

GRAND COUNTY WATER CONSERVANCY DISTRICT

GRAND COUNTY SPECIAL SERVICE WATER DISTRICT

Luncheon-----February 21, 1983

The meeting was called to order by Chairman K.E. McDougald at the Ramada Inn at 12:00 P.M. with the following Board of Directors present: D.L. Taylor, Sam Taylor, and Curt Young.

Special Service Water District Board of Directors present: George White, K.E. McDougald, and Dan Holyoak.

Also present: David J. Bretzke, Executive Director and Donna Jo Koskinen, Executive Secretary.

The Contract between GCWCD and Mesa Users was discussed by the Board of Directors. The Board recommended the following changes:

1. Page 2, Item 1. SALE OF WATER

MESA USERS  
CONTRACT

This paragraph should be changed to read: The District hereby agrees to sell and Purchaser agrees to purchase the right to use, in each calendar year, a maximum of \_\_\_\_\_ acre-feet of untreated irrigation quality project water, in accordance with and subject to the terms, covenants and conditions herein set forth. The actual amount to be delivered each year will be agreed upon during March of each year and will depend on flows available as projected by the Snow Surveys for the preceding Winter.

2. Page 2, Item 3a. PURCHASE PRICE AND PAYMENT

This paragraph should have the following statement added to it: Purchaser agrees to pay to the District the sum of \$25.00 per acre foot for 75 acre feet or less and \$20.00 per acre foot for 80 acre feet or more.

3. Page 2, Item 3b.

This paragraph should have the following statement added to it: The above purchase price shall be due and payable on a yearly basis in advance on or before April 31st of each year.

4. Page 3, Item 3d.

This paragraph should be changed to read: The District shall send written notice to Purchaser and the Water Commissioner for Mill Creek on or about the fifteenth (15) day of March of each year, wherein the District shall indicate the quantity of water which shall be made available to the Purchaser during the current year, and the amount of money to be paid therefore by Purchaser pursuant to and in accordance with the terms of this Agreement. Payment of the amount due must be received by the District within thirty (30) days from the date of the notice, and in no event later than the 31st day of April. Any annual contract payment which remains delinquent after the 31st day of April shall accrue interest from and after said date at the rate of eighteen per cent (18%) per annum, until the full amount of principal and interest has been paid.

5. Page 4, Item b. AVAILABILITY OF WATER

This paragraph should have the following sentence added: It is further understood that no diversions may be made above Sheley Diversion that will reduce the creek flow below the 3cfs that the District must by-pass at Sheley.

6. Page 6, SECURITY FOR PAYMENT OF PURCHASE PRICE

All of this page is to be deleted.

7. Page 7, Item b.

Delete

8. Page 8, Item 12. ASSIGNMENT LIMITED - SUCCESSORS AND  
ASSIGNS OBLIGATED

Delete the following: In addition, assignee shall also be required to comply with the security provisions of paragraph 8 (a) (1) hereof, if so required by the District's

Board of Directors, and post the security bond or cash with the District, as therein set forth, within twenty (20) days from the date of approval of the assignment. Assignee's failure to do so will result in the automatic termination of this Agreement and the assignment, and Purchaser and assignee shall forfeit all rights hereunder.

A Motion by D.L. Taylor and seconded by Curt Young to accept the amended rough draft of this agreement subject to Board's approval. MOTION CARRIED.

The Board discussed the Amendment to Agreement between the Moab Irrigation Company and the GCWCD. The Board asked David J. Bretzke to get in touch with Mark Page concerning our rights to deliver water on the Mesa. Do we need a change application for this action?

A Motion by Sam Taylor and seconded by Curt Young to accept the rough draft of this agreement subject to Board's approval and the findings from the State's Engineers Office concerning the points of diversion. MOTION CARRIED.

The Board asked Donna Jo Koskinen to ask Moab Irrigation Company for a letter in order to use the points of Diversion for the sale of water on the Mesa.

David J. Bretzke state to the Board of Directors that as of today, the District has collected \$27,065.00 with \$23,600.00 still due.

David J. Bretzke discussed with the Board of Directors an update of the McKinney's Extension. He stated that Ted Jessop has not sent him a bid proposal, contract bond, or contract. He will talk to Mr. Jessop about this matter later today and report back to the board at the next meeting.

The meeting adjourned at 1:00 P.M.

AMENDMENT TO  
AGREEMENT

MOAB IRRIGATION  
COMPANY

IRRIGATION  
CUSTOMERS

McKINNEY  
EXTENSION