

Leeds Domestic Waterusers Assn.

P.O. Box 460627

Leeds, Ut 84746-0627

Date Meeting--1/10/92 Time--7:30PM

Those in attendance: Don Goddard, Don Stephens, Russell Peine, and Sandra Browning. One Visitor was present, Leland Senesac. President Eugene Hansen was out of town and Susan Savage was ill. Both were excused.

CONDUCTING: Don Goddard

Prayer: Russell Peine

Minutes: The minutes were discussed and Russell Peine moved to approve and Don Stephens seconded the motion and all approved.

Financial Statement: Financial statement was discussed and Russell Peine moved to approve the financial statement and Don Stephens second the motion. All approved.

Don Goddard explained that the Leeds ward had an increase of water use of 20% this last year. It is the boards hope that something can be done about this problem.

Don Goddard expressed to the boardmembers that we did very well in following closely to our proposed budget for 1991. Especially, since we bought water from the Stockhams which was not in the budget.

Delinquent accounts: Don Goddard acknowledged the delinquent accounts and said that a registered letter should be sent to each one and therein stated that water will be shut off if a payment is not received. If a signature is required, we will be able to know if the billg was received.

UTLEY WATER: Don ^{Stephens}~~Goddard~~ moved that the board approve the water transfer between Thad Utley and the LDWA. With Russell Peine seconding the motion and all approved. It was asked if Mr. Utley has been approached and told that he will still have to pay an overage on any one tap if there is an excess of water used. (No matter how many taps he owns.) He needs to understand this.

BUDGET COMMITTEE FOR 1992:

Don G. explained that the members of the committee last year were Don Goddard (chairman), Susan Savage, , and Fred Friese. Since Fred is not on the board this year, Don Stephens was assigned to the committee. Don G. told the board that since there are no major expenditures this year, the committee can meet and review the budget and make changes required and some minor adjustments but nothing major. Also the tap rate will

remain the same. Don G. asked for three copies of the budget from last year from Sandra so committee will have an outline to work from. Don G. plans to call a meeting of the budget committee at his home and work up the new 1992 budget for the next monthly LDWA meeting.

Russell Peine asked if any upgrade of lines is in the budget for the upcoming year. Don G. said that so far no up grading is in the plans.

Shareholders Meeting in March: Russell Peine said we need to review the past years activities and what has been accomplished. Any needs for the future and the election should be compiled. It should be made as simple as we can make it. Don Stephens said there will be three board members up for election. Don Goddard assigned Eugene Hansen and Russell Peine to be responsible to get together items for the shareholders meeting.

LETTER TO CITY: Don Goddard passed around the letter to be sent to the Leeds City Council, for LDWA board approval. In regards to paying rent for the use of the town hall. town hall. If all approve then it will be put into the mail.

This year sample schedule: The big water test is taken every few years (testing for minerals and etc.) and the LDWA and Silver Reef take turns paying for this test. Sandra was asked to check to see who needs to pay for it this time. The cost is around \$130.00.

THE TRAILER: We did get the bid for the trailer that the state had for sale. As soon as the state moves out their things we are free to get it. Jerry Lewis might move it for us if he is contacted. Don G. said we need to discuss tonight where we are going to put the trailer. If we put it on our 16 acre lot, a pad should be laid for a foundation (so it will be level). If it is put by the cement tank Russell Peine said that we would need a conditional use permit.

Don G. said that for the time being, we should move the trailer on the LDWA's 16 acres. We might be able to put our parts and tools in the trailer and then move it to the lot. Don G. asked Don Stephens if he was still planning to make some burglar bars for the windows and Don S. stated he was indeed planning to do this. Don S. asked where trailer is located so he can start on this project. Don G. told this it was next to Hurst Ben Franklin in Hurricane. Don S. said he needed to get some expanded metal and rebar and to weld up the two windows. Don G. said the trailer should be painted and Russell Peine said that if it is placed by the tank, it should be painted the same color as the tank.

Water Meeting: There is a meeting on the 13th of January at 7:00p.m. given by the State of Utah Water Resources in Cedar City at the Centrum building. Don S. is planning to attend plus any members who are able.

NEW KELLER SUBDIVISION: A new subdivision is being planned and the location is ~~eighty~~ acres behind Don Goddard's place. So far nothing is happening with the subdivision.

NEW PUMP: Don Goddard told the board that President Eugene Hansen feels that we need to budget for a new pump in case the old one goes out. An emergency contingency fund would remedy this.

Leland Senesac was given the floor to asked questions that he had. He asked who makes up the board. Russell Peine explained that everyone that buys a water tap becomes a shareholder so at the yearly shareholder's meeting the board members are elected by the shareholders. This happens in March. All shareholders are notified in writing if the meeting in the mail and also there will be a notice in the post office. Mr. Senesac asked why members should come to the monthly meeting and he was told that unless the shareholder had specific reasons he does not need to attend. But since this is a shareholders organization anyone is welcome to attend. And if they want anything discussed they are to contact Gene Hansen to put it on the agenda. And it will be discussed. A few weeks ago we had specific items to discuss and we had approximately 50 people in attendance at the monthly LDWA meeting.

Mr. Senesac asked a question about the budget and was given an answer. Then he asked how can a person buy a water tap? Russell said when a new home is built the owner must buy a water tap. In the DeMille's case they bought their home from JoAnne Trude and she has their water certificate in escrow until the home is paid for. After the home is paid for, the certificate is transferd to the new owner for a \$10.00 fee. The tap is worth \$2500.00. They can not be a voting member until the certificate is in their name. Each member has only one vote. We are a nonprofit organization so we use the money we take in to update and improve our water system.

Don Goddard adjourned the meeting.

Boardmember
No March Meeting
(Only Shareholders)

Feb 1992

Leeds Domestic Waterusers Assn.

P.O. Box 460627

Leeds, UT 84746-0627

Date Meeting -- 2/12/92 Time -- 7:30PM

February 7th, 1992

Those in attendance: Eugene Hansen, Don Goddard, Don Stephens, Susan Savage, Russell Peine, and Sandra Browning.

Conducting: Eugene Hansen

Prayer: Don Goddard

Minutes: Minutes were discussed and corrected. Don Goddard moved to approve the minutes as amended and Russell Peine seconded the motion and all approved.

Financial Statement: After a discussion, Don Goddard moved to approve the financial statement and Don Stephens seconded the motion and all approved.

"Annual Rural Water Association of Utah": The annual water meeting will be held at Dixie college, February 27 & 28.

Don Goddard moved that we send at least two people to the "Annual Rural Water Association of Utah". Don Stephens seconded the motion and all approved. It was decided that Don Stephens and Don Goddard would attend. Gene asked Sandra to send in the pre registration for Don S. and Don G.

TRAILER: Eugene Hansen said that a work party will be needed to fix up the trailer that the LDWA bought from the state. Board members need to go through the parts that the water company has accumulated. Russell Peine said that a lot of the parts that the LDWA has in inventory are not being used any more and need to be eliminated. Don Goddard suggested that some of the parts be taken to Scholzen's to see if they could use them.

The LDWA sixteen acres: LaVar Webb asked Gene if the LDWA is interested in selling the sixteen acres. Board members felt that this needs added consideration before we come to any decision. These 16 acres have been cleaned up and burned off and now the land is posted for no dumping.

Susan Savage was asked if she had her assignment done in regards to researching out the agreement with the Silver Reef about the excess water from the spring. Susan said that so far she has not found the answer as to who is entitled to the excess water but will continue to research until she find the answer.

1

THE NEW BUDGET FOR 1992: The budget committee met together and worked out the new budget for 1992. Many adjustments were made and Don Goddard told the board that the budget was balanced.

The Annual shareholders meeting will be held March 17th, 1992 at 8:00 p.m. in the Leeds Town Hall. Three board members will be voted on. Eugene presented an outline of material for agenda. Board members reviewed items, some were deleted and others were added.

Delite ~~The Keller Subdivision: So far the right-of-way has not been determined and until it is decided, we can not accept their water and so they won't be able to subdivide.~~

Russell Peine stated that any further installation of water lines should have a detector wire put in line. It is relatively inexpensive 6 or 7 cents a foot and a great help to find line.

CHECK VALVE: President Eugene Hansen said that as soon as weather permits a work party will need to start installation of the check valves again.

Fire Hydrant: The fire hydrant by Mel Green's place has been repair. Russell Peine told the board that the fire hydrants need to be flushed out to eliminate rocks that have been lodged in side so it will seal off. This could save the hydrant from rupturing.

Assignments for the shareholders meeting: President Eugene Hansen will conduct. Don Goddard was assigned to give the financial statement. Susan Savage was assigned to give accomplishment of 1991. Russell Peine was assigned to give the prayer. Don Stephen has to present to the shareholders what the board plans for the coming year. Three up for reelection will be Don Goddard, Russell Peine, and Susan Savage. The election will be handled by Eugene Hansen. A list of shareholders is needed, also ballots for voting with the LDWA printed on it.

Don Goddard made a motion that by resolution we adopt the fire flow requirements as presented to the board of directors on February 2nd, 1992 and submit it to city council to put in their subdivision and developer ordinances. It was voted on by the board members and all approved.

Bad debt: Delinquent billings were discussed.

Don Goddard moved that we adjourn.

Leeds Domestic Waterusers Assn.
376 South Main Street
P.O. Box 460627
Leeds, UT 84746-0627

Date Meeting..April 10th, 1992 Time..7:30PM

Board members present: President Eugene Hansen, Don Goddard, Russell Peine, Susan Savage, and Don Stephens. Also Secretary Sandra Browning

Prayer: Susan Savage

Conducting: President Eugene Hansen

Minutes: Don Goddard moved to approve the minutes and Susan Savage seconded the motion all approved.

Financial Statement: Don Goddard asked that we receive the previous months finance statement and not the year to date. Don Goddard moved to approve the financial statement and Don Stephens seconded and all approved.

The Shareholder's meeting minutes were handed out and board members were asked to study these minutes and make the corrections at next months meeting.

President Eugene Hansen stated that people have been using the new box that LDWA put up at his home for shareholders to make water payments. Don Goddard expressed his feeling that LDWA should offer Mike Talley payment for the box he donated and fixed up for a billing box.

The board members sang "Happy Birthday to Susan Savage.

Letter of Protest: Letters of protest against the ^{Mills} ~~Keller~~ addition have been sent to the state. Those who participated were LDWA, Silver Reef, Don Goddard, Ellen and Susan Savage, Allan Howard, and The Stockhams. This was

mainly to express to the state that there might not be enough water to justify pulling this much water from the area.

Don Goddard explained to the board members the well that is in the Keller place is not culinary but for livestock use and they must file for a change of use to make it culinary and that is also why the people in the area were protesting.

Eugene Hansen told the board that when the Keller land was brought before the city that there was not enough water (at 40,000 gallons a tap) for the amount of acres presented. Gerald Stoker told Don G. that .67 acre foot of water will be required for each home. Perry Keller has 5.16 acre feet of water. which gives them 21 taps at 40,000 gallons .

Don Goddard told the LDWA that if a subdivider wants to be part of the city that they must provide the water for his land. And after it is up to specifications that they are to turn the water over to the LDWA. This is in the city by-laws and also in the LDWA 's by-laws.

Last week the LDWA had several homes that had water breaks because of pressure in the line. President Eugene Hansen asked Sandra Browning to contact the insurance carrier to find out if this is covered. Find our legal obligation. There was some damage. Mainly because certain homes did not have a pressure valve on their system. Those who had pressure breaks were Russell Peine, Carlyle Stirling, Jenkins, Humphreys, Ervine, and Leflers (Lefler's lost their hot water heater.) Eugene Hansen asked board members if the shareholders should be notified in the next billing that it is their obligation to make sure that they have a pressure release valve and that is it in working order.

Eugene Hansen also stated that a pressure release valve needs to be placed, this side of the ^{cement} tank so this problem will not happen again.

Don Goddard asked what ever happened to the Rural Water people who were going to come down and fix the valves on the cement tank. Eugene said that Ken Orton was coming down but another person was given this area to work in. Eugene said that he would call Ken and try to get him to come down.

Delinquent Bill: Two taps holders are behind in their payment for water but Eugene explained that he was working on both accounts.

Eugene Hansen said to bill the Burr's for Plastic saddle, plastic pipe (poly vinyl) 200 class. You can get amount from the Scholzen's bill to us. Sandra said that she will do it.

Storage shed: The board would like to get the trailer painted as soon as possible. Don Stephens has made the screens and iron for the windows. The board members will form a work party to scrap and paint the trailer.

CD's: The money in the checking account is mounting up and should be put into an account to earn more interest. Don Goddard has checked into Treasurer Bonds and said that they draw the best interest and are the safest. The only problem is that it is usually a six month tie up before money can be used. There is a 10,000 or 20,000 dollars minimum. Eugene asked Sandra to check with the bank. Don G. asked to find out the min. required.

Eugene Hansen asked for the board member's opinion for a new Lawyer to use for the water company. Don Goddard suggested that we look into using Will Bishop in Cedar City. Don has received good recommendations about him.

Resolution: Eugene asked that the board make a resolution to charge a flat fee of 1.00 per thousand over 40,000 gallons on overages.

Make a resolution that the shareholders receive three months in the winter of minimum cost for water (water can be left on so it won't freeze the lines.)December, January, and February.

Thad Utley: Instead of trading another tap for Utley's irrigation water, the board feels that 160⁰⁰⁰ gallons is plenty water for the RV park and the board will help him use the water more efficiently by lumping the water all together so he won't have any overages. And then if he still wants to sell his irrigation water of 1 3/4 of A water and 1/2 of B water that the LDWA offer an amount and buy it from him. Eugene will make an appointment with Thad Utley and board members will meet with him and work this problem out.

Susan Savage moved to adjourn and all agreed.

**Leeds Domestic Waterusers Assn.
376 South Main Street
P.O. Box 460627
Leeds, UT 84746-0627**

Date Meeting..May 8, 1992 Time..7:30PM

Those in attendance: Eugene Hansen, Don Goddard, Susan Savage, Don Stephens, and Sandra Browning.

Prayer: Eugene Hansen

Minutes: Minutes were approved as amended, by Don Stephen's motion. Don Goddard Seconded the motion and all approved.

Financial Statement: Don Goddard moved to approve financial statement and Don Stephens seconded the motion and all approved.

Letter of Protest: Don Stephens was asked to add to our letter of protest for the ~~the~~ addition, that we feel it is essential to make sure the water is metered.
WKB

Radon Gas: testing: LDWA was asked to send a letter to our congressman, Jim Hansen protesting the extensive testing for radon, that the federal government is trying to pass as a law for all water companies. The cost of testing would be much more than the little water companies could afford. Don Goddard took the letter to look through and Sandra was to fill in and re do the letter and get it sent off to Congressman Jim Hansen.

New Taps: New taps that have been sold in the last few weeks are to Barns, Burr and Allen. By next meeting Sandra was asked to find out how many taps we have sold so far this year.

Bad Debt: Gene told the board members of delinquent accounts and that he is working on them.

Insurance: Eugene told the board members that if we have a ruptured line or any other problem we must immediately call the insurance company and get an adjuster to come out and they will check things and decide if there is liability due by LDWA.

Trailer: Board members agreed that they would form a work committee and go over to the trailer and scrape where it is necessary and paint the trailer a more pleasant color. Saturday, May 16th, 1992 was the day chosen. Eugene Hansen will pick up the paint. Don Stephens said that Two gallons should do it. Rollers, pans, and pads will be needed. Also a wire brush will come in handy.

Spring: Eugene also said that the weeds need to be cut down around the spring.

Also we need to find out if we have spring head protection. There should be no building within 1100 feet of the spring.

A four inch pressure regulator needs to be put in the four inch line before the cement tank. Then we won't have a problem with a water surge.

Thad Utley: Mr. Utley wants two more taps but he does not use the 160,000 gallons that he is entitled too. Don Goddard said that the water needs to be used more efficiently. Don G. suggested that the water be manifold into one line. Then all water will be used before there are any overages.

Resolutions: Two resolutions were discussed and voted on and approved and both will be attached to the minutes.

Cement tank: Eugene asked Sandra to contact Mr. Goodmansen about the bubbles in the cement tank and find out when he plans to fix the foam insulation.

Silver Reef: There are three points that we need to work out with Silver Reef. 1. Equal split in costs (48-52). 2. Splitter box Valve needs to be (51-49) in our favor instead of Silver Reef. 3. We will be glad to furnish water out of our well when the spring is ^{low} dry but, will share in percentage of availability of water.

Water Agreement: Susan Savage was in the office in Cedar to see about some questions they had about their irrigation water and talked to Sandra and Keith. Some good attorneys on water law were talked about. Rick Hafen of St. George (Practical knowledge and broad experience) Ken Chamberlain of Richfield, Thorpe Waddington of Delta also Steve Clyde and John Anderson of Salt Lake City are quite good.

Susan was told that a ^{Quit} ~~Quick~~ claim is a questionable form to use but a warrantee Deed will convey title and is binding.

Sandy told Susan that the LDWA is absolutely secure with the agreement signed with the city of Leeds and it is already put into the books.

Don Goddard
moved to adjourn and all agreed.

June 1992

**Leeds Domestic Waterusers Assn.
376 South Main Street
PO. Box 460627
Leeds, UT 84746-0627**

Date Meeting; June 4, 1992 Time..7:30PM

In attendance: President Eugene Hansen, Don Goddard, Don Stephens, Susan Savage, and Sandra Browning.

Prayer: Don Goddard

Conducting: Eugene Hansen

Minutes: Minutes were discussed and Don Stephens moved to approve the minutes and Susan Savage seconded and all approved.

Financial Statement: Financial statement was discussed and Don Goddard moved to approve the financial statement and all approved.

Bad Debt: President Eugene Hansen stated those who were delinquent in their monthly water billing. And board members are working to correct the delinquencies.

Electricity for Well Pump: President Eugene Hansen stated that we are not going to have UPL turn on our electricity to the well pump until there is a shortage of water coming down from the spring. Right now there is plenty and much is not being used by us, the Reef or the Irrigation company but is flowing into Quail creek Dam.

Water Tanks: President Eugene Hansen told the board members that he bought a case of Clorox and put two gallons in the tank to cut down the growth of algae. This goes through all the tanks and the amount of chlorine is very small.

Thad Utley: Board members are planning to arrange a meeting Mr. Utley and show him that he is not using all the water he is entitled to now. He needs to organize the system he has.

Tap Sales: There have been four tap sales so far this year. We do have 169 taps available and approximately 140 are in use.

President Eugene Hansen stated that several people in our community are wanting to look into using irrigation water to use in the yards and have it piped to town and each household would pay an one time balloon payment and then a monthly payment for the use of the water. President Eugene Hansen feels that we need to keep in close contact with the irrigation company on this matter. Other towns are using their program very successfully. It would also free up the culinary water to be used just in the homes and not in the yards.

Radon Gas: We received a response from Congressman Jim Hansen on the Radon gas also we received two other letters in response to our letters against extensive testing of Radon Gas.

Dunter
WKB Enterprises: A Mr. ~~Gunther~~ *Dunter* representing the WKB Enterprises asked to take a few minutes to talk to the water board. This has to do with our protest against WKB Enterprises changing their well from irrigation to culinary. Mr. Keller asked him to come and ask that the water board (as Don Stephens summarized) resent our protest for the change to culinary or at least change request for a formal hearing to an informal hearing. Silver Reef also sent in a protest. Don Goddard explained that we have taken a position in our letters and we see no reason to change. Mr. ~~Gunther~~ *Dunter* expressed the thought that Mr. Keller thinks that we are trying to put a hold on his project. If we continue on with this Mr. Keller will consider this a form of harassment.

Susan Savage said that we can not afford to not protest this action. We have no idea how this may affect ~~individual land holders~~ *wells in the area*. Also President Eugene Hansen mentioned that we do not know how much water is available and we must be careful that we do not lose the amount we are entitled to.

Meter problems: Don Stephens will check out all meters that seem to be giving us problems.

Work Party: President Eugene Hansen stated that we need a work party to go up to the well and cut down the weed around well head. also it should not take us more than an hour to finish up the storage trailer. .

Don Goddard moved to adjourn and all approved.

July 1992

**Leeds Domestic Waterusers Assn.
376 South Main Street
P.O. Box 460627
Leeds, Ut 84746-0627**

Date Meeting...July 3rd.1992 Time..7:30 p.m.

Those in attendance: President Eugene Hansen, Don Goddard, Don Stephens, Susan Savage, and Sandra Browning.

Conducting: Eugene Hansen

Prayer: Susan Savage

Minutes: The minutes were discussed and corrected and Don Goddard moved to approve and Don Stephens second and all member's present approved.

Financial Statement: Financial statement was reviewed and Don Goddard moved to approve the minutes and Susan Savage seconded and all approved.

Bad meters: President Eugene Hansen told the board members of the shareholders that are delinquent in paying their water bills and he, personally has checked with most of them and has promises for payment.

Thad Utley: Don Goddard, Don Stephens, and Eugene Hansen met with Thad Utley at Scholzen's and the people there showed Thad Utley that he does not need more water taps, but to better utilize the water he has and then a plan was drawn up for Mr. Utley to use. Mr. Utley told board member Don Stephens that he greatly appreciated help and concern and that when ever he decided to put up for sale some of his water the LDWA would get the first chance to purchase it if they wanted it. Don Goddard stated that if we get his water, that the LDWA would do the work to hook up Mr. Utley's water lines correctly and this would go for partial payment for Mr. Utley's water.

Water Tank: Eugene Hansen told the board members that he put bleach in tank to eliminate the slime in the bottom of the tank. The bleach is chorine free.

President Eugene Hansen: Wanted to make sure that the LDWA's stand on culinary verses irrigation water is stated in the minutes. " we do want to make better use the irrigation water so we can have more culinary water. Don Goddard said that we are also in favor of putting in an electrical system too. *Hydro*

Cemetery: Eugene Hansen and Don Goddard went over to the cemetery to check the accuracy of the meter. And what was found was the drip system on so the meter could not be checked. . Also the meter was open and anyone could mess with it. Don Goddard

called Mayor Roberts and since that time a lock was put on their system. Also the City of Leeds has quite a large bill because they are planting new grass.

Work Party: The weeds around the spring need to be cut down and also brush and weeds around the tank. Eugene will set a time and then call board members to help.

New Homes: Keith Sullivan is going to build a new home behind Steve Johnson. In the by-laws it states that the shareholders must pay the cost of connection.

New resolution : Don Goddard moved that the President Eugene Hansen, by next meeting, have a proposed resolution to the effect that if a shareholder must put in a line to participate in his cost of connect. Within two years if someone stubs in to the line they must reimburse shareholder who originally put in the line. Don Stephens made the motion and Susan Savage seconded the motion and all approved.

New Tank: Reynold Stout finished the tank work that was required of them. Then a check was written to the Stout's and he signed it over to Russ Peine. So Russ Peine did receive most of this money for work he accomplished.

The subdivision : Don Stephens expressed the fact that the wording in the By-Laws should be changed to say that the subdivider must provide his own water and also must be responsible for the cost of the connections. But also the work must be approved by the LDWA's standards.

Don Stephens: What is our role in the growth of our town? What can we do to help it grow. Some of the shareholders are interested in having 20,000 gallons instead of 40,000 gallons.

Don Goddard stated that there are shareholders that do not want to give up their 40,000 gallons..

Susan Savage : LDWA shareholder's have an avenue to correct matter that they are not happy with by. They are able to sign a petition and meet with the water company and state their dislikes

Don Goddard also said that if the shareholders do no like what the board members are doing they can get rid of them all.

It was mentioned that because of conflict of interest, the LDWA should obtain new legal counsel. Rick Hafen was mentioned. Don Goddard recommended that we use Rick Hafen because of his practical and legal experience in water problems.

Susan Savage moved to adjourn,

Aug *Sandra Supply*

Leeds Domestic Waterusers Assn.

376 South Main Street

P.O. Box 460627

Leeds, UT 84746-0627

Meeting..August 14,92 Time..7:30PM

Those in attendance: President Eugene Hansen, Don Goddard, Russell Peine, Stan Roberts, and Sandra Browning. Susan Savage was ill and Don Stephens was excused.

Prayer: Russell Peine

Conducting: Eugene Hansen

Minutes: The minutes were discussed. A correction was made that Thad Utley did not go to Scholzen's Product Company but some members of the board met with Scholzen's and received information that they presented to Thad Utley in a separate meeting. Don Goddard moved to approve the minutes and Russell Peine seconded the motion and all approved.

Financial Statement: After a brief discussion, Russell Peine moved to approve the Financial Statement and Don Goddard moved to second the motion. All approved.

Bad Debt: President Eugene Hansen told the board that the bad debts are paying slowly and we are in good shape.

Bad Meters: President Eugene Hansen told the board that he bought six more new meters. Gene asked the board members if the duplex of Don Taylor has two water meters. the water meter readers say that they can only find one meter.

Don Stephens needs to be contacted about the bad meter at the Walton's. Also the cemetery meter needs to be checked.

Sanitation meeting: Will be held at Brian Head, August 27th, Russell Peine is going to try to attend. We need to find information on this meeting.

Mr. Beck is hauling three barrels of water a day to the Kelly subdivision from Thad Eutley's RV Park. Mr. Beck is watering trees planted on this subdivision. It is against the by-laws but there is no penalty.

President Eugene Hansen told the board members that we got an offer on the LDWA's 16 acres of \$3,000.00 an acre. or \$48,000.00. Board members are going to research and made a decision later on.

President Eugene told Mayor Stan Roberts that some of the board members attended the hearing for the Keller Subdivision put on by the State Water Resource board and they were told that a decision to allow their irrigation water to be changed to culinary would take about two months.

Silver Reef: Mayor Stan Robert asked if the water is still going down the road from the splitter box and President Gene told Stan that Ken Orton of the Rural water came down and inspected it with June Forsha and he told June to get the meter, out for it would never work correctly. But June Forsha plans to get Keith Scholzen to come up and take a look at it and see if it can be fixed. Mayor Stan Roberts asked why they put the meter in anyway, and Don Goddard expressed to him that June Forsha wanted to prove to the LDWA how much water he is giving us. They are still only entitled to so much water and if it is not used then the water goes back to the irrigation company.

Also Mayor Stan Roberts stated that he read somewhere that the LDWA is entitled to the over flow water from the Silver Reef. Susan Savage is researching this so we can show Silver Reef this policy.

Mayor Stan Roberts also stated he had UPL test the well and it pumps 190 gallon a minute. The well is a very good well. Very efficient. President Gene asked the Mayor about the advantage of a submersible pump and Mayor Stan said that the only one he was acquainted with did not work like it was supposed to.

Russell Peine had other business to attend to, so that left the meeting without a quorum so Don Goddard moved to adjourn and all approved.

**Leeds Domestic Waterusers Assn.
376 South Main Street
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Date Meeting..September 11,92 Time..7:30PM

Those in attendance: President Eugene Hansen, Don Goddard, Don Stephens, Russell Peine, Susan Savage, and Sandra Browning. Glenna Dodge of the City Council and Shareholder William Schweer.

Conducting: President Eugene Hansen

Prayer: Don Stephens

Minutes: Minutes were discussed and corrected. Don Goddard moved to approve the minutes and Don Stephens seconded the motion and all approved.

Financial Statement: After discussing the financial statement Don Stephens moved to approve the *F.S.* and Don Goddard seconded and all approved.

Splitter Box: President Eugene Hansen sent a letter to Ken Orton to express his opinion as to what can be done to take care of the meter at the splinter box that causes the water to overflow and run down the road. Ken Orton came down and checked the meter out and he said that there was nothing wrong with the meter and told Don Goddard that there was no good reason for the meter to be there. The Reef feels that they are showing the LDWA that they are giving back all the excess water. All excess water goes back to the irrigation company.

Proposed Town Ordinance: The town ordinance (which explains the procedure that a home owner must go through to get their building permit.) Bill Schweer feels that the LDWA should be on the ordinance and he feels that a newcomer should not be able to set up a new water company. Bill Schweer came to our town meeting and read a letter that his wife, June, wrote to voice their objection to the ordinance. Don Stephens explained that since we are an independent water company and not part of the city, we should not be in the ordinance. Russell Peine also explained that cost wise, a person could not just come in and start a new water company. There are many state requirements that would make it to expensive.

Glenna Dodge stated that the city got a lot of their legal help and ordinances from the Five County advisory committee. That this was help provided for the city that they must use. Don Stephens and Don Goddard feel that the cities do not have to go by what the Five Counties *say and they* do. not have the authority to change ordinances.. Don G. Also feels

that there are not as many changes in the state ordinances as Jeff Jones stated at the last meeting.

The Five Counties advisory committee, to Susan Savage, is a resource committee or like a library to give information that is asked for by the various cities but they are not to control the cities.

The 1993 Budget: President Eugene Hansen asked the board if there was enough moneys available to replace and upgrade the faulty lines in the coming year. Such as Isabelle Washburn or Wayne Hood. Russell Peine stated that a two inch line can service eight homes..

Steve & Kelly Bad meters: 27 meters were not read right or they were bad meters so Gene gave them back the book and had them reread the 27 meters and then Don Stephens went out and checked each questionable meter and most are okay. There are a few that need to be changed.

From the meeting that was held up at Brian Head Ski Resort. We learned that the board needs to safety inspect the lines once a year. (By walking the line to make sure all is okay.)

Water Search: The LDWA is in the process of searching for water and here are some the prospects. Hogan Springs, (Mr. Cuff owns half if it.) Mr. Felt got a notice from the state that told that he might lose part of his water. (He owns 1/3 of the Hogan Spring.) Don Goddard said that Keith told him that spring has really good water. So we need to look into the availability of this water. Mr. Prsbrey's son phone is 673-3722. Paul Felt phone, 377-9988. *of*

LaVar Webb has 2 1/2 taps of water to sell that we need to check on. Also Eugene told the board that we have about 20 to 27 taps left to sell. Back preventors: Board members need to all get together and do as many as can be done to get done. Don G. suggested that we meet with Eldon Stirling and find out what materials we need to get this job done.

Trailer: President Eugene Hansen suggests that we move the trailer behind the cement tank. Russell Peine suggested that if they wait till he brings his equipment back to Leeds to do some work then, we would move the trailer at little cost

Russell Peine moved to adjourn and all approved.

**Leeds Domestic Waterusers Assn.
376 South Main Street
P.O. Box 460627
Leeds, UT 84746-0627**

Date Meeting; October 9. 1992 Time..7:30PM

Those in attendance: President Eugene Hansen, Don Goddard, Don Stephens, , Susan Savage, and Sandra Browning. Also Mr. Thornton attended.

Conducting: President Eugene Hansen

Prayer: Don Goddard

Minutes: Minutes were discussed and Don Goddard moved to approve and Don Stephens seconded the motion and all approved.

Financial Statement: Financial statement was discussed and Don Stephens made a motion approve the minutes and Don Goddard seconded and all approved.

Certified Operator: Eugene told the board members, Ken Orton said the LDWA needs to have a certified operator to test the water. We need to check with the Rural Water Association to see if there is anyone in the area who we can hire to do the testing as it needs to be done.

As a matter record: Eugene told the board that just for a matter of record. He showed the board a letter from Lawyer, Kendrick J. Hafen, having to do with the meeting he had with some of the board members about the Memorandum of Understanding between the LDWA and Silver Reef Special Service District. He expressed that he was still evaluating the information the we gave him and the materials he researched and as yet had not come up with a solution but will contact us as soon as a decision is made.

Water Transfer to Stockhams: Gene said that we have to have a licensed engineer prove that the water we bought from Stockhams, went from their well to our well and this must be a signed document. We need to have this done by June. Don Goddard moved that we hire an engineer and get this settled. He suggested we check with Ferrel Campbell over in Hurricane and see if he can get the job done for us. He was mentioned by the Rural Water Association as a good engineer.

Fire Hydrant: There is a problem with the hydrant down by Ned Sullivan's corrals. It may have dirt and rocks in it. Gene tried to flush it out but there is still a problem. Board members will go and try to correct the problem,

Water: Mr. Beck is taking water from Thad Utley's RV Park, in three 50 gallon drums to water his trees on his lot behind Glenn Beals place. Gene took a copy of the by-laws to Thad Utley to show that it is illegal to take water from one place to another. There is no penalty in the by-laws, so we either need to make a penalty or forget about it. Don Goddard made the motion that Don Stephens will draft up a resolution about the use of water other than on the piece of property that the tap was sold to support.

and Susan Savage seconded the motion. All approved.

Don Stephens will draft a resolution in 30 days that the board can review. We need a resolution for any future problems of this nature.

Safe Drinking water signs: Safe drinking water signs are available if we are interested in posting signs such as at the tanks and the well. We were requested to send in old signs (which we do not have). We need to check to see if we need to post signs.

WATER TESTS: Sandra was asked to call the state and ask these questions
1. What samples do we need in 1992 on the spring and the well. 2. What do they mean by marginal on the well. 3. We know of no pressure irrigation system are area. Where is it.

Cold Weather: Shareholders are to be reminded that it is time to cover the meters so they won't freeze. The reminder will be put in this months billing.

Sidewalk Survey will be done by Don Stephens (he will walk the sidewalks and find the areas that are a hazard and find the areas that need to be replaced.

Trailer: Trailer has not been moved behind the cement tank. Russell Peine said that he would do it. We need to contact him.

Hidden Valley: There was uranium found in the water from the well in Hidden Valley. They have found a filter to eliminate the uranium.

Bad meter: Mr. Hardy's meter is under water and needs to be checked.

Susan Savage said she found a place in the agreement with Silver Reef that we will deliver their water down our water line. Gene stated that we should give them the meter that they put in and then we need to put another meter up higher on the line to give the Reef that amount of water that they are entitled to .

Budget: We need to set up a proposed budget and have it ready for the November board meeting. A committee needs to be selected so it can be worked on and have it completed for the first of the year.

Don Goddard moved to adjourn and all approved.

**Leeds Domestic Waterusers Assn.
376 South Main Street
P.O. Box 460627
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Date Meeting..October 9. 1992 Time..7:30PM

**MONTHLY MEETING ;
LEEDS DOMESTIC WATERUSERS ASSOCIATION**

DATE; NOV. 13TH, 1992

TIME: 7:30 P.M.

PLACE; LEEDS CITY BUILDING.

BUSINESS TO BE TRANSACTED

DELINQUENT BILLS;
FINANCIAL STATEMENT;

OTHER;

MATTERS PERTAINING TO CONTINUED OPERATION OF
THE WATER ASSOCIATION.

**PRESIDENT: GENE HANSEN
PHONE: 879.2271**

VICE PRESIDENT: DON GODDARD

BOARD OF DIRECTORS:

RUSS PEINE
DON STEPHENS
SUSAN SAVAGE

**SECRETARY TREASURE: SANDRA BROWNING
PHONE: 879.2345**

Dec 1992

Leeds Domestic Waterusers Assn.

376 South Main Street

PO. Box 460627

Leeds, UT, 84746-0627

Date Sun, DEC. 6, 1992

Time: 7:30PM

President: Gene Hansen; 879.2271

Vice President: Don Goddard; 879.1388

Board of Directors: Russ Peine 879.2358

Don Stephens 879.2441

Susan Savage 879.2207

Secretary treasure: Sandra Browning 879.2345

In Those in attendance: Gene Hansen, Don Goddard, Russ Peine, Susan Savage, Don Stephens and Sandra Browning.

CONDUCTING; EUGENE HANSEN

PRAYER: RUSSELL PEINE

MINUTES: Minutes were discussed and corrected. Don Goddard moved to approve the minutes as they were amended. Russell Peine seconded the motion and all approved

Financial Statement: The financial statement was studied and Don Goddard moved to approve and Don Stephens seconded the motion. All approved.

FIRE HYDRANT: The fire hydrant by Ned Sullivan's corrals is leaking and the board members need to fix it. Russell Peine stated that the hydrant needs to be shut off if it is leaking because there is lots of pressure and a build up could cause lots of problems.

LEGAL: Susan Savage was assigned to find a licensed engineer, such as ^{Ferral} ~~Thirt~~ Campbell, to prove up the water that we bought from the Stockhams. Gene explained that there is just a form that the engineer must fill out to show that the water was transferred from Stockham's source of water to our source. This must be done or we loose it..

METERS: Don and Josh Fawson are going to go around and insulate meters that need to be done. Josh is trying to earn money to go on a Scout Jamboree and this was a good way to help him and also get the meters insulated.

TRAILER: Russell Peine will move the trailer as soon as the dirt is leveled out. Gene Hansen will contact Thayne Hansen to move the dirt and Russell will move the trailer next week.

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SILVER REEF: The response we received from the lawyer we engaged to study the problem with Silver Reef was that we go and talk with them again to work out our problem.

Don Stephens pointed out that we want to change the way we bill Silver Reef on a pro Rata basis (which is gallons used) instead of by number of taps as has always been used.. We have never used the pro rata basis so a judge would probably have to make a judgment as to which we must use..

Don Goddard made a motion that a committee of board members put together a proposal to present to Silver Reef (with the assistance from our lawyer). President Eugene assigned Don Stephens to be incharge of this committee.

Don Goddard was up at Cedar City at the State engineers office last week and saw the original decree in 1890 for the culinary water in this area. And it said 300 gallons per sona for 180 people, 300 gallons per day and 300 head of livestock with 40 gallons per day. Duty factor was 221.5 acres and that came out to 4 .2 second foot of water and the other came out to .58. And we asked what the difference was and .5 and .5 was subtracted from it and the rest Don believed was mining water and then they used a duty factor of 55. Also Don G. asked Keith Christensen and Gerald Stoker if we would loose any irrigation water and they both said that no water would be lost. Some will be lost in Hogan Springs but they said we could not have any of it.

Marjorie Howell: Don Goddard asked if the board members knew anything about

the this tap. As far as he can see, when he went back into the records she may not be entitled to a tap at all.

Eugene asked Sandra to check to make sure that Jerry is including the 7 taps that we got from Stockhams on his list of taps available .

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TAP;: President Eugene Hansen showed the board members a search on water taps to trace origin that Jerry Browning has been working on.

LASER PRINTER: Sandra explained that if we go with the laser printer it will double our cost of paper and materials. All the board members liked the better printer and want the laser used.

Annexation: The people of Silver Valley came to the City of Leeds meeting and asked what it would cost them to be annexed. There is a possibility that they will annex and they may want to be included in our water company and we need to research to see if it is feasible.

WATER SAMPLE: A water sample is due before the end of the year. It will test for inorganic materials. If we test good then we will be exempt from many test that are due in 1993. Also if we combine with Silver Valley and perhaps Silver Reef our testing will cost less. The well and the spring both will be tested.

Don Stephens read a section of the by-laws having to do with transporting of water. Article 8 section 2, states " No water shall be transported or transferred from the lot or property which has the water meter service without payment of an additional minimum or permission from the board of directors."

This article was researched by Don S. because a problem of transporting water to another area from town to water trees. Board members can either approve the transport of the water (as an emergency measure.) or the owner of the water tap will be warned and then charged an additional monthly fee for each month used. Don Stephens wrote up a resolution for the LDWA to use from now on that will

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clarify moving of water from a LDWA tap to be used out of town.

Don S. will do some correcting on the proposal and bring to next meeting. Each board member wants a copy.

DELINQUENT BILL: The delinquent bills were discussed and most were under control.

Mr. Hatch asked Eugene Hansen if he has to put in all the water lines if he is to build. Also there is a fire hydrant that needs to be put in. One person does not want to pay for the whole cost. Don Goddard suggested that we charge Mr. Hatch one hundred dollars and then when the next home is built, we rebate Mr. Hatch half of the one hundred. This will be good for five year time limit. Russell Peine said the water company can put it all in and then charge each person as they build on that line a set charge.

WORK PARTY: Members of the board were up at Mrs. Washburn fixing the line and broke the pipe and had to replace it so they were there for two days.

BUDGET: The budget is to be ready for the December meeting to be approved. by board members. Don and Susan are working on this.

The board talked about filing on the spring out by the Bablon House. Don G. said that we need to find out who owns the land where the spring is located.

Don Stephens moved to adjourn and all approved.

Leeds Domestic Waterusers Assn.
376 South Main Street
P.O. Box 460627
Leeds, Ut 84746-0627
December 27, 1992

Be it resolved: The Following Resolution

Leeds, Utah
Resolution # 8
Title: UNAUTHORIZED USE OF WATER

RESOLUTION OF DIRECTORS

The regular monthly meeting of the directors of the Leeds Water Users Association was held on the 13th of November 1992, beginning at the hour of 7:30 p.m. at the corporation's usual meeting place in the Town of Leeds, Utah, pursuant to notice duly given. One of the matters of business discussed and requiring attention at said meeting was the subject of "Unauthorized use of water. Following thorough discussion regarding the subject, it was moved by _____, and seconded by _____, and carried by unanimous vote that the association adopt the following resolution:

When water is removed from a lot or property for use on another property in large amounts or on a continuous basis (see Article VIII, Section 2 of the bylaws) the water board shall notify the shareholder of such violation in writing.

The notification shall describe the violation, the penalty involved, and the time and place of the next LDWA meeting where we may appeal the decision.

If the violation does not cease and no appeal is filed, the shareholder shall be assessed a penalty equal to the minimum monthly fee for each month in which a violation occurs.

Failure to pay such additional fees shall be handled in accordance with Article VIII, section 5 of the bylaws.

If the violation continues more than 60 days from the original notification, service to the meter shall be discontinued.

This resolution shall be put into effect immediately. Other matters were discussed and other actions taken by the board which are not relevant to this resolution.

DATED; _____

Secretary

Leeds Domestic Waterusers Assn.
376 South Main Street
P.O. Box 460627
Leeds, Ut 84746-0627
December 27, 1992

ARTICLE VIII, SECTION 2 OF THE L.D.W.A. BYLAWS STATES:

"No water shall be transported or transferred from the lot or property which has the water meter service without payment of additional minimum or permission from this Board of Directors."

COMPLAINT: One of the tenants of a shareholder has been observed hauling water to another parcel not serviced by L.D.W.A.

This leads to the question of penalties for violation of this particular section of the Bylaws.

FINDINGS::

1. The shareholder from whom the water is being taken does not exceed his minimum allowable volume of water.
2. The water (several hundred gallons per month) is being used to irrigate trees on a parcel outside of the Leeds City limits.
3. The shareholder has not given permission for such use, but has not stopped the practice.
4. The water board is aware of several other circumstances where water has been used on adjacent properties while waiting for their own water connection. The board did not grant permission, nor did they attempt to stop the practice.

DISCUSSION:

Technically speaking, if one were to fill his motorhome holding tank or even fill his canteen, he would be in violation.

Certainly, if one were to hook a hose to his neighbor's water while his own was being worked on or serviced, he would be in violation.

Clearly, such minor unauthorized use could not, and should not, constitute a violation of the Bylaws.

However, one who connects to his neighbor's hose to water his own garden year after year, or one who supplies a rental unit are obviously avoiding a connection fee, which should be a violation of the Bylaws.

The problem is to define a point where being a good neighbor ends and avoiding a connection fee begins.

The point where penalties are imposed must meet 2 (two) standards:

1. It must be a reasonable rule reflecting a point where L.D.W.A. experiences a loss.
2. It must be enforceable. This means that the difference between a "good neighbor" and a "water thief" are clearly discernible to any reasonable person.

Establishing such a point will never be easy, nor will the decision ever be unanimous.