



**BYLAWS OF THE
OWL CREEK WATER DISTRICT**

AMENDED JANUARY 28, 2016

ARTICLE I. OFFICIAL NAME

The name of this Water District, formed under W.S. 41-10-101, et seq., shall be the "OWL CREEK WATER DISTRICT." For convenience, from time to time, and in these Bylaws, said Water District will be referred to as "DISTRICT" or "OCWD".

ARTICLE II. OFFICES

The principal office of OCWD shall be located in Hot Springs County, Wyoming. OCWD may have such other offices, either within or without the State of Wyoming, as the Board of Directors may designate or as the business of OCWD may require from time to time.

ARTICLE III. ORGANIZATION

The OCWD is one District. The OCWD was declared established by resolution of the Hot Springs County Board of County Commissioners on December 18, 2007.

ARTICLE IV. PURPOSE OF THE DISTRICT

The purpose of the OCWD is to deliver treated domestic water drawn from the Town of Thermopolis water system to a general service area extending westerly from Thermopolis. The goal of the OCWD is to provide a system which will deliver treated domestic water to a rural area which has limited potable water. It is the intent of the Board of the District to develop, construct and operate a system with grant and loan funding paid for by water user fees and not by tax levy. The completion of such a system will improve the quality of life in the serviceable rural area.

ARTICLE V. DEFINITIONS

1. "Acquisition" or "Acquire" – Shall mean the acquisition by purchase, construction, installation, reconstruction, condemnation, lease, rent, gift, grant, bequest, devise, contract or other acquisition as may be deemed necessary or desirable by the Board, or any combination thereof.
2. "Board" – shall mean the board of directors of the District and the governing legislative body thereof.
3. "District" – Shall mean the OWL CREEK WATER DISTRICT organized pursuant to W.S. 41-10-101 et. Seq., and includes all lands, facilities, equipment and appurtenances located within the legal boundaries of the District within Hot Springs County, Wyoming.

4. "Election" – An election authorized under this act shall be held, conducted and governed as nearly as practicable according to the Special District Election Act of 1994 (W.S. 22-29-101 through 22-29-601) as supplemented by this act (W.S. 41-10-101 through 41-10-157).
5. "Elector" and "Qualified Elector" – Elector means a qualified elector. A qualified elector means a natural person who: (A) is a citizen of the United States; (B) is a bona fide resident of the District as defined by W.S. 22-1-102 (xxx); (C) will be at least eighteen (18) years of age on the day of the election at which he/she may offer to vote; (D) is not currently adjudicated mentally incompetent; (E) has not been convicted of a felony, or if so convicted, has had his/her civil rights restored; and (F) has registered to vote as provided by W.S. 22-3-108.
6. "Improvement" or "Improve" – Shall mean the extension, betterment, alteration, reconstruction, repair or other improvement as may be deemed necessary or desirable by the Board, or any combination thereof;
7. "Equipment" or "Equip" – Shall mean furnishing all necessary or desirable, related or appurtenant, facilities, or any combination thereof;
8. "Landowner" – means a person holding record fee title to real property within the District or a person obligated to pay general property taxes under a contract to purchase real property within the District. It does not include a person who owns only personal property even though such personal property may be subject to levy. As used herein, "person" includes an individual, corporation, partnership, association or other entity owning land in the District provided the individual who signs the petition for a corporation, partnership or association presents the election judge with a written authorization to sign for the corporation, partnership or association. As used herein, "written authorization" means an affidavit filed with the county clerk setting forth a general legal description of the property owned, the street or common name address for the property, the name or names of all owners of the property described, and a statement that the person signing the written authorization is the only person having authority to act on behalf of the owner or owners of the property;
9. "Project" – Shall mean any structure, facility, undertaking or system which a district is authorized to acquire, improve, equip, maintain or operate. A project may consist of all kinds of personal and real property, including but not limited to land, improvements and fixtures thereon, property of any nature appurtenant thereto or used in connection therewith, and every estate, interest and right therein, legal or equitable, including terms for years, or any combination thereof;
10. "Publication" or "Publish" – For provisions other than election provisions, shall mean publication for at least once a week for three (3) consecutive weeks by three (3) weekly insertions in at least one (1) newspaper of general circulation in the District, the first publication in the District being at least fifteen (15) days prior to the designated time or event. It shall not be necessary that publication be made on the same day of the week in each of the three (3) calendar weeks, but not less than fourteen (14) days shall intervene between the first publication and the last publication, and publication shall be completed on the day of the last publication. Publication requirements for any election under W.S. 41-10-101 et. Seq., shall be as specifically as provided in that act, as required in the Special District Election Act of 1994;
11. "Quorum" – Three (3) members of the Board constitute a quorum at any meeting;

12. "Resolution" – A resolution adopted by at least a majority of the Directors present constituting a quorum in any meeting duly assembled, unless the Bylaws of the District require a greater number, constitutes the formal written instrument by which the Board shall act in the exercise of any legislative power or upon a permanent matter, or both. Otherwise, the Board may act by resolution or verbal motion so adopted. Whenever any other relevant act empowers or requires action by ordinance, the Board shall act by resolution.

ARTICLE VI. BOARD OF DIRECTORS, ELECTIONS, OFFICERS

1. COMPOSITION OF BOARD OF DIRECTORS: The Board of Directors shall consist of five (5) taxpaying electors of the District. The five (5) original Board members were elected concurrent with the formation election. The Directors shall hold staggered terms of office pursuant to W.S. 41-10-112.

2. DIRECTOR ELECTIONS:

(a) Director elections shall be held on the first Tuesday after the third Monday in March or on the Tuesday following the first Monday in May or November, as determined by the District and shall accommodate staggered terms as set forth in W.S. 41-10-101 through 41-10-157.

(b) All qualified electors are entitled to vote for the election of directors at all district elections called for the purpose of electing directors.

(c) Not more than one hundred twenty (120) and not less than one hundred (100) days before the election, the secretary of the District shall publish at least once in a newspaper of general circulation in each county in which all or part of the District is situated, a proclamation setting forth the date of the election, the location of the filing office, what offices are to be elected and the terms of the office, the filing period for the offices and other pertinent election information.

(d) Not more than ninety (90) nor less than seventy (70) days previous to the holding of a director election, candidates for the director of the District shall file with the secretary of the District an application for election in substantial conformity with the form set forth in W.S. 22-29-110 (b). The names of all qualified candidates so filed shall be printed on the ballots. Each Director shall be a taxpaying voter of the District (W.S. 41-10-112).

(e) The names of all qualified candidates shall be published in a newspaper of general circulation in the county in which the District is located no later than ten (10) days prior to the date of such election. (W.S. 22-29-112)

3. ELECTION PROCEDURES: The District shall follow all the general provisions and election procedures set forth in the Wyoming Statutes sections 22-29-113 through 22-29-202.

4. OFFICERS: The Board shall elect one (1) of its members as Chairman of the Board, and President of the District, another member as Vice-Chairman and Vice-President; and the Board shall elect a Secretary and a Treasurer of the Board and of the District, who may, or who may not, be one person. Annually, within four months after the month in which elections are to be held (pursuant to W.S. 22-29-112), at a regular meeting of the Board, officers shall be elected

to the positions set forth above. Officers shall serve for terms of one (1) year and there shall be no limit on offices held or terms served pursuant to W.S. 22-29-119.

(a) Duties of Chairman. The Chairman, in addition to his duties as member of the Board shall:

- (i) Preside at all meetings of the Board;
- (ii) Sign all resolutions adopted by the Board;
- (iii) Appoint all committees;
- (iv) Sign, acknowledge and execute all instruments authorized by the Board to be executed by the District.

(b) Vice-Chairman to Act in Absence, Etc., of Chairman. In absence of the Chairman or in case of his inability to act, the Vice-Chairman shall perform the duties of the Chairman.

(c) Duties of Secretary. The Secretary, in addition to his/her duties as a member of the Board, if applicable, shall take minutes of all meetings, keep and maintain the corporate seal, and keep, in a well bound book, a record of all of its proceedings, minutes of all meetings, certificates, contracts, bonds given by employees and all corporate acts which shall be open to inspection of all owners of real property in the District, as well as to all other interested parties.

(d) Duties of Treasurer. The Treasurer, in addition to his/her duties as a member of the Board, if applicable, shall maintain accurate records of all money received by and disbursed for the District. These records may be accumulated and disposed of according to W.S. 9-2-411 and 9-2-412. The treasurer shall file with the County Clerk at the expense of the District, a Corporate Fidelity Bond in an amount not less than \$5,000.00, conditioned on the faithful performance of the duties of his/her office.

5. MEETINGS OF BOARD: (W.S. 41-10-111)

(a) Regular and Special Meetings of Board. The Board shall meet regularly at least once a month at a time and in a place to be designated by the Board. Special Meetings called by the Chairman or any two (2) other Directors may be held as often as the needs of the District require, on personal notice to each member of the Board or by mail with postage prepaid, at least three (3) days prior to the meeting and addressed at last know residence of the member as indicated by the record of the District.

(b) Quorum and Majority Present Required to Exercise Power. Three (3) members of the Board constitute a quorum at any meeting. A majority of those present is required to perform any duty authorized by W.S. 41-10-101 through 41-10-151.

6. BOARD VACANCIES: A Director's office shall be deemed vacant upon the occurrence of any one of the events set forth in W.S. 22-29-201. Any vacancy on the Board shall be filled by appointment by a majority of the remaining members of the Board until the next subsequent director election as provided in the Special Districts Election Act of 1994.

7. COMPENSATION OF BOARD MEMBERS; INTEREST IN CONTRACT WITH DISTRICT PROHIBITED; EXCEPTIONS; VOIDABLE CONTRACTS: Each member of the Board shall receive as compensation for his/her service a sum fixed by the Board not in excess of \$10.00 for actual attendance at each regular meeting or special meeting of the Board or attendance of any committee meeting, payable monthly. No member of the Board shall receive any compensation as an employee of the District whenever the Board has determined that a manager should be obtained and has employed such manager as a full-time employee to manage the affairs of and operate the business of the District, but until the services of a full-time manager are required and obtained, any Board member may be engaged from time to time or as a part-time employee, and the compensation paid therefore shall not exceed the established prevailing rate of pay for equivalent work. No member of the Board shall be interested in any other contract or transaction with the District except in his official representative capacity, and except it be by competitive bidding. If any contract or agreement shall be made in violation of the provisions of this subsection it shall be voidable, and no action shall be maintained thereon by any party thereto against the District. To the extent the District makes any payment thereunder, such contract or agreement shall be valid, and any such payments may be included in any cost defrayed by the levy of special assessments, unless therefore, the District elects to void the contract or agreement in its entirety and to recover any such payment from the party to whom made;

8. REMOVAL OF BOARD MEMBERS: The Board of County Commissioners having jurisdiction of the District may remove Directors for cause shown, on petition and after notice and hearing.

9. RESOLUTION: A "resolution" adopted by at least a majority of the Directors present constituting a quorum in a meeting duly assembled, shall constitute the formal written instrument by which the Board shall act in the exercise of any legislative power or upon a permanent matter, or both, otherwise the Board may act by resolution or verbal motion so adopted. Whenever any other relevant act empowers or requires action by ordinance, the Board shall act by resolution.

10. ANNUAL AUDIT OF FINANCIAL AFFAIRS, FINANCIAL STATEMENTS TO BE PUBLISHED; AUDIT TO BE MADE BY REGISTERED ACCOUNTANT, ETC.: It shall be the duty of the Board of Directors to cause an audit to be made of all financial affairs of the District during each fiscal year ending June 30th, which audit shall be made during the next succeeding two (2) months. A summary of the financial statement shall be certified by the person making such audit, which shall be published in a newspaper of general circulation in the District, one (1) issue during the next succeeding two (2) weeks following such audit. Such audit shall be made by a registered accountant or certified public accountant, who is not otherwise employed by the District;

ARTICLE VII. POWERS OF DISTRICT AND DISTRICT BOARD

The OCWD, being a governmental subdivision of the State of Wyoming and body corporate with all of the powers of public or quasi-municipal corporation, formed under W.S. 41-10-101, et

seq., as amended, shall have the following powers, and for and on behalf of the OCWD, the Board of Directors of the OCWD shall also have the same powers, as follows:

1. Existence, Seal, Suits, Etc. To have perpetual existence; to have and use a corporate seal; to sue and be sued, and be a party to suits, actions and proceedings.
2. Preparation and adoption of plans, designs and estimate of costs of distribution, storage reservoirs, deep and shallow wells, etc. To prepare or cause to be prepared and to revise and adopt plans, designs, and estimates of costs, of a system or systems of raw and clear water and distribution storage reservoirs, deep and shallow wells, pumping and gauging stations, tunnels, flumes, conduits, canals, infiltration galleries, hydrants, meters, filtration and treatment plants and works, and any and all other structures, systems, works and things which, in the judgment of the Board, will provide an effective and advantageous means for insuring the territory within such District of an adequate supply of domestic water. Such sections or parts of such system or systems as the Board may, from time to time, deem proper or convenient to construct, consistent with the purposes of W.S. 41-10-101, et seq., and to take any and all steps as the Board may deem proper and necessary to effect the purposes hereof consistent with the proportionate laws and uses prescribed by statutes;
3. Establishment, etc. of water treatment plants and systems. To establish, own, construct, improve, lease, operate and maintain, as part of the water system or systems of the District, water treatment plants and systems and all appurtenances and appliances thereunto belonging.
4. Acquisition of sources of supply of water; Extension of lines thereto. To appropriate and otherwise acquire sources of supply of water within and without the District and to extend its water lines thereto.
5. Contracts and agreements affecting affairs of District. Except as otherwise provided in W.S. 41-10-101, et seq., to enter into contracts and agreements affecting the affairs of the District, including, but not limited to contracts within the United States of America and any of its agencies or instrumentalities, and contracts with any municipality or district for the operation of a common or jointly owned project. Any improvement or improvements of any nature made in any District where the entire costs, value or amount of such work including labor and materials shall exceed \$5,000.00, except such work done by employees of the District with supplies and materials purchased by it as hereinafter provided or except by labor or supplies and materials, or all of such, supplied under agreement with the United States of America, the State of Wyoming, or any Federal or State agency, instrumentality or corporation, or other political subdivision, shall be done only under independent contract to be entered into by the District with the lowest responsible bidder submitting the lowest and best bid upon proper terms after due public notice by publication has been given asking for competitive bids. The District shall have the right to reject any and all bids and to waive any irregularity in any bid. Any contract may be let in a lump sum or unit basis. No contract shall be entered into for such work unless the contractor shall give and undertake with a sufficient surety or sureties approved by the Board and in an amount fixed by the Board for the faithful performance of the contract. Upon default of the performance of any contract, the proper official may advertise and relet the remainder of the work without further resolution and deduct the cost from the original contract price and recover any excess cost by suit on the

original bond, or otherwise. The District shall have the power to make any improvement, or portion thereof, in any District, directly by the officers, agents and employees of the District, with supplies and materials purchased or otherwise acquired therefore. All supplies and materials purchased by the Board for any District (but not by a contractor) costing \$500.00 or more shall be purchased ONLY by notice by publication for competitive bids. The District shall accept the lowest bid, kind, quality and material being equal, but the District shall have the right to reject any and all bids, to waive any irregularity in any bid, and to select a single item from any bid. The provision as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a noncompetitive market or solely by a manufacturer's authorized dealer.

6. Borrowing money and incurring indebtedness. To borrow money and incur indebtedness and other obligations and evidence the same by certificates, notes or debentures, and to insure bonds in accordance with the provisions of W.S. 41-10-101, et seq.
7. Acquisitions, etc., of real and personal property, water, water rights, etc., delegation of legislative powers. To acquire, dispose of and encumber real and personal property, water, water rights, water and sewer works and plants, and any interests therein, including leases, easements, and revenues derived from the operating thereof. The constitutional and inherent powers of the legislature are hereby delegated to the Board for acquisition, disposal and encumbrance of property provided that the Board shall in no case receive title to property already devoted to public purpose or use, except with the consent of the owners of such property, and except upon the approval of a majority of the Board.
8. Right of entry for purpose of making surveys, etc. To enter on any lands, waters and premises for the purposes of making surveys, soundings, examinations, tests and inspections.
9. Consultation, etc., with State Board of Health. To consult with the State Board of Health about any system or proposed system of water supply as to the most appropriate source of water supply and the best method of assuring its purity. The District shall not proceed to acquire or improve any system of water supply without first obtaining the approval of the State Board of Health.
10. Management, etc., of business and affairs of District. To have the management, control and supervision of all the business and affairs of the District, and the acquisition, improvement, equipment, operation and maintenance of any District project.
11. Employment of agents, employees, engineers and attorneys. To hire and retain agents, employees, servants, engineers and attorneys, and any other persons necessary or desirable to effect the purposes of this act.
12. Prescribing duties of officers, agents, etc.; fixing compensation. To prescribe the duties of officers, agents, employees and servants, and fix their compensation provided that the compensation of District employees and officers shall be established as prevailing rates of pay for equivalent work.
13. Eminent domain. To have and exercise the power of eminent domain and dominant eminent domain and in the manner provided by law for the condemnation by a city of private property for public use to take any property necessary to the exercise of the powers granted, both within and without the District.

14. Construction and Maintenance. To construct and maintain works and establish and maintain facilities across or along any public street and in, upon, or over any vacant public lands which are not or may become the property of the State of Wyoming, and to construct works and establish and maintain facilities across any stream of water or water course. The District shall promptly restore any such street to its former state of usefulness as nearly as may be, and shall not completely or unnecessarily impair the usefulness thereof. Whenever it is necessary, in making any improvements under the provisions of W.S. 41-10-101, et seq., to enter upon or cross any property of the State acquired for and utilized for the operation and maintenance of a State highway, the District shall have the right-of-way over the same by filing a plat of the lands and of its proposed improvements with the State Highway Department and acquiring a license therefrom. The license shall provide that the utility facility will be constructed in a manner to conform with applicable Federal, State or Local laws, codes and ordinances and as directed by the Wyoming State Highway Department.
15. Fixing, increasing, or decreasing rates, or tolls or charges for service or facilities; charges to constitute perpetual lien, enforcement of lien, etc. To fix and from time to time to increase or decrease water rates, tolls, or charges, including, but not necessarily limited to use charges, connection fees and standby charges, for services of facilities furnished by the District, and pledge such revenue for the payment of any indebtedness of the District. Until paid, all rates, tolls or charges shall constitute a perpetual lien on and against the property served and any such lien on and against the property served and any such lien may be foreclosed in the same manner as provided by the laws of the State of Wyoming for the foreclosure of mechanics' liens. Before any such lien is foreclosed the District shall hold a hearing thereon after notice thereof by publication and by registered first class mail, postage prepaid, addressed to the last known owner at his last known address according to the records of the District and the real property assessment rule in the county in which the property is located. The Board shall shut off or discontinue service for delinquencies of payment of such rates, tolls or charges or in the payment of taxes or assessments levied pursuant to this act, and prescribe and enforce rules and regulations for the connection with and the disconnection from properties of the facilities of the District.
16. Adoption and amendment of bylaws and rules and regulations. To adopt and amend the Bylaws and Rules and Regulations, not in conflict with the Constitution and Laws of the State for carrying on the business, objects and affairs of the Board and of the District.
17. Implied powers. To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this act. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry on the purposes and intent of this act.
18. Conveying property of District to cities or towns. When a District abuts a city or town and when all of the indebtedness has been fully paid or satisfied, to convey to such city or town with the consent of the governing authority thereof, all of the property of such District upon the condition that such city or town will operate and maintain such property regardless of whether the area comprising the District is annexed to the municipality. Upon such conveyance the District shall be dissolved and a certificate to such effect shall be signed by the clerical officer of the city or town and filed with the Secretary of State

and any County Clerk and Recorder of any county in which the Order establishing the District is filed.

19. Consolidation of Districts; Controlled by joint board. When two or more districts are using the same or joint facilities and when the obligations of each district are fully paid or satisfied, to consolidate such districts into one. In such an event the consolidated districts shall be under the control of a joint board consisting of the members of each board, until by the occurrence of vacancies or expiration of terms of office the Board is reduced to five (5) members. Thereafter the members of the board shall be elected as provided in W.S. 41-10-112.
20. Authority of board to levy and collect taxes generally; maximum levy. In addition to the other means of providing revenue for such Water Districts, the Board shall have power and authority to levy and collect general (ad valorem) taxes on and against all taxable property within the District. No District shall levy a tax to exceed 8 mills on the dollar in any one year, except for the payment of its public debt and the interest thereon. (See W.S. 41-10-114 through W.S. 41-10-157)

ARTICLE VIII.

ADOPTION AND AMENDMENT OF BYLAWS, RULES AND REGULATIONS

In addition to the implied and express amendment of these Bylaws through legislative action, the Board of Directors may adopt rules, regulations and bylaws, not inconsistent with the provisions of W.S. 41-10-101, et seq., for the conduct of the business and affairs of the District. Bylaws, rules and regulations may be adopted and amended by a majority vote of the Board members present when a quorum exists. A resolution of the Board shall be prepared reflecting any adoption and amendment.

ARTICLE IX. RECORDS, LOCATION AND ACCESSIBILITY

The Board of Directors shall cause to be kept accurate minutes of their meetings and accurate records and books of account conforming to approved methods of bookkeeping, clearly setting out and reflecting the entire operation, management, and business of OCWD. Said books and records shall be kept at the principal place of business of the District and at reasonable business hours always shall be open to public inspection.

ARTICLE X. RULES AND REGULATION

The Board shall adopt Rules and Regulations of the District pertaining to taps, delivery, service, rates, administration, administrative procedure, and other matters pertinent to the orderly management of the District. Said Rules and Regulations are incorporated herein by this reference.

ARTICLE XI. BOUNDARIES OF THE DISTRICT

1. LEGAL DESCRIPTION OF BOUNDARIES. The legal description of the current boundaries of the OCWD is incorporated herein by this reference. Maps and documentation showing the current legal boundaries of the District shall be maintained at the District office or at the office of the district engineer.
2. CHANGE IN BOUNDARIES; GENERALLY. (W.S. 41-10-120)
 - a. Manner prescribed, change not to impair or effect organization, contract, etc. The boundaries of the District may be changed in the manner prescribed in W.S. 41-10-120 through 41-10-122 and the Special District Elections Act of 1994. The change of boundaries of the District shall not impair nor affect its organization, nor shall it affect, impair or discharge any contract, obligation, lien or charge on which it might be liable or chargeable had such change of boundaries not been made.
 - b. Payment of taxes and charges as to property annexed to or excluded from District. Property included within or annexed to a District shall be subject to the payment of taxes and charges, as provided in the Special District Elections Act of 1994. Real property excluded from a District shall thereafter be subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the District outstanding at the time of such exclusion. Personal property may be excluded from a District on such terms and conditions as may be prescribed by the Board of the District involved.
3. CHANGE IN BOUNDARIES; EXCLUSION OF PROPERTY FROM DISTRICT. Wyoming Statute 41-10-121 was REPEALED EFFECTIVE JANUARY 1, 1999, and replaced by W.S. 22-29-307 of the Special Districts Election Act of 1994.
4. CHANGE IN BOUNDARIES; ENLARGEMENT BY INCLUSION OF ADDITIONAL REAL PROPERTY. Wyoming Statute 41-10-122 was REPEALED EFFECTIVE January 1, 1999, and replaced by W.S. 22-29-303 through 22-29-306 of the Special Districts Elections Act.

ARTICLE XII. DISSOLUTION OF THE DISTRICT

Wyoming Statute 41-10-123 was REPEALED EFFECTIVE JANUARY 1, 1999, and replaced by W.S. 22-29-401 through 22-29-407 of the Special Districts Elections Act.

ARTICLE XIII. SPECIAL DISTRICT ELECTIONS ACT OF 1994

All provisions of the Special District Elections Act of 1994 not inconsistent with the provisions of Chapter 10 Water and Sewer District Law, Wyoming Statutes sections 41-10-101 et seq., are hereby adopted and incorporated herein by this reference.

ARTICLE XIV. AMENDMENTS

These Bylaws may be amended by a vote of a majority of the District Board Members present at any regular meeting of the District, pursuant to W.S. 41-10-133 (a) (xxii).

ADOPTION

Upon motion duly made, seconded, and carried, the foregoing Amended Bylaws of the OWL CREEK WATER DISTRICT are hereby Officially Adopted for the purpose of Filing in the Grantee/Grantor Books at the Hot Springs County Courthouse. Adoption includes the original documents previously entered on record in the District Notebook at the Courthouse and dated January 28, 2016 and applies to the Legal Description on File at the Courthouse when the District was formed, specifically known as Document 0503529, Book 155, Page 695, filed on 01-30-2013. The Board of the OWL CREEK WATER DISTRICT thus officially adopts the Bylaws on this 25th day of June, 2020.

Signed

Devin Bult
Chairman

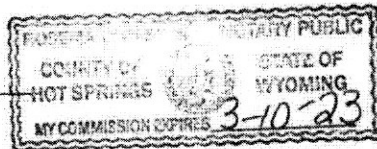
Attest

Rose Basko
Secretary

On this 30th day of June, 2020, subscribed and sworn to before me personally appeared Devin Bult and Rose Basko, to me personally known, who have read the foregoing Statement and know the contents thereof and the facts are true to the best of their knowledge, and they being by me duly sworn, did state that they are the President and Secretary/Treasurer, of Owl Creek Water District and that this statement was signed and sealed on behalf of the Owl Creek Water District Board by authority granted to the signatory by Wyoming Statutes.

Witness my hand and official seal.

Rosemary D. Deep
Notarial officer



My Commission Expires:

Seal:

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AMENDMENTS TO THE BYLAWS AS OF APRIL 2023 INCLUDE:

1. Statute citation change to correct Article XIV to read W.S. 41-10-113 (a) (xxii) as shown below:

ARTICLE XIV. AMENDMENTS

These Bylaws may be amended by a vote of a majority of the District Board Members present at any regular meeting of the District, pursuant to **W.S. 41-10-113 (a) (xxii)**.

2. Amendments and clarification of legal cost recovery in the event of small claims actions, perpetual liens and interest rates related to liens in paragraph 15 of ARTICLE VII as shown below:

15. Fixing, increasing, or decreasing rates, or tolls or charges for service or facilities; charges to constitute perpetual lien, enforcement of lien, etc. To fix and from time to time to increase or decrease water rates, tolls, or charges, including, but not necessarily limited to use charges, connection fees and standby charges, for services of facilities furnished by the District, and pledge such revenue for the payment of any indebtedness of the District. Until paid, all rates, tolls or charges shall constitute a perpetual lien on and against the property served and any such lien on and against the property served and any such lien may be foreclosed in the same manner as provided by the laws of the State of Wyoming for the foreclosure of mechanics' liens. Before any such lien is foreclosed the District shall hold a hearing thereon after notice thereof by publication and by registered first class mail, postage prepaid, addressed to the last known owner at his last known address according to the records of the District and the real property assessment rule in the county in which the property is located. The Board shall shut off or discontinue service for delinquencies of payment of such rates, tolls or charges or in the payment of taxes or assessments levied pursuant to this act, and prescribe and enforce rules and regulations for the connection with and the disconnection from properties of the facilities of the District.

Pursuant to W.S. 29-1-401 (c), discharge of a perpetual lien shall include recovery of all legal costs and expenses, all foreclosure expenses including the Owner and Encumbrance Report, cost of advertising, and interest at a rate of 18% per annum. Pursuant to W.S. Title 1, Chapter 21, recovery of all legal costs and expenses, filing and service fees shall be requested as part of the judgment in the event that a small court claim is filed against a property.

Upon motion duly made, seconded, and carried, the foregoing Amended Bylaws of the OWL CREEK WATER DISTRICT are instituted for the purpose of Filing in the Grantee/Grantor Books at the Hot Springs County Courthouse. These Amendments include the original documents previously entered on record in the District Notebook at the Courthouse and dated January 28, 2016, the Adoption Amendment dated June 25, 2020 filed as Document 0540473, Book 190, pages 810-820 on July 2, 2020 and applies to the Legal Description on File at the Courthouse when the District was formed, specifically known as Document 0503529, Book 155, Page 695, filed on 01-30-2013. The Board of the OWL CREEK WATER DISTRICT thus officially amends the Bylaws on this 20th day of April, 2023.

Signed

Bob Anderson
Chairman

Attest

Rose Basko
Secretary

On this 20th day of April, 2023, subscribed and sworn to before me personally appeared Robert Anderson and Rose Basko, to me personally known, who have read the foregoing Statement and know the contents thereof and the facts are true to the best of their knowledge, and they being by me duly sworn, did state that they are the Chairman and Secretary/Treasurer, of Owl Creek Water District and that this statement was signed and sealed on behalf of the Owl Creek Water District Board by authority granted to the signatory by Wyoming Statutes.

Witness my hand and official seal.

Lara Shook
Notarial officer

My Commission Expires: July 9, 2024

Seal:

