47, Inc.

Lateral Ditch ML47, Inc. (To be known as ML47 continuing) is a 44-year-old degraded concrete ditch that provides irrigation water to its user's for continued lively hood. Over the years numerous costly repairs have had to been made. Several significant cracks have taken place causing leakage and flooding to occur, thus causing deep percolation to occur and surface return flows back into the Colorado River and is endangering the fish species in the river.

We are working to pipe our lateral, in order to create a closed system, thus making ML47 a more efficient irrigation system, improving the safety and reducing the deep percolation and danger to humans, animals, fish and property.



Delta Conservation District 690 Industrial Blvd, Delta, CO 81416

BASIN STATES PROGRAM - COLORADO

FINANCIAL ASSISTANCE CONTRACT EXTENSION

The contract between Kathy L. Ericson (Participant) and the Delta Conservation District, funding **improvements to the Lateral Ditch ML-47 (Project) through the Basin States Program**, part of the Colorado River Basin Salinity Control Program, administered by the Colorado State Conservation Board, through the Delta Conservation District, awarding 2017 funds of \$ 537,950.00, originally signed on November 6, 2017, with a termination date of December 31, 2019, is hereby extended to **December 31, 2020**.

Participant, Kathy L. Ericson for Lateral Ditch ML-47, Inc.

Kathy L. Ericson

Signature

Kathy L. Ericson, President of Lateral ML47

1-9-2020

Print Name, Title

Date

Delta Conservation District

Paul Kehmeier

Signature

Paul Kehmeier, President

1-9-2020

Print Name, Title

Date

GRANT AMENDMENT #1

SIGNATURE AND COVER PAGE

State Agency Colorado Department of Agriculture			Original Grant Number BCAA 98644
Grantee Delta Conservation District			Amendment Grant Number BCAA 112681
Current Grant Maximum Amount			Grant Encumbrance Number CTGG1 2017* 644 1743
Initial Term	BCAA 98644	\$1,000,184.46	Grant Performance Beginning Date June 10, 2017
Amendment #1	BCAA 112681	\$205,917.79	
		\$0.00	
		\$0.00	
Grant Maximum Amount			Current Grant Expiration Date March 01, 2021
		\$1,206,066.25	

THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT

Each person signing this Amendment represents and warrants that he or she is duly authorized to execute this Amendment and to bind the Party authorizing his or her signature.

<p align="center">GRANTEE</p> <p align="center">DELTA CONSERVATION DISTRICT</p> <p><i>Paul Kehmer</i></p> <p>By: _____</p> <p>Date: <u>Aug 7, 2018</u></p>	<p align="center">STATE OF COLORADO</p> <p align="center">John W. Hickenlooper, Governor Colorado Department of Agriculture Don Brown, Commissioner</p> <p><i>Jenn Yezak</i></p> <p>By: Jenn Yezak, Deputy Commissioner</p> <p>Date: <u>8-17-2018</u></p>
<p>In accordance with §24-30-202 C.R.S., this Amendment is not valid until signed and dated below by the State Controller or an authorized delegate.</p> <p align="center">STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>By: <i>Joy Moore</i></p> <p align="center">Joy Moore, Controller Delegate</p> <p>Amendment Effective Date: <u>8/21/18</u></p>	

1. **PARTIES**

This Amendment (the "Amendment") to the Original Grant shown on the Signature and Cover Page for this Amendment (the "Grant") is entered into by and between the Grantee, and the State.

2. **TERMINOLOGY**

Except as specifically modified by this Amendment, all terms used in this Amendment that are defined in the Grant shall be construed and interpreted in accordance with the Grant.

3. **AMENDMENT EFFECTIVE DATE AND TERM**

A. Amendment Effective Date

This Amendment shall not be valid or enforceable until the Amendment Effective Date shown on the Signature and Cover Page for this Amendment. The State shall not be bound by any provision of this Amendment before that Amendment Effective Date, and shall have no obligation to pay Grantee for any Work performed or expense incurred under this Amendment either before or after of the Amendment term shown in **§2.B** of this Amendment.

B. Amendment Term

The Parties' respective performances under this Amendment and the changes to the Grant contained herein shall commence on the Amendment Effective Date shown on the Signature and Cover Page for this Amendment and shall terminate on the termination of the Grant.

4. **PURPOSE**

This is an amendment to the Salinity Grant by adding in additional funds for ditch work and additional time.

5. **MODIFICATIONS**

The Grant and all prior amendments thereto, if any, are modified as follows:

- A. The Grant Initial Grant Expiration Date on Page 2, Section 5.A. of the Original Grant is hereby deleted and replaced with the Current Grant Expiration Date shown on the Signature and Cover Page for this Amendment.
- B. The Grant Maximum Amount table on Page 3, Section 7.A of the Original Grant is hereby deleted and replaced with the Current Grant Maximum Amount table shown on the Signature and Cover Page for this Amendment. This is an increase of \$205,917.79.
- C. The Scope of Work, **Exhibit A**, of the Original Grant is hereby deleted and replaced with the new Scope of Work, **Exhibit C**, attached hereto and incorporated by this reference.

6. **LIMITS OF EFFECT AND ORDER OF PRECEDENCE**

This Amendment is incorporated by reference into the Grant, and the Grant and all prior amendments or other modifications to the Grant, if any, remain in full force and effect except as specifically modified in this Amendment. Except for the Special Provisions contained in the Grant, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Grant or any prior modification to the Grant, the provisions of this Amendment shall in all respects supersede, govern, and control. The provisions of this Amendment shall only supersede, govern, and control over the Special Provisions contained in the Grant to the extent that this Amendment specifically modifies those Special Provisions.

STATEMENT OF WORK

I. Project Description / Objectives:

This project is part of the Colorado River Basin States Salinity Control Program through the US Bureau of Reclamation in partnership with the Natural Resources Conservation Service, and entails irrigation improvement projects.

- Duke Ditch – RS 435, encloses 2.589 miles of open canal into a pipeline.
- Ward B Studt HG 275 – RS606, replaces a concrete ditch with a pipeline.
- Lateral Ditch ML47 Inc. – RS615, replaces a concrete ditch with a pipeline.
- Water Users of Lateral 110 – RS579, replaces a concrete ditch with a pipeline.

II. Grantee

Grantee Legal Name: Delta Conservation District

Grantee DUNS Number: 014427392

Grantee Designation: Subrecipient

Grantor Agency: Bureau of Reclamation, Upper Colorado Region

Grant Award Number: R16AC00001

CFDA Number: 15.509

III. Definitions:

CDA	Colorado Department of Agriculture
BOR	Bureau of Reclamation
NRCS	Natural Resources Conservation Service
Quarter	A 3-month period of time: Q1: January – March Q2: April – June Q3: July – September Q4: October - December
Semi Annual Period	Period 1: October 1 – March 31 Period 2: April 1 – September 30

IV. Performance Activities

1. The Grantee shall manage the project.
2. The Grantee shall attend a Post-Award Meeting with CDA staff.
3. The Grantee shall contract with a construction vendors to work on inlet/outlet structures, pond/ditch embankment earthwork, brush management and similar wildlife habitat improvements.
4. The Grantee shall create Reports:

- a. Quarterly Progress Reports,
- b. Semi-Annual Reports,
- c. Final Reports.

V. Performance Standards and Requirements:

1. The Grantee shall utilize NRCS engineering plans and technical standards.
 - a. The Grantee shall correct any noted deficiencies within 60 days of notice by the NRCS technical staff, at the Grantees expense.
2. The Grantee shall provide all labor, materials, and administration necessary in order to administer the cost sharing program.
3. The Grantee shall ensure that all Financial Assistance funds are used only for reimbursement of participants in the Basin States Program as documented in payment claims
4. All reporting shall be submitted:
 - a. Electronically via email in a .docx, .pdf format or other agreed upon format,
 - b. All reports shall be submitted to both the CDA Project Manager and the CSCB
 - i. The CSCB email address for reporting is: cda_cscbgrants@state.co.us
5. Quarterly reports shall include:
 - a. Summary of activities completed that quarter.
 - b. Summary of activities partially completed, along with approximate percentage of total work completed,
 - c. Summary of obstacles encountered and possible solutions to the obstacles,
 - d. Current budget update and summary,
 - i. Including the NRCS computations of each cost share applicant's cost effectiveness (dollars/ton of salinity control).
 - e. Documentation of outreach and education activities implemented in support of salinity control program,
 - f. List of activities for the next quarter.
6. Semi Annual Reports shall include:
 - a. Comparison of actual accomplishments to project objectives,
 - b. If objectives have not been met, an explanation shall be included,
 - c. Where the outcome of the project is quantifiable, a computation of the cost per unit shall be included,
 - i. This shall include any raw data and graphical representations in the form of tables, graphs, etc.
7. The Final Report shall include:
 - a. Summary of all activities during the term of this Grant,
 - b. Summary of the status of all project objectives,
 - i. If an objective is not met, or partially met, include project detail as to:
 1. Why the objective was not met,
 2. What steps could have been taken to meet that objective,
 3. Recommendations for meeting that objective in the future.
 - c. Summary of economic impact
 - i. Analysis of overall costs,
 - ii. Analysis and rationale for cost overruns,
 - iii. Analysis and rationale for high unit costs,
 - d. Summary of overall quantifiable results
 - e. Recommendations for future project enhancements and associated costs.

VI. Deliverables and Acceptance:

1. The Grantee shall submit Quarterly Reports to the CDA Project Manager no later than 30 calendar days after the end of each quarter.
2. The Grantee shall submit Semi-Annual Reports to the CDA Project Manager no later than 30 calendar days after the end of each Semi Annual Period.
3. The Grantee shall submit the Final Report to the CDA Project Manager no later than 45 calendar days after the end of this Grant.

VII. Budget:

This agreement contains federal funds through Federal Statutory Authority, Pub. L. 93-320 as amended by Pub. L. 110-246, Colorado River Basin Salinity Control Act (43 U.S.C. 1592(a)).

Description	Total Budget		Amendment #1	New Total Budget
Duke Ditch	\$464,757.00			\$464,757.00
Ward B Studt	\$85,857.00			\$85,857.00
Lateral Ditch ML47	\$334,071.00		\$203,879.00	\$537,950.00
Water Users of Lateral 110	\$105,561.00			\$105,561.00
Administrative Oversight	CY2018	\$9,902.46	CY2019	\$2,038.79
				\$11,941.25
Total Cost		\$1,000,148.46	\$205,917.79	\$1,206,066.25

1. The project line is a cost reimbursement, not to exceed amount.
2. Administrative Oversight line is a firm, fixed-price per calendar year.
3. The Grantee shall manage all budgets by line as they appear in this **Budget**. The Grantee is authorized to move funds among budget lines only with the prior, express written permission of the CDA Project Manager. A request to move funds shall be accompanied by an updated budget and justification for the move. This may be accomplished electronically.

VIII. Invoicing:

1. To receive compensation under the Grant, the Grantee shall submit a signed Invoice Form. The Invoice Form must be the form provided by CDA or an approved alternate. The Invoice Form must be submitted no later than **forty-five (45)** calendar days after the end of the billing period for which services were rendered. Expenditures shall be in accordance with this Statement of Work and Budget.
2. The Grantee shall submit the following documentation with the completed invoice: (1) copies of subcontractor invoices; (2) copies of receipts for direct costs; and (3) other documentation requested by the CDA Project Manager necessary to support the invoice.

Cindy Lair, CDA Project Manager
Conservation Services Division
Colorado Department of Agriculture
305 Interlocken Parkway
Broomfield, Colorado 80021
303-869-9041
cda_cscbgrants@state.co.us

3. Scan the completed and signed Invoice Form and supporting documentation into an electronic document. Email the Invoice form and supporting documentation to the CDA Project Manager.

4. Final billings under the Grant must be received by the State within a reasonable time after the expiration or termination of the Grant; but in any event no later than **forty-five (45)** calendar days from the effective expiration or termination date of the Grant.

IX. Additional Provisions:

1. The Recipient agrees to comply or assist Reclamation with all regulatory compliance requirements and all applicable state, Federal, and local environmental and cultural and paleontological resource protection laws and regulations as applicable to this project. These may include, but are not limited to, the National Environmental Policy Act (NEPA), including the Council on Environmental Quality and Department of the Interior regulations implementing NEPA, the Clean Water Act, the Endangered Species Act, consultation with potentially affected Tribes, and consultation with the State Historic Preservation Office.
2. Reporting and monitoring shall conform to federal requirements as stated in 43 CFR 12.80
3. The Grantee shall comply with all applicable portions of 2 CFR 200.




COLORADO

Colorado Water Conservation Board

Department of Natural Resources

Water Project Loan Program

Projects financed by the Water Project Loan Program must align with the goals identified in Colorado's Water Plan and its measurable objectives.

Application Type	
<input type="checkbox"/> Prequalification (Attach 3 years of financial statements) <input type="checkbox"/> Loan Approval (Attach Loan Feasibility Study)	
Agency/Company Information	
Company / Borrower Name:	
Authorized Agent & Title:	
Address:	
Phone: ()	Email:
Organization Type: <input type="checkbox"/> Ditch Co, <input type="checkbox"/> District, <input type="checkbox"/> Municipality <input type="checkbox"/> other: _____	Incorporated? <input type="checkbox"/> YES <input type="checkbox"/> NO
County:	Number of Shares/Taps:
Water District:	Avg. Water Diverted/Yr _____ acre-feet
Number of Shareholders/Customers Served:	Current Assessment per Share \$ _____ (Ditch Co)
Federal ID Number:	Average monthly water bill \$ _____ (Municipality)
Contact Information	
Project Representative:	
Phone: ()	Email:
Engineer:	
Phone: ()	Email:
Attorney:	
Phone: ()	Email:
Project Information	
Project Name:	
Brief Description of Project: (Attach separate sheets if needed)	
Project Start Date(s) Design: _____ Construction: _____	
General Location: (Attach Map of Area)	
Project Costs - Round to the nearest thousand	
Estimated Engineering Costs:	Estimated Construction Costs:
Other Costs (Describe Above):	Estimated Total Project Costs:
Requested Loan Amount:	Requested Loan Term (10, 20, or 30 years): _____ Years
Signature	
 _____ Signature / Title	Return to: Finance Section Attn: Matt Stearns 1313 Sherman St #718 Denver, CO 80203 Ph. 303/866.3441 e-mail: matthew.stearns@state.co.us

Loan Feasibility Study for Lateral Ditch ML47, Inc.

2.0 Loan Feasibility Study – Outline

2.1 Background:

2.1.1 Purpose:

Lateral Ditch ML47, Inc. (to be known as ML47 continuing) was cemented in 1976, it is a 44-year-old degraded concrete ditch that provides irrigation water to its users for continued livelihood.

We are requesting a loan in the amount of \$700,000 to improve our existing way of irrigating by piping our irrigation system. The purpose of piping the irrigation system and improving the existing head gate is to have a closed system thus making ML47 more efficient, safe and eliminating the deep percolation that currently occurs. Improving our irrigation system will allow us to regulate the amount of water our members use. By regulating water usage, we can determine if our members are meeting their water needs with their current water shares, or if there is a need to adjust shares to meet current needs. Eliminating flooding, which can be a major issue for us, will allow us to help improve the quality of water returning to the Colorado River. We hope to achieve this by reducing the deep percolation that occurs from the significant cracks and breaks in our current system. Our lateral, in its current condition, enables deep percolation. An enclosed system eliminates the risks associated with an open ditch system. and eliminate flooding

Over the years numerous costly repairs have had to be made. Several significant cracks have taken place causing leakage and flooding to occur, thus causing deep percolation to occur and surface return flows back into the Colorado River and is endangering the fish species in the river.

2.1.2 Study Area Description

- a. ML47 is in Clifton, Colorado in Mesa County. Topography flat with a little drop. We are approximately 3 miles from the Colorado River on the north side.
- b. See attached Grand Valley Head gate UM47 Irrigation System map showing the geographic area to be served by the proposed project. The area outlined in black is the area serviced by ML47.
- c. The socio-economic characteristic of ML47 we are in an Urban district mostly residential and farming. We raise grass hay (3 tons per acre), corn (150 bushels per acre), alfalfa (5 tons per acre) and hemp and water lawns and pasture.

2.1.3 Previous Studies

No previous studies have been done.

2.2 Project Sponsor

Lateral Ditch ML47, Inc. company is a nonprofit corporation registered in the State of Colorado since 7/27/2011. This Lateral has existed as an association of irrigators since well before 1900's. The irrigators on 33 ½ Rd. have a long history of maintaining this Lateral and they have paid assessments in order to raise funds needed to make repairs. There are 25 current users on the Lateral that are listed on the Grand Valley Irrigation Company's Head Gate ML47 report. Lateral Ditch ML47 has the power to set annual assessments to be paid by the lateral's shareholders.

2.3 Water Rights

2.3.1 Water Availability

The users of Lateral Ditch ML47, Inc. currently all own shares in the Grand Valley Irrigation Company (GVIC has been in existence since 1882.) Water rights exist with those Grand Valley Irrigation Company's shares. Currently there are 340 shares assigned to the Lateral Ditch ML47, Inc.

Currently ML47 does not own any water shares. The ML47 shareholders own shares from Grand Valley Irrigation Company. Those shares currently provide 1400 acre-feet to the ML47 system. The water supply is from a very senior decree, on the Colorado River and supplies are stable from year to year.

2.3.2 Water Supply Demands

At times some shareholders have trouble getting the water that they own to irrigate their fields and crops, pasture for livestock and watering lawns. ML47 members are wanting a better way of ensuring the shareholders get the amount of water they pay for. Having ML47 piped with meters will help tell how many shares each shareholder is using. This will allow ML 47 to monitor and let members using more water than they own know they have to buy more shares or reduce the amount of water they are using to their shares owned.

2.4 Project Description-Analysis of Alternatives & Selected Alternative

2.4.1 Analysis of Alternatives

Assessing existing and future conditions, identifying problems and deficiencies, and formulating and evaluating potential solutions by having three alternatives

1. No action maintains existing lateral
2. New cement lateral
3. Underground pressurized pipe system

Please see Alternative Analysis Table listing Evaluation Factors a. through f. 1 & 2 under c.

2.4.2 Selected Alternative

Underground pressurized pipe system is the chosen choice.

- a. Completed, stamped and signed engineering plans for the underground pipe system drawn up by NRCS will be emailed as discussed at 3/23/2020 webinar.

This should cover the detailed description requiring a) through e).

1. f.) Right-of-Way/Land –

Highly reliable from a Senior Decree from Colorado River/GVIC.

Please see attached Tabulation of Landowners at the Site of Proposed Project.

All easement and rights of way have been arranged for. Talks have begun and arrangements will be made with Mesa County regarding all road crossings. Arrangements will also be made to deal with existing underground utilities through the 811 locate program.

2.4.3 Cost Estimate

Please see the attached NRCS Cost Estimate for ML-47 F.Y. 2020

2.4.4 Implementation Schedule

Depending upon completion of loan application and results of the two Grant applications. Results of all three will determine set schedule. Hoping to begin in Oct 2020 and ending March 1, 2021.

2.4.5. Impacts

With Urban growth expected to reach west of 33 ½ Rd. our open farmland will become subdivisions with increased population and increase in water usage for lawns.

2.4.6. Institutional Feasibility

Entities that are or may be involved in the design, construction and financing of the project include:

1. Lateral Ditch ML47, Inc. – financing and project management
2. National Resources Conservation Service (NRCS) – design and construction

3. Bureau of Reclamation – federal grant
4. Colorado Water Conservation Board (CWCB) – financing and grants
5. Grand Valley Irrigation Company (GVIC) – head gate improvement and connections to Lateral
6. Mesa County Road and Bridge – for road cut oversight

2.5 Financial Feasibility Analysis

The Lateral Ditch ML47, Inc. will be the lead for the project, with assistances from NRCS.

1. Loan Amount

\$700,000

30-year amortized loan, at current % interest

2. Financing Sources

a) Bureau of Reclamation Federal Grant \$538,000

b) applying for WSRF Grant (Colorado Basin Roundtable) \$8,000; if granted will apply for \$72,000 statewide grants.

3. Revenue and Expenditure Projections

\$700,000 – 538,000 = \$162,000 Lateral Ditch ML 47 Inc. responsibility if WSRF grants are not approved plus the punch plate/head gate owed to Grand Valley Irrigation Company

****If WSRF grants are approved amount outstanding would be \$82,000**

Estimated annual revenues and annual expenditures for the entire period of debt retirement.

NO GRANT

Project Costs	\$700,000.00
Loan Amount	\$162,000.00
Current average Lateral Ditch ML47, Inc. assessment	\$100.00
New Average assessment paid by shareholders (25)	\$425.00
Total assessment paid by shareholders	\$10,625.00
Contingency, repairs, & Liability Insurance	-\$1,488.85
Total cash position annually	\$9,136.15
Annual Loan Payment	-\$7,233.29
Total Cash Position after Annual Loan Payment	\$1,902.86

With Both Grants \$80,000.00

Project Cost	\$700,000.00
Loan Amount	\$82,000.00
Current average Lateral Ditch ML47, Inc. assessment	\$100.00
New Average assessment paid by shareholders (25)	\$425.00
Total Assessment paid by shareholders	\$10,625.00
Contingency, repairs, & Liability Insurance	-\$1,488.85
Total Cash Position Annually	\$9,136.15
Annual Loan payment	-\$3,661.29

Total Cash Position after Loan Payment \$5,474.86

Lateral Ditch ML47 Inc. would have one annual Loan Payment in reserve as per required after collecting annual assessments each year.

2.5's 4 and 5 of the Financial Feasibility Analysis has been answered in the above explanation.

6 TABORS is not an issue.

7 Collateral

We will have our Lawyer draw up a document (Trust) stating water shares from all share holders will be kept as collateral for the life of the Loan.

Attached is a List of Shares Sold at Auction from Grand Valley Irrigation Company from 1997 through 2019. The last five years average out to be around \$500.00 a share. This should be sufficient enough instead of having a Colorado Certified General Appraiser's appraisal.

8 Sponsor Creditworthiness

Attached are copies of the last three years Financial Statements from Lateral Ditch ML47 Inc. We are also attaching our By-Laws, Articles of Incorporation and Certificate of Fact of Good Standing, dated 2/23/2020

2.6 Conclusions & Recommendations

Lateral Ditch ML47, Inc. is an incorporated entity in the State of Colorado with the ability to enter in a contract with the CWCB for the purpose of obtaining a Construction Fund Loan.

Right-of -Way easements are perfected and adequate for construction of this project.

The project would replace a deteriorating open ditch system and ageing head gate, reduce tail water loss and the deep percolation and salinity thus improving water quality and insures continued delivery of irrigation water to shareholders.

The total estimated cost of the project is \$700,000.00 and this will be financed by a grant of \$538,000.00 from the Bureau of Reclamation (a Federal Grant). Lateral Ditch ML47 Inc. is applying for a construction loan of up to \$700,000.00 that will be majority paid by the Bureau of Reclamation Grant. Hopefully 2 more grants will be approved from the Basin Round Table for \$8,000 and \$72,000.00 leaving the estimated balance of \$82,000.00. Lateral Ditch ML47 is applying for 30-year-old loan from CWCB Construction Fund. If the grant is received to cover the head gate improvements and other things that occur, the loan could become a 15-year amortization loan.

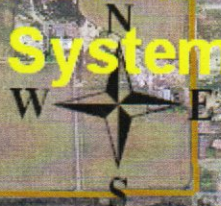
Thank you for your time.

Kathy Ericson

President of Lateral Ditch ML47, Inc.

Grand Valley
Headgate UM47

Grand Valley Headgate UM47 Irrigation System



GRAND VALLEY MAIN LINE CANAL

33 1/2

0 1/2

Legend

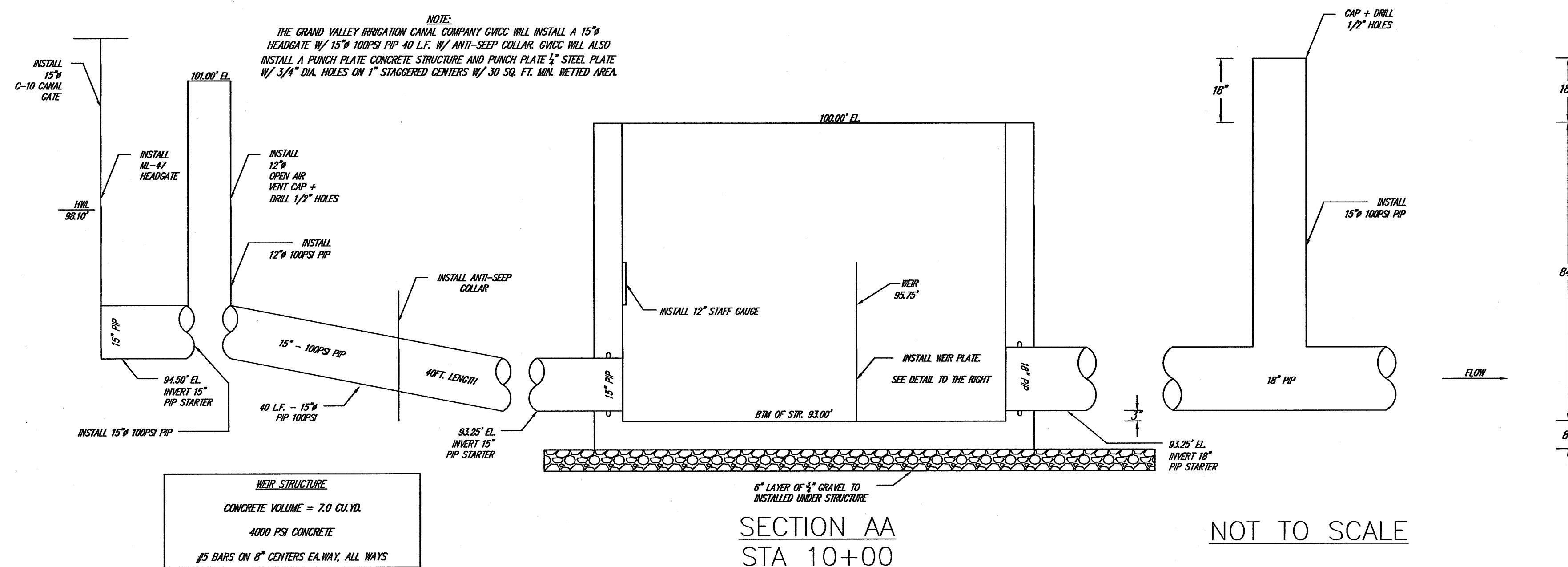
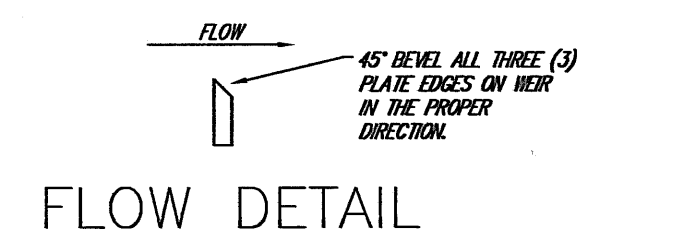
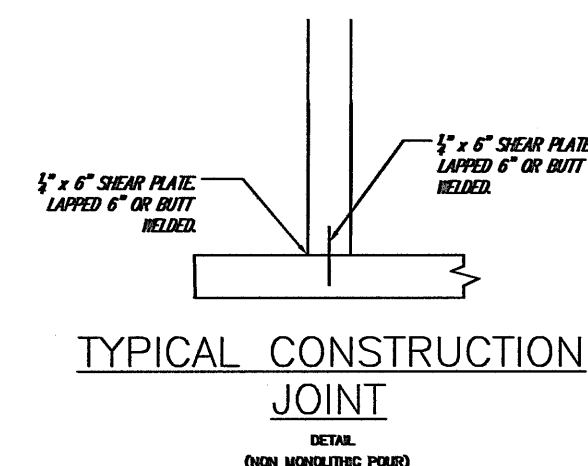
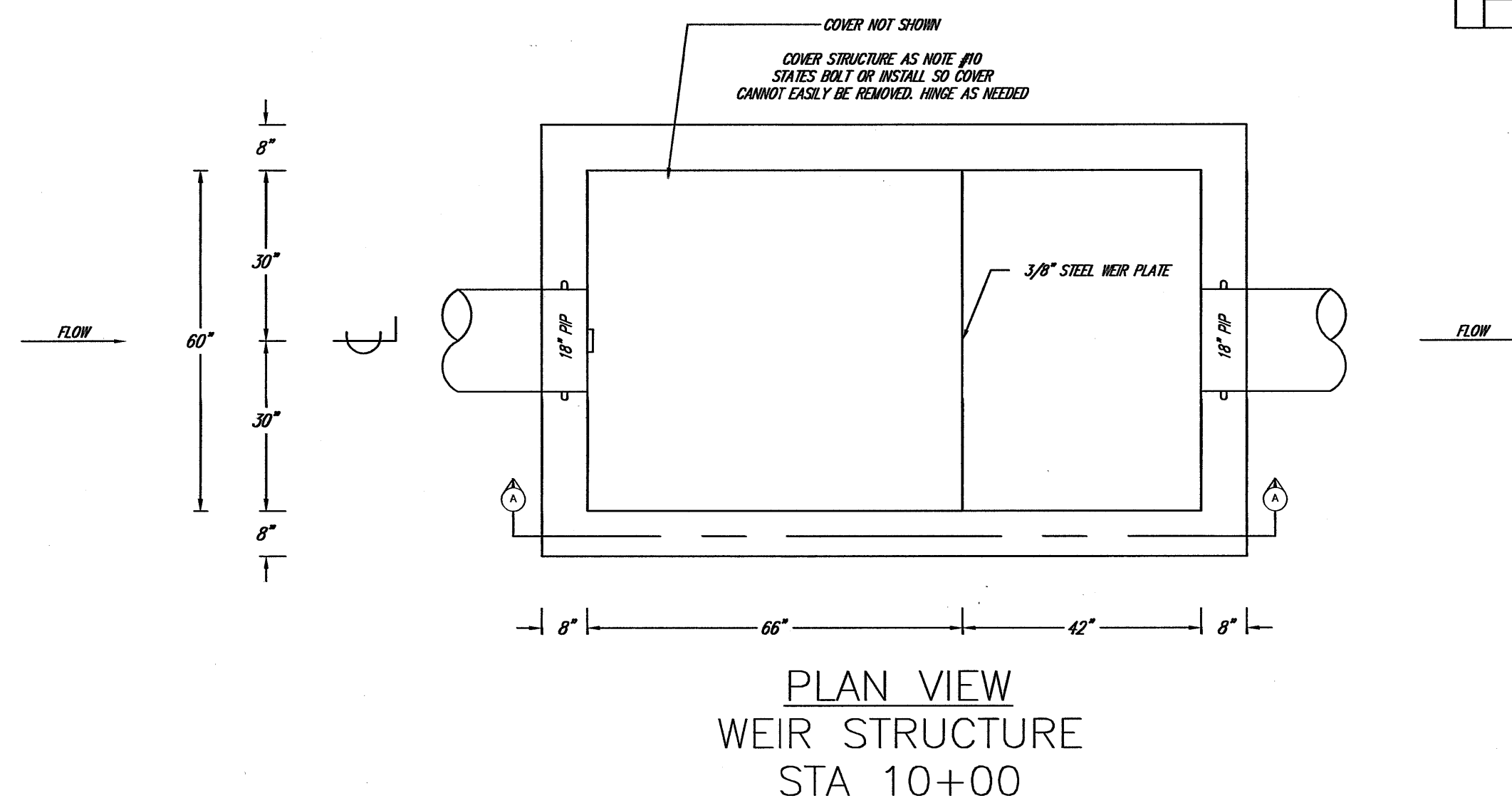
- Delivery System
- Drainage
- Landowners-UM47
- Canal
- Roads
- Rivers

800 400 0 800 1,600 2,400 3,200 Feet

Alternative	Outputs/Yields	Costs	Impacts: (1) Man-Made Environment (2) Natural Environment	Economic Analysis & Feasibility	Institutional Requirements	Special Considerations
As Is - Open Dirt/Cement Ditch	<ul style="list-style-type: none"> Increased work to maintain & repair loss of significant water due to flooding & deep percolation water loss in critical dry years due to evaporation water usage not metered reliability/firmness of a particular yield would also be lost due to water availability to grow crops wastewater return flows would continue increasing salinity entering Colorado River 	<ul style="list-style-type: none"> increase cost & work to maintain/repair no outside funding 	<p>(1)</p> <ul style="list-style-type: none"> residential driveways fences powerlines crop output unreliable due to unmetered water usage mostly open spaces with no designated outdoor recreation areas <p>(2)</p> <ul style="list-style-type: none"> increased flooding increased deep percolation increased salinity endangers native and non-native aquatic and wildlife open ditch is hazardous to pedestrians and motorists 	<ul style="list-style-type: none"> 27 shareholder/members share costs of maintenance & repairs Difficult to estimate necessary maintenance & repair costs due to price fluctuations of materials needed Lose federal grant \$537,000 	<ul style="list-style-type: none"> Costly court actions to remove driveway over lateral – done have legal right of way access to head gate Vary re: contracts & agreements 	We can only address issues as they occur

New Cement Ditch	<ul style="list-style-type: none"> • water loss in critical dry years due to evaporation • water usage not metered • reliability/firmness of a particular yield would also be lost due to water availability to grow crops • wastewater return flows would continue increasing salinity entering Colorado River 	no outside funding	<p>(1)</p> <ul style="list-style-type: none"> • residential driveways • fences • powerlines • crop output unreliable due to unmetered water usage • mostly open spaces with no designated outdoor recreation areas <p>(2)</p> <ul style="list-style-type: none"> • litter in open ditch can lead to flooding and plugging of irrigation pipe under the road • water loss due to evaporation • open ditch is hazardous to pedestrians and motorists • increased salinity endangers native and non-native aquatic and wildlife 	<ul style="list-style-type: none"> • 27 shareholder/members share costs of maintenance & repairs • Difficult to estimate necessary costs due to price fluctuations of materials and equipment needed 	<ul style="list-style-type: none"> • have legal right of way access to head gate • Permits for construction 	We can only address issues as they occur
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Underground Pipe System	<ul style="list-style-type: none"> • Closed system ensures only water being utilized is delivered • Delivery of 1400 acre feet/year • Water usage metered 	<ul style="list-style-type: none"> • Awarded federal funding • Applying for 2 grants • \$162,000 collateral 	<p>(1)</p> <ul style="list-style-type: none"> • Residential driveways • fences • powerlines • crop output unreliable due to unmetered water usage • mostly open spaces with no designated outdoor recreation areas <p>(2)</p> <ul style="list-style-type: none"> • conserve water • safer - removes hazards of an open ditch system 	<ul style="list-style-type: none"> • 27 shareholder/members would benefit • Set assessments to maintain system • Hire a locator for necessary materials and equipment 	<ul style="list-style-type: none"> • have legal right of way access to head gate • Have NRCS engineer's Stamped plans • Permits for construction 	<ul style="list-style-type: none"> • Have a contingency plan built into estimated project costs for any cost overruns

[illegible]

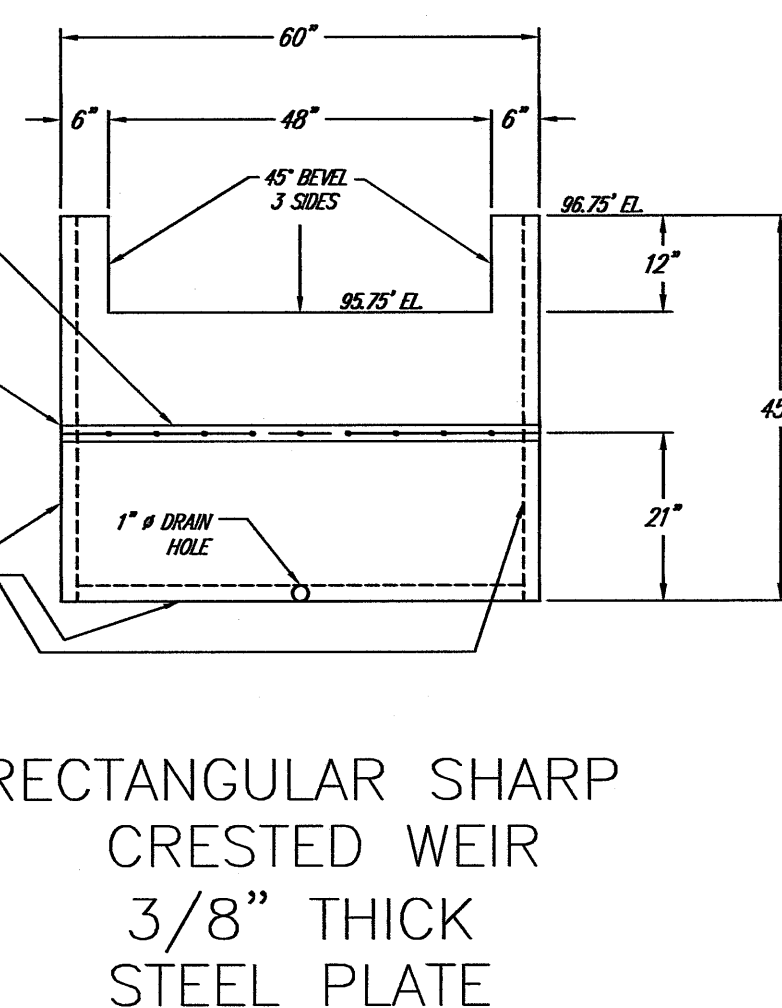
WEIR TYPE: 48" WIDTH RECTANGULAR SHARP CRESTED WEIR			
	DEPTH	Q - CFS	Q - GPM
10			
9			
8			
7			
6	0.63	5.75 CFS	2,580 GPM
5			
4	0.46	3.60 CFS	1,615 GPM
3			
2			
1			

0.63 DEPTH MAX DESIGN Q = 5.75 CFS. = 2,580 GPM
0.46' ADJUDICATED Q = 3.60 CFS = 1,615 GPM 345 SHARES

CONCRETE CONSTRUCTION NOTES

1. ALL WORK MUST BE DONE ACCORDING TO RATES PLANS, STANDARDS AND SPECIFICATIONS #67, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2

<u>6" THICK</u>		
0 - 7	0 - 8	#09
0 - 7	0 - 8	#09
<u>6" THICK</u>		
0 - 8	0 - 10	#010
0 - 8	10.1 - 12	#09



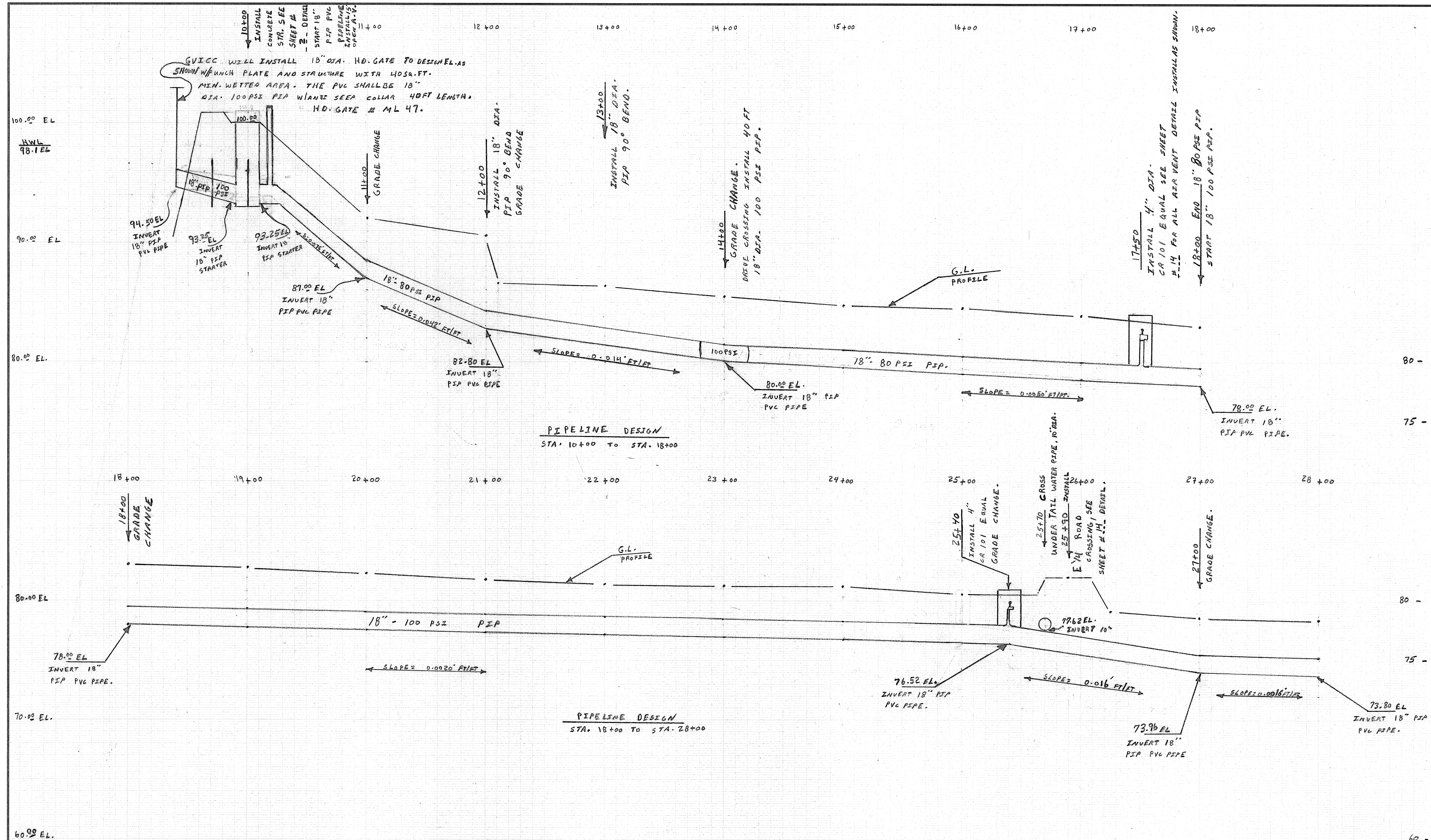
RECTANGULAR SHARP
CRESTED WEIR
3/8" THICK
STEEL PLATE

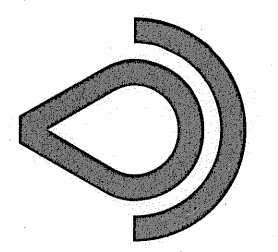
	Date
Designed _____	<u>L.H.</u> <u>8/17</u>
Drawn _____	<u>L.H. C.M.</u> <u>8/17</u>
Checked _____	_____
Approved _____	_____

MESA CD	GRAND JCT. F.O.
LATERAL DITCH ML 47 INC.	CONCRETE WEIR STRUCTURE STA: 10+00
KATHY ERICSON AGENT -- PRESIDENT	3332 D 1/2 ROAD
F.Y. 2019	BSPP -- F.Y. 2019
HEADGATE ML-47	GRAND VALLEY CANAL

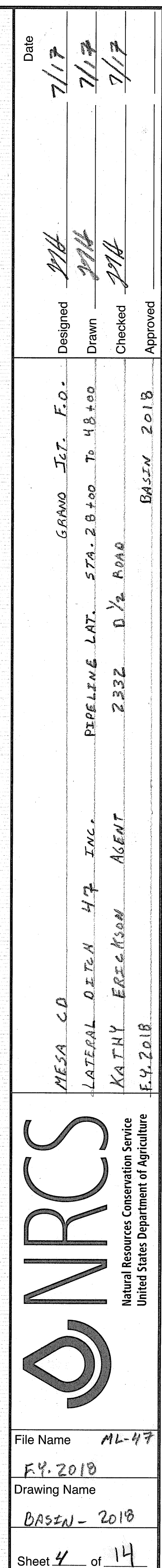
NRCS
National Resources Conservation Service
United States Department of Agriculture

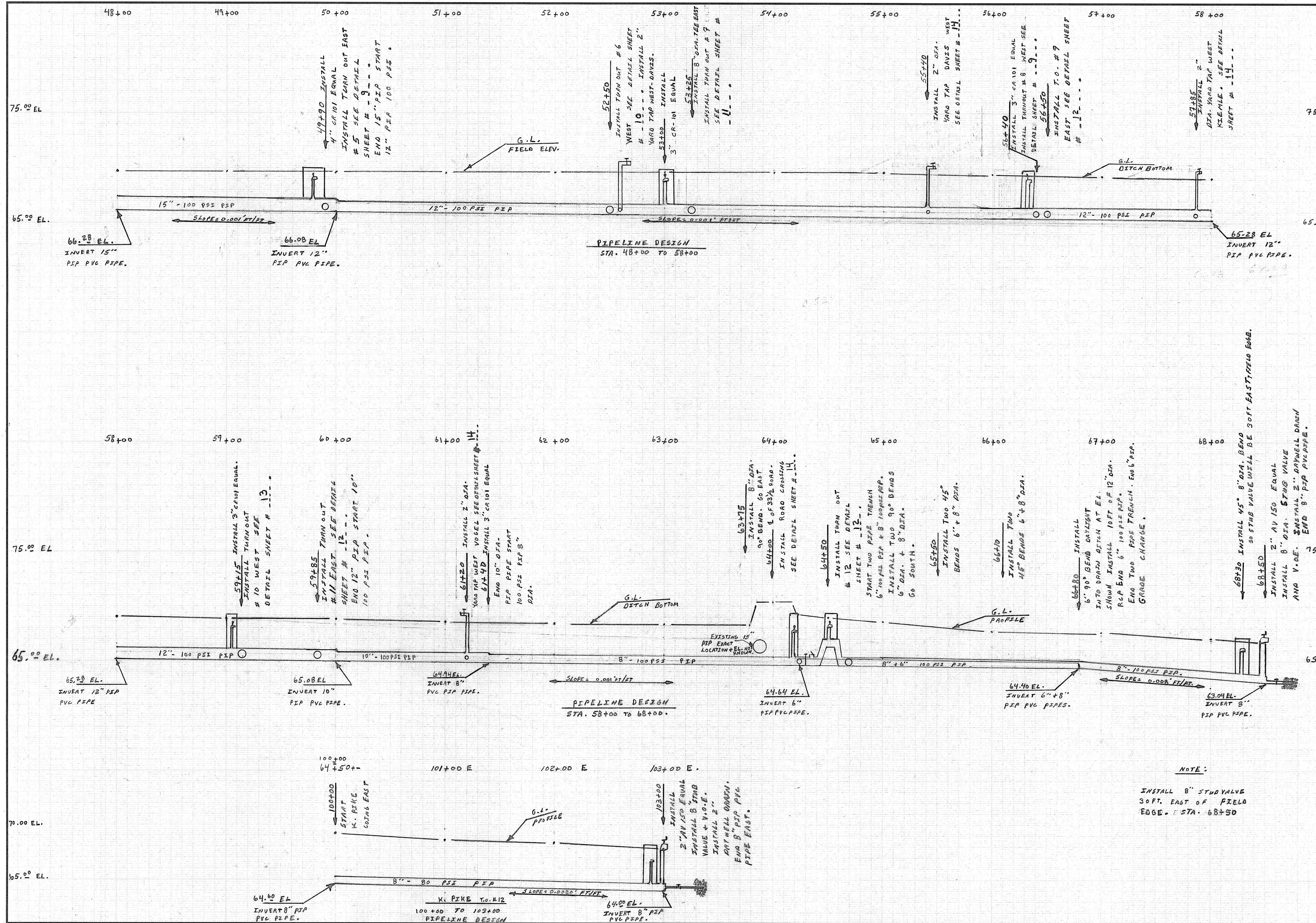
FILE NO.	<i>ML -47</i>
	<i>BASIN - 2018</i>
FISCAL YEAR	<i>2018</i>
Sheet <i>2</i> of <i>14</i>	



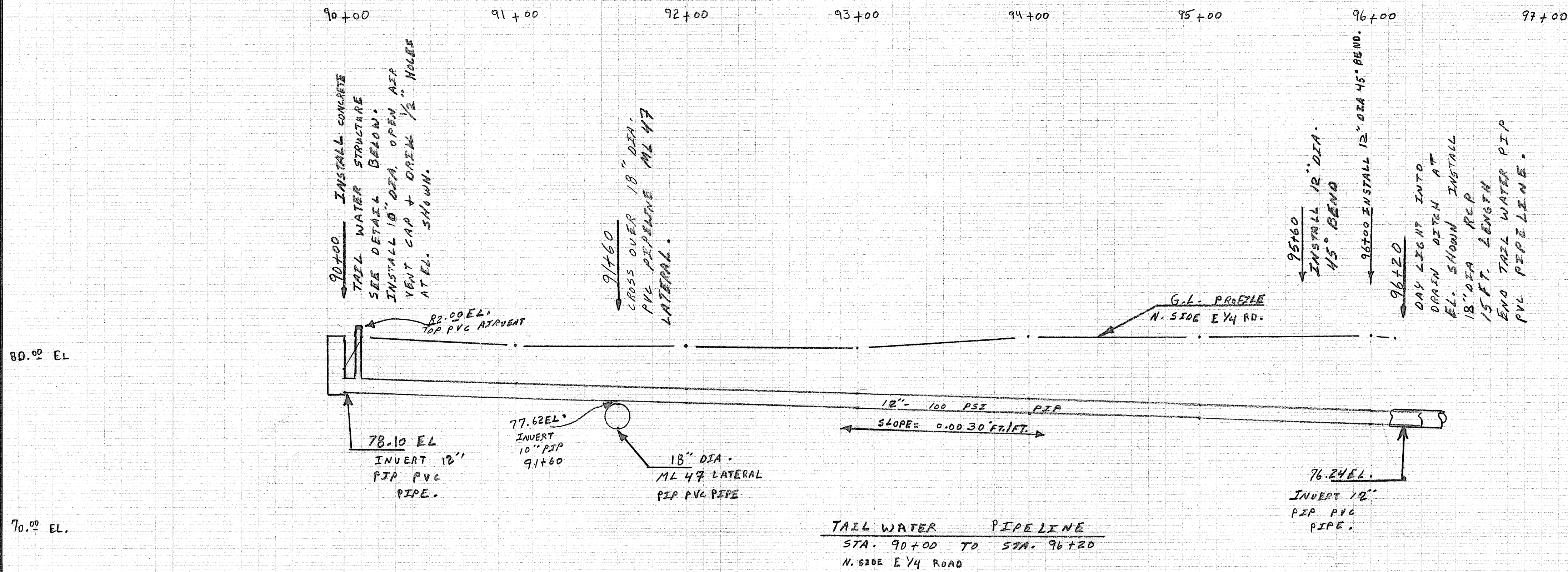
 Natural Resources Conservation Service United States Department of Agriculture	File Name	ML-47		
	Drawing Name	BASIN F.Y. 2018		
	Sheet	3	of	14
	NRCS-ENG-316 (Rev. 10/04)			

MESA CD LATERAL DITCH ML 47 INC. KATHY ERICSSON AGENT F.Y. 2018	GRAND JCT F.O. PIPELINE LAT. 10+00 TO 28+00 D 1/2 ROAD BASIN F.Y. 2018	Date	7-17
		Designed	ML
		Drawn	ML
		Checked	
		Approved	



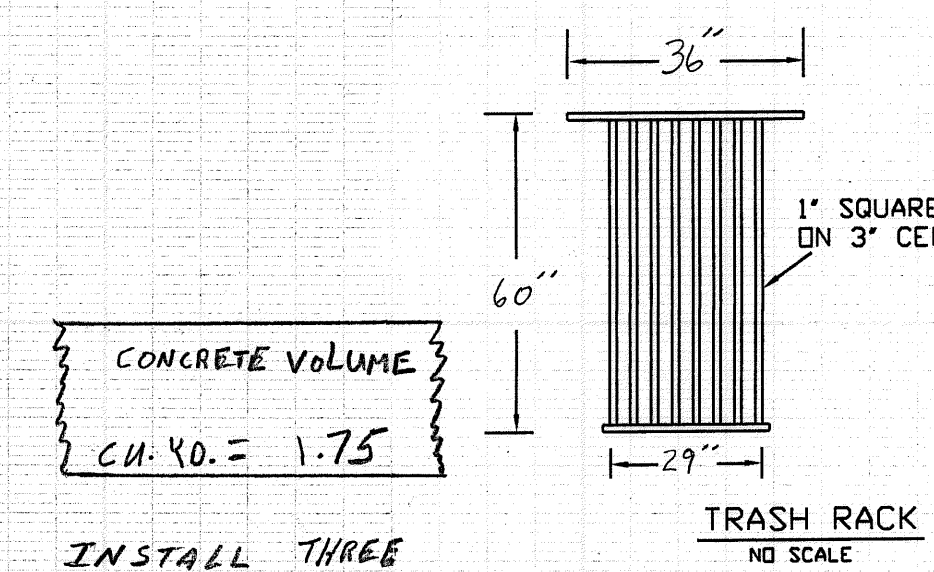


Date	7/17
Designed	ML
Drawn	ML
Checked	
Approved	
MESA CO. GRAND JCT F.D.	
LATERAL DITCH ML 47 INC. PIPE LINE LAT. STA 48+00 TO 68+50	
100+00 TO 103+00 KATHY ERICSON AGENT 3332 D 1/2 R.D.	
E.V. 2018 BASIN 2018	
NRCS Natural Resources Conservation Service United States Department of Agriculture	
File Name	ML-47
F.Y.	2018
Drawing Name	BASIN-2018
Sheet	5 of 14



TAIL WATER PIPELINE
STA. 90+00 TO STA. 96+20
N. SIDE EY4 ROAD

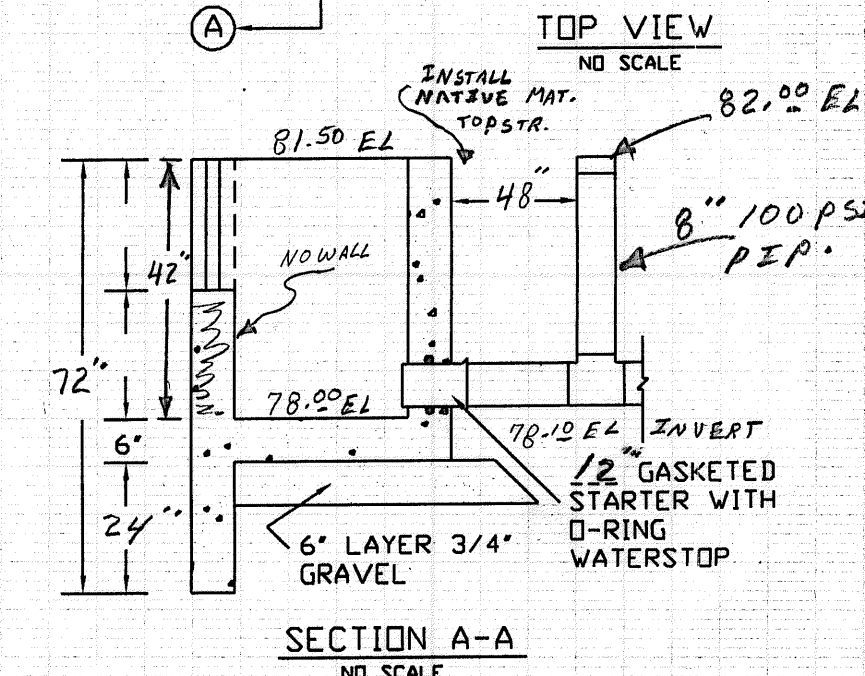
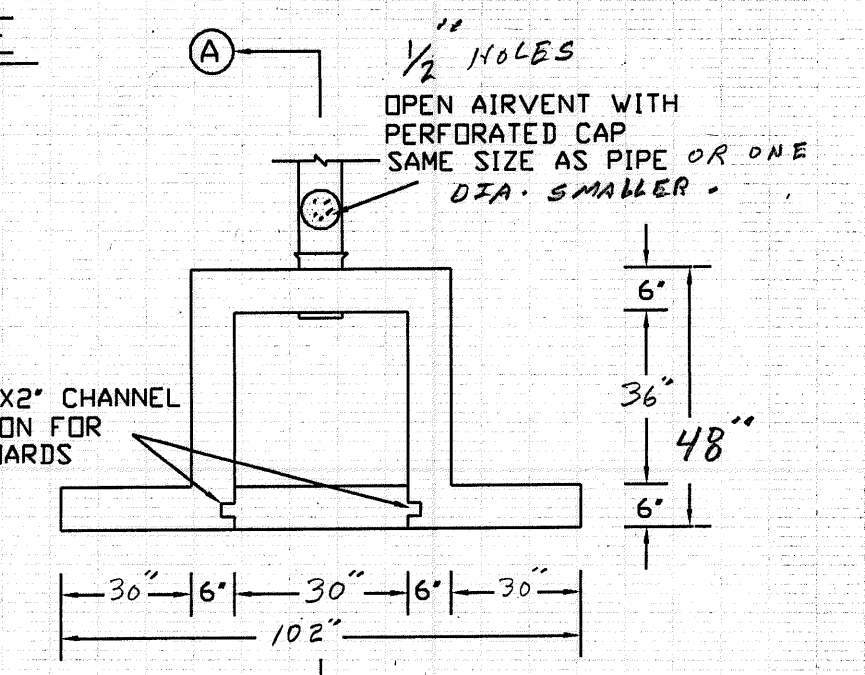
TAILWATER STRUCTURE



CONCRETE VOLUME
CU. YD. = 1.75

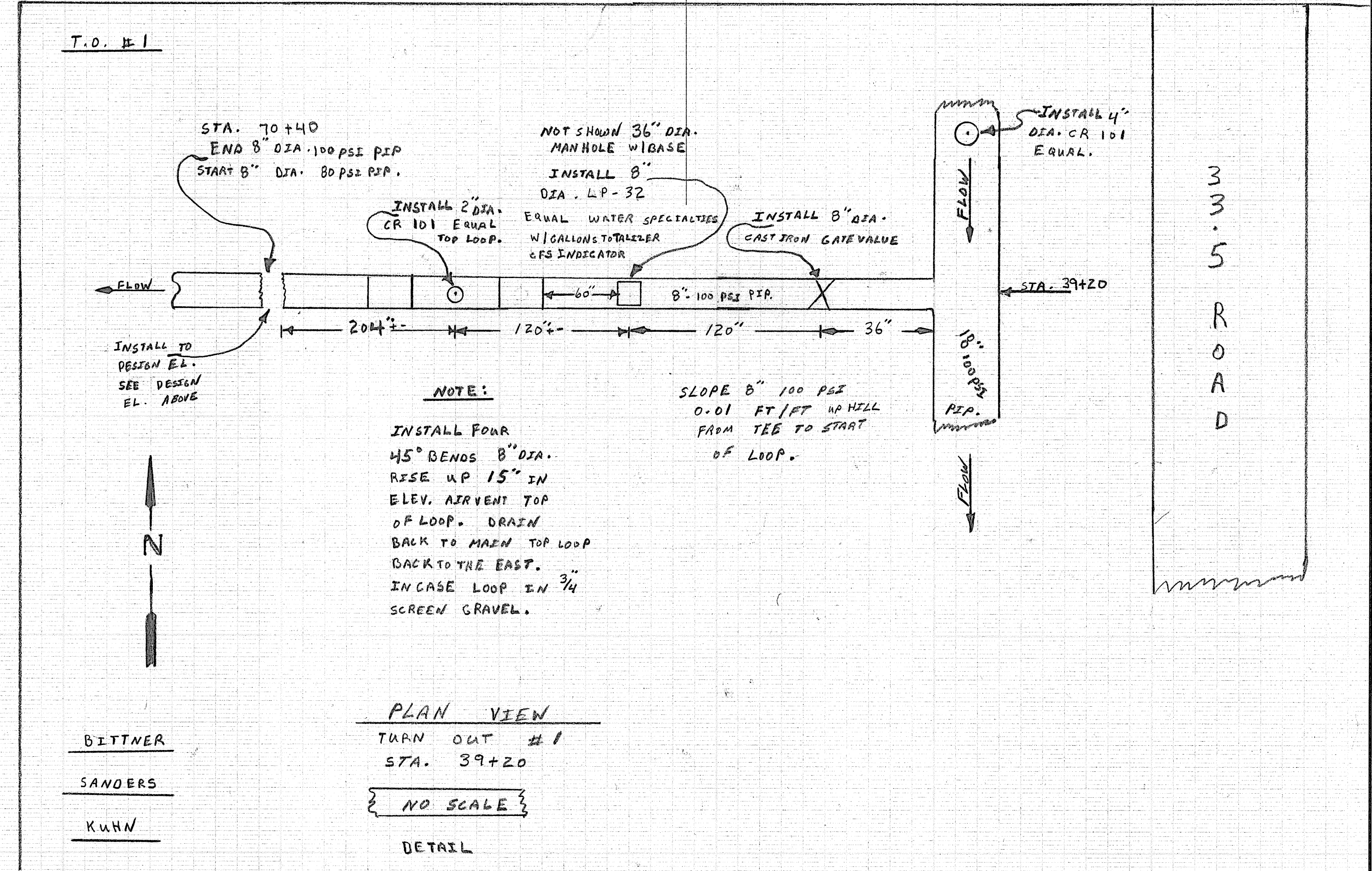
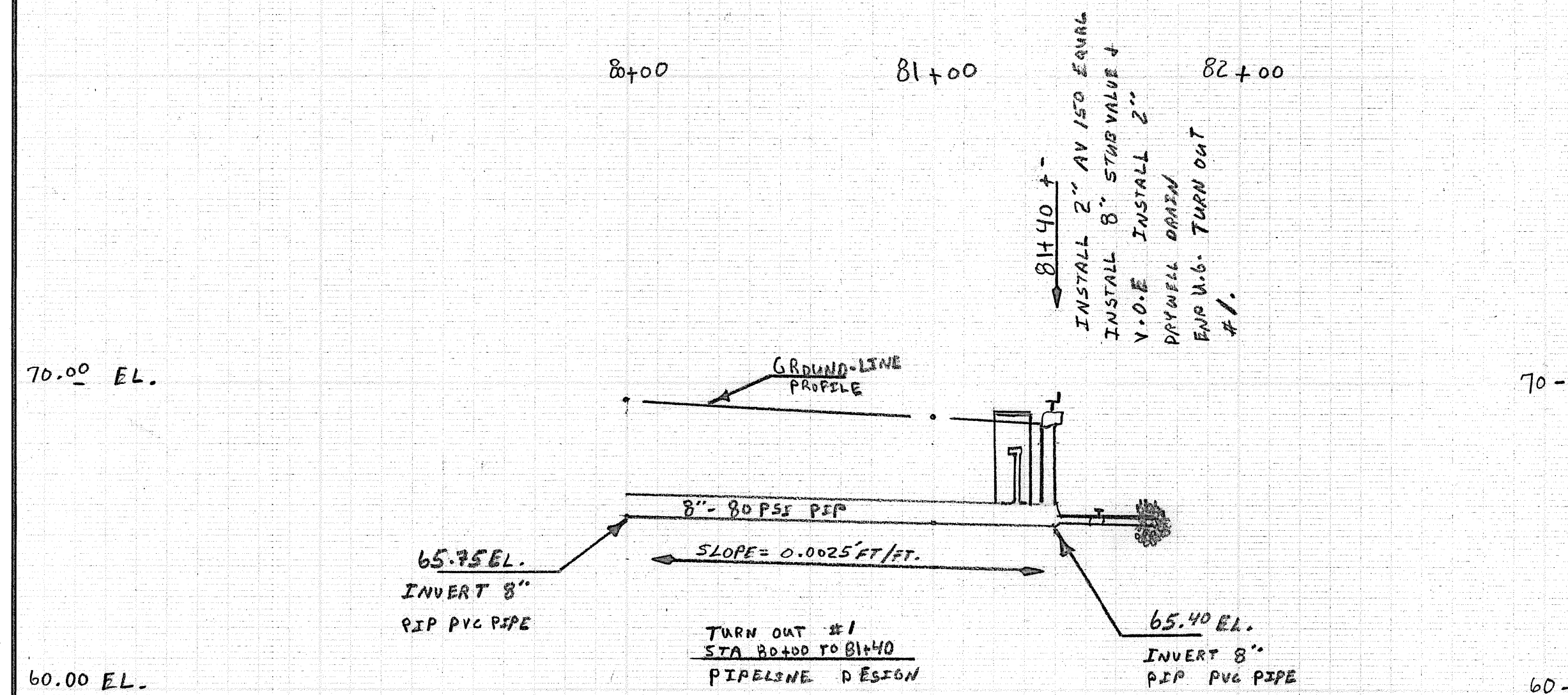
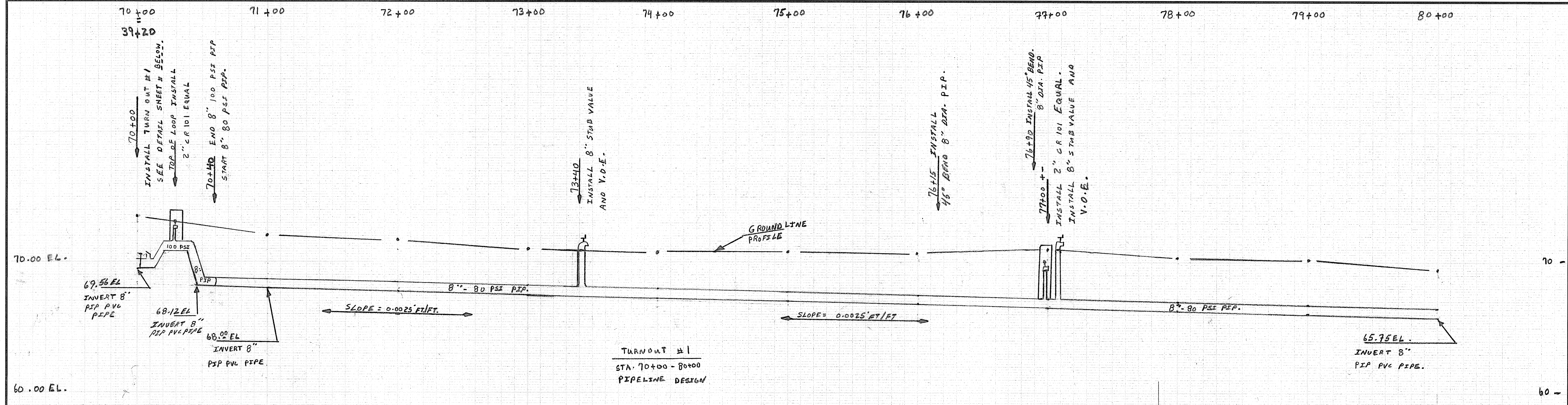
INSTALL THREE
RED WOOD BOS
32" X 2" X 6"

4000 PSZ
CONCRETE
#4 BAR
9" CENTERS
EA WAY - ALWAYS.

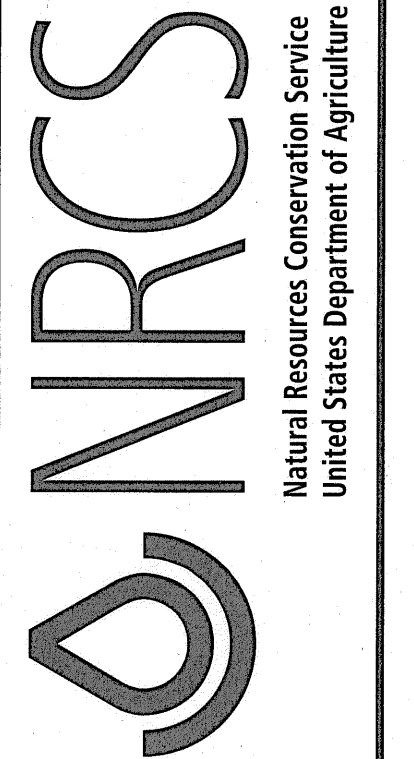


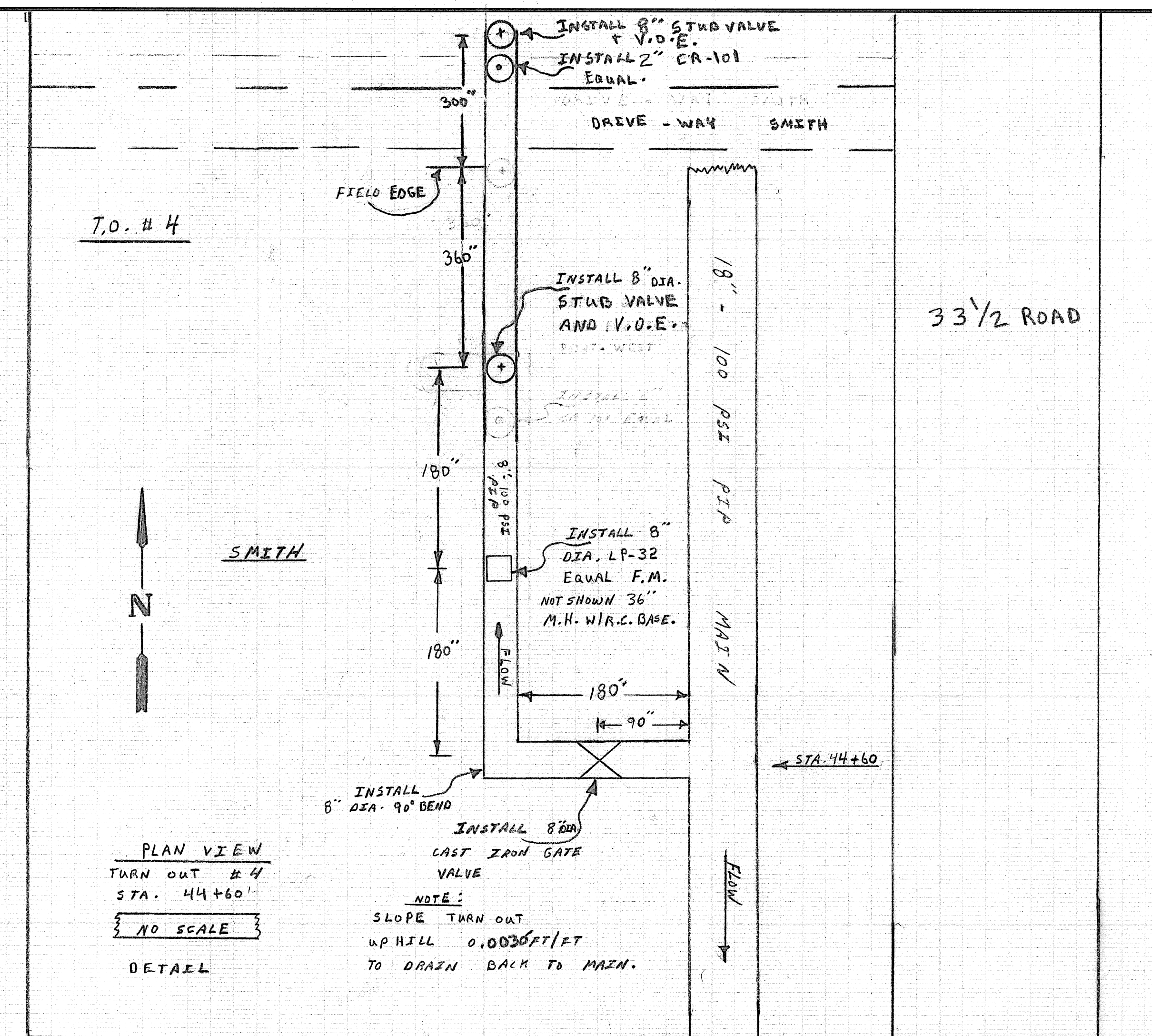
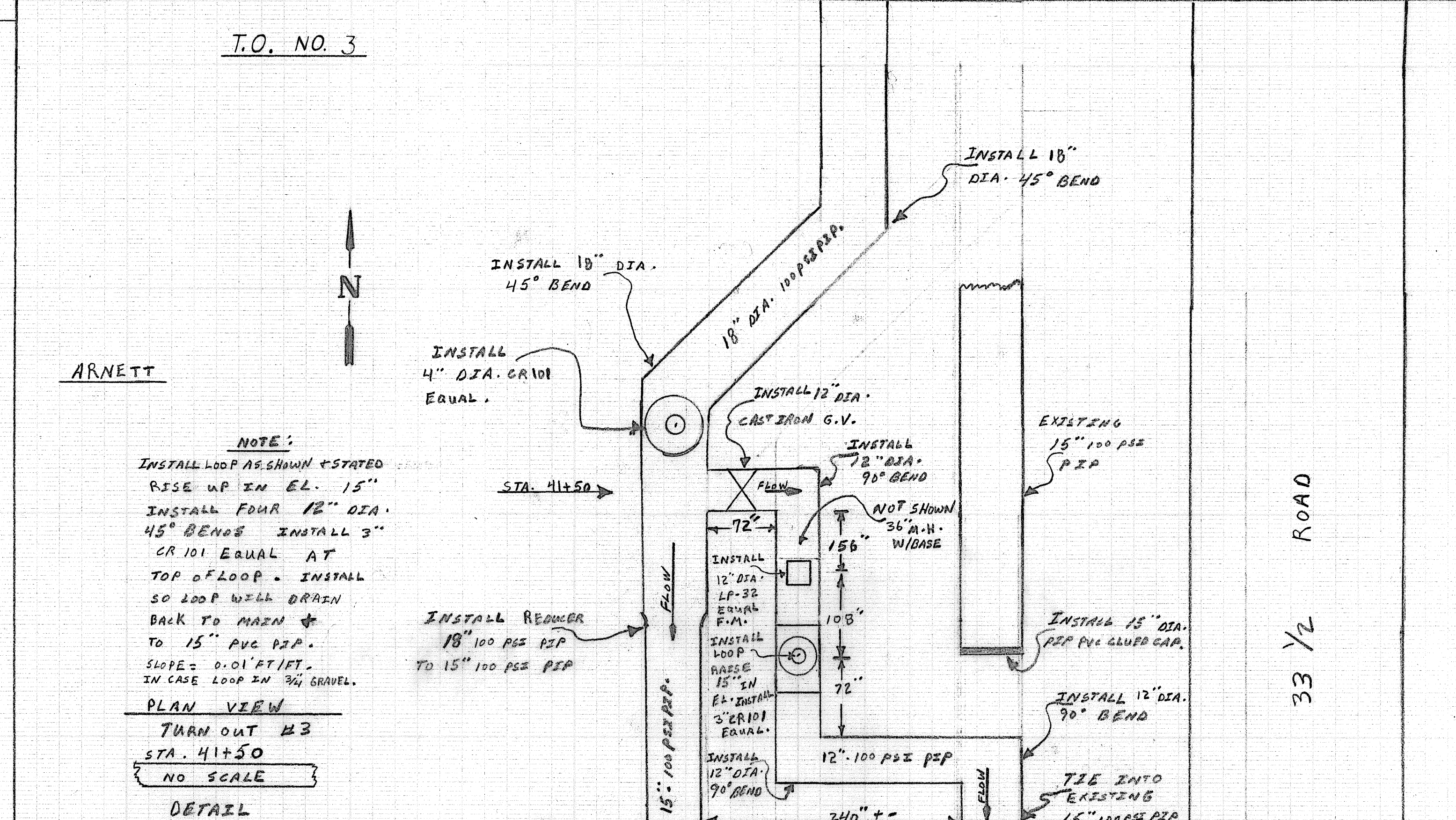
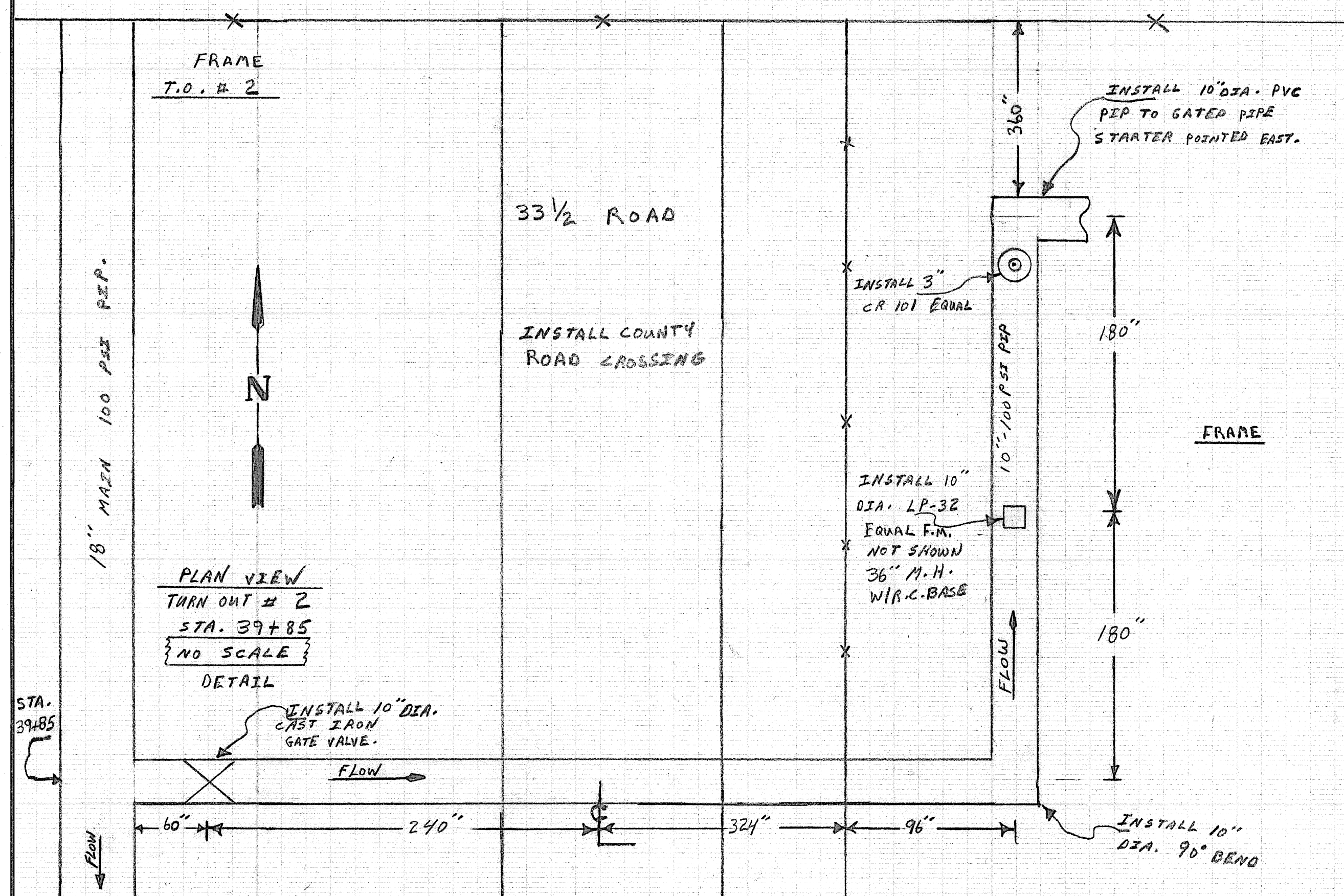
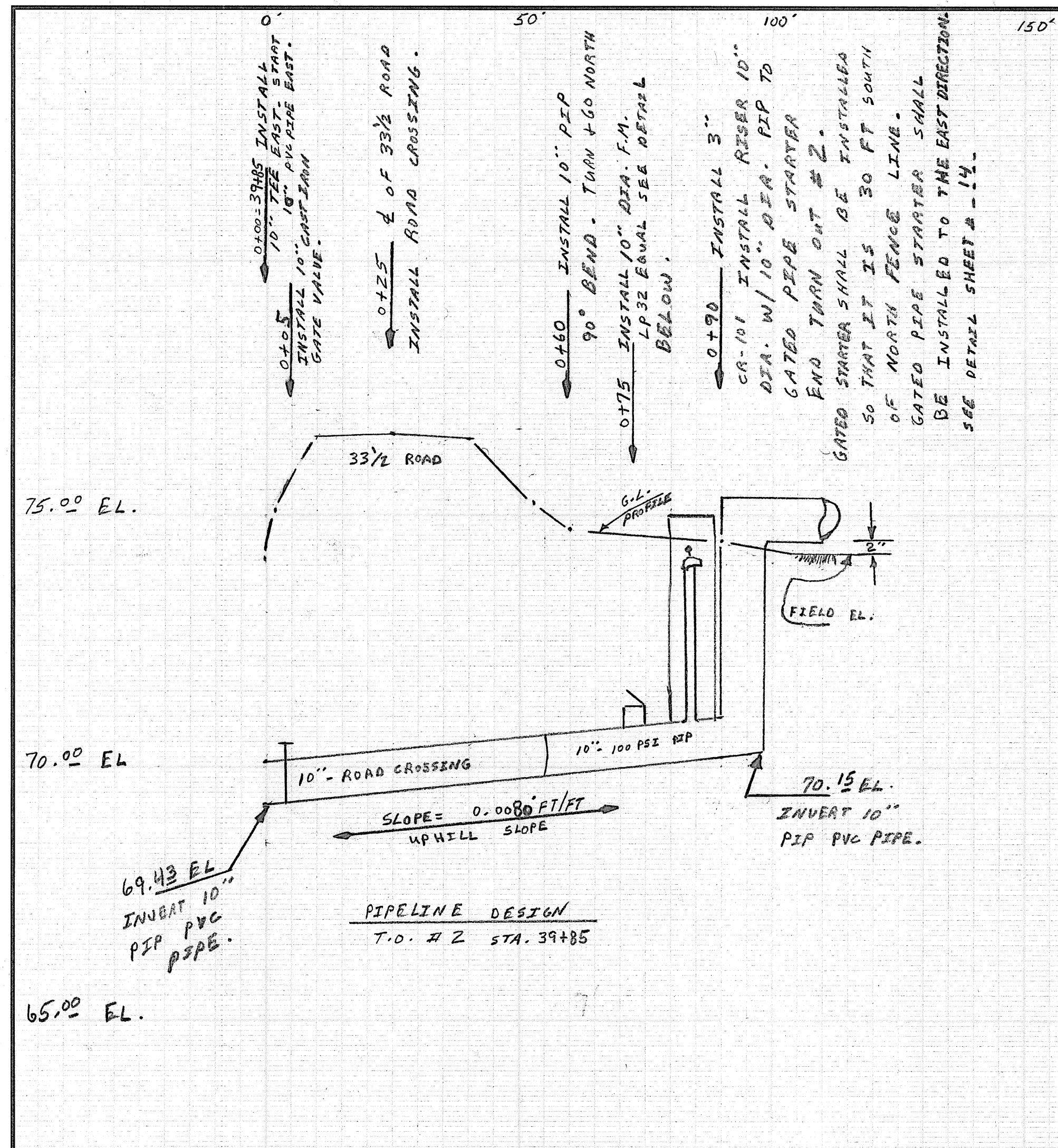
TAIL WATER STRUCTURE
STA. 90+00

MESA CO NORTH EY4 ROAD - GRAND JCT F.O. LATERAL DITCH ML 47 ENCL. TAIL WATER STR. + PIPELINE KATHY ERICSON AGENT 3332 D 1/2 ROAD STA. 91400 TO 91420 F.Y. 2018 BASIN F.Y. 2018	Designed	7/17
	Drawn	7/17
	Checked	
	Approved	
File Name ML-47		
Drawing Name F.Y. 2018		
Basin - 2018		
Sheet 6 of 14		

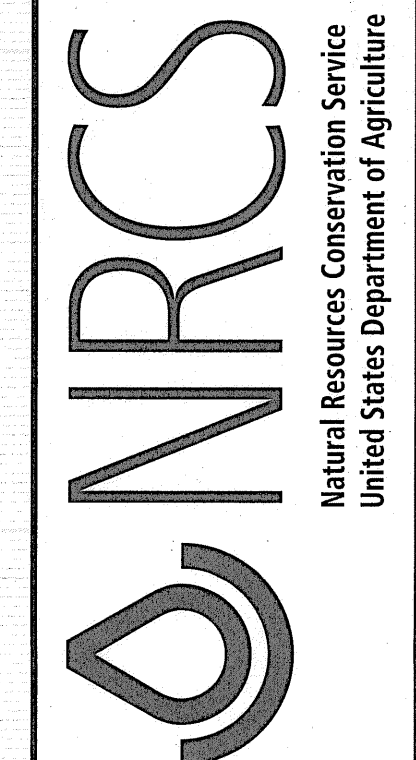


<p>File Name ML 47</p> <p>BASIN F.Y. 2018</p> <p>Drawing Name F.Y. 2018</p> <p>Sheet 7 of 14</p>	<p>Date 8/17</p> <p>Designed ML</p> <p>Drawn ML</p> <p>Checked</p> <p>Approved</p>
	<p>MESA CD</p> <p>LATERAL DITCH</p> <p>ML 47</p> <p>INC. TURNOUT #1</p> <p>STA. 39+20</p>
	<p>KATHY ERICSON AGENT</p> <p>3332 D 1/2 ROAD</p> <p>F.Y. 2018</p>
	<p>BASIN F.Y. 2018</p>

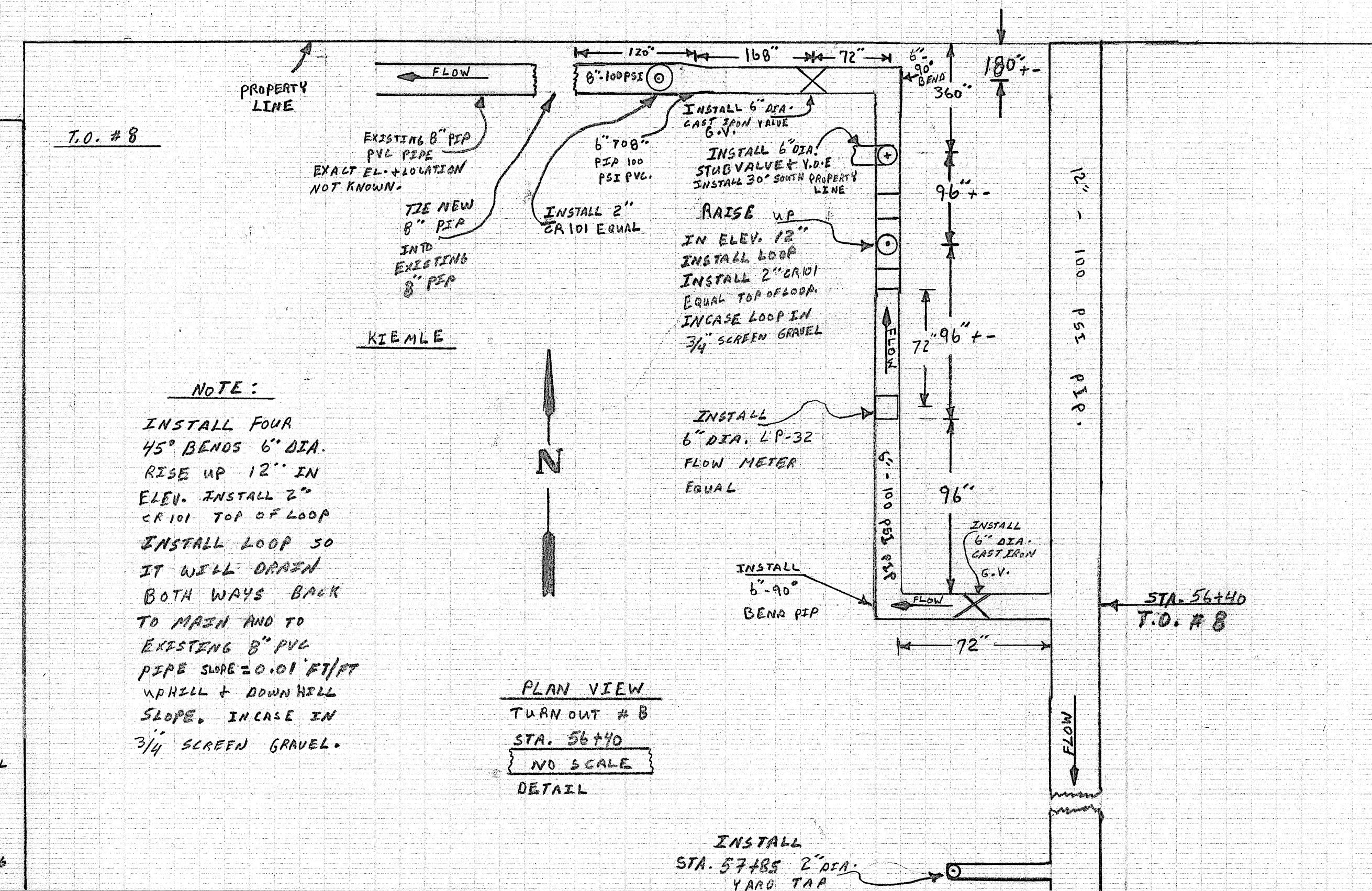


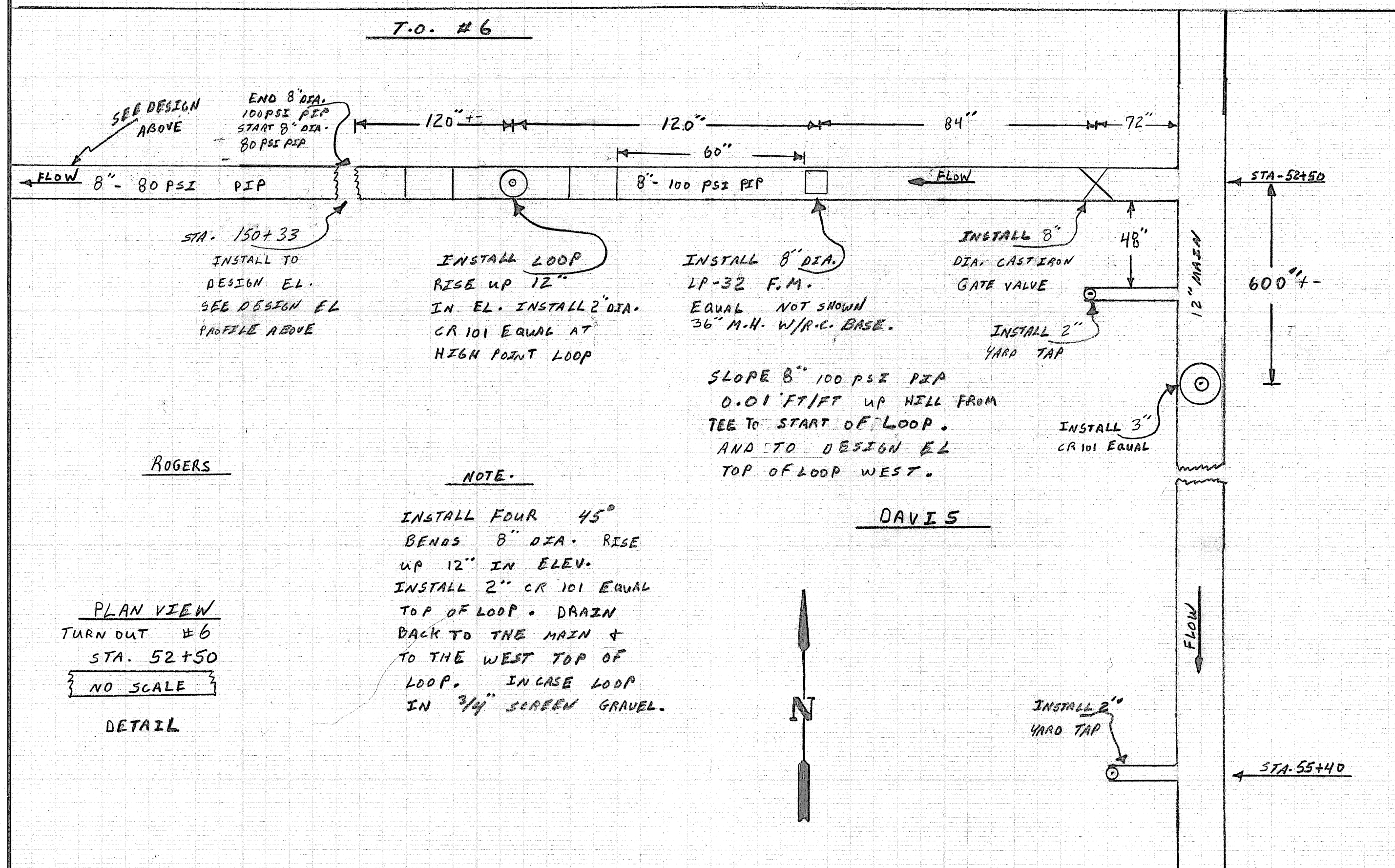
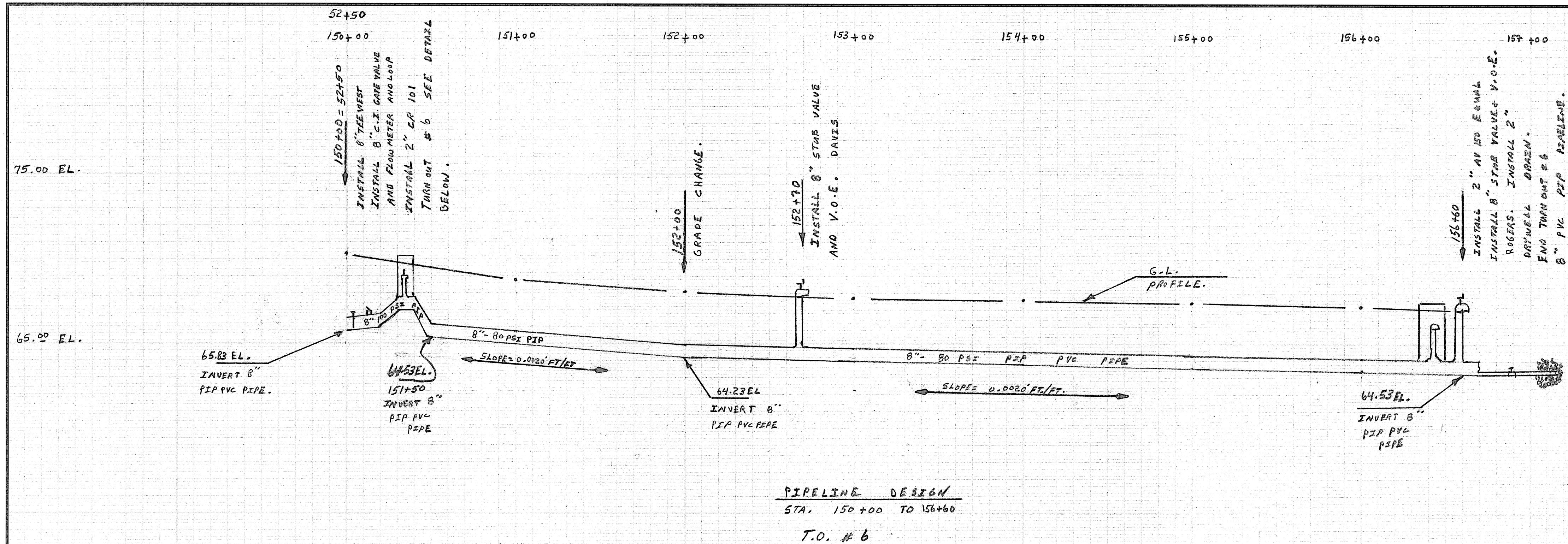


Date	8/17
Designed	JML
Drawn	JML
Checked	
Approved	
File Name	ML-47
F.Y. 2018	
Drawing Name	BASIN F.Y. 2018
Sheet	8 of 14

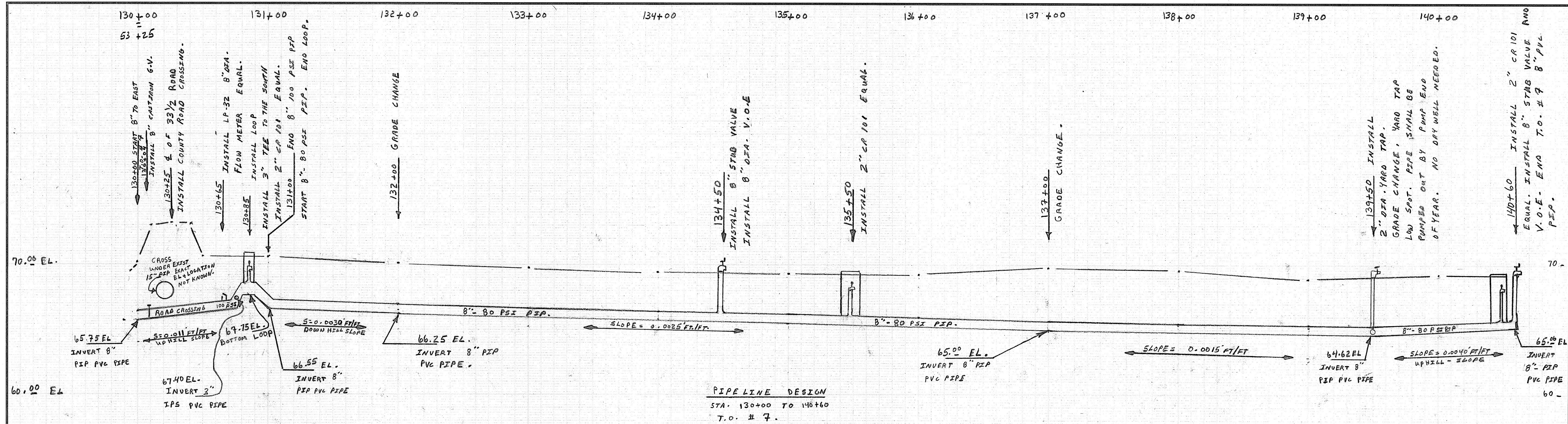


File Name	ML-47
F.Y. 2018	
Drawing Name	BASIN F.Y. 2018
Sheet	8 of 14

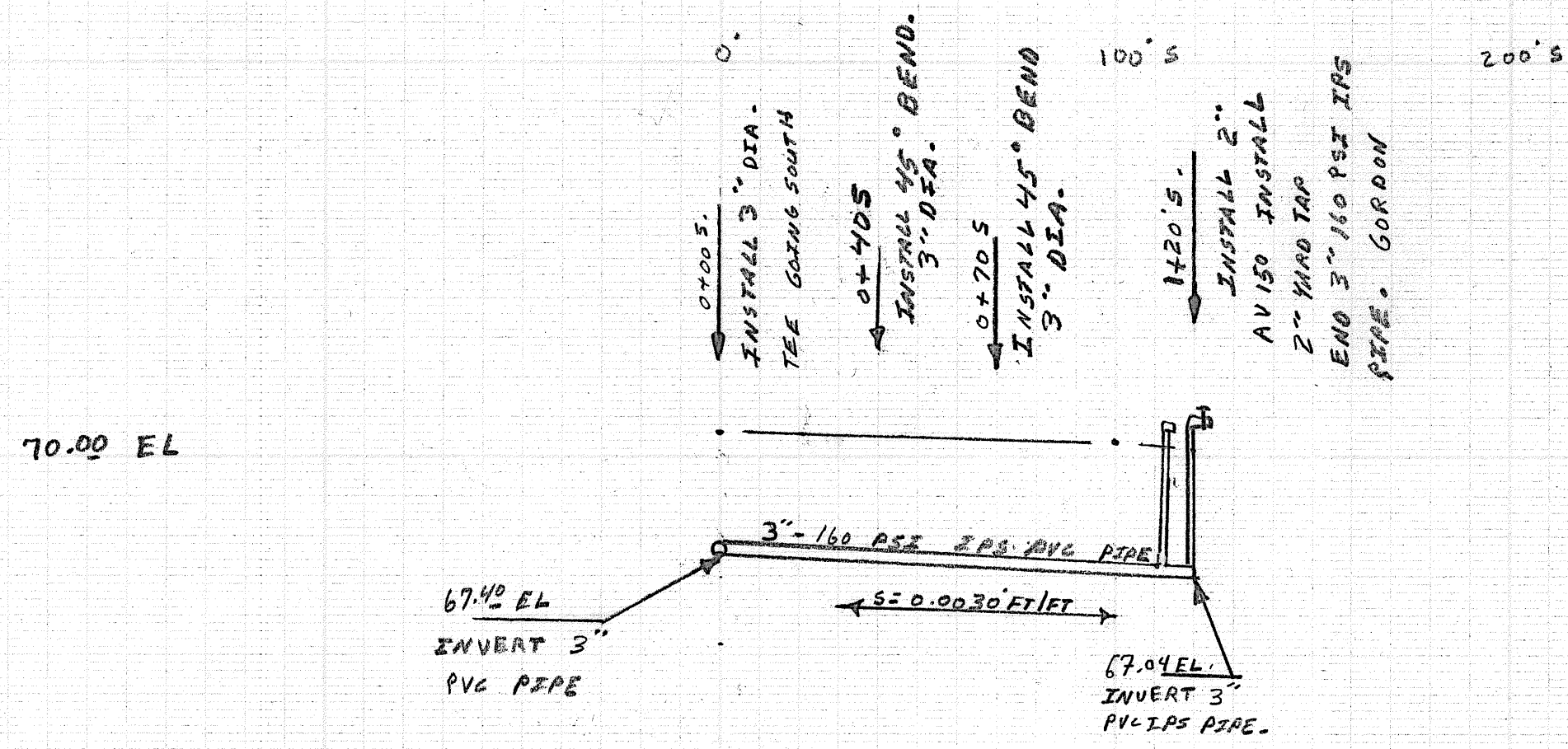




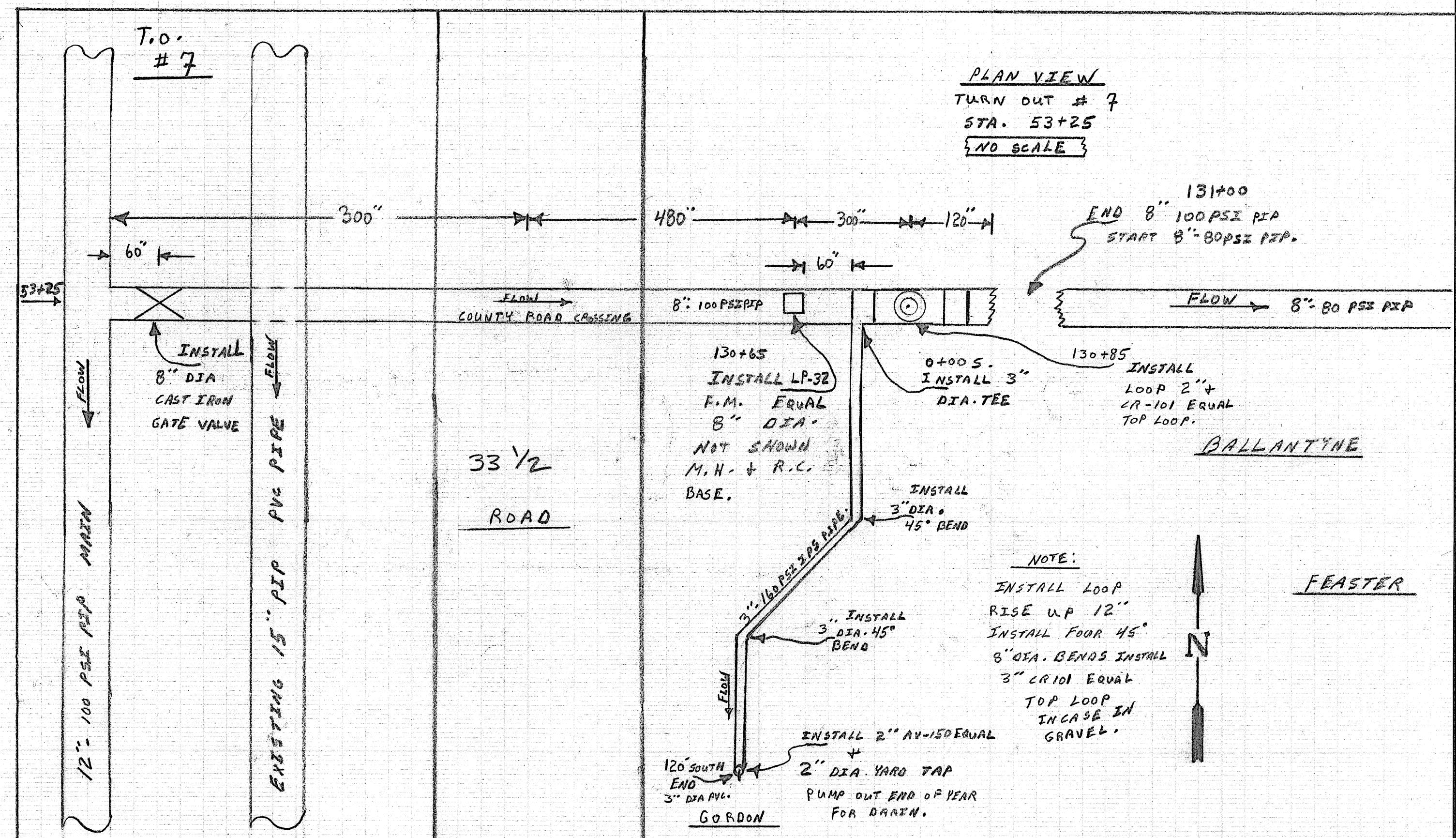
NRCS Natural Resources Conservation Service United States Department of Agriculture		Date <u>8/17</u> Designed <u>JPH</u> Drawn <u>JPH</u> Checked <u>JPH</u> Approved <u>JPH</u>
AREA <u>SD</u> LATERAL DESIGN <u>ML 47 INC.</u> KATHY ERICSON AGENT F.Y. 2018	TURNOUT # <u>1</u> STA. <u>39+20</u> ROAD <u>D 1/2</u> BASIN <u>F.Y. 2018</u>	T.O. # <u>6</u> STA. <u>52+50</u>
File Name <u>ML 47</u> Drawing Name <u>BASIN 2018</u> Sheet <u>10</u> of <u>14</u>		



PIPELINE DESIGN
STA. 130+00 TO 140+60
T.O. # 7.



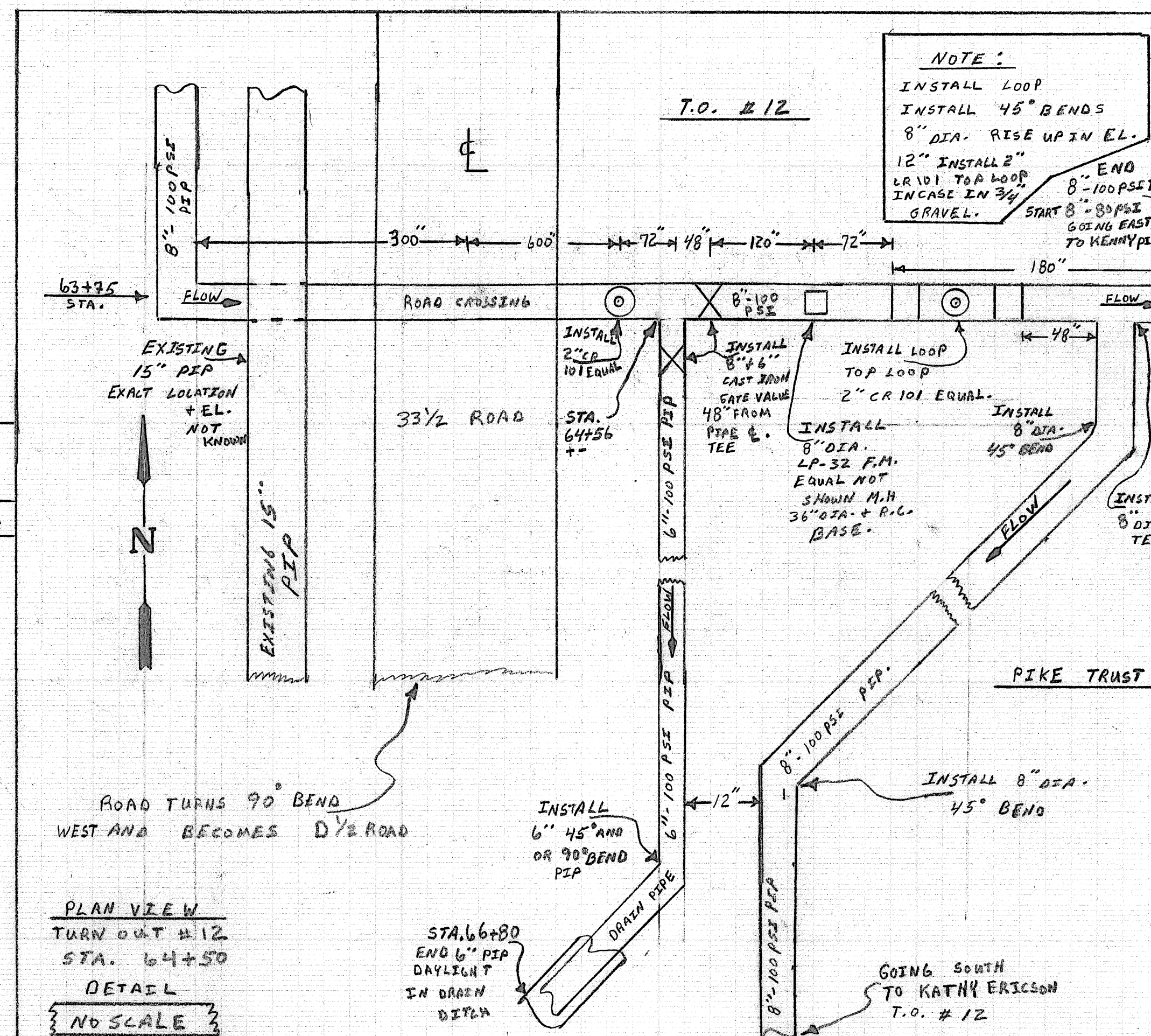
PIPELINE DESIGN
STA 0+00 TO STA. 1+20.5
GORDON




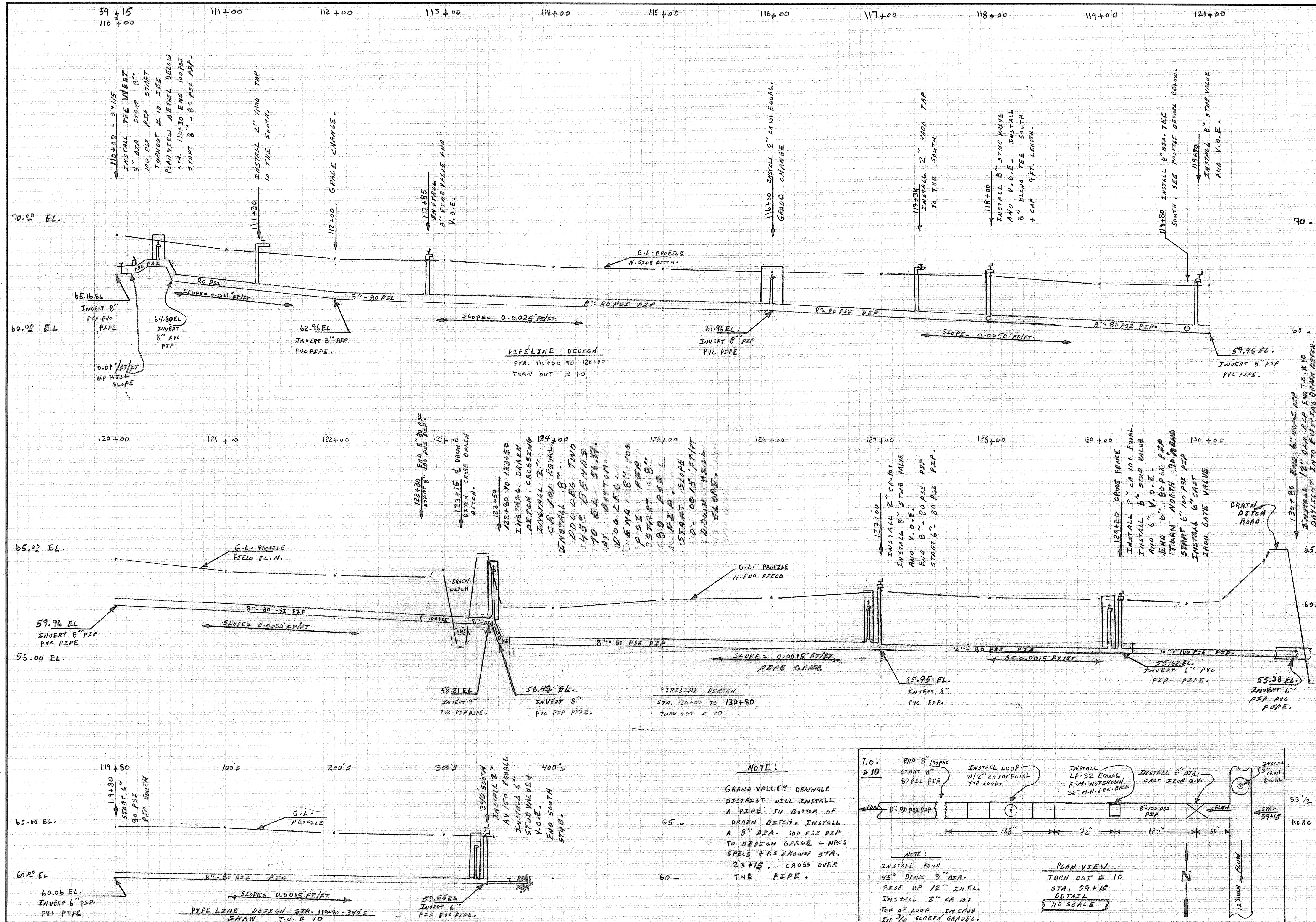
PLAN VIEW
TURN OUT # 7
STA. 53+25
NO SCALE

NOTE:
INSTALL LOOP
RISE UP 12"
INSTALL FOUR 45"
3" CR 101 EQUAL
TOP LOOP
IN CASE IN
GRAVEL.

Date		8/17
Designed		JHL
Drawn		JHL
Checked		
Approved		
MELA CD	GRAND TCT P.O.	
LATERAL DITCH	ML 47 INC. PIPELINE LAT.	
KATHY ERICSON	AGENT 3332 D 1/2 ROAD	
F.Y. 2018	TURN OUT # 7 STA. 53+25	
BASIN-2018		
Sheet 11 of 14		

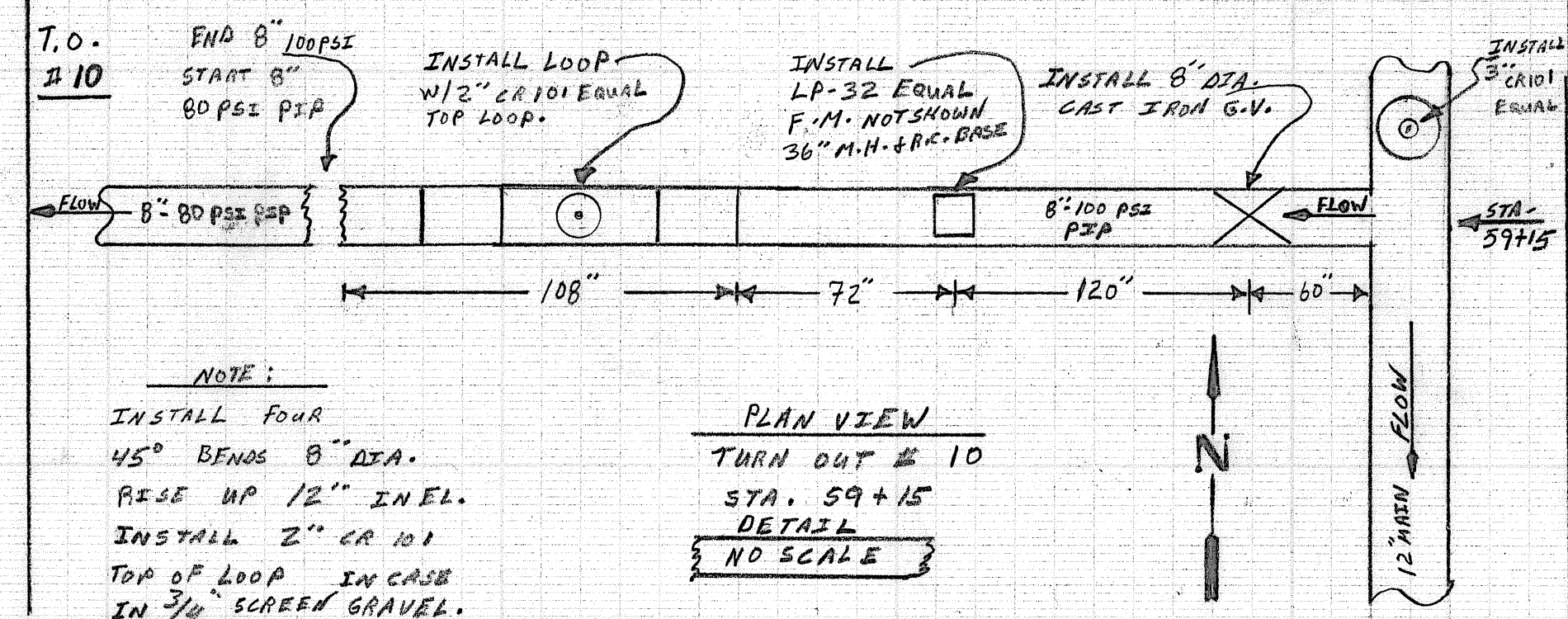


 NRCS Natural Resources Conservation Service United States Department of Agriculture	File Name	ML-47		
	Drawing Name	F.Y. - 2018		
	Sheet	12	of	14
	MESA CO GRAND TCT E.O. LATERAL DITCH ML 47 INC. TURNOUTS # 9, # 11, & # 12. KATHY ERICKSON AGENT 3332 D 1/2 ROAD F.Y. 2018 BASIN 2018			
	Designed	Drawn	Checked	Approved
Date	8/12	8/17		



NOTE:

GRAND VALLEY DRAINAGE DISTRICT WILL INSTALL A PIPE IN BOTTOM OF DRAIN DITCH. INSTALL A 8" DIA. 100 PSI RCP TO DESIGN GRADE + NRCS SPECS + AS SHOWN STA. 123+15. CROSS OVER THE PIPE.



Date 8/17	
Designed JML	
Drawn JML	
Checked JML	
Approved JML	
Grand Jet F.O. T.O. # 10	
MESA CO LATERAL DITCH ML47 INC. TURNOUT # 10 STA. 59+15	
KATHY ERICSON AGENT 3332 D 1/2 ROAD	
F.Y. 2018	
NRCS Natural Resources Conservation Service United States Department of Agriculture	
File Name ML47	
Drawing Name BASIN-2018	
Sheet 13 of 14	

NRCS-ENG-316 (Rev. 10/04)

f). Right-of-Way/Land (continuation of 2.4.2)

Tabulation of land ownership at the proposed site.

1. Humberto & Ana Ambriz 3338 D ½ Rd. Clifton, Co. 81520
2. Kathleen J. Arnett Trustee 3331 D ½ Rd. and 3306 D ½ Rd. Clifton, Co 81520
3. Robert L & Terry L Ballantyne, Jr. 472 33.5 Clifton, Co 81520
4. Stephanie D & Tyler A. Bittner 495 33 ½ Rd. Clifton, Co 81520
5. Bopa, LLC Nathalie Ames PO Box 114 Mesa, Co 81643
6. Jose & Liliana Caballero 3336 D ½ Rd. Clifton, Co 81520
7. Stephen P & Vanetta R. Carson 3328 D ½ Rd. Clifton, Co 81520
8. Kevin F. & Donna Gordon 468 33 ½ Rd. Clifton, Co 81520
9. Justin & Dianna Grieger 3354 D 6/10 Rd. Clifton, Co 81520
10. Kenneth E & Donna L Kiemle 465 33 ½ Rd. Clifton, Co 81520
11. Clinton Kuhn 499 33 ½ Rd. Clifton, Co 81520
12. Darrell & Susanne C Kuhn PO Box 194 DeBeque, Co 81630
13. Zula Mae Pike etal 450 33 ½ Rd Clifton Co 81520
14. Cassandra Rogers 3330 D ½ Rd. Clifton Co 81520
15. Robert W & Eldrid L Schafer 497 33 ½ Rd. Clifton Co 81520
16. Calvin T & Jeanette A Shaw 3332 D ½ Rd. Clifton Co 81520 (PO Box 96)
17. Felix J & Eva I Smith PO Box 1527 Clifton Co 81520
18. Melvin & Sally Vogel & Vogel Sally Ann, Mitchell Leeann Vogel grantee-Beneficiary 459 33 ½ Rd. Clifton Co 81520
19. William H III & Molly C Walton 478 33 ½ Rd. 81520
20. Jacqualine C. & Kevin Feaster 3366 D 7/10 Rd. Clifton, Co 85120
21. Carl & Vera Zhoner 458 33.5 Rd. Clifton, Co. 81520
22. Michelle D. Barnes 460 33 ½ Rd Clifton, Co 81520
23. Paul M & Tamara K Young 515 33 ½ Rd. Clifton, Co 81520
24. James F & Ashley Keeling 3343 E ¼ Rd. Clifton, Co. 81520
25. Nathane E. Wirtz & Rachel K Pavak 3349 E ¼ Rd. Clifton, Co. 81520
26. Michael Stephanie A & Clifton J. 3348 E ¼ Rd Clifton, Co 81520
27. John R. & Deeanne M. Layfield 3350 E ¼ Rd. Clifton, Co 81520
28. James J. & Kathryn A. Bertram 3352 E ¼ Rd. Clifton, Co 81520
29. Brandon W. & Becky S. Reeves 3346 E ¼ Rd. Clifton, Co 81520
30. Rawhide & Lace LLC 547 33 ¾ Rd. Clifton, Co 81520
31. Denise Mosby 3348 ½ E ¼ Rd. Clifton, Co 81520
32. Penny L. Sanders 489 33 ½ Rd. Clifton, Co 81520
33. Joleen Ryman 3310 D ½ Rd. Clifton, Co. 81520
34. Loretta M. Harper 3360 D 6/10 Rd. Clifton, Co 81520

NRCS COST ESTIMATE

ML - 47

F.Y. 2020

Bid Item	Item Description	Quantity	Units	Unit Cost	Total Cost
1	Removal of All Old Concrete Structures and Concrete Ditch	8,200	L.F.	\$2.00	\$16,400
2	County Road Crossing E 1/4 Road STA: 25+90	1	Job	\$23,000	\$23,000
3	County Road Crossings 33 1/2 Road STA: 39+85, 49+90, 53+25, 56+50, 59+85, and 64+00.	6	Job	\$18,000	\$108,000
4	Reinforced Concrete	8.75	Cu.Yd.	\$1,650	\$14,437.50
5	Mild Steel Metal Fabrication	220	Sq.Ft.	\$50	\$11,000
6	18" Diameter 100PSI	2,400	L.F.	\$37	\$88,800
7	18" Diameter 80PSI	760	L.F.	\$32	\$24,320
8	15" Diameter 100PSI	860	L.F.	\$30	\$25,800
9	12" Diameter 100PSI	1,660	L.F.	\$26	\$43,160
10	10" Diameter 100PSI	260	L.F.	\$20	\$5,200
11	8" Diameter 100PSI	1,800	L.F.	\$18	\$32,400
12	8" Diameter 80PSI	5,720	L.F.	\$15	\$85,800
13	6" Diameter 100PSI	500	L.F.	\$13	\$6,500

NRCS COST ESTIMATE

ML - 47

(Continued)

Bid Item	Item Description	Quantity	Units	Unit Cost	Total Cost
14	6" Diameter 80PSI	560	L.F.	\$11	\$6,160
15	3" Diameter 160PSI IPS	120	L.F.	\$10	\$1,200
16	2" Diameter 160PSI IPS	40	L.F.	\$8	\$320
17	Imported Fill Material	200	Cu.Yd.	\$25	\$5,000
18	1½ inch Rock	150	Cu.Yd.	\$37.50	\$5,625
19	¾-inch Screened Gravel	800	Cu.Yd.	\$37.50	\$30,000
20	2" Yard Tap	12	Each	\$400	\$4,800
21	10" Diameter PIP to Gated Pipe Starter	1	Each	\$100	\$100
22	8" Diameter Stub Valve with 8" Diameter Valve Opening Elbow	16	Each	\$1,250	\$20,000
23	6" Diameter Stub Valve with 6" Diameter Valve Opening Elbow	3	Each	\$1,000	\$3,000
24	12" Diameter Cast Iron Gate Valve	1	Each	\$2,500	\$2,500
25	10" Diameter Cast Iron Gate Valve	1	Each	\$2,250	\$2,250
26	8" Diameter Cast Iron Gate Valve	9	Each	\$2,000	\$18,000

NRCS COST ESTIMATE

ML - 47

(Continued)

Bid Item	Item Description	Quantity	Units	Unit Cost	Total Cost
27	6" Diameter Cast Iron Gate Valve	3	Each	\$1,900	\$5,700
28	12" Diameter Flow Meter	1	Each	\$2,700	\$2,700
29	10" Diameter Flow Meter	1	Each	\$2,600	\$2,600
30	8" Diameter Flow Meter	9	Each	\$2,500	\$22,500
31	6" Diameter Flow Meter	1	Each	\$2,400	\$2,400
32	36" Diameter Reinforced Concrete Pipe with Standard R.C. Bases (Manholes)	12	Each	\$2,000	\$24,000
33	21" Diameter Concrete Pipe With Concrete Lids with 4" Holes	120	L.F.	\$50	\$6,000
34	18" Diameter Reinforced Concrete Pipe	15	L.F.	\$45	\$675
35	12" Diameter Reinforced Concrete Pipe	20	L.F.	\$42.50	\$850
36	2" Diameter Drywell Drain	7	Each	\$400	\$2,800
	Inflational & Miscellaneous Costs	1	Job	\$46,002.50	\$46,002.50

Estimate Total: \$700,000

YEAR	SHARES SOLD AT AUCTION				SHARES SOLD
	HIGH \$		LOW \$	AVG \$	
1997	\$ 300.00	\$	230.00	\$ 245.74	
1998	\$ 220.00	\$	220.00	\$ 220.00	
1999	\$ 325.00	\$	325.00	\$ 325.00	
2000	\$ 365.00	\$	325.00	\$ 343.94	
2001	\$ 400.00	\$	250.00	\$ 301.08	
2002	\$ 725.00	\$	700.00	\$ 703.66	
2003	\$ 490.00	\$	490.00	\$ 490.00	
2004	\$ 325.00	\$	307.00	\$ 319.00	
2005	\$ 275.00	\$	275.00	\$ 275.00	
2006	\$ 510.00	\$	510.00	\$ 510.00	
2007	\$ 655.00	\$	520.00	\$ 534.21	
2008	\$ 595.00	\$	545.00	\$ 545.67	
2009	\$ 460.00	\$	460.00	\$ 460.00	
2010	\$ 555.00	\$	500.00	\$ 527.50	
2011	\$ 550.00	\$	550.00	\$ 550.00	
2012	\$ 575.00	\$	275.00	\$ 429.41	
2013	\$ 550.00	\$	500.00	\$ 508.16	98
2014	\$ 650.00	\$	650.00	\$ 650.00	70
2015	\$ 575.00	\$	575.00	\$ 575.00	45
2016	\$ 570.00	\$	350.00	\$ 390.00	86
2017	\$ 550.00	\$	425.00	\$ 436.21	78
2018	\$ 600.00	\$	600.00	\$ 600.00	58
2019	\$ 580.00	\$	580.00	\$ 580.00	58



Colorado Secretary of State
Date and Time: 07/27/2011 11:24 AM
ID Number: 20111426107
Document number: 20111426107
Amount Paid: \$50.00

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ABOVE SPACE FOR OFFICE USE ONLY

Articles of Incorporation for a Nonprofit Corporation

filed pursuant to and of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for the nonprofit corporation is

Lateral Ditch ML47, Inc.

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the nonprofit corporation's initial principal office is

Street address

P.O. Box 637

(Street number and name)

Clifton

(City)

CO

(State)

81520

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

Mailing address

(leave blank if same as street address)

3020 Hill Court

(Street number and name or Post Office Box information)

Grand Junction

(City)

CO

(State)

81504

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

3. The registered agent name and registered agent address of the nonprofit corporation's initial registered agent are

Name

(if an individual)

Ericson

(Last)

Kathy

(First)

(Middle)

(Suffix)

OR

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Street address

3020 Hill Court

(Street number and name)

Grand Junction

(City)

CO

(State)

81504

(ZIP Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City) CO (State) (ZIP Code)

(The following statement is adopted by marking the box.)

☒ The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name

(if an individual)

Erickson

Cara

(Last)

(First)

(Middle)

(Suffix)

OR

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Mailing address

471 33 1/2 Rd.

(Street number and name or Post Office Box information)

Clifton

CO

81520

(City)

(State)

(ZIP/Postal Code)

United States

(Province – if applicable)

(Country)

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

☐ The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. (If the following statement applies, adopt the statement by marking the box.)

☒ The nonprofit corporation will have voting members.

6. (The following statement is adopted by marking the box.)

☒ Provisions regarding the distribution of assets on dissolution are included in an attachment.

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

☐ This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm/dd/yyyy hour:minute am/pm)

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.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Erickson</u>	<u>Cara</u>		
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
<u>471 33 1/2 Rd.</u>			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
<u>Clifton</u>	<u>CO</u>	<u>81520</u>	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<u></u>	<u>United States</u>	<u></u>	
<small>(Province – if applicable)</small>	<small>(Country)</small>		

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

- ☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet 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/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Lateral Ditch ML47, Inc.

is a

Nonprofit Corporation

formed or registered on 07/27/2011 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20111426107 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 02/20/2020 that have been posted, and by documents delivered to this office electronically through 02/23/2020 @ 07:54:35 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 02/23/2020 @ 07:54:35 in accordance with applicable law. This certificate is assigned Confirmation Number 12102498 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

RECEPTION#: 2911091
1/24/2020 3:58:09 PM, 1 of 12
Recording: \$68.00,
Tina Peters, Mesa County, CO.
CLERK AND RECORDER

RECEPTION 2605174, BK 5277
PG 903 03/26/2012 at PM,
1 OF 11, R \$60.00 S \$1.00
Sheila Reiner, Mesa County,
CO CLERK AND
RECORDER

BY-LAWS
OF
LATERAL DITCH ML47, INC.

ARTICLE 1 - DESCRIPTION

Section 1 – Name: The name of the corporation is Lateral Ditch ML47, Inc. The corporation is a mutual ditch company and non-profit corporation, organized under the laws of the State of Colorado.

Section 2 - Offices: The principal office of the corporation shall be located in Mesa County, Colorado, as shall be determined by the Board of Directors and registered with the State of Colorado.

Section 3 - Application: The provisions of these By-Laws are applicable to all properties presently being served by the Grand Valley Irrigation Company ML47 (hereinafter GVIC ML47) ditch system located in Mesa County, Colorado, and more particularly described in Exhibit "A" attached hereto. All present and future owners, their tenants and future tenants, presently being served by the GVIC ML47 are subject to the regulations in these By-Laws.

Section 4 - Fiscal Year: The fiscal year of the corporation is from January 1 through December 31.

ARTICLE 2 - DEFINED AREA

Section I - GVIC ML47: Starting at Headgate ML47, Grand Valley Irrigation Company, then proceeding south on 33 ½ Road to the Colorado River, more particularly described in Exhibit "A" attached hereto.

Section 2 - Inclusion Of New Area: Any other portion of GVIC ML47 servicing the area may apply to the corporation for inclusion for maintenance after said ditch has been installed to the specifications of the corporation and preferably serve more than one property owner. The unanimous approval by the Board of Directors is required.

ARTICLE 3 - MEMBERS, MEMBERSHIP, DUTIES AND RESPONSIBILITIES

Section 1 - Membership Defined:

1.1 Members will be property owners, in good standing, and who own or rent a minimum of one (1) "A" share of stock in Grand Valley Irrigation Company (hereafter "GVIC"), and whose properties are located within the lateral service area described in Article I

1.2 Share certificates will not be issued to members. Membership will be based on present "A" share GVIC stock ownership or the verified rental of at least one (1) share in GVIC, delivered to the Lateral Ditch ML47 headgate.

1.3 The membership in this corporation may not be sold to or owned by anyone other than property owners serviced by GVIC ML47 as described in Article 2. A sale or transfer of property served by the said ditch system will cause the transfer of the membership in the corporation identified with said property.

Section 2 – Duty To Notify Corporation of Changes:

2.1 Each member will notify the secretary of the corporation of any change of ownership, subdivision of land, dedication of land usage (i.e. conservation easements), change of ownership of shares of water, or change of contact.

2.2 Potential new members (other than transfers or inclusion of new areas as described above) will be considered by written application, for approval by the Board of Directors. Decisions to admit new members will be based on variables to include, but not be limited to, the following: previous cost factors of maintenance, repairs, construction, space available and physical limitations of GVIC ML47. A fair amount of assessment for a new member will be determined by the Board and voted on by the majority of the shares. Upon payment of the determined assessment, a new member may be admitted.

Section – 3 Assessments and Financial Responsibilities

3.1 Each member will pay their respective assessment each year as due. Annual assessments will be collected for the purpose of funding maintenance, emergency repairs, administrative expenses, and to establish a reserve for future contingencies. Assessments shall be determined by the Board for the first GVIC "A" share, and determined by the board for each share thereafter (GVIC "B" shares). All assessments shall become effective January 1 of each year. Written notice will be deposited in the United States mail on January 10th of each year, postage prepaid, and addressed to the members of record. Assessments shall be due February 1, and delinquent after February 15 of each year.

3.2 Delinquent assessments will be charged interest starting from the due date at the rate of 1 % per month until paid. At the recommendation of the Board of Directors, a lien to include all legal expenses and reasonable fees, shall be filed against the real property of delinquent water users. Such assessment, together with interest, costs and reasonable attorney fees, shall be the obligation of the landowner.

3.3 If members fail to hold any such meeting or fail to make or authorize any increase in assessments within 90 days after the close of the corporation's fiscal year, the Board of Directors shall have the power to increase the amount of any such assessment at any regular or special meeting for that purpose, by an affirmative vote of the majority of Board of Directors. The fiscal year shall be January 1 through December 31.

3.4 Special assessments to fund construction or other major expenses may be determined necessary by the Board of Directors. Any such assessment shall be approved by a majority

vote of the shares at the annual meeting of the members or at a special meeting. If the membership fails to approve the recommended assessments, the Board of Directors shall have the power to set special assessments only as required for the continued operation of GVIC ML47.

3.5 Each member will be financially responsible for the operation of GVIC ML47 from the headgate to the river per his/her pro rata share (total of A and B shares owned) of water on GVIC ML47. Once the water leaves GVIC ML47 each member is responsible for its sub lateral conveyance and maintenance.

Section 4 – Stewardships, Turnouts, Mechanical Devices, Class B Shares:

4.1 Each member will participate in the cleaning and maintenance of GVIC ML47 whenever such cleaning or maintenance is required, as specified by the Board of Directors. Routinely, on the second weekend in March and the first weekend in November, or as weather permits, the members shall prepare the ditch for water from the head gate to the end. Any member not present for the March cleanup shall send a worker in their place, remit an assessment determined by the Board, or make prearranged and Board of Directors approved plans. Any member who either fails to send a worker in his place, to remit The assessment, or to make prearranged and Board of Director's approved plans, will be subject to the delinquent assessment provisions of Article 3 Section 3.2. For the year 2012 only, the monetary assessment is waived.

4.2 Additional class "B" shares may be purchased or rented by members so as not to exceed the total capacity of GVIC ML47, the capacity of the system at the point of use, and with approval of the majority of the membership.

4.3 Members shall be responsible for the maintenance of their individual laterals and the discharge water. Each member will be responsible for any and all damage to GVIC ML47 due to the negligence of said member, and said member will pay for all such damage to GVIC ML47 by said member.

4.4 Any member desiring a new/additional turnout for their property must first obtain the permission of the Board of Directors and all costs will be the sole responsibility of the member. In the event a member decides to subdivide their property, only one turnout will be allowed, unless the Board of Directors approve additional turnout(s). Upon application of a subdivision for more than one turnout, the Board of Directors shall notify all members of such subdivision, solicit comments and hold a meeting to address the application. The Board may approve with conditions or deny the additional turnout(s) application and place any limitation needed to protect the interests of all water users.

4.5 No mechanical devices may be installed in GVIC ML47 without approval of the Board of Directors. No person shall construct any driveway, and/or structures including pipes and/or flumes in or under GVIC ML47 without first entering into a written agreement approved by the Board of Directors.

ARTICLE 4 - MEMBER MEETINGS, ELECTIONS, VOTING

Section I - Parliamentary Authority: The rules contained in the current edition of Robert's Rules Of Order, Newly Revised, 11th Edition, shall govern the business of the Lateral 47, Inc. in all cases in which they are applicable and in which they are not in conflict with these By-Laws, and special rules set down by Grand Valley irrigation Company, and the State of Colorado statutes.

Section - 2 Annual Meeting: The annual meeting shall be held in the first quarter of the year on a date determined by the Board of Directors, for the purpose of electing Directors, setting assessments, and for the transaction of such other business as may come before the meeting. If the election of Directors shall not be held on the day designated herein for the annual meeting of the members, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the members to be held not later than sixty (60) days from the date of the annual meeting.

Section 3 - Special Meetings: Special meetings of the members for any purpose or purposes, unless otherwise prescribed by statute, may be called by the President or by the Board of Directors, and shall be called by the President at the request of the four or more of the members of the corporation entitled to vote at the meeting.

Section 4 - Place Of Meeting: The Board of Directors may designate any place, within Mesa County, Colorado, as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors. A waiver of notice signed by all members entitled to vote at a meeting may designate any place, within Mesa County, Colorado, as the place for the holding of such meeting.

Section 5 - Notice Of Meetings: Written or printed notice stating the place, day and hour of the meeting, and in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally, via email or by postal mail, by or at the direction of the President or the Secretary, or the officer or persons calling the meeting, to each member of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the member at their address as it appears on the books of the corporation, with postage prepaid.

Section 6 - Record Date: For the purpose of determining members entitled to notice of, or to vote at any meeting of members entitled to vote at any meeting of members or any adjournment thereof, or in order to make a determination of members for any other proper purpose, the Board of Directors of the corporation may set a record date.

If no record date is fixed for the determination of members entitled to notice or to vote at a meeting of members, the date on which notice of the meeting is mailed shall be the record date for such determination of members. When a record date has been set as provided in this section, such record date shall apply to any adjournment thereof unless [he Board of Directors set a new record date or the adjournment to a date more than 120 days after the record date for the original meeting in which case a new record date must be set.

Section 6 Proxies:

6.1 At all meetings of members, a member may vote by proxy executed in writing by the member or by their duly authorized attorney-in-fact, Such proxy shall be given to the Secretary of the corporation. No proxy shall be valid after eleven (11) months from the date of its execution, unless otherwise provided in the proxy.

6.2 Members who do not own water shares, but who rent water shares may vote on purposes for which member meetings are called only by presenting a valid proxy from the owner of the water share(s) that they rent. Such a member who is unable to provide a valid proxy from the water owner, forfeits the entitlement to vote on corporate matters until a valid proxy is provided, while still agreeing to pay all applicable assessments for water service.

Section 7 Voting Of Shares:

7.1 Voting of shares for officers and matters submitted to membership vote: Each outstanding "A" and "B" share entitled to vote shall be entitled to one (1) vote upon each matter submitted to a vote at a meeting of members, regardless of the number of owners of such "A" and "B" shares. Only members in good standing shall be entitled to vote. A member will be deemed in good standing if all assessments are paid in full for the current year as well as all prior years. Members who do now own water shares, but rent, see Article 4 Section 6.2.

7.2 If sufficient funds are not available in the corporation's account for financial matters of \$1 ,000 or more, voting of shares shall be: Each outstanding "A" and "B" share entitled to vote shall be entitled to one (1) vote for each "A" and "B" share upon each financial matter submitted to a vote at a meeting of members regardless of the number of owners of such "A" share. This is the members pro rata share. (For example: A member who owns one (1) "A" share and four (4) "B" shares is entitled to a total of five (5) votes. Proxy voting is the same.) Only members in good standing shall be entitled to vote. A member will be deemed in good standing if all assessments are paid in full for the current year as well as all prior years. Members who do now own water shares, but rent, see Article 4 Section 6.2.

Section 8 -Informal Action By Members: Any action required to be taken at a meeting of the members, or any other action which may be taken at a meeting of the members, may be taken without a meeting if consent in writing setting forth the action so taken, shall be signed by a majority of the members entitled to vote with respect to the subject matter thereof.

Section 9 – Quorum: The majority of the "A" and "B" share owners of the corporation entitled to vote, person or by proxy, shall constitute a quorum at a meeting of members.

Section 1 - Management/Election: The affairs of this corporation shall be managed by a Board of Directors consisting of a President, Vice President, Secretary, Treasurer and Member At Large. The Board of Directors shall be elected by the general membership at the Annual Meeting.

Section 2 - General Powers: The Board of Directors shall have the following powers:

1.1 The Board will propose to the members the amount of assessments due each year by each member.

1.2 The Board shall pay expenses of Lateral Ditch ML47, Inc. of \$999 or less without the vote of members.

1.3 The Board shall govern the operation, maintenance, drainage and repair of G VIC ML47 as defined in Article 2. The decision of the Board is final.

1.4 The Board shall arbitrate any dispute that may arise concerning the operation, maintenance and repair of GVIC ML47.

1.5 Each Board member shall receive complaints concerning the operation, maintenance, drainage and repair of GVIC ML47, and shall have the responsibility of presenting any such complaints to the Board for their consideration.

1.6 The Board shall have the power, with the approval of the members, to hire an operations manager/ditch rider if it becomes necessary.

1.7 The Board shall not receive monetary compensation to serve as board members.

Section 3 - Number And Qualifications: The number of Directors shall consist of a minimum of five (5) members. A Director shall be in good standing and own at least one (1) "A" share of Grand Valley Irrigation Company water.

Section 4 - Term: Board members will be elected for a two (2) year term. Three members to be elected in odd-numbered years and two to be elected in even-numbered years. No one may serve more than two consecutive terms, except by majority vote of the members. (Note that the initial board will have some members with one-year terms.)

Section 5 - Regular Meetings: Regular meetings of the Board of Directors shall be held without other notice than this By-Law, immediately before, and at the same place as the annual meeting of members. The Board of Directors may provide, by resolution, the time and place within Mesa County, Colorado, for the holding of additional regular meetings without other notice than such resolution.

Section 6 - Special Meetings: Special meetings of the Board of Directors may be called by or at the request of the President and any Director. The person or persons authorized to call a special meeting of the Board of Directors may fix any place, within Mesa County, Colorado, as the place for holding any special meeting of the Board of Directors called by them.

Section 7 - Notice: Notice of any special meeting of the Board of Directors shall be given at least three (3) days previously thereto by written notice delivered personally, emailed with delivery confirmation, or mailed to each Director at their mailing address. Any Director may waive notice of any meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of any regular special meeting of the Board of Directors, need be specified in the notice or waiver of notice of such meeting.

Section 8 - Quorum: A majority of the number of Directors duly elected and qualified shall constitute a quorum for the transaction of business at any meeting of the Board of Directors, but if

less than such majority is present at a meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 9 – Manner Of Acting: The act of the majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

Section 10 - Vacancies: Any vacancy occurring in the Board of Directors may be filled by an appointment of another Director made by a majority of the remaining Directors. A director appointed to fill a vacancy shall be appointed for the un-expired term of their predecessor in office.

Section 11 - Presumption Of Assent: A Director of the corporation who is present at a meeting of the Board of Directors at which action on any corporation matter is taken shall be presumed to have assented to the action taken unless their dissent shall be entered in the minutes of the meeting, or unless that person shall file their written dissent to such action with the person acting as secretary of the meeting before the adjournment thereof, or shall forward such dissent by registered mail to the Secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of such action.

ARTICLE 6 OFFICERS

Section 1 – Number: There will be five (5) officers of the corporation: President, Vice-President, Secretary, Treasurer and Member At Large, each of whom shall be elected by the Board of Directors. The Board of Directors may appoint such other officers deemed necessary by the elected officers.

Section 2 - Election: The offices of the corporation shall be elected each year by the members at the annual meeting of the members. If the election to fill offices shall not be held at such meeting, such election shall be held as soon thereafter as possible, but in no event later than sixty (60) days from the date of the annual meeting. Each officer shall hold office until his or her successor shall have been duly elected and shall have been qualified or until his or her death or until that person shall resign or shall have been removed in the manner herein after provided. No member shall be elected to the Board without their written or oral consent.

Section 3 - Removal: The Board of Directors may remove any officer or agent elected or appointed by the Board of Directors whenever in its judgment the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights of any of the persons so removed.

Section 4 - Vacancies: A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term. A vacancy shall be defined as:

Death - Board member is deceased.

Resignation - Notification submitted in writing that the Board member is resigning their position as a board member.

Removal - As defined in Article 6 Section 3 of the By-Laws of Lateral Ditch ML47, Inc.

Disqualification -

- 1) Failure to be a member of the corporation in good standing as defined in Article 3 Section I of the By-Laws of Lateral Ditch ML47, Inc.;
- 2) Loss of ownership of real property served by GVIC ML47; and

- 3) Non-participation in the activities of Board of Directors of Lateral Ditch ML47, Inc. for three (3) consecutive meetings.

Section 5 - President: The President shall be the principal executive officer of the corporation and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and affairs of the corporation. The President shall preside at all meetings of the members; execute any deeds, mortgages, bonds, contract, unless execution thereof shall be expressly delegated by the Board of Directors or by these By-Laws to some other officer or agent of the corporation; and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

Section 6 - Vice-President: In the absence of the President or in the event of the President's death, inability or refusal to act, the Vice-President shall perform the duties of the President, and when so acting, shall have all the power of and be subject to all the restrictions upon the President. The Vice-President shall perform such other duties as from time to time may be assigned by the President or by the Board of Directors.

Section 7 - Secretary: The Secretary shall keep the minutes of the members and Board of Director's meetings in one or more books provided for the purpose; See that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; Be custodian of the corporate records and of the seal of the corporation and see that the seal of the corporation is affixed to all documents, the execution of which on behalf of the corporation under its seal is authorized; Keep a register of the email address and post office address of each member which shall be furnished to the Secretary by such member; Obtain a member list from Grand Valley Irrigation Company once a year; Have general charge of the transfer books of the corporation; and in general perform all duties incidental to the office of Secretary and such other duties as from time to time may be assigned by the President or Board of Directors.

Section 8 - Treasurer: The Treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; Receive and give receipts for monies due and payable to the corporation from any source whatsoever; Deposit all such monies in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article 7 of these By-laws; Prepare a written financial statement to be submitted to the members at the annual meeting; If requested by the President prepare and submit the corporate records to an audit committee to be appointed by the Board of Directors no less than thirty (30) days before the annual meeting, and said audit committee shall prepare an audit statement to be submitted at the annual meeting of members; and in general perform all duties incidental to the office of Treasurer and such other duties as from time to time may be assigned by the President or Board of Directors.

Section 9 – Member At Large: The Member At Large shall be a member of the Board of Directors; Assist other members of the Board of Directors; When authorized by the Board of Directors, may sign with the President or Vice-President any issuance of which shall have been authorized by the Board of Directors; and in general perform such other duties as from time to time may be assigned by the President or Board of Directors.

section 10 - Operations: In accordance with Article 5 section 1.5, the Board of Directors would

manage any Operations Manager/Ditch Rider hired to oversee the operations of GVIC ML47.

ARTICLE 7 BANK ACCOUNT, CHECKS, LOANS AND CONTRACTS

Section 1 - Bank Account: As authorized by the Board of Directors the Treasurer will open an FDIC insured, interest-bearing account at a local bank. All funds of the corporation shall be deposited within a week of receipt.

Section 2 - Checks Drafts Etc.: All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation shall be signed by the Treasurer of the corporation in such manner as shall from time to time be determined by resolution of the Board of Directors.

Section 3 - Loans: No loans exceeding \$1,000 shall be contracted on behalf of the corporation by any member or by the Board of Directors, and no evidence of indebtedness shall be issued in its name without first obtaining the approval of a majority vote of the shares at the annual meeting, or at a special meeting called for that purpose.

Section 4 - Contracts: The Board of Directors may authorize any officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation and such authority may be in general or confined to specific instances.

ARTICLE 8 - WAIVER OF NOTICE

Whenever any notice is required to be given to any member or Director of the corporation under the provisions of these By-Laws or under the provisions of the Colorado Non-Profit Corporation Code, a waiver thereof in writing, signed by the person or person entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE 9 AMENDMENTS

These By-Laws may be altered or amended only after said proposed alteration or amendment is submitted to the Board of Directors in writing, the members given notice of the proposal, and the Board of Directors approve the alteration or amendment at a regular meeting or a special meeting held for such purpose.

ARTICLE 10 - DISSOLUTION

Upon the dissolution of the corporation, the Board of Directors shall pay or make provisions for the payment of all of the liabilities of the corporation. Assets held by the corporation on condition requiring return, transfer, or conveyance, which condition occurs by reason of dissolution, shall be returned, transferred, or conveyed in accordance with such requirement. The Board of Directors shall dispose of all the remaining assets of the corporation exclusively for the exempt purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, scientific, literary, or educational purposes which at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future United States Internal Revenue Law (the

"Code"), as the Board of Directors shall determine. Any assets not so distributed by the Board of Directors shall be distributed by a court of competent jurisdiction of the county in which the corporation's principal office is then located exclusively for the corporation's exempt purposes.

CERTIFICATE OF ADOPTION

We certify that the foregoing By-Laws of Lateral Ditch ML47, Inc. were adopted by vote of the members and the Board of Directors, effective March 19, 2012.

Kathy L. Ericson

Kathy Ericson, President

Cass Hardy
Cass Hardy, Secretary

