

Water user's group/cooperative named as _____

For Stock Certificate number: # _____

Administrator: The primary owner _____

of the home at _____ Parma, ID. 83660, shall serve as the administrator of the water users' group and or cooperative as named above.

Members:

- 1) Primary owner of the _____ acre lot on the _____ section of the user's group/cooperative.
Current owner is _____.
- 2) Primary owner of the _____ acre lot on the _____ section of the user's group/cooperative.
Current owner is _____.
- 3) Primary owner of the _____ acre lot on the _____ section of the user's group/cooperative.
Current owner is _____.
- 4) Primary owner of the _____ acre lot on the _____ section of the user's group/cooperative.
Current owner is _____.
- 5) Primary owner of the _____ acre lot on the _____ section of the user's group/cooperative.
Current owner is _____.

Irrigation Water:

Each member shall pay and receive the portion corresponding to their shares of the irrigation water resources. The total land area cover by this user's group/cooperative is _____ acres. The total water shares in this user's group/cooperative are _____ delivered from Farmers' Co-Operative Ditch Company.

Member 1. Owns _____ acres with _____ of the _____ shares.

Member 2. Owns _____ acres with _____ of the _____ shares.

Member 3. Owns _____ acres with _____ of the _____ shares.

Member 4. Owns _____ acres with _____ of the _____ shares.

Member 5. Owns _____ acres with _____ of the _____ shares.

Each member shall give payment to the Administrator 2 weeks prior to the due date as set by the Irrigation Ditch Company. If payment is not received by the Administrator on time, the Administrator shall be permitted to charge a late fee equaling _____% of the overdue payment.

The administrator shall be permitted to restrict this member from access to irrigation water until late fee and regular payment are received. Alternatively, the Administrator may choose to charge the payment method placed on file by the member if a preauthorization is in place. If the Administrator chooses to charge the payment method, the terms outlined in the preauthorization will be followed. No late fee will be charged, but a \$____ processing fee will be charged to the member.

Irrigation Water Distribution:

The irrigation ditch company has set forth policies that govern water distribution within water users' groups/cooperatives. _____ users group/cooperative will abide by this policy which is in place to ensure that every member of this group/cooperative maintains access to their portion of the available irrigation water from the point where the irrigation ditch company provides water to the group/cooperative. Each member shall be responsible for maintaining the pipe/ditch and or delivery method from the Irrigation/Ditch company delivery point, to said member's property. See Article VII of the Farmers' Cooperative Ditch Company policies in place as of 12 July, 2018.

<http://www.farmersCooperativeditchcompany.com/app/uploads/2018/07/amended-by-laws-7-12-18.docx>.

Liability Among Members:

Members and the Administrator agree to a policy of "no funny business," meaning there will be no kickbacks or fraudulent uses of funds. Neither the administrator nor the members shall hold any liability for their participation in the user's group/cooperative. Members agree that legal costs should be avoided and that membership in the user's group/cooperative is voluntary and at their own risk. If any member wishes to remove themselves from the user's group/cooperative they may do so by 1). Stop paying, stop responding to request, 2). Giving notice to the administrator or to all remaining members. Leaving the users group/cooperative means no more rights/responsibilities to the irrigation water.

Administrator

Date: _____

Farmers Cooperative Ditch Bylaws

ARTICLE V.

STOCK

Section 1. Certificates of stock shall be of such form and device as the Board of Directors may direct, and such certificate shall be signed by the President and Secretary, and express on their face, their name, their number, date of issuance, number of shares for which and the person to whom issued.

Section 2. Several certificates may be issued to the same person or persons, provided, that in the aggregate they do not exceed the number of shares belonging to such person or persons. The certificate book shall contain a margin on which shall be entered the number, date, number of shares and the name or names of the person or persons expressed in the corresponding certificate.

Section 3. The Board of Directors shall have power to cause to be issued shares of the Capital Stock of the Company to the Stockholders in proportion to their several interests, not to exceed in the aggregate the Capital Stock of the Company. Each share of the stock so issued to represent and carry with it the perpetual and equitable right to the Company's available water supply, water rights and irrigation system, less appropriate transmission losses, proving all appropriate assessment are paid currently, during the irrigation season of each year as fixed by the Board and in accordance with the rules and regulation of the Company, and shall be issued to all those persons holding stock in this Corporation. Transfer of shares shall not entitle the transferee to receive water and benefits from the company where such water cannot be delivered through the existing irrigation system canals and ditches of the Company and the company shall not be required to construct any new or additional water delivery system for delivery of water to any lands not currently receiving water. (This amendment is intended to clarify that a share of stock entitles a shareholder to proportional/equitable interest in the water rights of the Company, which are currently 2 inches per acre, but subject to change depending upon water availability and other conditions as deemed necessary by the Board.)

ARTICLE VI

TRANSFER OF STOCK

Section 1. Shares of the Capital Stock of the Company may be transferred at any time by the holders thereof, or by power of attorney, legally constituted, or by legal representation, and such transfer shall be made by endorsement on the certificate of stock and by surrender of the same; provided, that such transfers shall not be valid except as between the parties thereto, until the same shall have been noted in proper form upon the stock ledger of the Company, and no transfer of stock shall be made upon the books of the Company until all indebtedness to it of the person in whose name the stock is registered shall have been paid. The surrendered certificate shall be cancelled by the Secretary before a new one shall be issued in lieu thereof and the Secretary shall preserve the cancelled certificate as a voucher.

ARTICLE VII

WATER DISTRIBUTION

Section 1. The Board of Directors shall annually fix the dates for the delivery and shut-off of water furnished by the Company.

Section 2. The Company will install, maintain and operate a main water distribution system, either pipe or open ditch from the source of the water supply and will install, operate and maintain diversion boxes, head gates or other suitable irrigation works at the points of diversion from the main canal. The Company shall no obligation or jurisdiction beyond the headgate or diversion from the main canal. The Company shall have the right to make such rules and regulations concerning the delivery of water as it may deem necessary. (This amendment is intended to clarify that the Company shall not be responsible beyond the headgate or diversion from the main canal. The Board also discussed adopting a resolution pursuant to this section which provides that the Company will maintain the headgate and diversion extending 40 feet from the point of diversion/headgate.)

Section 3. The Company shall have the sole and exclusive right to control all irrigation facilities and easements which are owned or operated by the Company, and no shareholder shall interfere or disturb any devices used to regulate and deliver water. The Company shall regulate the flow of water through the Company's facilities in such a manner as to

