

*Sandra*

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

LDWA BOARD			BOARD OF DIRECTORS		
PRESIDENT:	GENE HANSEN	879-2271	SUSAN SAVAGE	879-2307	
VICE PRESIDENT:	DON GODDARD	879-2388	RUSS PEINE	879-2358	
SEC. TREASURE:	SANDRA BROWNING	879-2345	BERT LEANY	879-2901	

LDWA Monthly meeting - ~~January 14th, 1994~~

Those present: Don Goddard, Bert Leany, Susan Savage, and Sandra Browning. President Eugene T.Hansen was out of town and excused.

Conducting: Don Goddard

Prayer: Susan Savage

Minutes: After a brief discussion, Bert Leany moved to approve the minutes and Susan Savage seconded the motion and all approved as they were corrected.

Financial Statement: Susan Savage moved to approve the Financial Statement and Bert Leany seconded the motion and all approved.

Past Due accounts: There are several past due accounts that have been notified that if they do not pay within 30 days that their water will be shut off.

There have been a couple of people who have paid the \$2500.00 for a tap for their land and have not started to build a home. Even though the 18 month grace period has nearly lapsed. Don Goddard told the group that they should pay the \$500.00 down and not pay the complete amount until they start to build. Then if the time runs out ( as per resolution) they will loose the \$500.00 deposit.

SPENCE REBER: Bert Leany reported that Spence Reber is doing some work for the city of Washington and will do the geological survey for us when he has completed with them. This will be in February.

HYDRO POWER: Bert Leany said that he has a form to be filled out and hoped that the board would give him a hand completing it. This is a form to file on our culinary water to be used for Hydro power to make electricity.

DON GODDARD stated that he wanted to hold items number 6 (on Hogan Springs) and numbers 7 & 8 (On Silver Valley) was to be held for Executive Session.

CEMENT WORK AROUND CEMENT TANK: Rohn Losser was given the bid to do the cement work around cement tank and also the pad under the trailer. Also bids

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need to be put out for the shed that we need constructed over the motor valve and board needs to decide type of construction to use, such as, cinder brick. Bert Leany made a motion that the construction of the shed around the motor valve should be cinder brick with a steel roof. Susan Savage seconded the motion and all approved.

REPLACE B.O. VENTS: When the board made an inspection tour of the line some of the air vents were taken off and they need to be put back on. Gene Hansen was given this assignment to arrange for a work party. Don Goddard was not sure what Gene was talking about in number 11 and number 13 on the agenda and so Gene can handle these also.

UPGRADE LINES: The line on the west side of main street south of Ray Brown need to be up graded before the State black tops over it. Gene will get a work party together to do this.

ASSIGNMENTS FOR SHARE HOLDERS MEETING:

A- 1993 ACCOMPLISHMENTS ASSIGNED TO SUSAN SAVAGE

B- VOTES

C-REPORT ON AVAILABILITY OF WATER: GENE HANSEN

D- GOALS FOR 1994 - RUSSELL PEINE

E- NOTIFY WATER OWNERS OF THEIR RIGHTS OF SHARE OWNERSHIP - SUSAN SAVAGE

(Have made up 100 copies of handout of shareholder's rights.)

F- BUDGET OF 1994 - DON GODDARD

G- FLOATING WATER TAPS (APROX 12) WHEN TRANSFERRED , THEY MUST BE ASSIGNED RESIDENCY! Put on hold.

The board made motion #1 A floating tap is to be assigned to a piece of property when sold.

The board made motion #2 If a shareholder owns a floater, it must be used before he can buy another tap.

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**RURAL WATER TRAINING SESSION:** Anyone who can attend this training session contact Sandra Browning before the first of February to register them.

**NOTICE SENT TO THOSE HOLDING TAPS WITH DOWN PAYMENTS ON EXPIRATION DATE.**

- A- Larry McMullen due March 1994 or at construction time.
- B- Tom Rogers due Sept. 1994 or at construction time.
- C- S.M. Bullard due in Jan. 1995 or at construction time.
- D- Bud Wall is starting construction. And has paid up in full.

**MELVIN EVANS:** Mr. Evans requested that the amount of water usage be put on the billing each month. This information has not been on the last few billings. He was told that it was omitted because all information was not available when bills were sent out and also there is not a over charge in the winter months. In fact the shareholders are asked to leave the water dripping a small amount to held prevent freezing in the colder nights.

**BILL SCHWEER:** Bill was contacted by Dick Parry to see if he could find out how he could get water to his property. Bill also made a map and presented it to the board members to show how much work needs to be done to up grade our water system and other problems that the city has to improve upon. The board members expressed to Mr. Schweer that we are working in this problem and slowly we are up dating our lines. The city will have to work on the other problems.

**WATER USAGE:** Jeff Kruger approached the board members stating that those shareholders that use less than 10,000 gallons of water makes it the most expensive water in the area. If the water usage is 30,000 gallons then shareholders are paying average and if they use over 40,000 gallons it is a bargain and probably is the cheaper than most areas.

Mr. Melvin Evans was concerned also. They suggested that the rates be lowered for the people who use under 10,000 gallons and raise the rates big users.

Don Goddard told them that we are very concerned about our water and we did raise the overage charge from 75 cents to \$1.00 per 1,000 gallons. Also, recently a letter was sent to all those shareholders that have overages and they were asked to conserve their water and use less or we would have to raise the rates again.

**PROTEST:** In last night's paper it was advertising water rights.

Susan Savage moved to protest the point of diversion advertised in the paper. About hidden Valley changing their water from their point of origin to the LDWA Well Bert Leany seconded the motion and all approved. Don Goddard assigned Gene Hansen to write a protest .

The board members moved into executive session and Sandra Browning was excused.

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BERT LEANY 879-2901

**LDWA MONTHLY MEETING** ~~FEBRUARY 17TH, 1994~~

**Those in attendance:** President Eugene T. Hansen, Don Goddard, Bert Leany, Susan Savage, Russell Peine, and Sandra Browning

**Conducting:** Eugene T. Hansen

**Prayer :** Eugene T. Hansen

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

**Financial Statement:** The financial statement was discussed and Don Goddard suggested that we look into putting our CD's into the money market account if the interest rate is better. Don Goddard moved to approve the financial statement and Russell Peine seconded the motion and all approved.

**UP GRADE LINES:** President Eugene T. Hansen suggested to the board members that they should upgrade the lines north of town by Ray Brown's place before that state resurfaced the entrance to the Highway, We need to get a permit to dig under the road to place an 8 to 10 inch casing which will hold our six inch line. Gene said that he would get the permit. Russell Peine will dig the ditches and the board will decide the material needed to do this project and get the materials. We will have to start as soon as possible before the state blacktop's the entrance.

**Board members all promised to help.**

Representing the Town of Leeds, Mayor Brent Demille, Melvin Evans, and Jeff Kreuger attended the LDWA Monthly meeting.

They expressed their concern for the people of Hidden Valley. Jeff Kreuger suggested that a list of LDWA requirements to Hidden Valley be sent to shareholders on the back of the next billings and also he felt that we send a copy to each shareholder in Hidden Valley.

Gene Hansen told Jeff that the LDWA was in executive session earlier tonight and had composed a list of the proposals that Hidden Valley had made to LDWA

and then were voided for one reason or another. And these items will be sent to our shareholders on the back of the next billing. The LDWA has tried very hard to work with Hidden Valley only to find that proposals did not contain correct information. We are trying to workout a solution to this problem.

Melvin Evans asked us to make a statement of what we want Hidden Valley to do in order to become a part of our water company and then present it to them. This would be a place to start.

The LDWA needs to know what Hidden Valley can offer us before we can make a statement.

Mayor Brent DeMille told the LDWA that Hidden Valley is in trouble and needs water and if the Town of Leeds can help Hidden Valley that's what they will do.

Don Goddard told the Mayor that the LDWA will work to help Hidden Valley also, but we can not get mixed up in a lawsuit that is pending.

**WATER FILING:** Bert Leany is working to get information together to file on two separate water packages. One is to get more water out of our well since the well has the capacity to produce more water than we have water rights for. The other is filing on water in a new location.

#### **THE AGENDA FOR THE 1994 SHAREHOLDERS MEETING:**

( The agenda was discussed and organized by the board members.)

WELCOME: PRESIDENT EUGENE T. HANSEN

PRAYER: RUSSELL PEINE

MINUTES: FROM 1993 SHAREHOLDERS MEETING: SANDRA BROWNING

1994 BUDGET AND FINANCIAL STATUS: DON GODDARD

FILING ON WATER AND AVAILABILITY: BERT LEANY

1993 ACCOMPLISHMENTS: SUSAN SAVAGE

COMMENTS: EUGENE HANSEN

(OPEN FOR COMMENTS OF SHAREHOLDERS)

ELECTION: (Three board members up for reelection)

Russell Peine and Don Goddard will not run again.

Susan Savage is also up for reelection.

NOMINATIONS FOR NEW BOARD MEMBERS

BOARD MEMBERS RETIRE TO EXECUTIVE SESSION TO VOTE ON PRESIDENT AND VICE PRESIDENT  
MEETING ADJOURNED.

**WATER TESTING:** President Eugene T. Hansen reminded the board members that the Lead and Copper test is due and should be taken on the first Monday of April. It needs to be taken to Cedar City for testing. Then a report must be sent to the State of Utah.

**PROTESTING HIDDEN VALLEY:** The LDWA protested Hidden Valley putting their water rights in our well for we have not come to an agreement yet and also, the topographical coordinates were incorrect.

Susan Savage told the board that the Virgin River Land Association has been going around to different water districts and putting on a program about how a water company can function properly. Susan would like them to put it on for the LDWA. The board members agreed and Gene asked Susan to contact them and set up a date for a presentation for the LDWA.

Russell Peine moved to adjourn the meeting and all approved

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THOMAS STIRLING 879-2357  
BERT LEANY 879-2901

**LDWA MONTHLY MEETING - APRIL 8TH, 1994**

**THOSE PRESENT:** Eugene T. Hansen, Don Stephens, Thomas Stirling, Susan Savage, and Sandra Browning. Bert Leany was excused because of illness.

**CONDUCTING:** President Eugene. Hansen

**PRAYER:** Susan Savage

**GREETING:** President Eugene T. Hansen welcomed Susan Savage, Don Stephens and Thomas Stirling into the LDWA as board members.

**MINUTES:** The minutes were reviewed and Thomas Stirling made a correction in the minutes. Thomas Stirling made a motion to accept the minutes as corrected and Don Stephens seconded the motion and all approved.

**FINANCIAL STATEMENT:** The financial statement was discussed and Susan Savage moved to approve the financial statement and Don Stephens seconded the motion and all approved.

**BAD METERS:** President Eugene Hansen told the board there were several meters that needed to be checked. The Lowthers, Humphreys, and the Town of Leed's Cemetery. Don Stephens and President Eugene Hansen will check them out.

**PAST DUE ACCOUNTS:** Several letters, to delinquent accounts, are going to be sent out. And if they do not pay within 30 days, they will have their water turned off and meter pulled.

**TAP DEPOSIT:** A reminder was sent to those people that have paid a deposit on a water tap and their allotted time of 18 months for building a new home is nearly expired. They will lose their deposit if building is not started soon.

**SURVEY:** Spence Reber did a geological survey for the LDWA and found that there was more water available in the well than we have shares and so we have filed on additional water in our well. We hope to secure the excess.

**TRANSFER OF WATER SHARES:** A letter needs to be compiled and sent to Roger Kreuger explaining how he can get his water certificate in his own name. If the certificate is lost, then Roger needs to get a sworn and notarized affidavit that the certificate is lost.

Don Stephens said that Rick Hafen should be contacted as to how we might word our application to state that it is the shareholders responsibility to see that the certificate is valid and up dated, also we need and to see what has to be done with our by-laws concerning the 10 taps a year allotment. To make sure it is legal.

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**WATER TAPS:** So far in 1994 we have sold six taps. There are four taps left. President Eugene Hansen asked board members, if we get more water in the well, should there still be a limit on the shares sold yearly? Don S. stated that we would have to decide at that time, as a board, if this happens.

**HOGAN SPRINGS:** Alene Cuff asked for an offer for her water shares in Hogan Springs. Alene Cuff owns 35 acre feet and Mr. Felt has 7.8 acre feet. The board members will meet and draw up a new proposal for Alene Cuff and Mr. Felt and sent it to them. Alene Cuff can lease her water and not lose it. After discussing our options, it was decided that we will contact Rick Hafen and see what we can do legally. If we are able to buy their shares.

Don Stephens asked what is our objective as a water company? To supply water needs for the town of Leeds. If that is our goal, then we must get busy and find and buy up water as it is available.

Thomas Stirling told the board that if we put in a pressurized system, we would have plenty of water.

We can use irrigation water and chlorinate it and have more water.

**HYDROELECTRIC POWER:** Bert Leany is working on this project. Loans should be available to help with the cost. This is a good option.

**DICK PARRY:** Gene told the board that Mr. Dick Parry used to own Bill Schweer's place and on the deed it says that Mr. Parry has access across Mr. Schweer land and also he can have a water tap. He paid his \$500.00 deposit on a water tap and now he can't pass the fire code so he can't build. Will he lose his deposit? We need to decide by May what to do.

**MOTION:** Don Fawson, the town fire chief, asked that we make a motion and pass it from the floor that we adopt the county fire code of six inch lines and hydrants, as it is written.

**UP GRADE LINES:** The LDWA will pay the difference between an eight inch line and the six inch line to Merrill Stirling's land.

**COMMERCIAL RATES:** As the town grows we may have to change the commercial water rates.

**SHED:** We are completing the new cinder block building. Jerry Anderson is ~~going~~ <sup>going to be asked</sup> to make us a roof for this building. Gene will get a door lock and door. to finish it off. We need a work party to clean up the inside of the trailer so boxes of records can be stored in the trailer.

**PAYING FOR LINE UP GRADE:** Susan Savage was assigned to look back through the minutes and see if she can find where people were charged for up grading of the water lines in town. This will give us a basis to go by.

Find the dates of the proposal we made to Alene Cuff last year for her shares in Hogan Springs.

Water meters: We need to adjust the water meters in town that are setting to high or are in the wrong place, such as in the sidewalk. This needs to be done before the town resurfaces the roads.

Don Stephens moved to adjourn and all approved.

LEEDS DOMESTIC WATERUSERS ASSOCIATION MONTHLY MEETING

May 13th, 1994, LEEDS TOWN HALL

IN ATTENDANCE: President Eugene T. Hansen, Don Stephens, Bert Leany, Susan Savage, Thomas E. Stirling, and Sandra Browning.

CONDUCTING: President Eugene T. Hansen

PRAYER: Thomas E. Stirling

MINUTES: The minutes were discussed and corrections were made. Don Stephens moved to approve the minutes as corrected and Susan Savage seconded the motion and all approved.

FINANCIAL STATEMENT: The financial statement was examined then Bert Leany moved to approve the Financial Statement and Thomas Stirling seconded the motion and all approved.

LETTER TO THE TOWN PEOPLE: Bill Schweer asked for time on the agenda to discuss the letter sent out to the people of Leeds. Bill felt that the town has already set up some good guidelines for growth of the Town and these guidelines should be used as the foundation for growth. With some modifications made. Then Bill read a letter he wrote to the Town and wanted the LDWA's input. (Since the letter talked of water usage.) He plans to attend the town meeting and give his feelings.

AUDIT BOOKS: Dick Stucki has consented to audit our books. This needs to be done each year for insurance purposes.

BAD DEBT: There are some over due billings that we have sent notices to and if the shareholders do not pay delinquent bills we will be forced to turn off their water. We are working with the people now.

WATER TAP: Dick Parry has paid for a water tap but is unable to build his home because the fire department will not okay his building permit, until he has a fire hydrant and appropriate water lines.

HOGAN SPRINGS: Alene Cuff and Mr. Felt have been sent an offer from the LDWA for their Irrigation shares in the Hogan Springs. As of this time, we have not received a response.

ASSIGNMENT: Gene assigned Sandra Browning to find an appraiser to look over our 16 acres of land owned by the LDWA. Clark Houston was suggested.

WATER ASSESSMENT: Some shareholders have been assessed to help pay the cost of new water lines installed to their properties, for *future* new homes. We have had some objections to this procedure. The LDWA spent time trying to come to a decision.

Don Stephens said that the LDWA should table the whole issue of water assessments on new water lines, until such time as the LDWA has time to 1. Study and see how former assessments were made and 2. How to resolve our lack of water taps.



QUESTIONS FOR RICK HAFEN: Don Stephens asked Rick Hafen how we stand on the Babylon Springs Hearing. We will hear around the middle of May.

Also Don asked Rick if we have an obligation to the Public Service laws and he was told that we are not liable to the PUC. Our contract is with our by-laws and approved by the shareholders. We do need to update our by-laws and then put them to a vote by the shareholders.

When asked if we can sell surplus, Rick said that we could. Everyone is equal. No A water or B water. We can get approval from the shareholders to reduce the 40,000 gallons we receive now to 30,000 gallons and sell the excess water taps (of 30,000 gallons) for \$2500.00 each. The taps will all be the same value. We can not sell more than we have.

Susan stated that we can not exist on the spring water for we use water seasonally. The well is a supplemental water right. It is a high water right.

Gene said the LDWA needs to send out a letter to shareholders telling them that we are down to four taps to sell for this year and one for next year. Ask them how they feel about this and also if we should sell the LDWA's 16 acres.

We will also tell them that we are bidding on Hogan Springs and we have filed on Babylon Springs, plus we have filed on additional water from the well. All in search of new water. We can lower our gallons per water share if necessary.

Susan said she felt that we need to inform the shareholders more often. Don Stephens said that he did not feel that we could buy back part of the shareholder's water. We don't have the money to do it, but since the operating costs would not increase; we could consider offering a lower monthly rate. Use the money we sell the new water right for to put in a new auxiliary pump. (Or something like that)

WATER: Glen Gunther wants to sell his water for six thousand dollars an acre foot, or nine thousand dollars a tap.

HYDRO ELECTRIC POWER: Mel Evans was given the assignment to check with the town about the hydroelectric power and if they are interested. So far we have not heard from him.

Beart Leany talked with Mel Evans about the Hydro electric power and he said he was going to look into it.

Don Stephens and some other people did some black topping of roads and also filled in the recessed hole by Don Fawson and brought up the water meter lid level. We need to get a work party together and bring all the other water meter lid so when the state chip seals the road, they will level.

Gene showed the LDWA a schedule for billing for water: Charge for minimum use \$10.00 and then charge by the thousand gallons. We would make more money and the people who use the most water will pay for it.

ROOF FOR SHED AT CEMENT TANK: Gene took Paul Manis to the cement tank and showed Paul the cinderblock building and he is going to work up a bid to put a roof on it.

WELL: Floyd Bradshaw dug our well and Allen Rhodes put in the pump. We need to contact Mr. Rhodes and see if he can tell us where we can get replacement parts for the pump.

WATER TESTS: We got back our lead and copper tests and they were all good. So now we only have to send in five tests in six month instead of ten.

INSURANCE: The Officers and Directors are covered by insurance but our blanket policy has not been renewed as of yet.

WELL: The State sent us the steps that must be taken if we are to dig a well or enlarge the well we have already have.

RURAL WATER MAGAZINE: Gene ordered five subscriptions for board members. The information in the last two issues is vital material.

Don Stephens proposed that any new hookup and any new extensions would be in accordance with the fire code. Thomas Stirling seconded the motion and all board members approved.

Irrigation water: The town Of Leeds usually uses our two shares of irrigation water for the lawn around the town hall. If they want it they will get the first chance to it. Gene assigned Susan Savage to attend the Leeds Irrigation shareholder's meeting. Ask them what they are doing to up grade the lines.

AUDITOR: We need to ask the auditor who we need to withhold taxes from when we hire people to do work for us. What about the meter readers. Can we use part of their payment for their water bill and not withhold from that amount?

Work party: Thomas Stirling said that we need to get together and organize the trailer. Clean it up and put shelves in. Gene wants to go up to the Splinter box with Silver Reef and adjust it so the water wont run down the road.

RESERVE WATER: Can water be saved from the winter and sell it in the summer? Can it be stored in the well? We need to search this out.

Don Stephens moved to adjourn.

*June 1994*  
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SUSAN SAVAGE 879-2207  
THOMAS STIRLING 879-2357  
BERT LEANY 879-2901

Leeds Domestic Waterusers Association's monthly meeting ~~June 10, 1994~~

**Those in attendance:** President Eugene T. Hansen, Don Stephens, Bert Leany, Susan Savage, and Sandra Browning. (Thomas E. Stirling was out of town and excused from the meeting.)

**CONDUCTING:** Eugene T. Hansen

**PRAYER:** Don Stephens

**MINUTES:** Minutes were approved as corrected by Don Stephens and seconded by Bert Leany, and all approved.

**FINANCIAL STATEMENT:** Not available because computer went down.

**BUSINESS:** Melvin Evans, Edell Butterfield, and Dale Barnes from the city counsel were present at the LDWA meeting. Melvin Evans had earlier ask to be put on the agenda. Mr Evans proceded to make a presentation of his analysis of the Leeds Domestic Water Use; vis-a-vis Water Rights. ( for the people in Leeds).

In short, he proposed to take the water that was not used in low water consumption times and sell it as extra water taps. ( For Leeds Growth) Each LDWA member received a copy of the information Mel gave, for further study. Melvin also brought up the questions from an outside point of view of how we are functioning as a water company : IS IT LEGAL? IS FAIR? AND IS IT WISE? Then he expressed his opinion on each question.

The LDWA expressed their thanks for his research and presentation and plan now to check the legality of such a proposal. And see if this could actually be done and also be able to provide adequately for established shareholders.

**INSURANCE COVERAGE:** We are still working with the Olympus Insurance company for general liability insurance. They said they would insure us, so we are waiting for their proposal.

**AUDIT BOOKS:** David Stucki is auditing our books for the 1993 year. We have made arrangements for his to do them each year if all works well.

**HOGAN SPRINGS:** We have not heard back on our bid for Hogan Springs so far. Don Stephens stated that since we have not heard back from Alene Cuff, so we must consider it a denial to our bid. We offered her a fair deal.

**FILING ON WATER RIGHTS:** President Eugene T. Hansen assigned Sandra to start to fill out papers, the conditional use permit, for filing on water rights. If help is needed he will be glad to help.

**WATER TAPS:** Glen Gunter contacted Gene and offered to sell his water for about \$6,000.00 a tap. We are not interested in paying that much.

**LEGAL COUNSEL:** What are the items we need to talk over with Rich Hafen?

1. Out status on Babylon Springs.
2. Up dating of the by-laws.(Legal Audit)

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3, How we can get rid of the floater taps. How can we assign a tap to a piece of property.

**DICK PARRY:** Mr. Parry did not pass the code for fire protection and can not build until this problem is resolved. After some discussion the board decided to let Mr. Parry solve his own problem.

**METER READERS:** Kelly and Steve Johnson wanted to come and ask for a raise but they did not show.

**ASSESSMENT TO SHAREHOLDERS FOR INSTALLATION OF NEW WATER DEVELOPMENT.:** Gene assigned Susan Savage to check back in the minutes and find out if shareholders were ever assessed for the installation of new water lines. Susan found the information and will get with Gene to go through this material.

**WELL RIGHT:** On this well right, we went for 950 more acre feet in our existing well. Then exactly six blocks to the north we filed for 1950 more acre feet. And based on the Town's proposal for growth there will be additional acreage annexed soon. Tom at the Forest Service said that if we did not file on this water that the adjoining states will. Susan explained that the State can not grant more than you ask for, but they can grant a lot less. Bert Leany said that the date we file is our priority date even if we don't get the water at that time. We still have that priority date.

We spent \$3000.00 on the geology test to show that there was additional water in the area, Gene explained. Bert said that we found out from the survey that this is an isolated aquifer that would not interfere with surrounding water rights.

The LDWA is preparing a letter to send to the State as to why we feel we should be allowed more water. The town of Leeds was asked to write a letter also to support this request.

A meeting date to write the letter to the State will be held Thursday, June 17th.

**HYDRO ELECTRIC POWER:** Melvin Evans was assigned to research hydroelectric power and see if it is feasible.

**BLACK TOP BY TOWN OF LEEDS:** The LDWA needs to raise the sleeves over the shut off valves in several places, 6 or 7 inches before roads are worked on.

**SURVEY:** Gene told the board that we are waiting for response from the shareholders about the 16 acres of land we own. Sell it or develop it. Stan McConkie is going to appraise the land.

**COMMERCIAL RATES:** LDWA needs to see what other towns charge for commercial rates.

**CEMENT TANK:** Paul Manis will be putting a roof on the shed at the cement tank. Approximately 9x9 foot roof. He will give a bid.

**WATER TESTS:** We took samples to Cedar on the spring for nitrates and nitrites. The well will have to be tested also when we turn it on again. Silver Reef needs to pay their part of this test.

Bert Leany moved to adjourn.

NOTICE OF MEETING

THE MONTHLY MEETING OF THE LEEDS DOMESTIC WATERUSERS ASSOCIATION WILL BE HELD THIS FRIDAY, JULY 8TH, 1994 AT 7:30 P.M. AT THE LEEDS TOWN HALL. IF YOU HAVE ANYTHING TO BE PUT ON THE AGENDA PLEASE CALL SANDRA AT 879-2345 BY THURSDAY.

July

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Leeds, UT 84746-0627

LDWA BOARD			BOARD OF DIRECTORS		
PRESIDENT:	GENE HANSEN	879-2271	SUSAN SAVAGE	879-2207	
VICE PRESIDENT:	DON STEPHENS	879-2441	THOMAS STIRLING	879-2357	
SEC. TREASURE:	SANDRA BROWNING	879-2345	BERT LEANY	879-2901	

MONTHLY MEETING OF THE LEEDS DOMESTIC WATERUSERS ASSOCIATION

~~JULY 8TH, 1994~~ LEEDS CITY BUILDING 7:30 P.M.

THOSE IN ATTENDANCE: PRESIDENT EUGENE T. HANSEN, DON STEPHENS, BERT LEANY, THOMAS STIRLING, SUSAN SAVAGE, AND SANDRA BROWNING

CONDUCTING: President Eugene T. Hansen

PRAYER: President Eugene T. Hansen

MINUTES: The minutes were discussed and Don Stephents moved to approve the minutes and Bert Leany seconded the motion and all approved.

FINANCIAL STATEMENT: The financial statement was discussed and all seemed to be in order. Susan Savage moved to approve the financial statement and Thomas Stirling seconded and all approved.

WATER TESTS: President Eugene Hansen told the board that the nitrite and nitrate tests on the spring are back and all is well. From now on we have to use special bottles from the state to make sure that there is no contamination and Roger New of the Health Department is getting them for us. Testing on the well will be done when we run the well pump again.

ROOF FOR SHED BY CEMENT TANK: Eugene explained that Paul Manis has not put the steel roof on the shed because he fell off of his roof and hurt his leg and is laid up. He will be doing the job soon.

WATER TAP: The 18 month time limit to build a new home has nearly expired for some people and a reminder was sent to them.

A registered letter was sent to Tom Rogers, explaining that he must do something before the end of August or he will loose his deposit.

HOOKUP: Eldon Jimmerson wants the water to be hooked up now. Also Mr. Herpel wants his tap installed.

NEW LINE: A new water line needs to be installed for new development by Bill Schweers property. A 6 inch line and connections must be stalled for water and fire hydrant. The cost will be shared with these four people. (Dick Parry, Mr. Hunter, Mr. Bluth, and Bill Schweer) And if there is any other building on the line then the new people will pay their fair share, divided by front footage.

RV PARK: Mr. Thad Utley is selling his RV Park to a gentleman for a Senior Park.

WATER TAPS: Eugene has seven people wanting taps already. We only have four left this year and one next year.

HOGAN SPRINGS: The reason that the LDWA is not offering more than \$4,000.00 a share for Alene Cuff's water in Hogan Springs is because it is irrigation water and not culinary water. Estimated cost of development is 50 to 60 thousand dollars to store, pump, and put in lines. A geological survey by

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<b>PRESIDENT:</b>	GENE HANSEN	879-2271	SUSAN SAVAGE	879-2207	
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Spence Reber would cost \$1500.00 just to see if it will pass the board of health requirements. And there is a possibility that we may never be able to use the water because of the contaminants in the area. (septic tanks and drainage.)

**COMMERCIAL TAP DEFINITION:** Eugene asked board to research and decide what the definition of a commercial tap is. We will check on surrounding areas and find out what they consider a commercial tap.

Don Stephens stated that he feels that commercial water should cost the same amount as residential water. Don will look into the cost of water in RV Parks in the surrounding area.

**CEMETERY:** The cemetery used 98,000 gallons of water in July. Gene will check it out and make sure it was accurate. Joan Thornton contacted Eugene Hansen and asked that the LDWA provide free water for the cemetery. Don Stephens suggested that we provide the minimum of 40,000 gallons but if there is any overage then they must pay for that. We are still looking into this matter. (Eldon checked and found meter reading wrong, 1700 gal used)

**CITY HALL:** If we decide to give the town free water for the park the overage should be paid for by the town also.

**LEGAL:** Rick Hafen provided a copy of some standard by-laws for the board to look over to help update our by-laws.

We must also review the articles of corporation to make sure they do not conflict with the by-laws. Board members were asked by Gene to go through the standard by-laws provided by Rick Hafen and compare with our by laws. The Board will then meet and update by-laws.

**RESOLUTION:** Resolutions can be temporary issues and can be canceled. Some can be made a part of the by-laws if the board and share holders desire.

Rick Hafen will definitely represent us on the filing for more water in our well and also for the filing on a new well.

**LEGAL AUDIT:** Board members asked Rick about a legal audit and he didn't know what it was so we gave him a magazine from Rural Water with an article in it about a Legal Audit.

**STOCK WATER:** Don Stephens asked Rick Hafen if there was a problem with the fact that a portion of our water right is stock water. Rick explained that it was absolutely no problem. There are still horses, cows and chickens in Leeds. The stock water right is usable for anything we want to use it for.

**MINE WATER:** Susan Savage was assigned to check with Glenn Beal to see if their water in the ditch is mine water and if it is, would they be interested to trade or sell part to us so we could draw it from the spring. Our irrigation shares are not worth as much as their mining shares, but we could work a solution out with the Beals.

**OVERAGES:** The ward used over 700,000 gallons in July. Almost half of the shareholders had overages.

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**SPECIAL USE PERMIT:** The forms are all filled out and we are going to make copies of By-Laws, Articles of Incorporation, map of area for well and new well site, and etc. before turning them over to the Forest Service.

**APPRAISAL OF 16 ACRES:** The appraiser will be here Monday to appraise the LDWA's 16 acres.

**MARRELL WALTON:** Thomas Stirling was assigned to contact Marrell Walton and explain to him that he needs to have water lines and another meter installed to the new home he is building. Now he is running both homes on one meter and paying overages. Bert Leany said to send Mr. Walton a bill for the new tap and lines so he will be aware of the problem. He is in California and is hard to get a hold of.

**BRENT HATCH:** It was decided by the LDWA to charge Brent Hatch for the new lines that were put in across the front of this property. He owes \$500.00. We are holding on Merlin Sullivan until there is more water taps to be sold. Anyone who buys part of that land will pay their share by so much per frontage foot.

**ADJUST RATES:** A plan to adjust the water rates more fairly was discussed and Don Stephens moved to table this issue until the December 1st. LDWA monthly meeting and by then a decision can be made.

**HYDRO ELECTRIC POWER:** Bert Leany will get the material on hydro electric power from Mel Evans and then he will proceed with this project.

**AUDIT BOOKS:** David Stucki is auditing our books. Has not completed them as of yet.

**INSURANCE:** We are insured both for general liability and officers and directors.

**WATER TAP:** Susan Savage told the boardmembers that when the four water taps for this year are gone we can tell people that there is water available for \$6,000.00 a tap from Mr. ~~Gunter~~ *Gunter*. At least they have an option.

**SHARE HOLDERS MEETING:** Don Stephens asked that a date be set for the shareholder's meeting to accept the updated by-laws and an other business we might have. t

**BERT LEANY MOVED TO ADJOURN**

*Aug*

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THE MONTHLY MEETING OF THE LEEDS DOMESTIC WATERUSERS ASSOCIATION  
AUGUST 12, 1994

**THOSE IN ATTENDANCE:** President Eugene T. Hansen, Thomas E. Stirling, Susan Savage, and Sandra Browning.

**CONDUCTING AND GREETING :** President Eugene T. Hansen

**PRAYER:** Sandra Browning

**MINUTES:** The minutes were discussed and Thomas Stirling moved to approve the minutes and Susan Savage seconded the minutes and all approved.

**FINANCIAL STATEMENT:** Questions were asked and the financial statement was discussed and Susan Savage moved to approved the Financial Statement and ~~Eugene~~ <sup>Thomas</sup> Stirling seconded the motion and all approved.

**DELINQUENT BILLINGS:** We have some delinquent bills, but they are slowly ~~paying them off.~~ *being paid -*

**METER READING:** The summer is hot and shareholders are using a lot of water. Delores Dicks attended the LDWA monthly meeting with her sister and asked why the meters were late in being read and she was told that the Johnson's were on vacation and did not get them read on the first. She asked that from now on she would like her statement to included the meter readings and also the date when it was read. Also Tana Hayes asked for the same information to be on her statement. They were told that it would be done. Both also stated that they would like the water meters to be read on time. Tana felt that each day would add more overages to their bill.

**BANKING:** Eugene asked Sandra to look into the best interest for our money and take the accumulated money in checking over 10,000.00 dollars and put it into savings or CD's. Usually, the money market account is the highest interest paid.

**EXTENSION OF TIME TO BUILD:** Tom Rogers contacted Eugene and asked if the LDWA would extend his time to build. After the board discussed the matter it was decided that they could not extend the time for the planning committee



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and the Town of Leeds would not grant him a building permit, ~~for~~ he wants to build a duplex and the area is not zoned for it. A registered letter of reply will be sent to Mr. Rogers. We will honor his original request for a single residence home until the time lapses. Gene will check with the town council and find out what is currently happening with Mr. Rogers.

There are several others who will soon run out of time for building of a new home.

**CONDITIONAL USE:** We filled out the paper work we got from the Forest Service to make application for a new well and also going deeper in <sup>the</sup> present well for new water. Eugene took the paper work down to the Forest Service Office and found that the report was not in detail enough and must be redone. Gene will get board members to help complete the application properly.

**UPDATING BY-LAWS:** The board members need to go through the by-laws, paragraph by paragraph to update and delete the obsolete rulings. Eugene felt that the sample by-laws that Rick Hafen gave to the LDWA did not work in our behalf.

**NEW LINES:** Eugene said he would talk to Brent Hatch about the new water lines across the front of his property and find out if there is a problem about paying for this improvement. Earlier Brent said that he'd pay for it.

**DRIP OIL:** Eugene reminded Susan that she bought five quarts of oil for the well pump and needs to present Sandra with a bill to be reimbursed.

**JONES WATER TAP:** The location of Brent Jones' water tap was discussed and Susan was asked to check with Brent to designate where on his property he wanted it put.

**TAPS:** There are 11 floater taps within the LDWA organization that have not been assigned to a piece of property. Then there are 28 or 29 taps that are assigned to a piece of property. (That are not being used and we are not getting any revenue from them.) After we sell the four available taps, we will have no tap income and it was suggested to put a \$5.00 or \$10.00 a month fee on the floating and not in use taps.

*Mr. Rogers*

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**WORK PARTY:** The water line from the spring has many vent pipes and covering the vent pipe is a bucket trap with a breather cap. The County Health people say the breather caps all need a screen to keep the bugs out and also a hole in the bottom of the valve cover as a drain, or extend the breather caps up above the top of the bucket trap. This is needed in case a flash flood comes and fills the bucket trap with water. It needs to be able to drain out and not seep back into the line and contaminate our water. We have the screens installed, but not the drains. We need to put them in.

**PROVE UP ON STOCKHAMS WATER:** Eugene asked Susan how she was coming on the "prove up" of Stockhams water. Susan took the information to Mr. Keith <sup>Christensen</sup> Campbell and he said that he would get it done. He also assured Susan that we would be notified before the time expired and included in that notice would be papers to file for an extension. We are not in violation. Gene asked why we could not do it now. Susan asked Mr. Campbell if he would like us to get someone else. And Mr. Campbell said he would do it and he will.

*Feral*  
**CEMETERY :** The town of Leeds asked the LDWA to give the cemetery free water. This was discussed by the board and the board approved giving them the free 40,000 gallons minimum. But the town will have to pay the overages. This needs to be presented before the shareholder and a vote taken.

**APPRAISAL:** The LDWA'S 16 acres was appraised for \$85,000.00 (without water) because there is water available in the area. Even if we do not have any to sell. (Mr. Gunter has water to sell.) *Some have water available (extra) in Hidden valley -*

**SCHOLZEN'S:** Scholzen's Product is ordering a tapping machine for the LDWA because the part that we use to fasten the saddles in the meter box is not available anymore. The tapping machine will be quite costly. Silver Reef expressed the desire to rent the machine from the LDWA when they put in new meters.

**EAGLE PROJECT:** Reeve Knighton wants to paint the fire hydrants as an eagle project. He would like to have us buy the paint. It was explained by Thomas that the money should be raised by the scout to be part of an eagle project. *Stirling* *the*

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**PUBLIC AWARENESS:** Susan felt that the shareholders need an update on the LDWA's accomplishment and she compiled an LDWA update to be put in the next month's billing. As follows:

1. An appraisal on the 16 acres owned by LDWA in Hidden Valley has been completed.
2. A shed built to house the valves at the cement tank is nearing completion.
3. An audit of company books by an auditor has been completed.
4. Water testing of the spring and well for nitrates and nitrites has been completed, sent in, and the report of analysis returned. Our water is well above safe drinking standards.

Thomas Stirling moved to adjourn.

LDWA

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*Sept*

LDWA BOARD			BOARD OF DIRECTORS		
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LDWA MONTHLY MEETING

September 9th, 1994

**IN ATTENDANCE:** PRESIDENT Eugene T. Hansen, Don Stephens, Bert Leany, Thomas Stirling, Susan Savage, and Sandra Browning. (Bill Schweer also was in attendance.)

**CONDUCTING:** Eugene T. Hansen

**PRAYER:** Susan Savage

**MINUTES:** The minutes were discussed and errors corrected. Susan Savage moved to approve the minutes and Thomas Stirling seconded the motion and all approved.

**FINANCIAL STATEMENT:** After a brief discussion of the financial statement, Thomas Stirling moved to approve the financial statement and Don Stephens seconded and all approved.

**CD'S:** We have the opportunity to put \$10,000.00 in a sixteen month CD and receive five percent interest. Since the interest rate is so low at the present time, Eugene suggested that we do this and the board members agreed. Sandra was asked to take care of this.

**TAP SALES:** Tom Rogers received a certified letter, stating that of September 4th, 1994, his deposit for a water tap had expired for he did not build within the allotted time.

**TAPPING MACHINE:** The LDWA ordered a tapping machine from Scholzen's Product for \$410.00. Scholzen's could not provide this service for us anymore. We alerted Silver Reef that we have a tapping machine and they are welcome to utilize the machine. A member of the LDWA board will do the tapping. We will not just loan it out. Bert Leany suggested that we charge \$20.00 plus labor for the use of the tapping machine. The board member all approved this suggestion.

**NEW LINES:** Ned Sullivan is building a new home. He ~~is running~~ *wants to run* a six inch line along the road and a four inch line to his house. The Fire Chief wants a six inch line all the way if possible. From now on the LDWA will put in only six lines ~~on new development~~ *improvements*.

**BAD METER READINGS:** The yoke on Don Goddard's meter broke ( on our side) and it has been fixed but he was billed for water overage and an adjusted bill needs to be sent to him for \$16.00. Also Jolynn Hickman had a line break and after some discussion by the board, they agreed to share the overage. She will be charged for 60,000 gallons. This is for the month of July only. She will be sent an adjusted bill also.

**TAXES:** Don Stephens was asked to look into a letter we received from the state, telling of a new tax law for non profit corporations. To see if it applies to us.

**CERTIFIED OPERATOR:** We received an application for training of a certified operator for our water system. The information stated that we do not need a certified operator unless we have 800 homes or more in our system. So for now, we do not need to worry about this matter. The Rural Water people will help us with problems that come up.

**NEW SHED:** The door of the shed will not close and the board members will correct this problem. Also a work party will go up to the shed and clean up the construction area.

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**EDWA BOARD**

PRESIDENT: GENE HANSEN 879-2271  
VICE PRESIDENT: DON STEPHENS 879-2441  
SEC. TREASURE: SANDRA BROWNING 879-2345

**BOARD OF DIRECTORS**

SUSAN SAVAGE 879-2207  
THOMAS STIRLING 879-2357  
BERT LEANY 879-2901

**POINT OF DIVERSION:** Gene wants the work party to go up to the point of diversion and take out Silver Reefs meter and adjust the splitter box so they get only their share of the water therefore, stopping the water from running down the road.

**HOT MIX BLACKTOP:** Gene also wants to hire someone to get about a half pickup load of hot mix and fill in around the meters that were brought up to ground level, before they settle down again.

32- **UPDATE BY-LAWS:** Don Stephens proposed that the board members meet in a closed executive session and sit around a table and correct old by-laws and delete outdated items. ~~The by-laws are ten years old.~~ *The last up date is the (years) old.* It was decided to meet Thursday night September 15th, 1994 at the Town Hall at 7 p.m. Gene asked Sandra to get a copy of the old by-laws for Thomas Stirling.

**WATER USAGE:** Don Stephens told board members that we do not use half of the water available to us. We use less than half of our water.

When Don asked our attorney if we can pump all our well water in one month, he said the only thing limiting it is that you have a rate of flow from your well. And our rate of flow from our well is such that we could pump all our allotted water out in one month if we wanted to. With a big enough pump, we could pump the whole water allotment out of the well in three months. Our reservoir for the well, is the ~~whole~~ *underground* <sup>accumulator</sup>. The spring water has to be taken as it comes and any we do not use is gone. In the past, we took the spring water plus the well water and divide it by twelve and found 40,000 gallons per month or 480,000 gallons per household per year. 480,000 gallons times 175 shares uses up all the allotted water. But we do not use water that way.

*After he analyzed the meter readings of the past use he found*  
Don stated that if we take the restrictions out of the by-laws and guarantee 40,000 gallons on peak months such as June, July, and August, the shareholders won't be effected. We are guaranteeing, when the shareholders need the water, it will be there. It will not make any difference. It will not affect how much overage we use or how we charge the bill, it doesn't affect anything. And all the ~~shares~~ *also* <sup>extra</sup> can be sold, if we have a big enough pump in the well plus a backup pump. A limit of 70% use of the water available should be set or something similar. With the current pump we can only pump 67,000 gallons per day. We can allocate water according to the average water usage and this average is figured over a 34 month period of time. Bert Leany and Don Stephens have worked on this proposal for some time to provide more taps. The state told us to utilize our water before we could obtain any more.

Susan Savage was impressed with the proposal but feels a need ~~for more research on the issue.~~ *(legal confirmation of the proposal)* She would like to be converted to the program when it is presented to the shareholders.

**BUDGET COMMITTEE:** Susan Savage, Don Stephens, and Bert Leany were assigned to the Budget Committee and Bert Leany was made the chairman.

**TAP SALES:** We have four taps left this year to sell. One for next year.

**HOOKUPS:** Cory Wiley's tap was hooked up. Marrell Walton is in his new home and renting out the old home. Brandt Jones' land by the Savages is in the city limits. ( By Robert Weight of the Town of Leeds.)

*Bill Schweer:* Three things that the shareholders need to know is 1. How many gallons can I use. 2. How many months of the year can I use it. 3. What can I use it for.

Susan Savage moved to adjourn.

*Oct 14/94*

**Leeds Domestic Waterusers Assn.**

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LDWA Board of Directors

PRESIDENT: Gene Hansen 879-2271  
Sec. Treasure: Sandra Browning 879-2345

Vice president Don Stephens 879-2441  
Bert Leany 879-2207

Susan Savage 879-2357  
Thomas Stirling 879-2901

**MONTHLY MEETING OF THE LDWA October 14, 1994**

Those in attendance: Eugene T. Hansen, Don Stephens, Bert Leany, Susan Savage, Thomas Stirling, and Sandra Browning. Mel Evans from the Town of Leeds was also present.

CONDUCTING: President Eugene T. Hansen

PRAYER: Bert Leany

MINUTES: The minutes were discussed and corrections were made. Bert Leany moved to approve the minutes and Susan Savage seconded the motion and all approved.

FINANCIAL STATEMENT: After a short discussion of the financial statement; Susan Savage moved to approve the financial statement and seconded by Bert Leany and all approved.

BAD METERS: B J Realty's water meter has stopped and Art Kent's water meter was read incorrectly by meter readers. Gene will check them out.

TAXES: Don Stephens called the State tax office in Salt Lake City and talked to them (Tony) about the notice we received in the mail in reference to new taxes that are being charged non profit corporations. This mainly applies to corporations that are making money in other areas besides that of their main purpose as a non profit corporation. Don was told that we are absolutely tax exempt, and have been listed as such for many years. This new law will not affect us at all. We have not paid taxes and we will not pay taxes, except on our two pieces of property. If we sell the property, we would pay taxes then. Tony told Don that we bought the land to obtain the water and our main purpose is a water company. If and when we decide to sell our land we need to contact him, because we may not need to pay taxes on the monies received from the sale.

POINT OF DIVERSION: Now that the temperature has cooled, a work party will be organized and board members will go up to the splitter box and adjust it so water won't run down the road.

HOT MIX BLACKTOP: The LDWA work party will use cement around meters if the hot mix blacktop plant is closed.

BYLAW UPDATE: Gene told Mel Evans that the LDWA had two, three hour meeting, and a trip to the lawyers. Also copies have been made and handed to the board members to correct punctuation and other mistakes. Now we are putting finishing touches on bylaws and hopefully, we'll have them all corrected for the special shareholders meeting. Mel Evans asked for a copy and Gene told him they were not completed as of yet.

BUDGET COMMITTEE: As soon as the bylaws are completed and the special meeting set up, then the Budget Committee will start on the 1995 budget.

WATER CERTIFICATES: Susan Savage was asked to check on four water certificates (names, certificate number, and property.) Two for Ellen Savage, one for Amy Jones, and one for the Breas.

COMMUNICATIONS: Gene asked that communication be added to the agenda from now on.

## Leeds Domestic Waterusers Assn.

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### LDWA Board of Directors

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Vice president Don Stephens 879-2441  
Bert Leany 879-2207

Susan Savage 879-2357  
Thomas Stirling 879-2901

**WATER LINES:** Don Stephens would like to get bids to update our lines from 4 inch to 8 inch lines. Therefore, it could be done sometime this winter when work is slow for the contractor. The cost has been budgeted in previous budgets, so money is available. Bert Leany stated that a freeze could cause a problem digging the lines in the winter. Gene talked to Merlin Sullivan of the Leeds Irrigation about running parallel water lines and using the same ditch. This would allow the two companies to split costs.

**FRED FRIESE:** Fred bought a building lot in Leeds sometime in the future. Also Fred bought a floater tap from Sue Curtis to use on his lot. Gene asked Sandra to transfer it to Fred and Janet Friese.

**METER READING:** The meter readers want an increase in pay. They have asked to be put on the agenda for three months in a roll but have never shown up.

The board was asked their for their feelings. Gene said that it takes 3 1/2 hours to read the meters that is still \$14.00 an hour or \$7.00 for the two people. There are others who would like to read the meters also. Should we put the meter reading up for bid? Gene will talk to the Johnsons first and see what they think.

Thomas Stirling said the lids should be kept closed on the meters to keep the dirt out. Don Stephens suggested that we make a little tool to close the lid and clean the top of meter.

**LEAD AND COPPER TESTS:** It is time to do the lead and copper tests and Gene will get the bottles and board members can take them around.

**SPECIAL SHAREHOLDERS MEETING:** A vote will be taken to approve bylaws changes. Shareholders will vote on whether or not to provide free water for the cemetery.

Also Land owners will be notified what they have to do to qualify to vote at the special meeting or any other shareholders meeting.

A letter will be in the October billing (The first of November) to notify shareholders of the special meeting to be held in November. There must be 7 to 10 days advance notice of meeting.

A copy of the bylaws will be hung up in the post office and the town hall.

A ballot will be selected for the two votes.

**RESOLUTION:** Sandra was asked to find a resolution dealing with update or added on of new lines on undeveloped land. Then the board members will decide how to handle cost to the developer. Resolution #93-1 applies to this matter.

**TAPS:** So far seven taps have been sold in 1994.

**STOCKHAMS WATER:** LDWA is still working with Mr. Campbell for final filing of said water.

**BOARD MEMBERS CORRECT BYLAWS:** The next hour was used to correct bylaws. When the bylaws are corrected, the changes will be voted on at the special shareholders meeting.

Don Stephens moved to adjourn the meeting.

NOVEMBER 1, 1994

DEAR SHAREHOLDER:

ON NOVEMBER 15, 1994 WE ARE HAVING A SPECIAL SHAREHOLDERS MEETING TO ADDRESS SEVERAL MATTERS OF BUSINESS.

THE FIRST MATTER OF BUSINESS WILL BE A MOTION THAT WILL ALLOW THE NOW EXISTING SHAREHOLDERS TO VOTE ON THOSE DWELLINGS IN TOWN THAT ARE IN THE PROCESS OF PURCHASE, AND THAT DON'T HAVE THE RIGHT TO VOTE. A LETTER HAS BEEN SENT TO THOSE INVOLVED TO PROVIDE PROOF FROM THE TITLE COMPANY, OR ESCROW, OR AN AFFIDAVIT FROM THE OWNER THAT THEY HAVE THE RIGHT TO VOTE THAT SHARE IF THEIR PURCHASE AGREEMENTS ARE CURRENT.

A SEPARATE VOTE WILL TAKE PLACE AT THIS TIME.

THE NEXT MATTERS OF BUSINESS ARE:

1. THE UPDATING OF THE L.D.W.A. BYLAWS.
2. THE REQUEST FROM THE TOWN COUNCIL TO HELP THEM DEFRAY SOME OF THE EXPENSES OF THE CEMETERY AND TOWN HALL PROPERTIES.

THERE WILL BE A STATEMENT OF THE APPRAISAL OF THE LDWA PROPERTY IN THE SILVER VALLEY AREA.

THERE WILL BE COPIES OF THE PROPOSED CHANGES IN THE BYLAWS POSTED AT THE POST OFFICE AND THE TOWN HALL. WE URGE ALL TO READ THE CHANGES AND BE FAMILIAR WITH THE ITEMS THAT NEEDED CHANGING.

PLEASE DO NOT REMOVE THESE PROPOSED COPIES. AS THEY ARE NOT FINAL UNTIL AFTER THE VOTE.

WE URGE ALL TO ATTEND ON THESE MATTERS AND MAKE YOUR BALLOT COUNT.

SINCERLY,  
LDWA WATER BOARD



Sandra

Nov 11th

## Leeds Domestic Waterusers Assn.

376 South Main Street

P.O. Box 460627

Leeds, Ut 84746-0627

### LDWA Board of Directors

PRESIDENT: Gene Hansen 879-2271  
Sec.Treasure: Sandra Browning 879-2345

Vice president Don Stephens 879-2441  
Bert Leany 879-2207

Susan Savage 879-2357  
Thomas Stirling 879-2901

LDWA'S MONTHLY MEETING NOVEMBER 11 TH, 1994 AT EUGENE HANSEN'S HOME

ATTENDING: Eugene T. Hansen, Don Stephens, Bert Leany, Thomas Stirling, Susan Savage, and Sandra Browning.

PRAYER: Eugene

CONDUCTING: Eugene

MINUTES: The minutes were discussed ( the phone numbers on the top of the page of minutes are incorrect.)and Bert Leany moved to approve the minutes and Don Stephens seconded the motion. All approved.

FINANCIAL STATEMENT: Board members reviewed the paid outs.

RESOLUTION: Eugene showed board members the resolution that applies to the updating of new water lines in newly developed area which, Sandra was asked to find at last months meeting.

CERTIFICATES: Eugene said that we need to check on Ron Fowlkes certificate to make sure that it was done legally as the by-laws specify.

ACCUMULATING WATER: Don Stephens told the board members, our objective is first, to get all the spring water we can acquire, ~~first~~, then the well water and finally, Quail Crek Reservoir (as a last resort). Irrigation water was also mentioned as an alternative. Susan Savage explained that irrigation water can be tied to the land .

LETTER OF PROTEST: Eugene reminded Sandra that the letter of protest must be in the mail by Monday November 14th, 1994. This was to protest well drilling north and west of Leeds.

NEW WATER LINE: Brandt Jones' new water line needs to be back filled. It is a safety hazzard now.

WELL HOUSE: Eugene told the board that the well house is insulated. Also Don Stephens is fixing the door of the shed at the cement tank.

SPECIAL SHAREHOLDERS MEETING: A promise was made at the town meeting of Leeds that the LDWA would hold a special shareholders meeting, so a vote could be taken to determine the shareholders feeling on several issues in question. President Eugene T. Hansen called the special meeting. Letters were sent out to all shareholders. The meeting is to be held November 15th, 1994.

AN AGENDA NEEDS TO BE PUT TOGETHER ALSO A VOTING BALLOT. The board compiled the agenda and the ballot and a copy of both are attached to minutes.

Assignments were also made. Each board member was assigned a issue and a limit of five minutes for comments from shareholders. Bert Leany was excused from shareholders meeting for he will be to another water meetin that same day in Salt lake City.

Eugene was given item #1 The Right to vote. After Gene explained the item and the comments by share holders given; a vote would be taken.

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Don was given item#2 Redistribution of water (better use of water). Comments would be given by shareholders.

Susan was given item #3 The up dates of the by-Law explained. Then comments given by shareholders.

Thomas was given item #4 Free water for cemetry was explained . Time for comments and then the vote would be taken.

BY-LAWS: Don Stephens went over the corrections of the by-laws with the board members to make a final check.

Don Stephens moved to adjourn the meeting.

LDWA

SPECIAL SHAREHOLDERS AGENDA

LEEDS TOWN HALL

NOVEMBER 15, 1994

8:00PM

CALL TO ORDER AND WELCOME TO THOSE PRESENT.

OPENING PRAYER

A. ITEM #1. PRESENTATION TO THE EXISTING SHAREHOLDERS TO ALLOW THOSE POTENTIAL SHAREHOLDERS, IF THEY HAVE PRESENTED PROOF TO THE LDWA BOARD WHICH INVOLVES AN AFFIDAVIT, OR RELEASE FROM ESCROW, OR THE TITLE CO. THAT STATES THEY HAVE THE RIGHT TO VOTE THAT SHARE, IF THEY ARE CURRENT ON THEIR PURCHASE AGREEMENT.

B. ITEM #2.

1. SELECT A VOTING BOARD TO COVER BOTH BALLOTS FOR THE EVENING.
2. DISTRIBUTION OF BALLOTS TO THE EXISTING SHAREHOLDERS TO VOTE ON ITEM #1.
3. VOTING AND TABULATION
4. RESULTS OF THE VOTE

C. ITEM #3. UP-DATING THE BYLAWS.

REVIEW OF THE PROPOSED CHANGES THE BOARD FELT NECESSARY AT THIS TIME.

1. PRESENTATION OF THE SEASONAL USE OF WATER BY DON STEPHENS.
  2. DISCUSSION ON OTHER CHANGES.
- DUE TO THE NUMBER PRESENT AND IN JUSTICE TO ALL TIME MUST BE LIMITED ON COMMENTS. TO GIVE ALL A CHANCE TO MAKE ANY STATEMENTS, OR TO ASK QUESTIONS AS CONTROLLED BY THE CHAIRMAN OF THE BOARD.

ITEM #4. TOWN COUNCIL REQUEST TO HELP DEFRAY EXPENSES AT THE TOWN HALL AND CEMETERY BY ELDON STIRLING.

ITEM #5. A STATEMENT ON THE APPRAISAL ON THE LDWA PROPERTY IN SILVER VALLEY.

ITEM #6. SHAREHOLDERS VOTE ON ITEMS #3 AND 4.

1. PASS OUT BALLOTS TO THOSE ELIGIBLE
2. THE VOTE AND THE TALLY
3. RESULTS OF THE VOTING

MOTION TO ADJOURN.

Nov 15 4.

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**SPECIAL SHAREHOLDERS' MEETING OF THE LEEDS DOMESTIC WATERUSERS ASSOCIATION.**  
**November 15th, 1994**

LOCATION: Town of Leeds City Building

DAY AND TIME: Tuesday --8:00 p.m

BOARD MEMBERS IN ATTENDANCE: President Eugene T. Hansen, Don Stephens, Thomas E. Stirling, Susan Savage, and Sandra Browning. (Bert Leany was excused, as he was attending a water meeting in Salt Lake City, UT.)

BALLOTS FOR VOTING WERE HANDED OUT TO SHAREHOLDERS AS THEY ENTERED THE MEETING. (THIRTY EIGHT BALLOTS WERE HANDED OUT).

PRAYER: DON GODDARD

GREETING: PRESIDENT EUGENE T. HANSEN

Gene explained that Bert Leany was excused to attend a water meeting in Salt lake City to represent our water company on water topics such as the Virgin River Drainage, the Wild River Issue and other subject important to our water association.

Don Goddard questioned notification of shareholders outside the Leeds area. He stated that he talked with one shareholder who did not receive a notice. Also that a board member took it upon him/or her self to send notices and not the secretary. It was explained to him that all shareholders in town and out were sent notices of the special meeting by the secretary and a board member with the secretary mailed a second letter explaining the issues to be treated at the meeting since; the out of town people did not have access to the post office and town hall where copies of the items to be voted on, were placed.

Don Goddard asked that Article 3 Section 2 in the by-laws be read. This pertained to notification of written notices of special meeting. He asked how many members received a ballot to vote and also what percentage to pass an issue. He was told by the secretary that 38 ballots were handed out and President Eugene Hansen said that a majority of those present was necessary to pass an issue.

**ITEM NO. 1 "RIGHT TO VOTE" Explanation by Gene Hansen**

If you will remember that at the last shareholders meeting held by LDWA in March there was some discussion on the point of who was responsible to search out old water certificates and put them in present shareholder's name so they can vote. Eugene explained that it is not the LDWA's responsibility to do a title search or see if you have a water share in your name. It is the land and title company and your job to search out real property such as a water share. This water share should be put in you name.

**Section 2 on voting rights was read by Eugene Hansen.**

Regardless of the number of shares held, a shareholder shall have one vote. If title to a dwelling and lands has been transferred or conveyed either by contract or a deed and the share is held in trust, the board of Directors may upon receipt of evidence of transfer and payment of a fee equal to a share transfer fee, allow the new owner to vote the share appurtenant to his/her dwelling while such share is held in trust.

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A short time for comments was opened up.

Douglas Burt expressed his feeling that although he has two shares; he only has one vote. But stated in the by-laws if an assessment was necessary, he would be required to pay an assessment on both taps. He felt that this was wrong and if someone owns two taps they should have two votes.

Ray Beal told those present that the reason a shareholder only has one vote is so that a subdivider can not come in and take over the company with his water shares. We all have one vote. With two water taps he receives twice the water.

### FIRST VOTE:

Three shareholders were selected to help collect ballots, see that all shareholders have ballots to vote, and count votes. Ray Beal, Joanne Thornton, and Alex Beal were chosen.

Upon counting the first ballots, 100% voted in favor of the voting rights issue. Section 2 in the by-laws.

### SECOND VOTE: Section 4 in the by-laws "Seasonal Water Use"

Since water use varies widely depending upon season, to more prudently use our available supply, the water not used in the "off" months may be committed to additional shares. To determine the number of additional shares to be sold, the Board of Directors will reserve 310,000 gallons of water per year per shareholder, plus a reasonable reserve to support fire fighting, leakage and other obligations. Shares representing the difference between the Association's available water supply and the amount reserved for the shareholders and reasonable reserve may be sold at the rate of not to exceed 10 shares per year to gradually approach the maximum reasonable water use.

This item was explained by Don Stephens. Each shareholder now is entitled 40,000 gallons per month unimpaired. We utilize 54% of our water. The rest is not used. Through a twelve month period. 146 taps are active as of today. 175 taps are owned by shareholders and can be used at any time.

We have gone to the state to get additional water and they tell us that we are not using our water effectively. So the board has gone back to the drawing board to figure out how we can utilize the water and make more taps. The board suggests that we raise the amount of taps to 213 or 29 additional taps. This would use 80% of our water. We would sell only 10 taps a year as always and slowly see the effect of the increase of taps. The well would be used more and the water there is a little harder than the spring but the same quality.

Bill Schweer suggested that we ask people how much water they need and then if they use 20,000 gallons monthly then they would pay only \$8.00 a month. They only pay for what they use. The board is looking into this plan, but it must be fair to everyone.

The figures show that we have wasted water and we can use it. We will monitor our water use month by month and year by year so we won't over use.

### ITEM NO. 3 UPDATING BYLAWS discussed by Susan Savage.

The board members went through the by-laws update. And these are the items the board felt should be changed. The first item was that a new certificate could be signed by the president, vice president, and the secretary. In the by-laws in certificates and shares. The change was that the new certificate be signed by the president only (not the vice president) and the secretary.

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Section 5 of Article 2 is a new section called Shares of stock appurtenant to land. And in short it means, that a watershare would not be sold without a building permit. Also a watershare can not be sold separate from dwelling or property served without approval from the board of directors of LDWA. (Such as a home is torn down and the water share is to be attached to a new home or etc.) Also if a house is paid for and the past owner will not release the water certificate then the board can void the past owner's certificate and issue a new certificate to the new owner. (You have to be a property owner to own a share.)

Article 3 - section 1 Annual meetings - The board suggests that the Annual meeting of LDWA be changed back to the first Tuesday of February at 8 p.m. The building has a better heating system now and so much of the year has passed that many of the shareholders felt that the information was old by March.

Also no issue will be voted upon in any shareholder meeting other than those specified in the notice.

Section 4 Record date - The only part to be taken out of this section was to strike out "or the date of the resolution of payment of dividends" because we do not pay dividends.

Section 7 No proxy voting is permitted. Was put in this section.

Article 5 Officers and their duties. We felt that we would like to add an oath of office. We felt that it was important that the people who join the board have the good of the company in mind.

Article 9 Distribution of Water. Was covered by Don Stephens.

Article 10 Assessment and water charges. Board took out and long and complicated sentence and replaced with an less complicated sentence.

### ITEM NO. 4 A REQUEST TO SUBSIDIZE TOWN UTILITIES: EXPLAINED BY THOMAS STIRLING.

There has been a request that the LDWA provide water for the cemetery and the town park. The LDWA board has reviewed this situation and come up with this proposal. The water company will provide minimum water for the cemetery of 40,000 gallons a month and if at sometime grass is planted, then 80,000 gallons will provided monthly. The park usually is watered by the irrigation share that the LDWA owns and this will be provided for the park. Any overages will be paid by the city. The City will also have to pay for the irrigation assessment.

The second vote was taken.

On section 4 - by-laws change	25 voted yes
On item 3 by-laws update	34 voted yes
On item 4 Subsidize town water	36 voted yes.

All items voted on passed.

Eugene T. Hansen moved to adjourn the meeting.

*Sandra*

*Dec - 1994*

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VICE PRESIDENT:	DON STEPHENS	879-2441	THOMAS STIRLING 879-2357
SEC. TREASURE:	SANDRA BROWNING	879-2345	BERT LEANY 879-2901

**MONTHLY MEETING OF THE LEEDS DOMESTIC WATERUSERS ASSOCIATION**

12-9-94 AT THE LEEDS TOWN HALL

THOSE IN ATTENDANCE: PRESIDENT EUGENE T. HANSEN, DON STEPHENS, BERT LEANY, SUSAN SAVAGE, THOMAS STIRLING, AND SANDRA BROWNING.

CONDUCTING: EUGENE T. HANSEN

PRAYER: DON STEPHENS

MINUTES: The minutes from the monthly LDWA meeting, November 11, 1994 were discussed. Then the minutes from the special shareholders meeting November 15th, 1994, were discussed. Bert Leany moved to approve the minutes and Don Stephens seconded the motion and all approved.

FINANCIAL STATEMENT: The financial statement was looked over and discussed. Thomas Stirling moved to approve the minutes and Don Stephens seconded the motion and all approved.

BUDGET: Gene turned the meeting over to Bert Leany, Susan Savage, and Don Stephens to present the new budget for 1995 year. Bert Leany being the chairman spoke for the committee. Bert Leany explained that the LDWA has several projects that need to be budgeted for and accomplished.

**Such as:**

- Upgrade mainline from steel tanks down to cement tank which is approximately 5200 feet. Approx. cost \$78,000.00
- Loop 4" line at Glenn Beals \$2500.00
- Loop line by Gene Hansen's home (south end of town) \$10,000.00
- Fence around well \$1,500.00
- Upgrade line by <sup>memile</sup> ~~Gene~~ Stirling's home \$2500.00
- Upgrade pumping faculty \$10,000.00
- New Well \$50,000.00

There are other items we need to find an amount to budget for : The auditing of books and the new software computer program. If we change our billing procedure and follow the actual curve of water usage of each shareholder. The change will be made only if and when there is a need.

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			879-2357
			879-2901

Bert stated the operating budget for the coming year is \$62,840.00. Few changes were made in the budget. It was brought to a vote and Thomas Stirling made a motion to approve the operating budget and Bert Leany seconded the motion. All approved.

**WATER MEETING IN SALT LAKE CITY:** Bert Leany reported on the meeting he attended in Salt Lake City on November 15, 1994. The meeting was called to discuss the growth in St. George area and the effect it would have on the water availability. Also where they would get the water for the growth or how to limit growth. Ron Thompson and Judge Owens were for limiting the growth in St. George. Also they were for using the water in the Navajo aquifer. Bert told us that Russ Gallion was against controlled growth and if St. George growth is controlled then what about the other areas of the state. (The whole county should be limited to the same growth percentage.) He wants to get water out of the Virgin River only. He did not want to drill any wells. He said it is not morally right to tell a person how to use his land. Copies of brochures about the meeting are available to anyone interested.

**Other items discussed:**

Using water by conservation and upside down billing, by charging more for using more water.

Small water companies at first encourage people to use more water so they can earn more money. But as the population grows then overuse of water; costs the water company more money and conservation is needed.

EPA continues to require more tests and regulations.

**HOGAN SPRINGS:** Alene Cuff told Rick Hafen that she is now interested in selling her share of Hogan Spring plus all the land. Her asking price for the water is \$50,000.00 (Her water is Irrigation water not culinary water.) We can not pay this price and come out. We may not be able to use the water as culinary water if we do purchase it. We would have to pay for the geological survey on the water, plus a tank to contain it and also a pump to put it into our system. This would cost at least \$100,000.00 before we could even use it.

**ANNEXATION:** On the 18th of October, 1994 the LDWA met with Wilma, Alex, and Ray Beal and Chuck Spilker of Pioneer West Realty. The Spilker's want to buy Wilma's land and develop the property. The Spilkers were asked to write a letter of intent to the LDWA. A letter was sent to Don Stephens that did not give us all the information we wanted. The LDWA wrote a reply to the Spilkers that was sent 12-9-94.

**TOWN CHRISTMAS PARTY:** Gene told of the Town Christmas Party on December 16th at 7:00 p.m. A count was taken of those who will attend.

**REFUND:** A refund was sent to Tom Rogers for \$500.00 Which was a deposit on a water tap. He has his land up for sale and is not building.

**LDWA'S 16 ACRES:** Ned Sullivan is interested in buying the 16 acres belonging to the LDWA. It was appraised at \$85,000.00. Not that we have water on the property but that there is water that can be used and is close by.

**A MOTION:** Don Stephens moved to sell the LDWA's 16 acres to Ned Sullivan for \$85,000.00 if Ned will pay that amount. Bert Seconded the motion and all voted , yes.

**WATER TESTING:** The third lead and copper water tests were sent in, and have returned all positive.

Bert added a page of explanation of meeting & Collection. Added to Minutes.



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**ASKED TO BE ON AGENDA:** Susan Savage explained that at the special shareholder's meeting she omitted some items on the by laws that needed to be voted on. Such as, voting at the shareholder's meeting is to be done by ballot only. Another was, the principle office of LDWA will be in the town of Leeds. The board of Directors may authorize the maintenance of all or part of the Association's records at locations other than the Association's principle office. These items will be voted on at the February Shareholders meeting, plus any others that are found.

Susan also said that there are a couple of other things she'd like to say. First, the board needs to be careful to take a vote on any action they plan to take. Another one is, that any one of the board members should not commit the board to something without a vote. At least two board members should be present when meeting with our attorney or have the issue written in a letter and sent to him.

It is important that as the board approves the minutes to be sure that things done by a board member be accredited to him. Sometimes, someone is accredited with something that he did not do and it has been overlooked.

Susan also stated that she would not vote on an issue until she feels good about it, and all her questions are answered to her satisfaction.

**DEVELOPER:** Ray Beal asked the board what the LDWA plans to do with a developer who furnishes his own water and then must be limited to 10 taps a year or less. Susan and Bert both mentioned that the board must meet and come to a decision. Don Stephens said that there is problem and must be solved.

**STOCKHAM'S WATER:** Gene told the board that Ferrell Campbell sent in the papers on "proving up" on the water we bought from the Stockham's on November 30th.

**WELL PUMP:** The electricity to the well pump was shut off Oct. 16, 1994.

**SHED:** The door is on the shed at the cement tank but the metal has not been put on the roof. <sup>Gene</sup> ~~Bert~~ Leany explained that the flashing needs to be put up first and then the roofing. *Bert said he had some flashing at home. So dont buy any.*

**OUR HYDROGEOLOGIST:** Bert Leany told the board that Spence Reber has gone on a two year church mission to the Switzerland.

Before Mr. Reber left, Bert talked to him about the best place to dig a well and Spence said to dig on the BLM land North of the well house and then we will only have to dig 160 feet of Navajo sand stone for some good water.

SUSAN SAVAGE asked for an executive session for the board members.

**TAPS:** There are three taps left to sell in 1994. 150 taps in use and 172 sold.

**WATER:** Don Goddard would like to have a clarification in writing of the plan the board has as to the amount of water the shareholder actually can use. For the three summer months there will be 40,000 gallons allocated but, what about the other nine months.

We need to define the amount of gallons for the other 9 months. Susan said that we can not give an answer at this time.

Eldon Stirling moved to adjourn.