

OVERLAND DITCH AND RESERVOIR CO.

Board of Directors Meeting July 9, 2009

Meeting was called to order at 4:06 p.m. by President Howe. In attendance were directors, Tom Howe, Naomi Kasper, Bryan Klaseen and Dave Kuntz. Operations Manager, Bob Church. Ditch Rider, Bill Stahl. Secretary/Treasurer, Debbie Christner. Water Commissioner, Paul Schmucker. Shareholders, Mary Helen Church, Dave Whittlesey

PRESENTATION OF AGENDA

Additions to the agenda:

- Conditional to absolute decree change,
- Anne Sievers request
- Overland Post Office Box.

MINUTES OF THE PREVIOUS MEETING

While reviewing the previous minutes Dave Kuntz asked for a clarification from Water Commissioner Paul Schmucker. Paul stated that the commissioners have no problem with running as much water, as possible, down lower Cow Creek, but this must be watched so Cow Creek does not get washed out. Paul then suggested a 20' long-3' culvert be installed to protect the Cow Creek ditch and the Leroux Creek East pier footer and the pier caps also be looked at. This needs to be looked at this fall after the water stops. Dave then made the motion to approve the minutes as published, seconded by Naomi. Motion passed, with all in favor.

TREASURER 'S REPORT

Debbie handed out June check detail a list of bills to pay, Balance Sheet, P&L, and year-to-date P&L. Bills to be paid were discussed. Naomi made the motion to accept the financial statements and pay the bills as presented, seconded by Bryan. Motion passed with all in favor.

DITCH REPORT

Phil is going to get the overview map of the ditch. Bob reviewed what had been done on the ditch. On June 12, Bill and Bob fixed a main Hubbard leak on one side of the culvert, Bob fixed a leak on the other side of the culvert on July 7, and discussion was held regarding the importance of communication immediately from Bill to Bob. This area will be looked at better this fall after the water stops. On June 16, Bob opened the reservoir to 18 CFS, which resulted in running at 56 feet, on July 5, it was still spilling. On July 6 Tom mowed and Bob picked up rocks at the reservoir, they also cleaned up West Hubbard from rocks and a tree, from a slide.

The board asked Bob to maintain 50' on the mesa, this should take the irrigation water to mid September.

COMMITTEE REPORTS

Paul talked about Current Creeks concern about Overland's affect on the future flows, the questions was asked if the creek could be dried up, the answer was yes for 7', then it was asked if this would cause injury the answer was No. Current Creek misunderstands that there is always reservoir water in the ditch. Paul suggested that Overland get a change in use to the Hydro decree. The board will look into this once the decree change is finalized. Paul stated that water for Hydro decree can be release where Overland wants.

No grant money is available for satellite system, Paul stated that the equipment was not the problem, it was the ongoing monthly fees. There is another system using a phone switch that will be looked into.

The Condition to Absolute request passed a "straw man" test successfully, the formal application needs to be made.

Paul suggested that Overland also file for a runoff decree on Rotacap Creek. He suggested filing as much as 50', this would be a new decree, which is better than no decree. The filing fee will cover both. A Resolution was made by Dave and 2nd by Bryan to tell Aaron to file the application for both.

OLD BUSINESS

Dam Emergency Action Plan. There is no change in status.

USFS Permitting-On going

Deceased Shareholders. The lawyer for Ware regarding Moore shares has requested seeing all the documents associated with the Moore shares, the board wants to help as much as possible so this issue can be cleared up.

Anne Sievers has a request for copies of the submittal by Aaron Clay regarding the decree from conditional to absolute, this has not happened yet. She also requested a copy of the letter to the Forest Service regarding road closures for their Travel Management Plan, Tom will get the letter to Debbie, so she can then get it to Anne.

NEW BUSINESS

Ditch Management Committee/Operations Manual-Fall project

Dave brought up the importance of having the amount of water on cards at the boxes. Dave made a motion and Bryan 2nd sending a letter to Dan Hawkins, the president of the Redlands Mesa Water users, making the above request. Tom will write the letter.

Annual Audit-This practice will be implemented before the annual meeting.

Satellite locator-Phil is working on this.

Discussion was had regarding the official Overland address being the physical Secretary/Treasurer's home address or a Post Office Box in town. Bryan made a motion and Naomi seconded, the physical address be used

SHAREHOLDER'S CONCERNS

Dave Whittlesey reiterated the need to pump up the water on the mesa.

BOARD CONCERNS

Grosse Rhode's son will still be doing work that crosses the ditch, Tom will get an agreement to him.

Pitkin Pipeline has the same issue.

Paul said that according to the report handed out, that there was not as much transit loss as thought. He then went over the releases to confirm.

ADJOURNMENT

Meeting was adjourned at 5:56 p.m.

Debbie Christner, Secretary