



KERN BOARD REGULAR MEETING

May 11, 2020 - 4:45 PM or following the Town Board Regular Meeting

Zoom Meeting, Click on the link

https://windsorgov.zoom.us/webinar/register/WN_pieYro9KQ-mlrs5TfG_Rxw OR
join by phone 877-853-5247 or 888-788-0099 Webinar ID: 959 8912 1987

AGENDA

1. Call to Order
2. Roll Call of Directors Present
3. Approval of the March 9, 2020 Kern Board Regular Meeting Minutes - K. Eucker
4. Resolution No. 2020 KB-01 -- A Resolution Affirming the Composition of the Kern Reservoir and Ditch Company Board of Directors, and Affirming the Officers Thereof - - Ian D. McCargar, Town Attorney
5. Report of Bills
6. Adjourn

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



MEMORANDUM

Date: May 11, 2020

To: Kern Reservoir and Ditch Company Board of Directors

From:

Re:

Item #: 3.

ATTACHMENTS:

- ▣ 03.09.20 Kern Board Minutes



KERN BOARD REGULAR MEETING

March 9, 2020 - 6:45 PM or following the Town Board Regular Meeting
Town Board Chambers 301 Walnut Street Windsor, CO 80550

MINUTES

1. Call to Order

President Melendez called the meeting to order at 6:45 p.m.

2. Roll Call of Directors Present

President Kristie Melendez
Vice President Ken Bennett
Myles Baker
Barry Wilson
Secretary/Treasurer Paul Rennemeyer
Tom Jones
David Sislowski

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Dean Moyer, Director of Finance
John Thornhill, Water Resource Manager
Kim Emil, Assistant Town Attorney/Town Prosecutor
Eric Lucas, Director of Parks, Recreation and Culture
Rick Klimek, Chief of Police
Krystal Eucker, Town Clerk

3. Approval of the January 13, 2020 Board of Directors Meeting Minutes - K. Eucker

Secretary/Treasurer Rennemeyer moved to approved the minutes as presented, Vice President Bennett seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Report of Bills January and February 2020

Mr Moyer gave a brief overview of the report of bills included in packet material.
Board Member Jones moved to approve the report of bills, Vice President Bennett seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

5. Adjourn

Secretary/Treasurer Rennemeyer moved to Motion, Board Member Jones seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson;

Krystal Eucker, Town Clerk



MEMORANDUM

Date: May 11, 2020
To: Kern Reservoir and Ditch Company Board of Directors
From: Ian D. McCargar, Town Attorney
Re: Kern Board composition and officer appointments
Item #: 4.

Background / Discussion:

The Town of Windsor owns 100% of the Kern Reservoir and Ditch Company ("Kern") common stock. As a separate legal entity, the Kern's affairs are managed by its Board of Directors. Under its bylaws, the Kern's Board of Directors consists of the members of the Windsor Town Board. In light of the arrivals and departures of Town Board members following the municipal election, the Kern must take official action to affirm its membership and its officers. The attached Resolution accomplishes this formality.

Financial Impact:

None

Relationship to Strategic Plan:

Water and water infrastructure

Recommendation:

Adopt Resolution No. 2020 KB-01; affirmative vote of a simple majority of those present required.

ATTACHMENTS:

- ▢ Resolution No. 2020 KB-01
- ▢ Kern Bylaws (2016)

KERN RESERVOIR AND DITCH COMPANY

RESOLUTION NO. 2020-KB-01

A RESOLUTION AFFIRMING THE COMPOSITION OF THE KERN RESERVOIR AND DITCH COMPANY BOARD OF DIRECTORS, AND AFFIRMING THE OFFICERS THEREOF

WHEREAS, Kern Reservoir and Ditch Company (“Kern”) is a duly-constituted Colorado non-profit corporation with offices in the Town of Windsor, County of Weld, State of Colorado; and

WHEREAS, the Kern’s Bylaws provide that the Board of Directors consist of sitting members of the Windsor Town Board; and

WHEREAS, due to the outcomes of the 2020 municipal election, the composition of the Windsor Town Board has changed, thus requiring changes to the Kern Board of Directors accordingly; and

WHEREAS, the Kern Bylaws further provide that the Board of Directors select a President, Vice-President and Secretary-Treasurer to serve as officers.

NOW, THEREFORE, BE IT RESOLVED BY THE KERN RESERVOIR AND DITCH COMPANY BOARD OF DIRECTORS AS FOLLOWS:

Effective this 11th day of May, the Kern Reservoir and Ditch Company’s Board of Directors shall be composed as follows:

- Paul Rennemeyer, President;
- Ken Bennett, Vice-President;
- David Sislowski, Secretary-Treasurer
- Victor Tallon;
- Scott Charpentier;
- Barry Wilson;
- District 4 Representative upon appointment or election.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 11th day of May, 2020.

KERN RESERVOIR AND DITCH COMPANY

ATTEST:

Paul Rennemeyer, President

David Sislowski, Secretary-
Treasurer

AMENDED BYLAWS
OF
KERN RESERVOIR AND DITCH COMPANY
A Colorado Non-Profit Corporation
AS OF July 11, 2016

ARTICLE I
OFFICES

The principal offices of the corporation in the State of Colorado shall be located at 301 Walnut Street, Windsor, Weld County, Colorado 80550. The corporation may have such other offices, either within or without the State of Colorado, as the board of directors may designate or as the business of the corporation may from time to time require.

The registered office of the corporation shall be maintained at 301 Walnut Street, Windsor, State of Colorado.

The address of the registered office may be changed from time to time by the board of directors.

ARTICLE II
SHAREHOLDERS

1. Annual Meeting.

The annual meeting of the shareholders shall be held on the second Monday in the month of January in each year, at the hour of 7:00 p.m. (or as soon thereafter as the Windsor Town Board meeting for such evening is concluded), for the transaction of such other business as may come before the meeting. If the day fixed for the annual meeting shall be a legal holiday in the State of Colorado, such meeting shall be held on the fourth Monday in the month of January at 7:00 p.m. (or as soon thereafter as the Windsor Town Board meeting is concluded).

2. Special Meetings.

Special meetings of the shareholders, for any purpose or purposes, unless otherwise prescribed by statute, may be called by the president or board of directors, and shall be called by the president at the request of the Town Manager for the Town of Windsor, or by no fewer than two (2) directors in office at the time the special meeting is called.

3. Place of Meeting.

All shareholder meetings shall take place within Windsor Town Hall, 301 Walnut Street, Windsor, Colorado.

4. Notice of Meeting.

After the organizational meeting, written or printed notice stating the place, day and hour of the every meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than two (2) nor more than thirty (30) days before the date of the meeting, by electronic mail, personal delivery or regular U.S. mail, by or at the direction of the president, or the secretary or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting, except if the authorized capital stock is to be increased, at least thirty (30) days' notice shall be given. If mailed, such notice shall be deemed to be delivered when deposited, in the United States mail, addressed to the shareholder at his address as it appears on the stock transfer books of the corporation, with postage thereon prepaid.

For so long as the Town of Windsor is the sole holder of the corporation's shares, notice pursuant to this section shall be deemed sufficient if given to the Windsor Town Manager in the manner specified in this section.

5. Record Date.

The record date, for the determination of shareholders entitled to notice of or to vote at a meeting of shareholders, shall be the date on which notice of the meeting is mailed.

6. Voting Lists.

The officer or agent having charge of the stock transfer books for shares of the corporation shall make, at least ten (10) days before each meeting of shareholders, a complete list of the shareholders entitled to vote at such meeting, or any adjournment thereof, arranged in alphabetical order, with the address of, and the number of shares held by each, which list, for a period of ten days prior to such meeting, shall be kept on file at the principal office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting. The original stock transfer book shall be *prima facie* evidence as to who are the shareholders entitled to examine such list or transfer books or to vote at any meeting of shareholders.

7. Quorum.

At any meeting of shareholders, a majority of the outstanding shares of the corporation entitled to vote, represented outstanding shares of the corporation entitled to vote, represented in person or by proxy or by proxy, shall constitute a quorum at a meeting of the shareholders. If less than said number of the outstanding shares is represented at a shareholder meeting, a majority of the shares so represented may adjourn the meeting from time to time without further notice. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified. The shareholders present at a duly organized meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough shareholders to leave less than a quorum.

For so long as the Town of Windsor is the sole holder of the corporation's shares, a majority of the Windsor Town Board shall constitute a quorum for purposes of this section.

8. Proxies.

At all meetings of shareholders, a Board member may vote by proxy executed in writing by another Board member, so long as such other Board member appoints only one proxy for such meeting. Such proxy shall be filed with the Secretary before or at the time of the meeting. No proxy shall be valid after the shareholder meeting is adjourned.

9. Voting of Shares.

Each outstanding share entitled to vote shall be entitled to one vote upon each matter submitted to a vote at a meeting of shareholders. Fractional shares shall be entitled to a corresponding fractional vote. No share for which assessments are delinquent may be voted.

10. Voting of Shares by Certain Holders.

A majority of the Windsor Town Board present at any shareholder meeting, in its representative capacity of the sole holder of the corporation's shares, shall be entitled to vote upon each matter submitted to a vote at a meeting of shareholders.

**ARTICLE III
BOARD OF DIRECTORS**

1. General Powers.

The business and affairs of the corporation shall be managed by its board of directors. The directors shall in all cases act as a board, and they may adopt such rules and regulations for the conduct of their meetings and the management of the corporation, as they may deem proper, not inconsistent with these by-laws and the laws of this State.

2. Number, Tenure and Qualifications.

(a) The number of directors of the corporation shall be the same number as serving upon the Town Board of the Town of Windsor, who shall be elected or appointed as hereinafter provided. For so long as the Town of Windsor is the sole holder of the corporation's shares, the members of the Windsor Town Board shall serve as the corporation's board of directors. All members of the board of directors shall be deemed elected by the Kern shareholders upon election or appointment to serve as Windsor Town Board members.

(b) Upon the termination of a director's service on the Windsor Town Board, his or her service shall likewise terminate as a director of the Kern.

(c) Each director shall hold office until his or her successor is elected and qualified as herein provided.

3. Regular Meetings.

Regular meetings of the board of directors shall be held on the second Monday of odd-numbered calendar months, either before or after the Windsor Town Board meeting falling on the second Monday of each odd-numbered calendar month.

4. Special Meetings.

A special meeting of the board of directors may be called by or at the request of the president or any two (2) directors. All special meetings of the board of directors called in accordance with this Section 4 shall take place in Windsor Town Hall, 301 Walnut Street, Windsor, Colorado.

5. Notice.

Notice of any special meeting shall be given at least three days in advance by written notice delivered by electronic mail, personal delivery or regular U.S. mail, mailed to each director at the address customarily used for Town of Windsor business. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage thereon prepaid. Any director may waive notice of any meeting by notifying the Town Clerk of such waiver. 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. The business to be transacted at any regular or special meeting of the board of directors shall be specified in the notice of such meeting.

6. **Quorum.**

A majority of the number of directors in office shall constitute a quorum for the transaction of business at any meeting of the board of directors. If less than a majority is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

7. **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.

8. **Vacancies.**

The sole manner by which a board of director vacancy may occur shall be a vacancy in a director's seat on the Windsor Town Board. In the event a director's seat is vacated pursuant to this Section 8, the seat shall remain vacant until the former director's seat on the Windsor Town Board has been filled as provided in Section 3.7 of the Town of Windsor Home Rule Charter. The person elected or appointed to take office in accordance with such Section 3.7 shall hold office on the board of directors for the unexpired term of his or her predecessor.

ARTICLE IV OFFICERS

1. **Number.**

The officers of the corporation shall be a president, vice-president and secretary/treasurer, each of whom shall be elected by the board of directors during the board of directors meeting immediately following any municipal election or Windsor Town Board appointment at or under which new Windsor Town Board Members are elected or appointed. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until his successor shall have been duly elected and qualified.

2. **Election and Term of Office.**

Upon election to the corporation's board of directors as set forth herein, each officer shall hold office until his successor shall have been duly elected and qualified.

3. **Vacancies.**

The sole manner by which an officer vacancy may occur shall be a vacancy in that officer's seat on the Windsor Town Board. In the event an officer's seat is vacated pursuant to this Section 3, the seat shall remain vacant until a successor is appointed by the board of directors at a regular or special meeting. The person appointed to take office

in accordance with this section 3 shall hold office on the board of directors for the unexpired term of his or her predecessor.

4. 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. He or she shall, when present, preside at all meetings of the shareholders and of the board of directors. He or she may sign, with the Secretary or any other proper officer of the corporation authorized by the board of directors, certificates for shares of the corporation, any deeds, mortgages, bonds, contracts, or other instruments which the board of directors has authorized to be executed, except in cases where the signing and 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, or shall be required by law to be otherwise signed or executed; or 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. He or she shall also assure that competent persons act as superintendent and ditch rider of this company and establish and set headgates and provide for proper delivery of water to Kern shareholders.

5. Vice-President.

The vice-president shall assist the president and have all duties and responsibilities of the president when the president is absent, unable to serve or as requested in writing by the president.

6. Secretary/Treasurer.

The secretary/treasurer shall: (a) keep the minutes of the shareholders' meetings and of the board of directors' meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these by-laws as required by law; (c) 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 duly authorized; (d) keep the post office address of each shareholder which shall be furnished to the secretary/treasurer by such shareholder; (e) sign with the president or a vice president, certificates for shares of the corporation, the issuance of which shall have been authorized by resolution of the board of directors; (f) have general charge of the stock transfer books of the corporation; (g) in general perform all duties as from time to time may be assigned to him or her by the president or by the board of directors; (h) keep a record of income and expenses, if any, of the corporation.

7. Compensation of Officers.

The officers of the corporation shall serve without compensation.

ARTICLE V EMPLOYEES

1. Discretion.

The board of directors may recommend that the corporation employ any employees as deemed necessary or prudent including but not limited to a manager, superintendent or secretary. Employees serving the corporation shall not be disqualified by virtue of Town employment.

2. Superintendent.

The superintendent of the reservoir and ditches shall be employed by the Town as required and upon such terms as the Town Manager shall establish. The superintendent, subject to the supervision and control of the Town Manager, shall manage the reservoir, ditches and real property of the corporation, and attend to the distribution of waters to those entitled thereto. The superintendent shall be knowledgeable concerning the operation of the corporation's systems, applicable court decrees and various contracts that pertain to the operation of the reservoir and ditches.

3. Recording Secretary.

The Town Clerk shall serve as the recording secretary, and shall perform duties as established by the board of directors.

ARTICLE VI CONTRACTS, LOANS, CHECKS AND DEPOSITS

1. Contracts.

The board of directors may authorize any officer or 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 general or confined to specific instances.

2. Loans.

No loans shall be contracted on behalf of the corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the board of directors. Such authority may be general or confined to specific instances.

3. 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 executed on

behalf of the corporation by the Town of Windsor in such manner as shall from time to time be determined and directed by resolution of the board of directors.

4. Deposits.

All funds of the corporation, if any, not otherwise employed shall be deposited from time to time to such banks, trust accounts, or other depositories held by the corporation as the board of directors may direct.

**ARTICLE VII
CERTIFICATES FOR SHARES AND THEIR TRANSFER**

1. Certificates for Shares.

Certificates representing shares of the corporation shall be in such form as shall be determined by the board of directors. Such certificates shall be signed by the president or a vice-president and by the secretary or an assistant secretary. All certificates for shares shall be consecutively numbered or otherwise identified. The name and address of the person to whom the shares represented thereby are issued, with the number of shares and the date of issue, shall be entered on the stock transfer books of the corporation. All certificates surrendered to the corporation for transfer shall be canceled and no new certificates shall be issued until the former certificate for a like number of shares shall have been surrendered and canceled, except that in case of a lost, destroyed, or mutilated certificate a new one may be issued therefor upon such terms and indemnity to the corporation as the board of directors may prescribe.

2. Transfer of Shares.

(a) Upon surrender to the corporation or the transfer agent of the corporation of a certificate for shares duly endorsed or accompanied by proper evidence of succession, assignment or authority to transfer, it shall be the duty of the corporation to issue a new certificate to the person entitled thereto, and cancel the old certificate; every such transfer shall be entered on the transfer book of the corporation which shall be kept at its principal office.

(b) The corporation shall be entitled to treat the holder of record of any share as the holder in fact thereof, and, accordingly, shall not be bound to recognize any equitable or other claim to or interest in such share on the part of any other person whether or not it shall have express or other notice thereof, except as expressly provided by the laws of this State.

3. Capital Stock.

The capital stock shall consist of 100 shares having no par value.

ARTICLE VIII

ASSESSMENT OF STOCK

1. Power.

The corporation shall have the power to make an assessment on the capital stock, to be levied *pro rata* on the shares of the stock payable in money for any of the purposes of the corporation.

2. Making Assessment.

No such assessment shall be made unless a question of making the assessment shall be first submitted to the shareholders of the corporation at a regular meeting or at a special meeting called for that purpose, and a majority of the stock present, represented either by the owner in person or by proxy, voting thereon shall vote in favor of making such assessments; and if said shareholders fail to hold any such meeting, fail to obtain a quorum or fail to make or authorize any assessment by the last Saturday in March in any year, the directors shall have the power to make any such assessment at any regular or special meeting called therefor for that year. The board of directors shall determine the date by which any assessment shall be paid. If any assessments or any part thereof are not paid by the date due, an interest charge may be levied upon such assessment from the first date of delinquency or an interest charge may be levied at such rate as determined by the board of directors, all of the foregoing being in addition to the other remedies provided in these Bylaws. For so long as the Town of Windsor is the sole holder of the corporation's shares, any special assessment made pursuant to this Section 2 shall be deemed null and void in the event that the Windsor Town Board does not appropriate sufficient funds for the purpose of satisfying such special assessment during the year within which the special assessment is imposed.

ARTICLE IX RUNNING CHARGES

The board of directors may annually, by resolution, fix a charge upon each share of stock in such an amount as will be necessary to pay the running expenses of the ditch for the year, and any other claims against the company not otherwise provided for. Such charge, when so fixed by the board, shall be paid in the manner, and within the time, as designated in such resolution. For so long as the Town of Windsor is the sole holder of the corporation's shares, any running charge fixed pursuant to this Article IX shall be null and void in the event that the Town of Windsor does not appropriate sufficient funds for the purpose of satisfying such running charges during the year within which the running charges are fixed.

ARTICLE X COMPANY OPERATIONS

1. Distribution of Water.

The water impounded in the reservoir of the Kern Reservoir and Ditch Company, with the exception of foreign water, shall be distributed *pro rata* to those stockholders who are not delinquent in the payment of assessments. Each stockholder of the company shall have the privilege of using storage space in the reservoir of the company not otherwise filled with water, by impounding therein water pertaining to such stockholder's holding of shares of stock in The New Cache La Poudre Irrigating Company or other supply, provided, however, no stockholder shall use the reservoir of this company for such impounding of said water to an extent greater than his *pro rata* interest in this corporation as indicated by his holding of stock, at times when other stockholders desire to have similar privilege. Such privilege on account of holding of stock in said other company or other supply shall be exercised only by stockholders in this company not delinquent in payment of assessments.

The superintendent shall distribute the water impounded by the company *pro rata* among its stockholders and in addition shall distribute water from stock in said other company or other source of supply of stockholders herein according to the respective rights as aforesaid, and shall not distribute any water to stockholders delinquent in payment of assessments.

2. Foreign Water.

As used in these bylaws, "foreign water" is any water which is (a) not owned by the Kern Reservoir and Ditch Company stockholders, or (b) not owned, leased or otherwise controlled by the Town of Windsor, or (c) not part of the Clammer and Gregory agreement of 1905, and (d) not water owned by the New Cache La Poudre Irrigation or Reservoir stockholders that are not stockholders of the Kern Reservoir and Ditch Company. Foreign water can only be run if there is capacity in the ditch and reservoir as determined by the superintendent and there is an agreement with the Town of Windsor or the Kern Reservoir and Ditch Company to run the water in the system.

3. Running Charges for Foreign Water.

Running charges for foreign water to be set annually by the board of directors. These charges will be billed annually in arrears on or before October 1st of each year and become delinquent November 1st of same. A 12% per month late payment assessment will be added to all unpaid foreign water running charges.

ARTICLE XI INDEMNIFICATION OF DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS

Each director, officer, employee or agent of the corporation (and his heirs, executors and administrators) shall be indemnified by the corporation against expenses reasonably incurred by or imposed upon him or her in connection with or arising out of any action, suit or proceeding in which he or she may be involved or to which he may be made a party by

reason of his or her being or having been a director, officer, employee or agent of the corporation or at its request, of any other corporation of which it is a shareholder or creditor and from which he or she is not entitled to be indemnified (whether or not he continues to be a director or officer at the time of imposing or incurring such expenses), to the fullest extent permitted by the laws of Colorado, as they exist or may hereafter be amended, including in circumstances in which indemnification is otherwise discretionary under Colorado law, in accordance with and subject to the limitations which may be contained in the bylaws of the corporation from time to time in effect. The foregoing right of indemnification shall not be exclusive of other rights to which he may be entitled under applicable State statute.

ARTICLE XII FISCAL YEAR

The corporation shall operate on a calendar year basis.

ARTICLE XIII SEAL

The board of directors may provide a corporate seal which shall be circular in form and shall have inscribed thereon the name of the corporation and the state of incorporation and the word, "SEAL".

ARTICLE XIV WAIVER OF NOTICE

Unless otherwise provided by law, whenever any notice is required to be given to any shareholder or director of the corporation under the provisions of these by-laws or under the provisions of the Articles of Incorporation, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XV AMENDMENTS

These by-laws may be altered, amended or repealed and new by-laws may be adopted by a vote of the shareholders representing a majority of all the shares issued and outstanding, at any annual shareholders' meeting or at any special shareholders' meeting when the proposed amendment has been set out in the notice of such meeting. Additionally, the by-laws may be altered, amended or repealed and new by-laws may be adopted by a majority vote of the directors present at any board meeting at which a quorum is present, provided, however, the board of directors may not adopt a by-law or amendment thereof changing the authorized number of directors.

ARTICLE XVI USE OF WATER

The water carried in and by this corporation shall be used exclusively for its adjudicated, or otherwise lawful, uses. No officer, director or shareholder of the corporation shall sell, lease or give away to any person not a shareholder, any of the water of the corporation without the prior written approval of a majority of the board of directors.

ARTICLE XVII RULES AND REGULATIONS

The board of directors may make additional rules and regulations not inconsistent with the laws of the State of Colorado or the Articles of Incorporation or the Bylaws of this corporation as deemed necessary for the benefit of this corporation. Any rules and regulations adopted by the directors shall be annexed to the Bylaws and shall include the date of adoption by the board of directors.

The above and foregoing Amended By-laws were adopted and approved by the shareholders this 11th day of July, 2016.



Paul Rennemeyer, Secretary



MEMORANDUM

Date: May 11, 2020
To: Kern Reservoir and Ditch Company Board of Directors
From:
Re:
Item #: 5.

ATTACHMENTS:

- ▢ Report of Bills

KERN

02/29/2020 - 04/30/2020



Account Number	Vendor	Description	GL Date	Check No	Amount
01-418-6253-605	LAWRENCE JONES CUSTER GRASMICK	GENERAL MATTERS	04/10/2020	94024	27.50
06-484-6240-605	BOBCAT OF THE ROCKIES LLC	COMPACT EXCAVATOR RENTAL - KERN DITCH CLEANING	04/24/2020	94182	686.75
06-484-6240-605	CARD SERVICES	GOTOMYPC REFUND - ANNUAL SUBSCRIPTION SCADA	03/13/2020	93813	-143.28
06-484-6253-605	WHITNEY IRRIGATION COMPANY	DITCH RIDER SERVICES - MARCH	04/10/2020	93961	2,085.00
06-484-6253-605	WHITNEY IRRIGATION COMPANY	DITCH RIDER SERVICES - APRIL	04/10/2020	93961	2,085.00
06-484-6253-605	CLEAR WATER SOLUTIONS INC	12-120 KERN/WCSD RE-4 AUGMENTATION PLAN 2020	03/06/2020	93676	3,345.00
06-484-6253-605	CLEAR WATER SOLUTIONS INC	12-120 KERN/WCSD RE-4 AUGMENTATION PLAN 2020	04/24/2020	94189	4,860.00
06-484-6260-605	XCEL ENERGY	UTILITIES	03/13/2020	93749	55.29
06-484-6260-605	XCEL ENERGY	UTILITIES	04/10/2020	93970	55.89
Report Total:					13,057.15

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:
Kern Reservoir and Ditch Company
Town Attorney
301 Walnut Street
Windsor, CO 80550

April 6, 2020

In Reference To: General

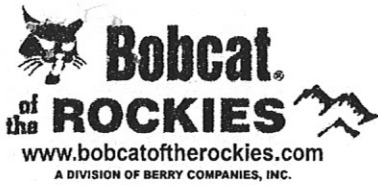
*Invoice #*56832

Professional Services

	<u>Hours</u>	<u>Amount</u>
3/2/2020 BG Email correspondence with Ian regarding Kern budget and funding.	0.10	27.50
For professional services rendered	0.10	\$27.50
Balance due		<u><u>\$27.50</u></u>

PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.

DUE UPON RECEIPT. 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS. REFLECTS ONLY PAYMENTS AND CHARGES THROUGH ABOVE DATE.



CORPORATE OFFICES, 4730 Oakland St, Denver, CO 80239 (303) 615-3140
 COLORADO SPRINGS, CO. 910 E Cheyenne Rd, 80906 (719) 219-2940
 CHEYENNE, WY. 1608 E Allison, 82007 (307) 635-1978
 COMMERCE CITY, CO. 7000 E 56th Ave, 80022 (303) 288-6603
 GOLDEN, CO. 15680 W 6th Ave, 80401 (303) 216-1402
 GRAND JUNCTION, CO. 3184 Hall Ave, 81504 (970) 434-0647
 PARKER, CO. 18562 Pony Express Dr, 80134 (720) 851-9484
 PUEBLO WEST, CO. 579 E Enterprise Dr, 81007 (719) 647-2317
 WINDSOR, CO. 1015 Champion Dr, 80550 (970) 356-8800

Invoice

INVOICE #	15176036
LOCATION	15
DATE	03/27/20
PAGE	1 OF 1



REMIT TO: P.O. Box 844216 Dallas, TX 75284-4216

BILL TO

016167
 WINDSOR TOWN OF PARKS REC DEPT
 301 WALNUT ST
 WINDSOR, CO 80550-5141

SHIP TO

WINDSOR TOWN OF PARKS REC DEPT
 200 E CHESTNUT ST
 CHIMNEY PARK
 WINDSOR, CO 80550

ORDER NUMBER 15208688	ORDER DATE 03/26/20	JOB NUMBER	CUSTOMER P/O NUMBER	FREIGHT TERMS Allow
WRITTEN BY Joel Henderson			CONTACT WADE 970-217-5266	SHIP VIA Truck Line
PAYMENT TERMS Charge Net/30				F.O.B.

JOB QTY	PROBLEM/SOLUTION PART DESCRIPTION	LABOR	PARTS	OTHER	SUBTOTAL
---------	--------------------------------------	-------	-------	-------	----------

E85-R	1	1		425.00 DAY	425.00
BOBCAT COMPACT EXCAVATOR					
From 03/26/20 08:06AM To 03/27/20 08:00AM					
Rent Complete					
DAY: 425.00 WK: 1275.00 MO: 3825.00 O/T:					
Meter Out: 796.40 Meter In: 802.30					
Rental Unit#: 1184419-R					
EIN# 1184419 SER# B48412230					

DIESEL	1	1		33.75 EA	33.75
Diesel					
7.50 At \$4.50 Per Gallon.					
3' BUCKET					

RNT-CONTRACT DELIVERY	1	1		80.00 EA	80.00
Contract Delivery					

RNT-CONTRACT PICK UP	1	1		80.00 EA	80.00
Contract Pick Up					

RNT-RPP	1	1		63.75 EA	63.75
Rental - Rental Protection Pla					

RNT-EC	1	1		4.25 EA	4.25
Rental - Environmental Charge					

Signature _____ Print Name _____

MERCHANDISE TOTAL	FREIGHT & MISC	TAX	TOTAL CHARGES	DEPOSIT BALANCE	DEPOSIT APPLIED	DEPOSIT AMOUNT	INVOICE TOTAL
686.75	0.00	0.00	686.75	0.00	0.00	0.00	686.75
COLORADO -							0.00
WINDSOR CITY -							0.00

Returns for credit of parts and supplies must be returned with invoice copy within 15 days of purchase, must be in new and salable condition and will be subject to a restocking charge. Special order, special use, and non-stocking items may be deemed non-returnable. Electrical components are not returnable if package is opened.

GoToMyPC®

Your Receipt

Wade Willis
301 Walnut Street
Windsor CO 80550
United States

Dear Wade,

The following contains your payment information and receipt:

Date: Feb 4, 2020
Plan: Personal 1-PC Annual

Personal 1 PC Annual billing cycle Feb 3, 2021	\$240.00
CREDIT: Prorated 334 unused days of Personal 1 PC Annual purchased for \$420.00	(\$383.28)
Refund Amount	\$143.28

New account balance: **\$0.00**

Thank you for choosing GoToMyPC, the award-winning, remote-access solution that is fast, easy and secure!

GoToMyPC® Global Customer Support
1 888 259 3826 (U.S. and Canada, toll-free*)
+1 805 617 7001 (direct dial)

LogMeIn USA, Inc.
320 Summer Street
Boston, MA 02210

WHITNEY

IRRIGATION COMPANY

30951 Weld County Road 27
Greeley, Colorado 80631

Phone: 970 686 2338

Invoice

Bill To
Kern Reservoir & Ditch Company Attn: Wade Willis 301 Walnut Street Windsor, CO 80550

Date	Invoice No.
3/21/2020	1680

P.O. No.	Terms

Item	Quantity	Description	Rate	Amount
Ditch Mgmt		Ditch Management Services Per Contract for the Month of March	2,085.00	2,085.00
Please remit payment to: Whitney Irrigation Company C/O Judy Firestien 30951 Weld County Road 27 Greeley, CO 80631				
			Total Due	\$2,085.00

WHITNEY

IRRIGATION COMPANY

30951 Weld County Road 27
Greeley, Colorado 80631

Phone: 970 686 2338

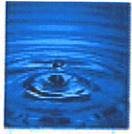
Invoice

Bill To
Kern Reservoir & Ditch Company Attn: Wade Willis 301 Walnut Street Windsor, CO 80550

Date	Invoice No.
4/4/2020	1682

P.O. No.	Terms

Item	Quantity	Description	Rate	Amount
Ditch Mgmt	1	Ditch Management Services Per Contract for the Month of April	2,085.00	2,085.00
Please remit payment to:				
Whitney Irrigation Company C/O Judy Firestien 30951 Weld County Road 27 Greeley, CO 80631				
			Total Due	\$2,085.00



clearWATERsolutions
water rights • planning • engineering

Clear Water Solutions

1625 Foxtrail Drive
Suite 290
Loveland, CO 80538
970-223-3706

Kern Reservoir & Ditch Co
301 Walnut Street
Windsor, CO 80550

Invoice number 6043
Date 03/03/2020

Project **12-120 KERN/WCSD RE-4
AUGMENTATION PLAN 2020**

Billing Period: 2/3/20 – 3/1/20

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

Phase A - Water Rights Services - KRDC

- Complete and submit Jan 2020 decree accounting
- Correspondence with J. Seybert regarding leasing water (no charge)
- Update south outlet tracking spreadsheet and send to M. Simpson
- Update Kern/Kyger/Louden release model from Mar 2020
- Update WCSD Louden balance
- Email correspondence with J. Thornhill and W. Willis re: augmentation releases for Mar 2020

Please do not hesitate to contact us with any questions regarding this invoice or your project.

Invoice Summary

Description	Current Billed
KERN RESERVOIR & DITCH COMPANY	
A WATER RIGHTS SERVICES - KRDC	3,345.00
KERN REIMBURSABLE EXPENSES	0.00
Subtotal	3,345.00
Total	3,345.00

KERN Reservoir & Ditch Company
Water Rights Services - KRDC
 Professional Fees

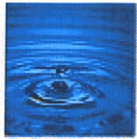
	Hours	Rate	Billed Amount
Principal	14.25	200.00	2,850.00
Sr. Project Manager VI	2.75	180.00	495.00
Phase subtotal			3,345.00
KERN Reservoir & Ditch Company subtotal			3,345.00

Invoice total **3,345.00**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
6043	03/03/2020	3,345.00	3,345.00				
	Total	3,345.00	3,345.00	0.00	0.00	0.00	0.00

We thank you for your business!



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Clear Water Solutions

1625 Foxtrail Drive
Suite 290
Loveland, CO 80538
970-223-3706

Kern Reservoir & Ditch Co
301 Walnut Street
Windsor, CO 80550

Invoice number 6058
Date 04/06/2020

Project **12-120 KERN/WCSD RE-4
AUGMENTATION PLAN 2020**

Billing Period: 3/2/20 – 4/5/20

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

Phase A - Water Rights Services - KRDC

- Review decree accounting
- Email correspondence with Town re: call changes
- Email correspondence with T. Meininger re: releases for augmentation
- Email correspondence with W. Willis re: March augmentation obligations
- Complete 2020 projection
- Complete and submit Feb 2020 decree accounting
- Complete 2020 dry up mapping
- Phone conference with W. Willis on dry-up mapping changes
- Double check decree requirements for reporting
- Field verify dry up and irrigated acreage
- Update GIS mapping for dry up submittal
- Complete and submit March 2020 decree accounting
- Update daily augmentation tracking spreadsheet and forward April 2020, daily obligations to Town staff
- Determine amount of Kern Junior carryover
- Update South Outlet tracking and forward to M. Simpson, FRE and Great Western

Please do not hesitate to contact us with any questions regarding this invoice or your project.

Invoice Summary

Description	Current Billed
KERN RESERVOIR & DITCH COMPANY	
A WATER RIGHTS SERVICES - KRDC	4,860.00
KERN REIMBURSABLE EXPENSES	0.00
Subtotal	4,860.00
Total	4,860.00

KERN Reservoir & Ditch Company
Water Rights Services - KRDC
 Professional Fees

	Hours	Rate	Billed Amount
Principal	9.00	200.00	1,800.00
Sr. Project Manager VI	17.00	180.00	3,060.00
Phase subtotal			4,860.00
KERN Reservoir & Ditch Company subtotal			4,860.00

Invoice total **4,860.00**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
6058	04/06/2020	4,860.00	4,860.00				
	Total	4,860.00	4,860.00	0.00	0.00	0.00	0.00

We thank you for your business!



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	03/23/2020
	STATEMENT NUMBER	STATEMENT DATE
	675086048	03/03/2020
		AMOUNT DUE
		\$55.29

QUESTIONS ABOUT YOUR BILL?

See our website: xcelenergy.com
Email us at: Customerservice@xcelenergy.com
Please Call: 1-800-481-4700
Hearing Impaired: 1-800-895-4949
Fax: 1-800-311-0050
Or write us at: XCEL ENERGY
PO BOX 8
EAU CLAIRE WI 54702-0008

ACCOUNT BALANCE (Balance de su cuenta)

Previous Balance	As of 01/24	\$53.96
Payment Received	Check 02/17	-\$53.96 CR
Balance Forward		\$0.00
Current Charges		\$55.29
Amount Due (Cantidad a pagar)		\$55.29

PREMISES SUMMARY

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
304241524	107A N CHIMNEY PARK DR UNIT KERN		\$13.43
304241529	1A MAIN ST UNIT KERN		\$12.93
304241530	561 E GARDEN DR		\$13.54
304331438	10A E GARDEN DR		\$15.39
Total			\$55.29

INFORMATION ABOUT YOUR BILL

Thank you for your payment.

Convenience at your service - Pay your bills electronically-fast and easy with Electronic Funds Transfer. Call us at 1-800-481-4700 or visit us at www.xcelenergy.com.

RETURN BOTTOM PORTION WITH YOUR PAYMENT • PLEASE DO NOT USE STAPLES, TAPE OR PAPER CLIPS



Please help our neighbors in need by donating to Energy Outreach Colorado. Please mark your donation amount on the back of this payment stub and CHECK THE RED BOX under your address below.

AB 01 002798 77036 B 13 A



TOWN OF WINDSOR
KERN
301 WALNUT ST
WINDSOR CO 80550-5141

Please see the back of this bill for more information regarding the late payment charge.
Make your check payable to XCEL ENERGY

MARCH						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



XCEL ENERGY
P.O. BOX 9477
MPLS MN 55484-9477



YOUR MONTHLY ELECTRICITY USAGE



DAILY AVERAGES	Last Year	This Year
Temperature	27° F	30° F
Electricity kWh	1.4	1.4
Electricity Cost	\$0.51	\$0.47

MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	03/23/2020
	STATEMENT NUMBER	STATEMENT DATE
	675086048	03/03/2020
		AMOUNT DUE
		\$55.29

SERVICE ADDRESS: 10A E GARDEN DR WINDSOR, CO 80550
NEXT READ DATE: 03/27/20

ELECTRICITY SERVICE DETAILS

PREMISES NUMBER: 304331438
INVOICE NUMBER: 0829228594

METER READING INFORMATION

METER 49115129

Read Dates: 01/24/20 - 02/26/20 (33 Days)

DESCRIPTION	CURRENT READING	PREVIOUS READING	USAGE
Total Energy	1877 Actual	1832 Actual	45 kWh

ELECTRICITY CHARGES

RATE: C Commercial Service

DESCRIPTION	USAGE UNITS	RATE	CHARGE
Service & Facility			\$10.43
Commercial Service	45 kWh	\$0.042560	\$1.92
Trans Cost Adj	42.27 kWh	\$0.001820	\$0.08
Trans Cost Adj	2.73 kWh	\$0.000320	\$0.00
Elec Commodity Adj	42.27 kWh	\$0.031160	\$1.32
Elec Commodity Adj	2.73 kWh	\$0.027080	\$0.07
Demand Side Mgmt Cost	45 kWh	\$0.001810	\$0.08
Purch Cap Cost Adj	45 kWh	\$0.003530	\$0.16
CACJA	42.27 kWh	\$0.002880	\$0.12
CACJA	2.73 kWh	\$0.000070	\$0.00
GRSA E	2.73 kWh	\$0.008140	\$0.02
Renew. Energy Std Adj			\$0.27
GRSA			-\$0.49 CR
Subtotal			\$13.98
Franchise Fee		3.00%	\$0.42
Sales Tax			\$0.99
Total			\$15.39

Premises Total

\$15.39

ENROLL IN AUTO PAY

NO LATE FEES, NO WORRIES.

Enjoy the benefits of automatic payment withdrawal from your checking account. Your payment will automatically post to your Xcel Energy account on your due date.

To enroll, fill out the information below, cut off this form, and include it, along with your check and bill stub, in the remittance envelope. Money orders do not qualify. Watch for **Automated Bank Payment** to appear on your billing statement to ensure your enrollment is in effect.

To enroll your business in Auto Pay online, visit xcelenergy.com/AutoPay. For more information call our Business Solutions Center at 800.481.4700.

Authorized signature

Signature above must match name on the bank account

Xcel Energy account number

See page 1 of bill statement

Date

I authorize Xcel Energy to initiate transfers from the bank account indicated on the enclosed check to make monthly payments on my Xcel Energy account on my due date. This authority will remain in effect until I notify Xcel Energy, or Xcel Energy notifies me, of the need to cancel the enrollment. I understand that a new authorization is required if I change my bank account. I have kept a record of this authorization.



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	04/23/2020
	STATEMENT NUMBER	STATEMENT DATE
	679373485	04/03/2020
		AMOUNT DUE
		\$55.89

QUESTIONS ABOUT YOUR BILL?

See our website: xcelenergy.com
 Email us at: Customerservice@xcelenergy.com
 Please Call: 1-800-481-4700
 Hearing Impaired: 1-800-895-4949
 Fax: 1-800-311-0050
 Or write us at: XCEL ENERGY
 PO BOX 8
 EAU CLAIRE WI 54702-0008

ACCOUNT BALANCE *(Balance de su cuenta)*

Previous Balance	As of 02/26	\$55.29
Payment Received	Check 03/16	<u>-\$55.29</u> CR
Balance Forward		\$0.00
Current Charges		\$55.89
Amount Due <i>(Cantidad a pagar)</i>		\$55.89

PREMISES SUMMARY

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
304241524	107A N CHIMNEY PARK DR UNIT KERN		\$13.66
304241529	1A MAIN ST UNIT KERN		\$13.41
304241530	561 E GARDEN DR		\$13.66
304331438	10A E GARDEN DR		\$15.16
Total			\$55.89

INFORMATION ABOUT YOUR BILL

Your safety and the safety of our employees will always be our top priority. We are prepared and are taking steps to ensure we'll continue to be there for you to meet your energy needs as COVID-19 affects a growing number of businesses in our communities. Our team will be working day and night to deliver the energy your business counts on. Learn more at xcelenergy.com/covid-19_response.

Thank you for your payment.

RETURN BOTTOM PORTION WITH YOUR PAYMENT • PLEASE DO NOT USE STAPLES, TAPE OR PAPER CLIPS



Please help our neighbors in need by donating to Energy Outreach Colorado. Please mark your donation amount on the back of this payment stub and CHECK THE RED BOX under your address below.

AB 02 002005 13917 B 14 A



TOWN OF WINDSOR
KERN
301 WALNUT ST
WINDSOR CO 80550-5141

ACCOUNT NUMBER	DUE DATE	AMOUNT DUE	AMOUNT ENCLOSED
53-0029078-2	04/23/2020	\$55.89	

Please see the back of this bill for more information regarding the late payment charge.
Make your check payable to XCEL ENERGY

APRIL						
S	M	T	W	T	F	S
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		



XCEL ENERGY
P.O. BOX 9477
MPLS MN 55484-9477



YOUR MONTHLY ELECTRICITY USAGE



DAILY AVERAGES	Last Year	This Year
Temperature	35° F	42° F
Electricity kWh	0.6	0.6
Electricity Cost	\$0.44	\$0.42

MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	04/23/2020
	STATEMENT NUMBER	STATEMENT DATE
	679373485	04/03/2020
		AMOUNT DUE
		\$55.89

SERVICE ADDRESS: 1A MAIN ST UNIT KERN WINDSOR, CO 80550
NEXT READ DATE: 04/28/20

ELECTRICITY SERVICE DETAILS

PREMISES NUMBER: 304241529
INVOICE NUMBER: 0833642160

METER READING INFORMATION

METER 83744096	Read Dates: 02/27/20 - 03/30/20 (32 Days)		
DESCRIPTION	CURRENT READING	PREVIOUS READING	USAGE
Total Energy	308 Actual	290 Actual	18 kWh

ELECTRICITY CHARGES

RATE: C Commercial Service

DESCRIPTION	USAGE UNITS	RATE	CHARGE
Service & Facility			\$10.43
Commercial Service	18 kWh	\$0.042560	\$0.77
Trans Cost Adj	18 kWh	\$0.000320	\$0.01
Elec Commodity Adj	18 kWh	\$0.027080	\$0.49
Demand Side Mgmt Cost	18 kWh	\$0.001810	\$0.03
Purch Cap Cost Adj	18 kWh	\$0.003530	\$0.06
CACJA	18 kWh	- \$0.000070	\$0.00
GRSA E	18 kWh	\$0.008140	\$0.15
Renew. Energy Std Adj			\$0.24
Subtotal			\$12.18
Franchise Fee		3.00%	\$0.37
Sales Tax			\$0.86
Total			\$13.41
Premises Total			\$13.41

ENROLL IN AUTO PAY

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To enroll, fill out the information below, cut off this form, and include it, along with your check and bill stub, in the remittance envelope. Money orders do not qualify. Watch for **Automated Bank Payment** to appear on your billing statement to ensure your enrollment is in effect.

To enroll your business in Auto Pay online, visit xcelenergy.com/AutoPay. For more information call our Business Solutions Center at 800.481.4700.

Authorized signature

Signature above must match name on the bank account

Xcel Energy account number

See page 1 of bill statement

Date

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YOUR MONTHLY ELECTRICITY USAGE



DAILY AVERAGES	Last Year	This Year
Temperature	33° F	42° F
Electricity kWh	1.4	1.3
Electricity Cost	\$0.52	\$0.54

MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	04/23/2020
	STATEMENT NUMBER	STATEMENT DATE
	679373485	04/03/2020
		AMOUNT DUE
		\$55.89

SERVICE ADDRESS: 10A E GARDEN DR WINDSOR, CO 80550

NEXT READ DATE: 04/27/20

ELECTRICITY SERVICE DETAILS

PREMISES NUMBER: 304331438

INVOICE NUMBER: 0833642176

METER READING INFORMATION

METER 49115129

Read Dates: 02/26/20 - 03/25/20 (28 Days)

DESCRIPTION	CURRENT READING	PREVIOUS READING	USAGE
Total Energy	1914 Actual	1877 Actual	37 kWh

ELECTRICITY CHARGES

RATE: C Commercial Service

DESCRIPTION	USAGE UNITS	RATE	CHARGE
Service & Facility			\$10.43
Commercial Service	37 kWh	\$0.042560	\$1.57
Trans Cost Adj	37 kWh	\$0.000320	\$0.01
Elec Commodity Adj	37 kWh	\$0.027080	\$1.00
Demand Side Mgmt Cost	37 kWh	\$0.001810	\$0.07
Purch Cap Cost Adj	37 kWh	\$0.003530	\$0.13
CACJA	37 kWh	\$0.000070	\$0.00
GRSA E	37 kWh	\$0.008140	\$0.30
Renew. Energy Std Adj			\$0.27
Subtotal			\$13.78
Franchise Fee		3.00%	\$0.41
Sales Tax			\$0.97
Total			\$15.16
Premises Total			\$15.16

ENROLL IN AUTO PAY

NO LATE FEES, NO WORRIES.

Enjoy the benefits of automatic payment withdrawal from your checking account. Your payment will automatically post to your Xcel Energy account on your due date.

To enroll, fill out the information below, cut off this form, and include it, along with your check and bill stub, in the remittance envelope. Money orders do not qualify. Watch for **Automated Bank Payment** to appear on your billing statement to ensure your enrollment is in effect.

To enroll your business in Auto Pay online, visit xcelenergy.com/AutoPay. For more information call our Business Solutions Center at 800.481.4700.

Authorized signature

Signature above must match name on the bank account

Xcel Energy account number

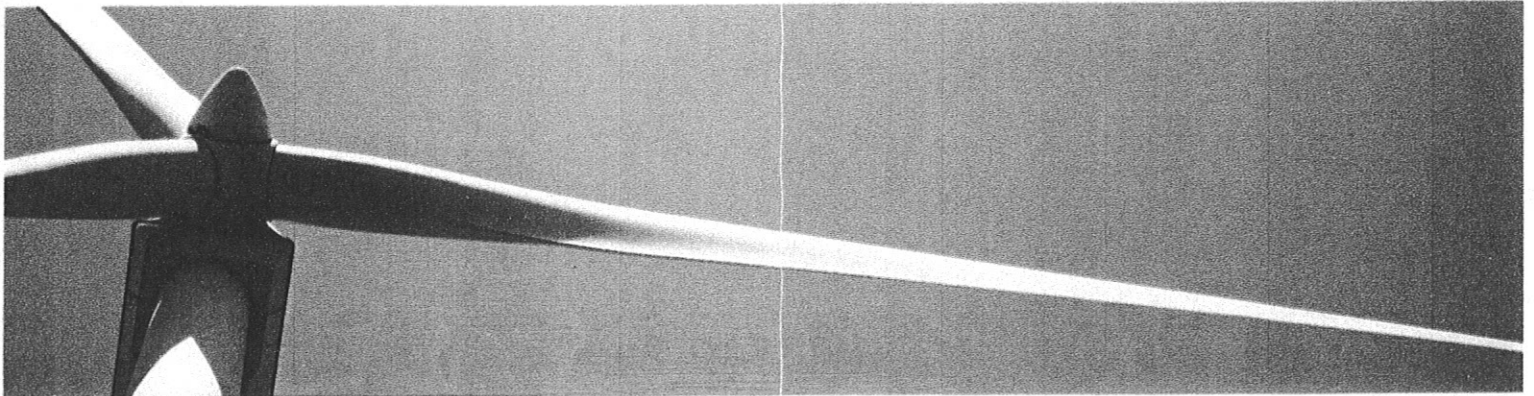
See page 1 of bill statement

Date

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Page 35 of 36

COLORADO'S DIVERSE ENERGY MIX



Because clean energy matters to our customers, we use a diverse mix of sources to produce the reliable, affordable electricity you need. Today, Xcel Energy serves Colorado customers with electricity that is more than 31% carbon-free, putting us well on the way to our Colorado Energy Plan goal of 55% renewable sources in Colorado by 2026.

Working together, we are confident we can achieve our industry-leading corporate vision to serve customers with 100% carbon-free electricity by 2050. Between 2005 and 2019, we have lowered carbon emissions 42% in Colorado. You can help us reach our goals, while using less energy and saving money. Some ideas:

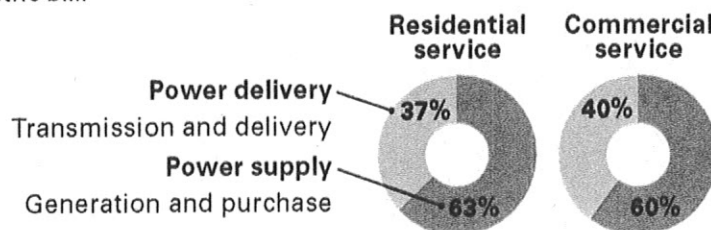
- Opt for renewable choices, including Windsource® and solar programs
- Drive electric for big savings over the life of your vehicle
- Explore rebates and money-saving products for home and business
- Choose smart devices for greater control of your energy use

Xcel Energy's clean energy vision is bolder than ever. Ready to learn more? Go to xcelenergy.com to explore all your options.

Power delivery: Includes specific labor associated with transmission and distribution facilities, metering, billing, customer service, allocated overheads, taxes and a profit component.

Power supply: Costs include all purchased power and energy source costs. For generation plants owned by Xcel Energy, power supply costs also include labor at generation plants, depreciation of generation plants, allocated overhead, taxes and a profit component.

Price components: Percentage components for an average monthly electric bill:

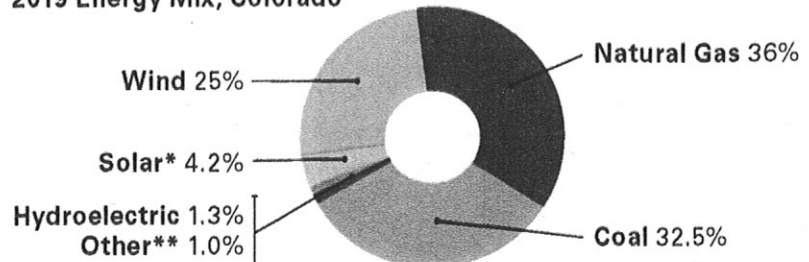


Example: If your residential bill for this month is \$67.10, then about 63% (or \$42.34 of your bill) is for the electricity itself, and about 37% (or \$24.76) covers the cost of having the electricity delivered to your home.

Note: Price component information applies to the average customer and may differ when applied to individual customers. Additional information is available upon request.

Power supply mix: Our Colorado energy mix includes coal, natural gas, wind, solar and hydroelectric power. Energy sources used in power generation and purchase for all energy customers in the 2019 calendar year:

2019 Energy Mix, Colorado



Visit xcelenergy.com for more information about the resources that produce your electricity, including the average cost of each resource.

*Includes wind and solar energy generated through Xcel Energy's renewable energy programs: Windsource, Renewable*Connect, Solar*Rewards Community and Solar*Rewards.

**Includes purchased biomass, oil and nuclear power.