# KERN BOARD
# REGULAR MEETING

**May 14, 2018 // 6:45 p.m. or following the regular meeting // Town Board Chambers, 301 Walnut Street, Windsor, CO 80550**

## AGENDA

1. Call to Order

2. Roll Call of Directors Present

3. Resolution No. 2018-KB01 – 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

4. Approval of March 12, 2018 Board of Directors Meeting Minutes – Amanda Mehlenbacher, Deputy Town Clerk

5. Approval of Bills – Dean Moyer, Director of Finance

6. Introduction of Kern General Counsel Brad Grasmick to Incoming Kern Board Members– Ian D. McCargar, Town Attorney

7. Other Items for Discussion

8. 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 day prior to the meeting to make arrangements.

**KERN BOARD**
**REGULAR MEETING**
**March 12, 2018 // 6:45 p.m. or following the regular meeting //**
**Town Board Chambers, 301 Walnut Street, Windsor, CO 80550**

# MINUTES

1. Call to Order

   President Melendez called the meeting to order at 8:44 p.m.

2. Roll Call of Directors Present

| | | |
|---|---|---|
| | President | Kristie Melendez |
| | Vice President | Myles Baker - Absent |
| | Secretary/Treasurer | Paul Rennemeyer |
| | | Cindy Scheuerman |
| | | Ken Bennett |
| | | Ivan Adams |
| Also Present: | Acting Town Manager | Patti Garcia |
| | Director of Finance | Dean Moyer |
| | Town Attorney | Ian McCargar |
| | Deputy Town Clerk | Amanda Mehlenbacher |

3. Approval of January 8, 2018 Board of Directors Minutes – Patti Garcia, Town Clerk

   **Board Member Scheuerman moved to approve the minutes as presented; Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None. Motion passed.**

4. Approval of Bills – Dean Moyer, Director of Finance

   **Board Member Bennett moved to approve the bills as presented; Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None. Motion passed.**

5. Other Items for Discussion

   Ms. Melendez inquired if Mr. McCargar had any further items for discussion.

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Mr. McCargar responded no.

6. Adjourn

**Board Member Rennemeyer moved adjourn; Board Member Scheuerman seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None. Motion passed.**

The meeting was adjourned at 8:51p.m

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Amanda Mehlenbacher, Deputy Town Clerk

# MEMORANDUM

**Date:** May 14, 2018
**To:** Kern Reservoir and Ditch Company Board of Directors
**From:** Ian D. McCargar, Town Attorney
**Re:** Affirmation of Board membership, officers
**Item #:** 3

## Background / Discussion

Although the Kern Reservoir and Ditch Company is a separate legal entity under the law, its Bylaws provide that its Board of Directors is composed of sitting Windsor Town Board Members. Whenever the Windsor Town Board experiences changes in composition, so must the Kern Board.

The attached *Resolution Affirming the Composition of the Kern Reservoir and Ditch Company Board of Directors, and Affirming the Officers Thereof* accomplishes the official action necessary to affirm new Town Board Members as Kern Board members. The officers have not been affected by the outcomes of the municipal election.

## Financial Impact

None.

## Relationship to Strategic Plan

Supportive infrastructure.

## Recommendation

Adopt the attached Resolution; simple majority of those participating required.

## Attachments

- Resolution No. 2018-KB01 – A Resolution Affirming The Composition Of The Kern Reservoir And Ditch Company Board Of Directors, And Affirming the Officers Thereof;

- Kern Reservoir and Ditch Company Bylaws (July, 2016)

KERN RESERVOIR AND DITCH COMPANY

RESOLUTION NO. 2018-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 2018 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; and

WHEREAS, the results of the 2018 municipal election have not affected the eligibility of the current slate of officers, but the Kern Board of Directors nonetheless wishes to affirm its officers by this Resolution.

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

Effective this 14th day of May, the Kern Reservoir and Ditch Company's Board of Directors shall be composed as follows:

- Kristie Melendez, President;
- Myles Baker, Vice-President;
- Paul Rennemyer, Secretary-Treasurer
- David Sislowski;
- Tom Jones;
- Barry Wilson;
- Ken Bennet.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14th day of May, 2018.

KERN RESERVOIR AND DITCH COMPANY

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Kristie Melendez, President

ATTEST:

_____

Paul Rennemeyer, 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 a 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

# Kern Reservoir List of Bills

**3/5/2018- 05/04/2018**

TOWN OF WINDSOR
301 WALNUT STREET
WINDSOR, CO 80550
WWW.WINDSORGOV.COM

(970) 674-2400
MON-FRI 8AM TO 5PM

| Account | Vendor | Description | GL Date | Check No |
|---|---|---|---|---|
| 01-418-6253-605 | LAWRENCE JONES CUSTER GRASMICK | AUG PLAN 02CW301 | 04/27/2018 | 84859 |
| 01-418-6253-605 | LAWRENCE JONES CUSTER GRASMICK | GENERAL MATTERS | 04/27/2018 | 84859 |
| 06-484-6253-605 | CLEAR WATER SOLUTIONS INC | 09-280 WINDSOR GEN WATER RIGHTS SERV | 03/30/2018 | 84517 |
| 06-484-6253-605 | CLEAR WATER SOLUTIONS INC | 15-200 WINDSOR NEW CACHE CHANGE | 03/30/2018 | 84517 |
| 06-484-6253-605 | CLEAR WATER SOLUTIONS INC | 12-120 KERN-WCSD RE-4 AUG PLAN | 03/30/2018 | 84517 |
| 06-484-6253-605 | CLEAR WATER SOLUTIONS INC | 12-120 KER/WCSD RE-4 AUG PLAN | 04/20/2018 | 84767 |
| 06-484-6253-605 | CARD SERVICES | SCADA LOG ME IN | 03/16/2018 | 84367 |
| 06-484-6253-605 | CARD SERVICES | SCADA LOGMEIN | 04/13/2018 | 84696 |
| 06-484-6260-605 | XCEL ENERGY | UTILITIES | 03/23/2018 | 84412 |
| 06-484-6260-605 | XCEL ENERGY | UTILITIES | 04/13/2018 | 84666 |

Report Total:

| Amount |
|---|
| 252.00 |
| 397.50 |
| 756.51 |
| 597.01 |
| 1,567.50 |
| 6,440.29 |
| 23.95 |
| 23.95 |
| 54.82 |
| 54.38 |
| 10,167.91 |

# 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 5, 2018

*In Reference To:*Aug Plan 02CW301

*Invoice* #52402

Professional Services

| | | | Hours | Amount |
|---|---|---|---|---|
| 3/15/2018 | BG | Review Dry Up map and email from Michelle. | 0.30 | 79.50 |
| 3/27/2018 | BG | Review letter report from Clearwater on additional acres to be irrigated; respond to Sira at Clearwater regarding same; draft and file notice to add irrigated acres. | 0.60 | 159.00 |
| | | **For professional services rendered** | **0.90** | **$238.50** |

Additional Charges :

| | | |
|---|---|---|
| 3/27/2018 | Colorado Courts E-Filing: Notice of Additional Lands to be Irrigated. | 13.50 |
| | **Total costs** | **$13.50** |
| | **Total amount of this bill** | **$252.00** |
| | Balance due | $252.00 |

**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.

**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 5, 2018

*In Reference To:*General

*Invoice* #52403

Professional Services

| | | Hours | Amount |
|---|---|---|---|
| 3/20/2018 BG | Make revisions to Kern-DV agreement and email same to Ian; telephone conference with Ian regarding same. | 0.50 | 132.50 |
| 3/28/2018 BG | Telephone conference with Steve regarding Kern Projection questions and review email on Kern projection from Steve. | 0.30 | 79.50 |
| 3/29/2018 BG | Finalize and file Kern Dry up and projection; work on notice to court regarding change of FRE lease to lower amount to be provided and corresponding amendment to projection term in Kern aug plan decree | 0.70 | 185.50 |
| | **For professional services rendered** | **1.50** | **$397.50** |
| | Balance due | | $397.50 |

**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.

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**Clear Water Solutions**
8010 South County Road 5
Suite 105
Windsor, CO 80528
970-223-3706

Town of Windsor
301 Walnut Street
Windsor, Co 80550
Wade Willis

Invoice number 5479
Date 03/07/2018

Project **09-280 WINDSOR GENERAL WATER RIGHTS SERVICES NON POTABLE 2018**

Billing Period: 02/05/18 – 03/04/18

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

Phase A: General Water Rights Services (Windsor 06-484-6253-000)
- Attend monthly meeting with Windsor - 2/27/18
- Review FRE decree and options for Windsor replacement

Phase B: Kyger Accounting (Windsor 06-484-6253-485)
- Complete and submit January 2018 accounting

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

**Invoice Summary**

| Description | YTD Billed | Current Billed |
|---|---|---|
| **A GENERAL WATER RIGHTS SERVICES** | 1,140.00 | 665.00 |
| **B KYGER ACCOUNTING** | 520.00 | 160.00 |
| **ADMINISTRATION** | 70.00 | 35.00 |
| **EQUIPMENT, SUPPLIES & GENERAL EXPENSES** | 90.80 | 44.51 |
| **REIMBURSABLE EXPENSES** | 12.00 | 12.00 |
| Total | 1,832.80 | 916.51 |

**General Water Rights Services**

Professional Fees

| | Hours | Rate | Billed Amount |
|---|---|---|---|
| Principal | 3.50 | 190.00 | 665.00 |

**Kyger Accounting**

Professional Fees

| | Hours | Rate | Billed Amount |
|---|---|---|---|
| Sr. Project Manager VI | 1.00 | 160.00 | 160.00 |

**Reimbursable Expenses**

Reimbursables

| | Billed Amount |
|---|---|
| Miles | 12.00 |

| Description | Prior Billed | Current Billed |
|---|---|---|
| **ADMINISTRATION** | 35.00 | 35.00 |
| **EQUIPMENT, SUPPLIES & GENERAL EXPENSES** | 46.29 | 44.51 |
| Total | 81.29 | 79.51 |

Invoice total **916.51**

**Aging Summary**

| Invoice Number | Invoice Date | Outstanding | Current | Over 30 | Over 60 | Over 90 | Over 120 |
|---|---|---|---|---|---|---|---|
| 5479 | 03/07/2018 | 916.51 | 916.51 | | | | |
| | Total | 916.51 | 916.51 | 0.00 | 0.00 | 0.00 | 0.00 |

*We thank you for your business!*

$756.51

06-484-6253-605

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8010 South County Road 5
Suite 105
Windsor, CO 80528
970-223-3706

Town of Windsor
301 Walnut Street
Windsor, Co 80550
Wade Willis

Invoice number 5484
Date 03/07/2018

Project **15-200 WINDSOR NEW CACHE CHANGE OF USE 2018**

Billing Period: 02/05/18 – 03/04/18

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

Phase A: General Water Rights Services (Windsor 06-484-6253-000)
- Review project status
- Review existing information on the New Cache La Poudre Irrigating Company Engineering
- Outline report for change of use

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

**Invoice Summary**

| Description | YTD Billed | Current Billed |
|---|---|---|
| **A GENERAL WATER RIGHTS SERVICES** | 897.50 | 517.50 |
| **ADMINISTRATION** | 52.50 | 35.00 |
| **EQUIPMENT, SUPPLIES & GENERAL EXPENSES** | 90.80 | 44.51 |
| **REIMBURSABLE EXPENSES** | 0.00 | 0.00 |
| Total | 1,040.80 | 597.01 |

**General Water Rights Services**

Professional Fees

| | Hours | Rate | Billed Amount |
|---|---|---|---|
| Principal | 2.00 | 190.00 | 380.00 |
| Sr. Project Manager VI | 0.50 | 160.00 | 80.00 |
| Project Manager II | 0.50 | 115.00 | 57.50 |
| Phase subtotal | | | 517.50 |

| Description | Prior Billed | Current Billed |
|---|---|---|
| **ADMINISTRATION** | 17.50 | 35.00 |
| **EQUIPMENT, SUPPLIES & GENERAL EXPENSES** | 46.29 | 44.51 |
| Total | 63.79 | 79.51 |

Invoice total **597.01**

**Aging Summary**

| Invoice Number | Invoice Date | Outstanding | Current | Over 30 | Over 60 | Over 90 | Over 120 |
|---|---|---|---|---|---|---|---|
| 5458 | 02/07/2018 | 443.79 | 443.79 | | | | |
| 5484 | 03/07/2018 | 597.01 | 597.01 | | | | |
| | Total | 1,040.80 | 1,040.80 | 0.00 | 0.00 | 0.00 | 0.00 |

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8010 South County Road 5
Suite 105
Windsor, CO 80528
970-223-3706

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

Invoice number 5480
Date 03/07/2018

Project **12-120 KERN/WCSD RE-4 AUGMENTATION PLAN 2018**

Billing Period: 02/05/18 – 03/04/18

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

Phase A: Kern Reservoir & Ditch Company (Windsor 06-484-6253-605)
- Review Kern accounting
- Download SCADA data fro January 2018 accounting
- Email correspondence with Wade regarding errors in SCADA data
- Edit December 2017 augmentation deliveries and total through South outlet
- Re-examine December 2017 augmentation and South outlet deliveries
- Complete and submit January 2018 Decree accounting
- Submit reports to M. Simpson, FRE and Great Western
- Email correspondence with W. Willis regarding upcoming call changes
- Determine amount of augmentaion water Windsor needs to run for March 2018 and email update to W. Willis
- Email group an updated WCSD/Kern balance spreadsheet

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 KERN RESERVOIR & DITCH COMPANY** | 1,567.50 |
| **KERN REIMBURSABLE EXPENSES** | 0.00 |
| Subtotal | 1,567.50 |
| Total | 1,567.50 |

Invoice number 5480
Date 03/07/2018

**KERN Reservoir & Ditch Company**

**Kern Reservoir & Ditch Company**

Professional Fees

| | Hours | Rate | Billed Amount |
|---|---|---|---|
| Principal | | | |
| Sr. Project Manager VI | 4.25 | 190.00 | 807.50 |
| | 4.75 | 160.00 | 760.00 |
| Phase subtotal | | | 1,567.50 |
| KERN Reservoir & Ditch Company subtotal | | | 1,567.50 |

Invoice total **1,567.50**

**Aging Summary**

| Invoice Number | Invoice Date | Outstanding | Current | Over 30 | Over 60 | Over 90 | Over 120 |
|---|---|---|---|---|---|---|---|
| 5480 | 03/07/2018 | 1,567.50 | 1,567.50 | | | | |
| | Total | 1,567.50 | 1,567.50 | 0.00 | 0.00 | 0.00 | 0.00 |

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**Clear Water Solutions**
8010 South County Road 5
Suite 105
Windsor, CO 80528
970-223-3706

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

Invoice number 5506
Date 04/04/2018

Project **12-120 KERN/WCSD RE-4 AUGMENTATION PLAN 2018**

Billing Period: 03/05/18 – 04/01/18

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

Phase A: Kern Reservoir & Ditch Company - 06-484-6253-605
- Update Operational model with lagged School District depletions
- WCSD storage
- 2018 Projection
- Correspondence with Windsor regarding Main Park well irrigation of Town Hall
- Correspondence with Windsor regarding project submittal
- Complete and submit February 2018 Accounting
- Progress on March 2018 Accounting
- Review Dry-Up mapping
- Set up Kern-Kyger-Louden tracking spreadsheet
- Finalize Dry-Up Map for Kern and forward to Brad Grasmick
- Prepare and update the annual parks and open space irrigated area map (Exhibit 3)
- Email Matt Loose regarding status of FRE information for the projection
- Drive to Greenspire Development fo confirm irrigated areas based on new developement
- Update irrigated area maps for Greenspire Development and Boardwalk Park
- Submit Exhibit 3 map for Case No. 02CW301

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 KERN RESERVOIR & DITCH COMPANY** | |
| **KERN REIMBURSABLE EXPENSES** | 6,432.50 |
| | 7.79 |
| Subtotal | 6,440.29 |
| Total | 6,440.29 |

Invoice number 5506
Date 04/04/2018

**KERN Reservoir & Ditch Company**

**Kern Reservoir & Ditch Company**

Professional Fees

| | Hours | Rate | Billed Amount |
|---|---|---|---|
| Principal | 11.75 | 190.00 | 2,232.50 |
| Sr. Project Manager VI | 20.50 | 160.00 | 3,280.00 |
| Project Manager II | 8.00 | 115.00 | 920.00 |
| Phase subtotal | | | 6,432.50 |

**Kern Reimbursable Expenses**

Reimbursables

| | Billed Amount |
|---|---|
| Miles | 7.79 |
| KERN Reservoir & Ditch Company subtotal | 6,440.29 |

Invoice total **6,440.29**

**Aging Summary**

| Invoice Number | Invoice Date | Outstanding | Current | Over 30 | Over 60 | Over 90 | Over 120 |
|---|---|---|---|---|---|---|---|
| 5506 | 04/04/2018 | 6,440.29 | 6,440.29 | | | | |
| | Total | 6,440.29 | 6,440.29 | 0.00 | 0.00 | 0.00 | 0.00 |

*We thank you for your business!*

GoToMyPC

# Your Receipt

Wade Willis
301 Walnut St
Windsor CO 80550-5141
United States

Dear Wade,

The following contains your payment information and receipt:

Date: Feb 22, 2018
Plan: Personal 1-PC Monthly

| | |
|---|---|
| Personal 1 PC Monthly billing cycle Mar 21, 2018 | $23.95 |
| PAYMENT: Visa XXXX-XXXX-XXXX-0195 | ($23.95) |

New account balance: **$0.00**

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320 Summer Street
Boston, MA 02210

GoToMyPC

# Your Receipt

Wade Willis
301 Walnut St
Windsor CO 80550-5141
United States

Dear Wade,

The following contains your payment information and receipt:

Date: Mar 22, 2018
Plan: Personal 1-PC Monthly

| | |
|---|---|
| Personal 1 PC Monthly billing cycle Apr 21, 2018 | $23.95 |
| PAYMENT: Visa XXXX-XXXX-XXXX-0195 | ($23.95) |
| New account balance: | **$0.00** |

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320 Summer Street
Boston, MA 02210

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| MAILING ADDRESS | ACCOUNT NUMBER | | DUE DATE |
|---|---|---|---|
| TOWN OF WINDSOR<br>KERN<br>301 WALNUT ST<br>WINDSOR CO 80550-5141 | 53-0029078-2 | | 03/23/2018 |
| | STATEMENT NUMBER | STATEMENT DATE | AMOUNT DUE |
| | 582677643 | 03/05/2018 | $55.65 |

## 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<br>PO BOX 8<br>EAU CLAIRE WI 54702-0008 |

## ACCOUNT BALANCE

| | | |
|---|---|---|
| Previous Balance | As of 01/24 | $55.27 |
| Payment Received | Check 03/02 | -$55.27 CR |
| Balance Forward | | **$0.00** |
| Current Charges | | $54.82 |
| Non-Recurring Charges / Credits | | $0.83 |
| **Amount Due** | | **$55.65** |

## PREMISES SUMMARY

| PREMISES NUMBER | PREMISES IDENTIFIER | PREMISES DESCRIPTOR | CURRENT BILL |
|---|---|---|---|
| 304241524 | 107A N CHIMNEY PARK DR UNIT KERN | | $13.62 |
| 304241529 | 1A MAIN ST UNIT KERN | | $13.44 |
| 304241530 | 561 E GARDEN DR | | $13.70 |
| 304331438 | 10A E GARDEN DR | | $14.06 |
| **Total** | | | **$54.82** |

## NON-RECURRING CHARGES/CREDITS SUMMARY

| DESCRIPTION | CURRENT BILL |
|---|---|
| Late Charge Assessed | $0.83 |
| **Total** | **$0.83** |

## INFORMATION ABOUT YOUR BILL

Thank you for your payment.

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| ACCOUNT NUMBER | DUE DATE | AMOUNT DUE | AMOUNT ENCLOSED |
|---|---|---|---|
| 53-0029078-2 | 03/23/2018 | $55.65 | |

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 |

AB 02 002865 12954 B 16 A
TOWN OF WINDSOR
KERN
301 WALNUT ST
WINDSOR CO 80550-5141

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

31 53032318 00290782 00000005565000000005565

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| MAILING ADDRESS | ACCOUNT NUMBER | | DUE DATE |
|---|---|---|---|
| TOWN OF WINDSOR<br>KERN<br>301 WALNUT ST<br>WINDSOR CO 80550-5141 | 53-0029078-2 | | 03/23/2018 |
| | STATEMENT NUMBER | STATEMENT DATE | AMOUNT DUE |
| | 582677643 | 03/05/2018 | $55.65 |

**SERVICE ADDRESS:** 1A MAIN ST UNIT KERN WINDSOR, CO 80550
**NEXT READ DATE:** 03/29/18

## YOUR MONTHLY ELECTRICITY USAGE

| DAILY AVERAGES | Last Year | This Year |
|---|---|---|
| Temperature | 40° F | 30° F |
| Electricity kWh | 1.2 | 0.6 |
| Electricity Cost | $0.49 | $0.41 |

## ELECTRICITY SERVICE DETAILS

**PREMISES NUMBER:** 304241529
**INVOICE NUMBER:** 0713537997

**METER READING INFORMATION**

**METER 54702613** Read Dates: 01/25/18 - 02/27/18 (33 Days)

| DESCRIPTION | CURRENT READING | PREVIOUS READING | USAGE |
|---|---|---|---|
| Total Energy | 1515 Actual | 1496 Actual | 19 kWh |

## ELECTRICITY CHARGES — RATE: C Commercial Service

| DESCRIPTION | USAGE UNITS | RATE | CHARGE |
|---|---|---|---|
| Service & Facility | | | $10.43 |
| Commercial Service | 19 kWh | $0.042560 | $0.81 |
| Trans Cost Adj | 19 kWh | $0.001530 | $0.03 |
| Elec Commodity Adj | 19 kWh | $0.027950 | $0.53 |
| Demand Side Mgmt Cost | 19 kWh | $0.001680 | $0.03 |
| Purch Cap Cost Adj | 19 kWh | $0.003900 | $0.07 |
| CACJA | 19 kWh | $0.003140 | $0.06 |
| Renew. Energy Std Adj | | | $0.24 |
| GRSA | | | $0.01 |
| **Subtotal** | | | **$12.21** |
| Franchise Fee | | 3.00% | $0.37 |
| Sales Tax | | | $0.86 |
| **Total** | | | **$13.44** |
| **Premises Total** | | | **$13.44** |

396


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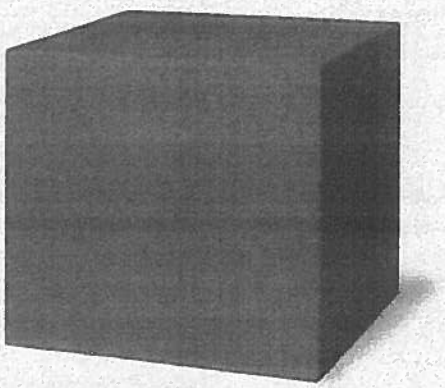

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| MAILING ADDRESS | ACCOUNT NUMBER | | DUE DATE |
|---|---|---|---|
| TOWN OF WINDSOR<br>KERN<br>301 WALNUT ST<br>WINDSOR CO 80550-5141 | 53-0029078-2 | | 03/23/2018 |
| | STATEMENT NUMBER | STATEMENT DATE | AMOUNT DUE |
| | 582677643 | 03/05/2018 | $55.65 |

**SERVICE ADDRESS:** 10A E GARDEN DR WINDSOR, CO 80550
**NEXT READ DATE:** 03/28/18

## YOUR MONTHLY ELECTRICITY USAGE

| DAILY AVERAGES | Last Year | This Year |
|---|---|---|
| Temperature | 41° F | 30° F |
| Electricity kWh | 0.6 | 0.9 |
| Electricity Cost | $0.45 | $0.47 |

## ELECTRICITY SERVICE DETAILS

**PREMISES NUMBER:** 304331438
**INVOICE NUMBER:** 0713535390

**METER READING INFORMATION**

**METER 49115129** Read Dates: 01/24/18 - 02/23/18 (30 Days)

| DESCRIPTION | CURRENT READING | PREVIOUS READING | USAGE |
|---|---|---|---|
| Total Energy | 1048 Actual | 1022 Actual | 26 kWh |

## ELECTRICITY CHARGES — RATE: C Commercial Service

| DESCRIPTION | USAGE UNITS | RATE | CHARGE |
|---|---|---|---|
| Service & Facility | | | $10.43 |
| Commercial Service | 26 kWh | $0.042560 | $1.11 |
| Trans Cost Adj | 26 kWh | $0.001530 | $0.04 |
| Elec Commodity Adj | 26 kWh | $0.027950 | $0.73 |
| Demand Side Mgmt Cost | 26 kWh | $0.001680 | $0.04 |
| Purch Cap Cost Adj | 26 kWh | $0.003900 | $0.10 |
| CACJA | 26 kWh | $0.003140 | $0.08 |
| Renew. Energy Std Adj | | | $0.24 |
| GRSA | | | $0.01 |
| **Subtotal** | | | **$12.78** |
| Franchise Fee | | 3.00% | $0.38 |
| Sales Tax | | | $0.90 |
| **Total** | | | **$14.06** |
| **Premises Total** | | | **$14.06** |


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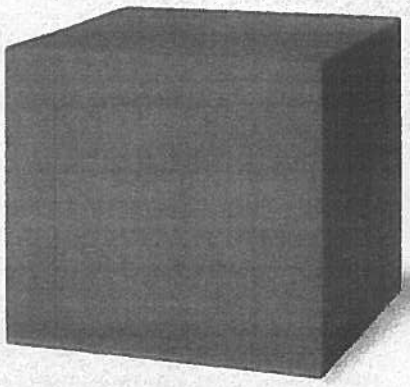
Visit **xcelenergy.com/CleanEnergy** for more information.



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| MAILING ADDRESS | ACCOUNT NUMBER | | DUE DATE |
|---|---|---|---|
| TOWN OF WINDSOR<br>KERN<br>301 WALNUT ST<br>WINDSOR CO 80550-5141 | 53-0029078-2 | | 03/23/2018 |
| | STATEMENT NUMBER | STATEMENT DATE | AMOUNT DUE |
| | 582677643 | 03/05/2018 | $55.65 |

## Add Energy Efficiency to your 2018 Wish List

It's time to save money where you can by making energy efficiency a priority for your business. Reduce energy usage in your business by using our rebate programs and energy-saving tips. Simple changes can amount to big savings – get started today!

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Air leaks can inflate your heating and energy costs. Insulate doors, windows, and anywhere air can escape.

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- Online bill history and payment options
- Download the new mobile app and view your bill from anywhere

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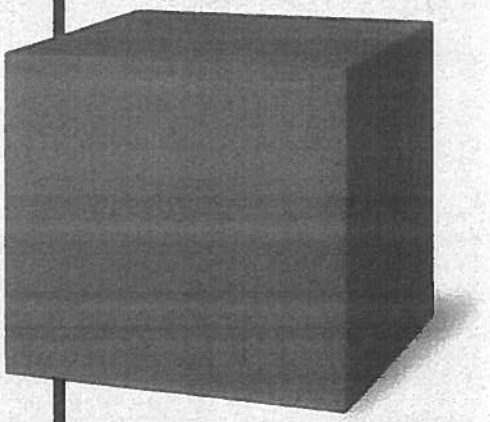

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| MAILING ADDRESS | ACCOUNT NUMBER | | DUE DATE |
|---|---|---|---|
| TOWN OF WINDSOR<br>KERN<br>301 WALNUT ST<br>WINDSOR CO 80550-5141 | 53-0029078-2 | | 04/23/2018 |
| | STATEMENT NUMBER | STATEMENT DATE | AMOUNT DUE |
| | 586500793 | 04/03/2018 | $54.38 |

## 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<br>PO BOX 8<br>EAU CLAIRE WI 54702-0008 |

## ACCOUNT BALANCE

| | | |
|---|---|---|
| Previous Balance | As of 02/23 | $55.65 |
| Payment Received | Check 03/26 | -$55.65 **CR** |
| Balance Forward | | **$0.00** |
| Current Charges | | $54.38 |
| **Amount Due** | | **$54.38** |

## PREMISES SUMMARY

| PREMISES NUMBER | PREMISES IDENTIFIER | PREMISES DESCRIPTOR | CURRENT BILL |
|---|---|---|---|
| 304241524 | 107A N CHIMNEY PARK DR UNIT KERN | | $13.53 |
| 304241529 | 1A MAIN ST UNIT KERN | | $13.26 |
| 304241530 | 561 E GARDEN DR | | $13.62 |
| 304331438 | 10A E GARDEN DR | | $13.97 |
| **Total** | | | **$54.38** |

## INFORMATION ABOUT YOUR BILL

Thank you for your payment.

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| MAILING ADDRESS | ACCOUNT NUMBER | | DUE DATE |
|---|---|---|---|
| TOWN OF WINDSOR<br>KERN<br>301 WALNUT ST<br>WINDSOR CO 80550-5141 | 53-0029078-2 | | 04/23/2018 |
| | STATEMENT NUMBER | STATEMENT DATE | AMOUNT DUE |
| | 586500793 | 04/03/2018 | $54.38 |

**SERVICE ADDRESS:** 1A MAIN ST UNIT KERN WINDSOR, CO 80550
**NEXT READ DATE:** 04/27/18

## YOUR MONTHLY ELECTRICITY USAGE

| DAILY AVERAGES | Last Year | This Year |
|---|---|---|
| Temperature | 47° F | 43° F |
| Electricity kWh | 0.6 | 0.6 |
| Electricity Cost | $0.45 | $0.46 |

## ELECTRICITY SERVICE DETAILS

**PREMISES NUMBER:** 304241529
**INVOICE NUMBER:** 0718017251

**METER READING INFORMATION**

**METER 54702613** Read Dates: 02/27/18 - 03/28/18 (29 Days)

| DESCRIPTION | CURRENT READING | PREVIOUS READING | USAGE |
|---|---|---|---|
| Total Energy | 1532 Actual | 1515 Actual | 17 kWh |

## ELECTRICITY CHARGES — RATE: C Commercial Service

| DESCRIPTION | USAGE UNITS | RATE | CHARGE |
|---|---|---|---|
| Service & Facility | | | $10.43 |
| Commercial Service | 17 kWh | $0.042560 | $0.72 |
| Trans Cost Adj | 17 kWh | $0.001530 | $0.03 |
| Elec Commodity Adj | 17 kWh | $0.027950 | $0.48 |
| Demand Side Mgmt Cost | 17 kWh | $0.001680 | $0.03 |
| Purch Cap Cost Adj | 17 kWh | $0.003900 | $0.07 |
| CACJA | 17 kWh | $0.003140 | $0.05 |
| Renew. Energy Std Adj | | | $0.23 |
| GRSA | | | $0.01 |
| **Subtotal** | | | **$12.05** |
| Franchise Fee | | 3.00% | $0.36 |
| Sales Tax | | | $0.85 |
| **Total** | | | **$13.26** |
| **Premises Total** | | | **$13.26** |

497

## Enroll in auto pay – no late fees and no worries

Auto Pay means saving time and mailing costs through the benefits of automatic payment withdrawal from your checking account. Your payment will automatically post to your Xcel Energy account on your due date and a withdrawal will be directed to the checking account you provide with this enrollment.

To enroll, just fill in the information on the lines below, cut off this form, and include 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.

**I authorize Xcel Energy to initiate transfers from the bank account indicated on the enclosed check payment 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.**

**Authorized signature**
Signature above must match name on the bank account

**Xcel Energy account**
See page 1 of bill statement

**Date**

To enroll online, visit **xcelenergy.com/MyAccount**. For more information call **800.895.4999.**

Xcel Energy®

| MAILING ADDRESS | ACCOUNT NUMBER | | DUE DATE |
|---|---|---|---|
| TOWN OF WINDSOR<br>KERN<br>301 WALNUT ST<br>WINDSOR CO 80550-5141 | 53-0029078-2 | | 04/23/2018 |
| | STATEMENT NUMBER | STATEMENT DATE | AMOUNT DUE |
| | 586500793 | 04/03/2018 | $54.38 |

**SERVICE ADDRESS:** 10A E GARDEN DR WINDSOR, CO 80550
**NEXT READ DATE:** 04/26/18

## YOUR MONTHLY ELECTRICITY USAGE

| DAILY AVERAGES | Last Year | This Year |
|---|---|---|
| Temperature | 45° F | 42° F |
| Electricity kWh | 0.6 | 0.8 |
| Electricity Cost | $0.43 | $0.45 |

## ELECTRICITY SERVICE DETAILS

**PREMISES NUMBER:** 304331438
**INVOICE NUMBER:** 0718018319

**METER READING INFORMATION**

**METER 49115129** Read Dates: 02/23/18 - 03/26/18 (31 Days)

| DESCRIPTION | CURRENT READING | PREVIOUS READING | USAGE |
|---|---|---|---|
| Total Energy | 1073 Actual | 1048 Actual | 25 kWh |

## ELECTRICITY CHARGES — RATE: C Commercial Service

| DESCRIPTION | USAGE UNITS | RATE | CHARGE |
|---|---|---|---|
| Service & Facility | | | $10.43 |
| Commercial Service | 25 kWh | $0.042560 | $1.06 |
| Trans Cost Adj | 25 kWh | $0.001530 | $0.04 |
| Elec Commodity Adj | 25 kWh | $0.027950 | $0.70 |
| Demand Side Mgmt Cost | 25 kWh | $0.001680 | $0.04 |
| Purch Cap Cost Adj | 25 kWh | $0.003900 | $0.10 |
| CACJA | 25 kWh | $0.003140 | $0.08 |
| Renew. Energy Std Adj | | | $0.24 |
| GRSA | | | $0.01 |
| **Subtotal** | | | **$12.70** |
| Franchise Fee | | 3.00% | $0.38 |
| Sales Tax | | | $0.89 |
| **Total** | | | **$13.97** |
| **Premises Total** | | | **$13.97** |

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