

# **ALLEN-RENO PARK LATERAL DITCH COMPANY**

**Official Corporate Documents & By-Laws (Original Text)**

## **CERTIFICATE OF INCORPORATION RENEWAL**

*Filed May 28, 1942 — State of Colorado*

**The Allen-Reno Park Lateral Ditch Company, an irrigation corporation organized under the laws of the State of Colorado, filed a Certificate of Renewal of its corporate existence in the office of the Secretary of State on May 28, 1942, at 11:00 A.M., extending its term of existence perpetually.**

**Pursuant to Colorado statutes, and by authority vested in the Secretary of State, it is certified that:**

### **THE ALLEN-RENO PARK LATERAL DITCH COMPANY**

**has made full payment of all fees and taxes due at the time of issuance of this certificate.**

**Signed at Denver, Colorado, this Twenty-Eighth day of May, A.D. 1942.**

**/s/ Walter F. Morrison, Secretary of State /s/ Earl E. Ewing, Deputy**

## **Article 1 — Members and Membership Rights**

### **Section 1. Eligibility**

Except as otherwise provided by these By-Laws, only owners of lots on the Allen–Reno Park Lateral Ditch shall be eligible to become members. Applications must be submitted in writing in a form required by the Board of Directors.

### **Section 2. Certificates of Membership**

Upon receipt of a proper application and satisfactory evidence of eligibility, the Board shall direct the Secretary to issue a certificate of membership. This certificate is prima facie evidence of membership, irrigation water rights for the property, and voting rights. Certificates are **not transferable**.

### **Section 3. Water Use**

Members may receive and use water for **irrigation purposes only**, subject to Board regulations. No member is entitled to a specific quantity of water—only what is available to the Company.

### **Section 4. Voting Rights**

Each membership is entitled to **one vote**.

### **Section 5. Suspension of Membership**

Membership may be suspended for:

- Violating water distribution or ditch maintenance regulations
- Failing to pay delinquent assessments

Suspensions may be revoked by majority vote at any annual or special meeting. If a Member is **two years in arrears**, they shall be notified by registered or certified mail, and the water right reverts to the Company for bid.

### **Section 6. Transfer of Property**

Membership automatically terminates upon transfer of land ownership. The former Member must surrender their certificate. The new owner may apply for a new certificate upon payment of transfer fees and past assessments.

### **Section 7. Swadley Ditch Payment Priority**

The Swadley Ditch payment has priority over all other expenses. A sinking fund must be maintained for this amount.

### **Section 8. Member Maintenance Responsibilities**

Members must maintain the ditch across their property. Any alteration requires Board approval. Liability for alterations rests with the property owner.

### **Section 9. Sump & Pump Requirement (Post-1968)**

All stockholders after 1968 must have a sump and pump:

- Minimum 20" square
- Maximum 3' square
- Off the mainline
- Feeder pipe max 4"
- Sump boxes must be covered

### **Section 10. Water Flow Maintenance**

The Company shall maintain water flow when available. Stockholders must provide labor, materials, or equipment for pipe grade with Board approval.

### **Section 11. Membership Limit**

Membership is limited to **150 Members**.

### **Section 12. Labor Fees**

Hourly fees for ditch work must be approved by the Board only.

## **Article 2 — Board of Directors**

### **Section 1. Composition & Terms**

The Company is managed by **8 Directors and 3 Officers**, all Members. Directors serve two-year terms; four are elected each alternate year.

### **Section 2. Vacancies**

The Board may appoint a Member to fill an unexpired term.

### **Section 3. Removal of Directors**

A Director may be removed by majority vote at a special meeting. The vacancy is filled by election at that meeting.

### **Section 4. Regulations**

The Board shall prescribe written regulations governing water distribution, ditch maintenance, and use of Company facilities. These may be amended by majority vote.

### **Section 5. Officers & Employees**

The Board may prescribe duties of Officers, appoint employees, and set compensation.

### **Section 6. Borrowing & Property**

The Board may not borrow money or encumber/dispose of Company real property without majority approval of the Members.

## **Article 3 — Officers**

### **Section 1. Officers**

Officers include:

- President
- Vice-President
- Secretary-Treasurer

All must be Directors and elected by the General Membership.

### **Section 2. President**

Presides over meetings, signs official documents, and performs duties as prescribed.

### **Section 3. Vice-President**

Acts in the absence of the President.

#### **Section 4. Secretary-Treasurer**

Responsible for:

- Recording minutes
- Maintaining the corporate seal
- Membership records
- Custody of funds and securities
- Countersigning financial instruments
- Maintaining Company records
- Mailing rules and regulations
- Maintaining a safety deposit box with Company records

The Board may appoint a temporary replacement during absence or incapacity.

#### **Section 5. Transition of Officers**

Outgoing officers must train new officers and transfer all records and equipment.

#### **Section 6. Ditch Rider Authority**

The ditch rider may turn off water during emergencies or for delinquent assessments.

### **Article 4 — Assessments**

#### **Section 1. Annual Assessments**

The Board may levy annual assessments for Company operations.

#### **Section 2. Special Assessments**

Special assessments require majority approval of the Members.

#### **Section 3. Delinquency**

Assessments become delinquent 30 days after mailed notice. Penalties may be added. The Board may bring suit to collect delinquent assessments with penalty and interest.

## **Article 5 — Meetings of Members**

### **Section 1. Annual Meeting**

Held at a time and place designated by the Board.

### **Section 2. Special Meetings**

May be called by Board resolution or by written request of one-third of the Members.

### **Section 3. Notice**

7-day mailed notice is required.

### **Section 4. Quorum**

No business may be transacted unless **50 Members plus a majority of the Board** are represented. A minority may adjourn for up to 60 days.

## **Article 6 — Meetings of Directors**

### **Section 1. Calling Meetings**

Meetings may be called by any Director.

### **Section 2. Annual Requirement**

The Board must meet at least once per year.

### **Section 3. Quorum**

Five Directors constitute a quorum.

## **Article 7 — Miscellaneous**

### **Section 1. Corporate Seal**

The Company seal is as shown in the original document.

### **Section 2. Principal Office**

Located in Arvada, Jefferson County, Colorado.

### **Section 3. Amendments**

By-Laws may be amended, added to, or repealed by majority vote at any annual or special meeting