

OVERLAND DITCH AND RESERVOIR CO.

Board of Directors Meeting

March 10, 2016

Meeting was called to order at 4:02 p.m. by President Phil Ceriani

In attendance were:

Directors: Dave Kuntz, Jerry Adams, Bryan Klaseen

Ditch Manager: Robert Stephenson

Overland Employee: Ray Penland

Secretary/Treasurer: Debbie Christner

Redlands Mesa Water Users - President: Reg Cridler

Colorado Division of Water Resources: Bob Hurford, Jason Ullman & Jerry Thrush

Stockholder: Sally Hardy, Annie Sievers, Doug Christner & David Whittlesey

AGENDA-Add Reg Cridler report under Old Business

The meeting began with New Business-Oak Mesa Monitoring Satellite. A Proposal was presented by Bob Hurford to install a State Satellite at Oak Mesa. The advantages to the State Satellite is the information can be used by the Water Commissioners and seen by the members, they are user friendly and durable.

The State would pay for the equipment at a cost of \$6,371.00. Overland would pay a onetime \$1,500.00 installation cost and an Annual \$880.00 for monitoring and maintenance

MOVED BY Dave Kuntz to accept the proposal

SECONDED BY Jerry Adams

MOTION CARRIED with no opposing votes.

MINUTES OF THE PREVIOUS MEETINGS:

The minutes of the January 21, 2016 meetings were presented.

MOVED BY Jerry Adams to approve the minutes.

SECONDED BY Bryan Klaseen

MOTION CARRIED with no opposing votes.

The minutes of the February 9, 2016 meetings were presented.

MOVED BY Bryan Klaseen to approve the minutes.

SECONDED BY Dave Kuntz

MOTION CARRIED with no opposing votes

The February 9, 2016 Annual meeting minutes were discussed and corrected, they will be officially approved at the 2017 Annual Meeting.

TREASURER'S REPORT:

Debbie Christner handed out a list of bills to pay and budget comparison.

MOVED BY David Kuntz to approve and pay the bills.

SECONDED BY Bryan Klaseen

MOTION CARRIED with no opposing votes.

OPERATIONS:

Robert Stephenson will look into the company leasing a machine for Robert to operate to open the ditch. Ray Penland will work with Robert opening the ditch.

Steve Widner will operate the lower portion of the ditch.

Ray Penland reported that there is apx 3 1/2 feet of snow currently at the Reservoir. Everyone agreed that Snowtel is not reading correctly, there are too many trees blocking and protecting the site. This was reported to Snowtel several years ago and they still have not remedied the situation.

PRESIDENTS REPORT:

Phil Ceriani is working with Bruce Marvin on a new Piezometer plan to be implemented this year.

OLD BUSINESS: Water Delivery Charges

Philip Ceriani stated the issue concerns.

#1 Is Overland Ditch & Reservoir a part of this issue

#2 Overland Ditch & Reservoir does not have a right to interfere with how RMWU charges for services

#3 Overland Ditch & Reservoir is a Carrier Co.

#4 Is the cost being allocated equally to all Shareholders

Reg Cridler along with Deb & Doug Christner looked through the storage unit, and Reg located several documents that helped explain what had happened in the past and the ownership of ditches located on Redlands Mesa.

2-13-1950 Annual Meeting-Addendum

2-12-1951 Annual Meeting-Addendum

3-11-1951 Redlands Mesa Water Users Inc. Articles of Incorporation-Addendum

3-14-1951-Meeting Minutes-Addendum-

Key language, to address who owned the ditches on Redlands Mesa.

“In the matter of distribution of water below the incorporation of this company, the Board of Directors of the Overland Ditch and Reservoir Company does hereby recommend to the stockholders using water below the corporation that they incorporate the two laterals, namely the Cedar Gulch and the Lawhead laterals.”

1-29-1959 RMWU Annual Meeting Minutes-Addendum

“Resolved That the Redlands Mesa Water Users, Inc. go on the record favoring the use of the Overland Canal by the stockholders of the company, from its diversion at Leroux Creek to its termination on Redlands Mesa.”

Shows RMWU performing work charged to Overland.

Sally Hardy reiterated that both boards, Overland Ditch & Reservoir and RMWU need to get together and negotiate, she believes it is Overland Ditch and Reservoirs responsibility to Overland only users to address how the water delivery charge is allocated. She believes small shareholders paying the same amount as larger shareholders is not equitable.

Annie Sievers asked about the contract Aaron Clay put together and stated Aaron Clay has a conflict of interest representing both companies. It was explained that the North Fork Conservancy hired and paid Aaron Clay to put something together to address the water delivery charge. Aaron Clay prepared a document that was not acceptable by those involved, thus it has not been presented to company members.

Annie Sievers stated that she was injured last year by the hard box set April 1st.

MOVED BY Bryan Klaseen to accept the bill from RMWU for water delivery costs and pass through as billed to Overland Ditch and Reservoir only members, for the 2016 irrigation season.

SECONDED BY Jerry Adams

David Kuntz stated that he felt Bryan Klaseen had a conflict of interest, since he is employed by Redlands Mesa Water Users and should abstain from the vote.

It was stated that possible David Kuntz also had a conflict of interest.

MOTION CARRIED with the vote being 3 yes and 1 no

NEW BUSINESS: None

STOCKHOLDER'S CONCERNS: None

BOARD CONCERNS-None

ADJOURN:

The board adjourned the regular meeting at 6:34pm