

ARTICLES OF INCORPORATION
OF
ESCALANTE VALLEY WATER USERS ASSOCIATION

WE, THE UNDERSIGNED NATURAL PERSONS over the age of 21 years or more, acting as incorporators of a non-profit corporation under the Utah Business Non-Corporation Act, and pursuant to Title 16, Chapter 6, of the Utah Code Annotated, 1953, as amended (Utah Nonprofit Corporation Cooperative Association Act), adopt the following Articles of Incorporation for such corporation:

ARTICLE I

NAME

The name of the corporation is: ESCALANTE VALLEY WATER USERS ASSOCIATION.

ARTICLE II

PERPETUAL EXISTENCE

The corporation is to have perpetual existence unless dissolved by law.

ARTICLE III

PRINCIPAL PLACE OF BUSINESS

The principal place of business of the corporation is in the Escalante Valley located in both Iron County and Washington County, Utah. The principal office shall be located at Star Route, Box 27, Beryl, Utah 84714.

ARTICLE IV

PURPOSES

The purposes for which the corporation is organized are:

A. To promote general harmony for the water rights located in Escalante Valley, Utah, and to care for the needs of the individual and corporate water users and function as administrators and mediators for water users in the Escalante Valley.

B. To present a unified in protecting the value of the water rights located in the Escalante Valley.

C. The corporation shall be entitled to exercise all powers as specified in the Utah Nonprofit Corporation Act as specified in Utah Code Annotated 16-6-22, 1953, as amended and to engage in such other activities as may be to the mutual benefit of the members of said corporation.

ARTICLE V

NONPROFIT STATUS

This corporation is not organized for pecuniary profit.

ARTICLE VI

MEMBERSHIP CERTIFICATES

The corporation shall issue membership certificates evidencing membership in said corporation. Any person, firm or corporation which owns at least twenty (20) acre feet of underground water rights in the Escalante Valley Division of the

Proposed Determination of Water Rights in the Beaver River - Escalante Valley shall be entitled to become a member of the corporation by making written application to the corporation as set forth in the By-Laws of this corporation, and agreeing to be bound by the terms and conditions of these Articles of Incorporation and the By-Laws as adopted by said corporation.

ARTICLE VII

VOTING

Voting in any meeting of the members of the corporation shall be done on the basis of the number of acre feet of water owned by the member in the Escalante Valley. For each ten (10) acre feet of water owned, or a proportionate share thereof, a member shall be entitled to one (1) vote. Provisions may be made in the By-Laws for voting by the members by his or her spouse under such conditions as may be specified in said By-Laws.

ARTICLE VIII

LIABILITY OF MEMBERS

The members of this corporation shall not be obligated to the creditors of the corporation and the private property of the members shall not be liable for the debts or obligations of the corporation.

ARTICLE IX

BOARD OF TRUSTEES

A. The affairs of this corporation shall be managed by a

Board of Trustees consisting of nine members. Six members of the board of trustees shall be elected from members owning underground water rights in the Escalante Valley. The remaining three members of the Board of Trustees shall come from each of the following named water companies:

1. New Castle Reservoir Company.
2. Pinto Creek Water Users Association.
3. Enterprise Reservoir Company.

B. The member of the Board of Trustees from the New Castle Reservoir Company, the Pinto Creek Water Users Association, and the Enterprise Reservoir Company shall be designated by that respective water association. The remaining six trustees from the Escalante Valley Water Users shall be elected by the membership at the annual meeting herein set forth.

C. The Board of Trustees when elected and qualified, shall proceed to elect from their number, a president and vice-president and shall also appoint a secretary-treasurer. The secretary-treasurer must be a member of the Escalante Valley Water Users Association.

D. The initial Board of Trustees shall consist of the following named persons:

<u>NAME</u>	<u>ADDRESS</u>
_____	_____
_____	_____
_____	_____

Representing Pinto Creek
Water Users Association

Representing Enterprise
Reservoir Company

DATED this _____ day of _____, 1984.

STATE OF UTAH)
 : SS.
County of Iron)

I, _____, a Notary Public in and for
the State of Utah, do hereby certify that on the _____ day
_____, 1984, personally appeared before me,
_____, _____, _____,

_____' _____' _____'
_____' _____' _____''

who by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements thereon contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 1984.

Notary Public

Residing In: _____

My Commission Expires: _____