

# Moab Irrigation Company History

In 1891 the town of Moab had only been settled for about 15 years. The post office had been established just 6 years before. Utah was not a state yet. The population of Moab was around 750 people. There was no bridge across the “Grand” river as it was called then. In early May a group of men came together to organize the irrigation efforts of the lower Moab valley. Below are highlights of each year that minutes are available.

1891 First recorded meeting of the Moab Irrigation Company was held on May 5th. The main subject was a discussion on incorporating the Company. Four directors, a secretary, and a treasurer were voted on. Directors were in office for only one year. Articles of Incorporation and Bylaws were written up. Share determination at that time was based on the number of acres you were irrigating. You had to prove that you had been irrigating those acres for at least the 4 previous years. Bids were received for water master and the lowest bid was accepted - \$60 for the summer.

1892 The board heard a lot of claims for shares during the year. Shareholders were billed thirty cents per acre for the purpose of repairing head gates and paying the water master.

1893 A water master was hired for \$200 for the season. Assessment was set at twenty cents per share. Only 4 meetings were held this year.

1894 The water master was told to post notices that anyone taking water out of their turn would be prosecuted by the Company. Assessment was set at twenty-five cents cash per share and a labor assessment of twenty cents.

1895 Ditch cleaning day was set for March 25<sup>th</sup>. All share holders were notified to install a head gate in the ditch where they want to take their water or they would not get any water this summer. The water master was instructed to have padlocks on hand to lock out any users that take water out of turn. The Company was going to start selling off shareholder's shares to pay assessment fees if delinquent on assessment. Assessment was set at thirty cents per share.

1896 No assessment was to be made against the “secondary” shares this year, as there was no surplus water this year. The Company was involved in a lawsuit over a water rights issue. An extra fifteen cents was assessed of all shareholders to cover the attorney's fees, but the board reversed this motion a month later. Assessment was set at twenty cents per share.

1897 – 1916 No minutes of the Company have survived for these years. But in 1910 a major lawsuit was settled that is known as the “Erickson Decree”. This lawsuit established the Company's water rights for years to come.

1917 The Secretary was paid \$160/year to manage the Company books. Directors received \$2.00 per meeting. A requirement was made that all shareholders have a good “substantial” head gate in the ditches. Piling rocks in the ditch to divert water was no longer acceptable. There were problems with users taking water out of turn and the Company was going to start taking legal action against these users. An assessment of .80 per share was voted on.

1918 The Moab Irrigation Company apparently was also operating a drinking water system for the community. On 2/5/1918 they passed a motion to create the Moab Pipeline Company. An independent operation from the Moab Irrigation Co. with shares prorated appropriately. This required the establishment of a new stock certificate system so that each shareholder has a certificate. On 2/15/1918 the Company began issuing stock certificates under the current share certificate system. Over 600 shares of stock were issued on this day. The Company protested the filing of water to be diverted at Sheley. Assessment was set at \$1.00 per share.

1919 The annual meeting was postponed to a later date due to the influenza epidemic as no public meetings were being held. Each director was assigned a different ditch to supervise for cleaning. They were still having problems with rocks in the ditch. A five-day town water system was established. Assessment was set at \$1.50 per share. Secondary shares were assessed \$1.00/share.

1920 The Company was dealing with waste water issues. New ditches were added and some old ones abandon. Water master was hired at \$90/month per his bid. Assessment was set at \$1.50 per share. Secondary shares were assessed \$1.50/share also.

1921 It was voted and approved at the annual meeting that both the Moab Irrigation Company and the Moab Pipeline Company have the same set of directors. Directors to be paid \$2/meeting. If you help clean the ditch, you were credited fifty cents per hour against your assessment or thirty-five cents cash. The State had installed small culverts in several spots on the state road, but these were constantly plugging up. They would not take action to install larger culverts. Assessment was set at \$1.00/share.

1922 – 1941 The minutes for these years have not survived. We are aware that at one time there was a fire that damaged some of the Company records. One Share book has fire scars on it. Another lawsuit was settled in 1933 over water rights. Under a decree issued on 8 Aug 1933 by Judge Dilworth Woolley the Company and John Peterson own high water rights for 74 acres.

1942 The Company was redoing the Bylaws. The Company was considering suing one share holder because his private ditch was leaking all year and he would not fix it. Assessment was set at \$1.50/primary share and \$.75 for a secondary share.

1943 Quite a few changes were made to the Bylaws at the annual meeting. The Company replaced all the measuring devices and cemented the ditch in some areas. The board reconfirmed their decision to not let any water be diverted from Mill Creek above the main diversion dam. Some share holders had been taking water above the diversion. There was a problem with town citizens taking water out of the ditch without owning a share of stock. The board approved secondary shares to be able to vote at ½ per share. Assessment was set at \$2.50/primary share and \$1.25 for a secondary share.

1944 More changes made to Bylaws at annual meeting. Previously all directors only served for one year, a change was made to create 2-year positions for 4 of the 5 directors. The board approved taking water just above the main diversion if the state approved a new diversion and if the shareholders who want to take water there would pay all expenses to do this. A Utah water users association was considering to build a major dam in Mill Creek that would serve Wilson Mesa, Poverty Flats, and the Moab Valley. There are references to the Wilson Mesa Irrigation Company. At that time users on the mesa only had high water rights. There were constant summer issues with the mesa users taking too much water and shorting the town. Assessment was set at \$1.25/primary share and \$.25 for a secondary share.

1945 The Company bought cement forms to begin cementing the ditches. “Tickets” were issued for water turns. Assessment was set at \$2.00/primary share and \$.75 for a secondary share.

1946 A government organization (AAA) was offering to help pay for cementing ditches. All high water rights were to be cut off by June 26<sup>th</sup> this year. AAA offered \$500 to help cement ditches. Assessment was set at \$2.25/primary share and \$1.00 for a secondary share.

1947 The Company was in the middle of a multi-year project to “cement” the town ditches. Water masters were still selected by a bid process. They were having trouble with people not maintaining their head gates properly. Five specific users were ordered to fix their head gates or else. The board had the Bylaws recorded at the courthouse. Assessment was set at \$2.00/primary share and \$1.00 for a secondary share.

1948 They use to have formal – ditch cleaning days every spring. Shareholders were paid for their time cleaning. A lot of board decisions were made at informal meetings on the ditch bank. Assessment was set at \$2.00/primary share and \$2.00 for a secondary share.

1949 Town citizens were constantly installing private gates, little diversion pipes, etc in the main Company ditches. The water master had to frequently patrol the ditches for unauthorized use. Moab City was complaining about ditches overflowing and messing up city streets. This was mostly due to private ditches off of the main Company ditch for which the Company stated they were not responsible. Large trees were also causing problems along the ditches. AAA was helping to pay for culverts for some areas. Assessment was set at \$2.00/primary share and \$2.00 for a secondary share.

1950 The board thought that the Articles of Incorporation had expired and that they would have to meet with the intention of extending the Articles for another term. However, with further investigation it was determined that the Articles were formed under laws that gave it continuous life. The Company was having issues with people cutting unauthorized holes into culverts to take water. The board proposed borrowing \$20,000 from the Utah Power and Water Board to finish cementing most of the ditches. The proposal was voted down by shareholders. This was a good water year, and the ditches did not have to be put into turns until mid-July. Assessment was set at \$2.00/primary share and \$1.50 for a secondary share.

1951 The main issue this year was too many trees growing along the ditches. Many were removed. Assessment was set at \$2.25/primary share and nothing for a secondary share.

1952 The Company was being threatened with a lawsuit to allow water to be diverted above the main diversion point. The board borrowed \$2000 to operate the Company this year. Machinery was used for the first time to clean parts of the ditches. Assessment was set at \$3.00/primary share and nothing for a secondary share.

1953 The board was again seeking a loan to finish lining all the ditches with cement, but they held off for now. The Company was paying the secretary \$180 a year to manage the Company books. This year they hired a new secretary for \$125/year. Water masters were still hired by a bid process. Assessment was set at \$3.00/primary share.

1954 The annual meeting was not held until March this year. The Company borrowed \$5000 this year, part of which was to cover the previous years loan. Water was very short and all high water users were shut down in mid-April. The bank told the board that the whole loan must be paid off this year.

Assessment was set at \$6.00/primary share.

1955 Because of resignations, a completely new board was voted in this year at the annual meeting. The Bureau of Reclamation was now considering to build a dam in Mill Creek. The board was in favor of this new dam along as there was a guaranteed flow of water to the town. Many town people wanted culverts put in the ditch at their place. It would have to be at their expense and not the Company's the board said. Assessment was set at \$3.00/primary share.

1956 No annual meeting was held this year due to lack of a quorum. The "Mill Creek" dam was still being considered, but the State Water Board wanted to reduce the Company's water right in return for a guaranteed flow. The board said no. The Company signed an agreement with ASC for funds to cement more of the ditches. Assessment was set at \$3.00 per share.

1957 The board looked into buying liability insurance for the Company. Also the board considered the problem of shares being broken down into small pieces. In the 1940s there was a lot of dividing shares down into little pieces such as 1/12<sup>th</sup>. All these tiny little share certificates were hard to keep track of. Assessment was set at \$3.00 per share, so a 1/12th share holder was paying 36 cents.

1958 At the annual meeting the shareholders approved a motion that shares could no longer be broken down to anything less than 1 share. Old valid certificates could still be transferred as they are. The water master was hired for \$300/month plus \$25/month car expenses.

1959 Only one month of minutes was found for this year and the main subject was regarding the measuring of water.

1960 Culverts were the hot topic this year. Assessment was set at \$3.00 per share.

1961 The users of the ditch through CS Thompson's property (this is the ditch that runs through Holiday Haven) was informed that this ditch did not belong to the Company, but the Company would help if possible to make sure a decent size culvert was installed through the property by the Holiday Haven owners. Assessment was set at \$4.00 per share.

1962 The Company hired a surveyor to measure the water in the creek in July. 11.39 sec. ft. was flowing. High water and mesa users were cut off.

1963 The Company was looking into borrowing \$60,000 to put all the city ditches in culverts. Assessment was set at \$3.00 per share.

1964 The Irrigation Company, City of Moab, and Grand County came together and all agreed to borrow \$60,000 to put all the ditches in town into culverts. Each entity was to pay back the loan at a rate of \$1000/year each. The motion to do this barely passed at the 1964 annual meeting. 362 for, 308 against. The agreement was modified a few months later so that the City paid \$2000/year and the County nothing per an agreement between the city and county. The city will install all the culverts. Assessment was set at \$2.50 per share.

1965 The Forest Service worked with the Company on water flows for the construction of Warner Lake. C.S. Thompson wanted to sell his stock for movement onto the mountain. At the time all shares of water were used in the lower valley. The board approved the construction of a new drainage ditch from the sloughs to the river. Assessment was set at \$2.00 per share.

1966 The board estimated a share of stock was worth about \$100 at this time. The Company had an attorney review the Articles and Bylaws to determine if they were adequate to protect the Company's water rights and use. They also planned a serious audit of the Company's books. The Company also had a problem of so many certificates of less than a share that for many of them it was costing more to collect the assessment than what they were collecting. A shareholder has requested to move 80+ shares to new point of diversion on South Mesa. The board decided to not approve this change. Assessment was set at \$3.00 per share.

1967 The annual meeting minutes indicate there were 1087 shares outstanding in the Company. A motion to set a minimum assessment on all shareholders was passed. Also, the board was authorized to buy/sell fraction shares to reduce the large number of small fraction shares in the Company. The mesa user was bringing a lawsuit against the Company to force the Company to allow her 80+ shares to be move to South Mesa. The main dam was threatening to collapse as water had undercut parts of it. Estimated cost of repair was \$10,000. The shareholders approved \$6000 to be spent. The Company had \$300 of blasting powder to clean ditches in the sloughs area. Town Days were established for the town. Water would be given to small town shareholders on days with a 5 or 0 in it. Final estimate of dam repair using rocks and wire baskets was \$9689.95. The Company had lost the lawsuit and was filing an appeal. ASCS was willing to give the Company some grant money to help repair the dam. Assessment was set at \$3.00 per share, but no minimum assessment was determined by the board.

1968 Approval was given by the shareholders to repair the dam by the end of March. No minutes mention the lawsuit, but apparently the Company won the appeal, as the water was not moved to the mesa. Assessment was set at \$7.00 per share.

1969 There was no annual meeting as only 96.5883 shares were present out of 1086.8052. Even though shareholders had approved a motion to set a minimum assessment, a Bylaw had never been passed to do this. This was a quiet year with only a major leak on the ditch along the north highway being an issue. Assessment was set at \$3.25 per share.

1970 374.785 shares were presented at the January annual meeting so it was postponed to March in the hope for more shares to make a quorum, but only 182.58 shares were present at the March meeting. This was another quiet irrigation year. The ditch along the north highway was still having leak issues. Assessment was set at \$4.00 per share.

1971 Only 200.5 shares were present at the annual meeting this year. The Forest Service complained they were not happy that water from the Horse Creek ditch was allowed to run down the side of the mountain. The Company told the FS they were not the owners of the ditch and advised them as to who was. Assessment was set at \$4.00 per share.

1972 Finally a quorum of 550 shares was reached at the annual meeting. The Grand County Water Conservancy District had been form in the valley, but the Company was unsure of its duties and ultimate aims. The board decided they needed to find out more about this District to see if it would have an effect on the Company. The ditch along the north highway was still giving trouble and flooding out the new Chamber of Commerce building area. A new shareholder had just bought 193.5 shares of Company stock. This is the first year a Declaration Notice was included with the assessment bill. Assessment was set at \$2.00 per share.

1973 Three different committees were established at the annual meeting to look at various Company

issues. One of which was the minimum assessment issue. Boy Scouts were being hired to clean some of the ditches. The board approved that the whole ditch along the north highway by the Chamber of Commerce be put in culverts to solve the leaking issue. They were also having lots of trouble with people constantly throwing trash and grass clippings in ditches which causes it to back up and overflow its banks. The stock transfer fee was increased from \$.50 to \$2.00. Assessment was set at \$3.35 per share.

1974 The new Water Conservancy District talked at the annual meeting on how they would be able to help the Company make full use of the water so that water rights were not lost. They were proposing a dam be built in the upper valley. A motion was again made and passed to set a minimum assessment. The board for the first time, decided to accept bids to clean the ditches instead of just hiring out the work. Moab 3<sup>rd</sup> Ward was given a contract to clean the ditches that year. The mountain water users were no longer willing to turn off their "high water" when asked to by the Company. Take us to court they say. The Company went up and turned it off. The Company man who was double checking that the mountain high water user's water was staying off was being threatened by a high water user. Howard Lance made a request to move about 100 shares of water (from various users) to be taken out at the High Water diversion dam above the main Company dam. The additional point of diversion was approved by the board for the upper diversion dam to be a point of diversion for Company water. Further discussion was being held with the Conservancy District who assured the Company that there will be a guarantee water flow during low water flow if the project goes through. The board approved applying for additional diversions at Sheley Tunnel and for the Plainfield Dam (this was the working name of the dam that became Ken's Lake). The Company had 1086.8837 shares on the books at this time. 1 Share = 1 acre. It was estimated that less than 500 acres were being irrigated in the lower end of the valley. Assessment was set at \$4.25 per share OR fraction of a share held by a shareholder.

1975 The January 6<sup>th</sup> annual meeting was the largest ever attended by shareholders with 948.0707 of 1086.6337 shares represented. Approved was the submission of the change of the diversion point application for using water at the upper end of the Moab Valley (Sheley tunnel). The shareholders also amended the Bylaw to show a transfer fee of \$2.50 and they established that there would now be a Delivery Fee assessed to all stockholders. This was set at \$5.00. This meeting ended at midnight. The need to make sure good measuring devices at each diversion point was discussed this year. The problem of non-shareholders stealing Company water in the middle of the night was on the raise. Discussions were held with the non-company user of the upper diversion dam on how best make the water flow from the upper diversion dam. An equitable agreement was made between that user and Company users for water flow from this diversion point. Someone was dumping sand into Mill Creek above the diversion dams, which was constantly causing the sand boxes to fill up and block. Multiple discussions were held with the Conservancy District on the upcoming project. The first draft of an agreement was presented to the Company. Many head gates needed repairs, but the Company did not have funds to solve the issues. Assessment was set at \$5.00 per share or fraction of a share.

1976 At the annual meeting a Bylaw was passed to allow the board to set the distribution fee each year instead of having a set fee listed in the Bylaws. The election of directors at the annual meeting was declared illegal due to miscounting. A special shareholder meeting was called to elect directors again. The "Lance" diversion point had been approved by the State (this was the upper diversion dam). The new bridge on Mill Creek was causing a reroute of the ditch there. The shareholder that was elected as president in January and who lost in the reelection was refusing to return Company books and seals and court action was being taken against him. Moab City was looking to buy 283 shares of stock, but wanted the stock removed from the Company into an independent water right. The board declined to do this. The Company president was also hired as the water master. Assessment was set at \$6.00/share

and deliver fee at \$15.00

1977 The director fee was still \$2.00 per meeting and \$2.50/hour when doing work on the ditches. The Company approved the purchase of a filing cabinet. The water master was still hired under a bid process. The low bid this year was \$2500 for the summer. The Water Conservancy District (GCCD) proposed drilling wells to supplement lower valley water needs in exchange for water to the dam. The Company was doing a survey to determine how many acres are being irrigated by the lower ditches to aid in discussions with GCCD on how much water can be transferred to the lake. GCCD was proposing that 3620 acre feet be the guarantee water flow to the Company. The board counter with a proposal that the guarantee be 5400 acre feet. This was a low water year and the mesa users are to be cut on May 1<sup>st</sup>. The Company applied for Emergency Drought Relief funds to fund well drilling by GCCD. They received \$50,000. The Company was also trying to get new weirs installed on all the ditches. Further discussion with GCCD resulted in a 4600 acre feet guaranteed water flow being a compromise. GCCD was putting a lot of pressure on the board to make a decision on whether or not they will have water as they are ready to start engineering work. GCCD was asking the Company to deed some rights to them to be the collateral on the loan to build the dam. The users of Ditch 5 (Lance) informed the board they had applied for and received drought money to put that ditch in pipe. Assessment was set at \$5.00/share and \$10 delivery fee.

For years all the ditches were put out to bid for cleaning the open portion of the ditch. Here are the descriptions for the open portions as put on the bid sheets:

Ditch 1 – Main canal from point of diversion on Mill Creek to the sand gate on the north bank of Mill Creek. Approx length 1385 feet.

Ditch 2 – Starting at the diversion dam on Mill Creek, then running on the south side of the creek, crossing the highway and into Emma Walker's farm property, continuing south of the Hecla subdivision into Desmond Young property, through the R.L. Holyoak and crossing into the property of the Grand Co. School Dist., thence following the fence line to Mill Creek. Approx. length 6300 feet.

Ditch 3 – This ditch begins at the end of Walnut Lane on the LDS Church property and continues through to 5<sup>th</sup> West street. It turns along 5<sup>th</sup> West to the corner of 4<sup>th</sup> North, under the intersection, then goes west along 4<sup>th</sup> North past the sewage disposal plant into the swamps. Approx. length 5500 feet.

Ditch 4 – This ditch starts as it comes out of Mi Vida Drive in the Utex Subdivision. Thence it runs behind the Visitor's Center and crosses under State Highway 160, running along the east side of Highway 160 to the culvert which carries it back under Highway 160 to the East side of 5<sup>th</sup> West. At the NE corner of the Johnnie Johnson property, it goes under the 5<sup>th</sup> West street and straight to the swamps. Approx. 6500 feet.

Ditch 5 – Starts from the diversion dam on the south side of Mill Creek and runs down the south side approx. 380 feet to the culvert, from the west end of the culvert approx. 165 feet to the diversion box where Emma Walker's water is split from the canal.

1978 The board was trying to make a final decision on the agreement with GCCD. Shareholders were really not in favor of this agreement. The board explained at the annual meeting that a share of stock in the Company would have a "value" of 4.23 ac/ft of water (down from 5.0) for the life of the agreement. The feeling from everyone was that they did not want to deed water to GCCD for the loan, but the State

said if they didn't, a reallocation would take place and the State would take a lot more water away from them. At a March shareholder meeting a motion was passed to deed water rights to GCCD, but to require these rights to be return to the Company when the debt is paid. The directors also put in the agreement for GCCD to pay off the remaining debt acquired in 1964 for the culverts in the city. On April 5<sup>th</sup> the shareholders of the Company approved the agreement with GCCD. Ken's Lake would become a reality. The board could not find anyone willing to be water master this year. The mesa water users had used up all their water, but asked for a little more to water stock. Assessment was set at \$6.00/share and a delivery fee of \$10.00.

1979 Only 163 shares showed up for the annual meeting this year. The Company was borrowing money and already in the hole for the start of the year as they had set the assessment too low. By June they had borrowed \$12,000. Borrowing each year was a common practice to manage the Company. They would borrow money each spring and then pay off the loan each fall with the assessment money. Assessment was set at \$6.00/share and \$10 delivery fee again, even though that wasn't quite enough to cover estimated expenses.

1980 There were not enough shares at the annual meeting again for a quorum even though GCCD was there with their 284 shares. The Company was continuing to put parts of the ditches in plastic pipe with grants received from ASCS. A contractor paving the Loop Road needed to buy water from the Company for the project. The lake construction project was causing water flow issues as they would take a lot of water for a short period and that would cause big fluctuations at the lower ditches. Also the water was not being measure correctly at Sheley Tunnel. The Company budget for 1981 was estimated at \$13,000. Assessment set at \$7.00/share and Delivery Fee at \$15.00.

1981 A quorum was not met again for the 2<sup>nd</sup> year at the annual meeting. The boy scouts were winning all the bids to clean the ditches. There were plans to drill a well in the vicinity of Walnut Lane. The Company was doing lots of maintenance of head gates, culverts, and diversion boxes. There was a problem with larger users taking their full share on their turn and then taking water again on Town Day. Margie Shafer who had been the Company secretary for many years had resigned. The Company was having trouble keeping a secretary for more than a few months. Assessment set at \$7.00/share and Delivery Fee at \$15.00.

1982 The board raised their meeting pay to \$5 per meeting. The last time the fee had been raised was 1917. A quorum was not met again for the 3<sup>rd</sup> year at the annual meeting. GCCD agreed to pay for part of the water master wages as the water master was making a weekly trip to the mesa to measure water. A lot of Ditch 2 was being put in pipe this year. The board declined to reissue a secondary share certificate (#128) that was issued to the State of Utah in 1923. The board passed a motion disclaiming any secondary water rights. The Company, the District, and the mesa users were trying to come to an understanding on how water should flow between the three areas. A shareholder was again asking to take Company shares to the mesa. No points of diversion have yet been approved on the mountain. The Wilson Mesa Irrigation Co. had 1867 shares using a third water right of 12.73 cfs. The State suggested appointing a Mill Creek water commissioner. The board approved this. Assessment set at \$7.00/share and Delivery Fee at \$15.00.

1983 Enough shares were present for a regular annual meeting. The shareholders approved selling shares to be tied to wells. The shares are to be designated non-transferable. A small change to the Articles of Incorporation was also approved. The State Engineer stated that water moved to the mountain needs to have a 15% loss applied to the 4.23AF/share to assure there is an adequate flow of "carrier" water to the lower valley. GCCD proposed amending the agreement over points of diversion,



but the board felt this was not necessary and declined the amendment. Assessment set at \$7.00/share and Delivery Fee at \$15.00.

1984 Lack of quorum for annual meeting. GCCD approved additional points of delivery on the mesa and this approval is attached to the 1978 document. Pipe was put in the ground from the Visitor Center to 5<sup>th</sup> west. Computers were now being used to create water turn schedules. GCCD didn't put any water thru the tunnel from the end of July to the end of the year to fix the Ken's Lake dam. A late season flood had broken some of the wire baskets on the south side of the main diversion dam. Six different certificates were put up for auction for lack of payment of assessment. Assessment set at \$7.00/share and Delivery Fee at \$15.00.

1985 Lack of quorum again affected the annual meeting. GCCD reported that the well they drilled in the Murphy Lane/ LDS farm area was no good. GCCD and MIC agreed to not fund a Mill Creek water commissioner this year. The board approved the repair to the dam at a cost of \$3,000. But the problem could continue if Mill Creek is not reoriented to flow over the center of the dam. After a meeting with the State Engineer, a water commissioner was approved after all. The county, city, and MIC agreed to install culvert along 4<sup>th</sup> North where the ditch was causing an issue. It was agreed by MIC and GCCD that GCCD should pay 7/8 of the cost of the water commissioner and MIC only 1/8 based on the agreement between the two agencies for 1984, 1985 fees, and future fees. A formal agreement to this affect was signed by both agencies. Margie Shafer said that for sure this year she is resigning as secretary (she had been trying to resign for about 6 years). Assessment set at \$8.00/share and Delivery Fee at \$20.00.

1986 A water master was hired from bid at a price of \$4000 for the summer. Previously "tickets" were issued to ditch users on a monthly basis. They would be issued once for the whole summer this year instead of monthly. The operation of the Company was moved to Nate Knights accounting office this year with his secretary becoming the Company secretary. A large part of Ditch 2 along 4<sup>th</sup> East was piped this year at a cost of \$21,000. A shareholder who caused damage to this project due to neglect on water usage was asked to pay his fair share to repair the damage, but was refusing. Ditch 5 (Lance/Walker) was discussed heavily this year as to ownership and maintenance, but nothing was resolved. The agreement with the District had reached the 5 year mark and was reviewed. Overall, the board was not happy with the way the agreement was working. Cost of water thru the tunnel was raised to \$2.50. Assessment set at \$8.00/share and Delivery Fee at \$20.00.

1987 There was a small leak in the main diversion dam that was fixed. One of the board members won the bid to be water master for the year. Another board member wouldn't come to meetings nor would he resign. This was a quiet year, with only misc. maintenance needs. The Company and the District were in disagreement over the yearly payment. Assessment set at \$8.00/share and Delivery Fee at \$20.00.

1988 The water master had to buy 18 locks to lock down all covers/valves. Holiday Haven was again complaining about being flooded out. The Board again stated it was the responsibility of the users of that private ditch. The other main user of the upper diversion dam wanted the Company to pay for leasing "her" dam. The board didn't feel she has total ownership and declined to pay. Mesa users were trying to take all their Company water over a very short period of time. The board said it needed to be spread out over the whole season. Assessment set at \$8.00/share and Delivery Fee at \$20.00.

1989 The annual meeting was not held due to lack of a quorum. The board voted to buy/sell fractions of shares to allow shareholders to round out their shareholdings. There was a problem with the water

running under Holiday Haven trailer court again. Holiday Haven was threatening to sue if the Company didn't shut off the water, the users were threatening to sue the Company if they do. The water master fixed a leak in the diversion dam with rags. Issues with wells and mountain water were dealt with. GCCD ask for \$1000 from the Company to pay for cloud seeding. The board declined to pay. Assessment fee set at \$8.00/share and \$20 delivery fee.

1990 Many changes to the Bylaws were made at the January annual meeting. One key item was to change the terms of a director so that all were 5-year terms on a staggered schedule. A Bylaw was passed that less than one share can no longer be sold and transferred. Minor changes made to the Articles of Incorporation. The board has been unable to come to an agreement on the upper diversion dam with the non-company user and they feel she has no claim to the dam anymore. A share of water was given to two users in return for their water rights at the Greenwell diversion. A special board meeting was held in Oct with lawyer Andersen to discuss the possibility of terminating the agreement with GCCD. A meeting was held at the end of Dec to resolve issues with the Conservancy District. It was noted that GCCD could not seem to provide the required water from wells or other sources per the agreement. Assessment set at \$10/share and \$25.00 delivery fee.

1991 The board wrote a resolution to create a Director of Water Rights position, but then never acted on it. Discussions were held on the Greenwell diversion. More meetings were held with GCCD over water rights and flow amounts. GCCD said they were not going to drill any more wells. A 1991 shareholder list shows there were 176 shareholders with 1093.483 shares. Assessment was set at \$10 per share with a \$25 per account delivery fee.

1992 The annual meeting was moved by motion to the 3<sup>rd</sup> Monday in Jan. The board voted to eliminate the Director of Water Rights position. The hourly rate for board members working on projects was raised to \$10. The board borrowed money from the District to cover summer expenses. Minor projects were done on the system this year. Assessment was set at \$12 per share with a \$25 per account delivery fee.

1993 The board was looking in to borrowing money to put more lines into pipe. Minor issues this year. Assessment was set at \$14 per share with a \$25 per account delivery fee.

1994 The Company applied to borrow \$232,550 for 20 years at zero interest to install PE pipe through all the old culverts. But only 80% of that was approved. Pipe diameter was reduced to save funds. The board approved that shares could now be split to ¼. Assessment was set at \$16 per share with a \$35 per account delivery fee.

1995 The shareholders at the annual meeting approved the ability to split shares to ¼. The new pipeline project was underway. Since the pipeline is being fed through the culvert system there was a concern that it may cause issues with some springs that feed into the system and with street storm water. The board agreed that delivery fees should be charged to all shareholders, even if they move water up the valley. The new pipeline system is causing problems with some shareholders. Lots of adjustments have to be made. Transfer of stock certificates will now cost \$10. Holiday Haven was an on going issue. The board agreed to give the city ¼ share for the Rotary Park, but it was never transferred. Assessment was set at \$18 per share with a \$45 per account delivery fee.

1996 The contractor that installed the new PE pipe was not paying his bills in Moab. A landowner has blocked access up Powerhouse Lane making it difficult to access parts of the system. There was a concern about shareholders breaking valves with the new system and maybe the keys should be taken

away from them. The Company was having a lot of issues with the system now that it was all in pipe. The board was still trying to figure out the best way to manage the water.

1997 A board member wrote a new custom water scheduling computer program for the company as the old program was not working well. The board was still trying to work the bugs out of the new pipe system, especially on town day. The Company lawyer settled a lawsuit for \$5000, most of which was paid by insurance. The Company bought a storage shed to hold supplies. It was put in the Conservancy District yard. The elimination of the Greenwell diversion was discussed. If it goes away, the Company can no longer collect the seepage.

1998 Quite a few changes to the Bylaws was voted on at the annual meeting. Most of them passed. The water master job this year would not be put out to bid like previous years, but hired like most jobs are. A pager was to be acquired for the water master. The water master asked to move the storage shed to his property close to town. The problem with water causing flooding in Holiday Haven was discussed. The board reconfirmed again that the Company's responsibility ended at the valve. The board was trying to get new meters installed on the 3 town ditches. A land owner was refusing to let the Company on the ditch line to install a water meter as required by the State. The Company took him to court. The board approved the abandonment of the Greenwell diversion. Assessment was set at \$17/share and \$50 delivery fee.

1999 A second annual meeting was held as there was lack of quorum at the first and several more Bylaw changes needed to be voted on. The board was trying to decide how much it should invest in laterals off of the main lines. The Company called for November water to be delivered in May by the District. The water master was hired at a rate of \$1400 a month. The water master was given a cell phone this year. The lawsuit with the landowner over the meter install and ditch right of ways was finally settled out of court with the Company winning. The board voted to join Blue Stakes but didn't follow through. Assessment was set at \$20/share and \$55 delivery fee.

2000 Annual meeting lacked a quorum this year. The Company was slowing surveying ditch lines. The city was going to repave the north half of 5<sup>th</sup> West, which would have effects on the line there. Flow meters have been put in the lines, but not working well. The board had to pay a land owner, landscaping costs for where the meter was put in the line. Assessment was set at \$17/share and \$55 delivery fee.

2001 Lack of quorum again prevented an annual meeting from being heard. The area behind Holiday Haven was being subdivided and will affect the private line there. The users were not happy with what was done. The board felt that the Company can no longer afford to pay for maintenance or installation of private lines and made this policy. Some of Walker's first water rights was transferred with a land sale. Assessment was set at \$17/share and \$60 delivery fee.

2002 Three board members had to be elected this year. A Bylaw was passed to not allow any share to be transferred out of the "Area". A special meeting was held on the history of the water through Holiday Haven, now called Grand Oasis. The users are seeing if they can move the line to 4<sup>th</sup> North. The users eventually came back to the Company to ask the Company to pay for the reroute. Another special meeting was held on the Grand Oasis water. Nothing was solved though. Assessment was set at \$17/share and \$60 delivery fee.

2003 At the annual meeting the 3 main ditches in town were named the North Ditch (1), Central Ditch (2), South Ditch (3). The extension of a line down 4<sup>th</sup> north was being discussed again. This would

eliminate the problem of the water under Grand Oasis. Most of the District wells needed to be overhauled for this year. The 4<sup>th</sup> North project fell through again. The Company finally officially joined Blue Stakes this year. The board evaluated how many shares the Company should have and set the figure at 1081.06. This determination was made by dividing the allocated acre feet by 5. Assessment was set at \$18/share and \$60 delivery fee.

2004 Annual meeting lacked a quorum this year. Using a GPS unit, the Company mapped the ditch lines so they could more readily be put on maps. Quiet year with only minor maintenance issue through the summer. The board had to figure out how to handle Blue Stake requests during the winter months. It was decided the water master would be paid \$3.00 per Blue Stake request. Some need action and many do not.

2005 New owners of Grand Oasis were complaining about the flooding there. The board confirmed once again this is a private line. Grand Oasis had a chance to fix the problem when they install new culinary water lines this year, but didn't. The Grand Credit Union built a new building on top of part of Ditch 1 line. They were supposed to move the line, but didn't during construction, and now were trying to figure out what to do. The water master resigned during the middle of the summer. A beaver crawled into Ditch 2 and totally blocked the line at a valve.

2006 At the annual meeting the shareholders were in favor of the Company setting up a Web site. This was done in Feb. ([www.moabirrigation.org](http://www.moabirrigation.org)) Water schedules were totally revamped this year and town day was done away with on a trial basis. Water will be delivered by zones. The water master again quit in the middle of the summer. Board members filled in until a new one was hired in Sept. The lower diversion dam was falling apart and needed major repairs soon. The Credit Union gave up trying to move the line from out under their building and will just live with it as is, and hope it never leaks. Assessment was set at \$22/share and \$88 delivery fee.

2007 At the annual meeting the Bylaws were changed to officially do away with "town days" in the schedules. The just elected president of the Company resigned from the board a month later. A new president was elected. The sand chute on Ditch 1 was repaired this year with a new concrete bottom. The board passed a motion to raise the share transfer fee from \$10 to \$20. The water master hired the previous fall wanted a major pay increase to continue working. His resignation was accepted. The board divided up the water master duties until a new one could be hired. The board responded to letters from Grand Oasis lawyers regarding the private line that runs through that area. The board gave up on hiring a water master for the year. Two new metal weirs were approved to be installed on mtn. ditches. The board decided to bid out a contract to have a Company contractor for fixing lines. Assessment was set at \$22/share and \$88 delivery fee.

2008 At the annual meeting the Bylaws were changed to better balance the financial burden on shareholders. The delivery fee was changed to be an administrative fee so as not to be just tied to the water master salary. Grand Oasis water issues were again on the agenda. The Company signed an agreement for a Company contractor to handle repairs on the lines. The Company did a major repair to the lower diversion dam in April. The rock gabions were encased in cement and a new cement ramp was poured. The cost was about \$15,000. Assessment was set at \$17/share and \$98 administrative fee.

2009 At the annual meeting a Bylaw was approved that required the board to send out proxy notices with voting tickets to all shareholders ahead of the annual meeting so that all shareholders would have a better understanding of the issues being voted on. The upper diversion dam had developed a

significant leak in the lower part of the dam where an old culvert was built into the dam. Issues over payment and ownership of the dam however, prevented work being done on it this year. Surveying all the Company lines was back being worked on. A new law will allow the Company to record all these lines. A new hospital is being built where the old LDS church farm use to be. There will be a major reroute of Ditch 2 lines in that area. Also the city is planning to repave 5<sup>th</sup> West in that area and wants to reroute the line. Assessment was set at \$17/share and \$98 administrative fee.

2010 A full auditing of the company books was begun this year. A master spreadsheet was created that tracked all stock certificate movement since 1918. All company records were sorted through and moved to a new filing cabinet. Ditch 2 was rerouted around the new hospital and the city relocated the line along 5<sup>th</sup> west to the center of the street instead of along the side. They also cut off the Grand Oasis extension. They then extended the line down 4<sup>th</sup> North several hundred more feet. A five-foot-long root plug was removed from Ditch 3 a couple hundred feet below the diversion point. A badly repaired joint from years ago allows the roots to get in. The FS took all the water for a few days to refill Oowah Lake without notifying the company. Beavers have been blocking the intakes for Ditches 1 and 2 at the lower diversion. Assessment was kept at \$17/share and \$98 administrative fee.

2011 Further auditing of the books showed there were 20+ certificates owned by people who have passed away and the water was never transferred to new owners. The board began action to resolve these issues. The 5<sup>th</sup> west pipeline was the hot spot for the year. A pipe joint that the city glued when they repaved 5<sup>th</sup> West gave way and cost the company 9k to repair. Moab City does not want to reimburse the company. A gas company boring a new line, struck a full pipe and caused significant damage. A Mill Creek Watershed group has started up and invited the Company to be a part of the partnership. Beavers are still causing issues at the diversion dams. Lots of water available this year for shareholders. Assessment was kept at \$17/share and \$98 administrative fee.

2012 There are five wells that the District uses to supplement water to the Company. Three of these were down. Shoemaker was not pumping. The Howard Lance well had a broken pipe. The Deloy Lance well had been disconnected by the condo construction. All three of these got fixed and connected this summer. Discussion continued all year with the City of Moab on the 5th West repair bill and a compromise was finally reached where the Company would split the repair of the pipe 50/50, but the city would pay 100% on the replacement of the road above. Money was given to the State Water Rights folks to purchase equipment to automate the flow readings on the mountain ditches. Assessment was set at \$18/share and \$98 administrative fee.

2013 Back in 2010 a part of Ditch 2 was rerouted at the hospital construction site and we still did not have a new easement from them. The problem has been compounded by the Hospital Service District selling off some of the land where the new pipe is located. In May, maintenance workers at the Days Inn dug down to fix a culinary line and broke our 10" line. A \$5000 repair bill has been sent to them. A reroute of the line has been started at the construction of the new Comfort Suite motel. The line location is still pretty much the same, but new C900 pipe is being installed. Water was in very short supply this year. For the first time ever, the mountain users and the lake were put on water turns. Assessment was kept at \$18/share and \$98 administrative fee.

2014 The easement with the hospital was finally resolved. The Days Inn finally paid their bill. The replacement of the line at the Comfort Suites was done. The water year was better this year. The company was still working on a better measuring system for the mountain ditches. New flumes had been purchased. Questar Gas is still replacing most of their lines in town resulting in an endless number of Blue Stakes requests. On 100 South, our line was found to have routed through an old CCC built

rock culvert that is now buried under the asphalt. The assessment was set at \$20/share and \$107 administrative fee.

2015 An attempt was made this summer to install the new flumes and measuring equipment on South Mesa and Wilson Mesa ditches, but issues arose and it was not completed. Lots of little repair work was done to the system this year. Two large root plugs were removed from the upper portion of Ditch 3. The gas company continues to cause headaches with their new line installs in town. They narrowly missed hitting water lines in numerous locations, but right at the end of summer they managed to bore into a 10" fully charge line and caused a mess on 4th East. The board was short one member all year so many monthly meetings did not have a full quorum. The assessment was set at \$22/share and \$113 administrative fee.

2016 The Millcreek Condos file a claim in small claims court over damages made when the gas company hit our 10" line. The claim was dismissed by the judge. The company and the gas co had already fixed what had been damaged. Wilson Mesa flume/meter was brought on line. Progress on installing a flume/meter on South Mesa Ditch was stalled as a shareholder objected to the install location. Numerous small repairs were made on the lower ditches. The company purchased a wire tracing locator. The assessment was set at \$21/share and \$113 administrative fee.

2017 The board looked at how the payment from the Lake was calculated each year and discovered some errors had crept into the calculation method. These were resolved which increased the payment the company has been receiving. New grills were installed at the two lower dams. A box type grill will keep the grill from clogging and blocking the water flow and will make it much easier to clean. A major line change was made in the area of the Hoodoo Motel project on 100 West. The new line was installed but not activated yet. In the past, privately owned spring water was allowed to drain into the culvert system, which is no longer used. This is beginning to cause issues as the old culvert rots away. The assessment was set at \$20/share and \$108 administrative fee.

2018 The spring water in the old culvert system was backing up at Sunflower Hill property. This area was dug up and a large bypass pipe was installed. 1300 feet of Ditch 3 was replaced with C900 pipe up in the area of Powerhouse Lane. Numerous leaks and root plugs were causing issues in this area. The end of Ditch 1 was rebuilt as it was seriously leaking. A new water master was hired this year, but she resigned in July as she was unable to handle the work. Water was finally rerouted into the new pipe installed at the Hoodoo project. The water right that was deeded to the Conservancy District back in 1978 as collateral for the Ken's Lake loan was deeded back to the company as their loan was finally paid off. The company also paid off the loan that was taken out in the 1990s to install the HDPE pipe through the town. Water was extremely short this year due to a drought in the area. Numerous shareholder complaints were received. The assessment was set at \$20/share and \$108 administrative fee.

2019 The city was installing a new sewer line down 100 West. This crossed company lines in several locations. It was beneficial to the company as we finally now know where our lines are located in this area. A new water schedule was implemented this year on D1 and D2. Zone sizes were reduced so that lower users in the zone could not so easily short shareholders higher in the zone. The end of D2 developed a sink hole due to a poorly constructed connection with the city storm drain. A connection box was installed to solve the issue. The South Mesa ditch metering flume was brought online this summer. It was installed right at the diversion point. A good snow pack on the mountain brought good water flow this summer but dirty water ran for weeks in the system and that clogged up D3 where root plugs still exist and caused the water flow in that line to be cut in half. The assessment was set at \$20/share and \$108 administrative fee.

2020 The upper part of Ditch 3 was rebuilt this year. The line was constantly getting root plugs because it was poorly installed years ago. The replacement was welded HDPE pipe that had been removed from a motel construction project in 2018. The worldwide COVID pandemic impacted board meetings. Water flows were down this year. Three wells were turned on to supplement the system. One flood in Mill Creek damaged the north rock gabion wall of the lower dam and will need to be repaired. Hwy 191 was being widened on the north end of town and affecting the system. D1 goes under the highway by 400 north and was upgraded to HDPE pipe as it goes thru a tunnel under the highway. The assessment was set at \$22/share and \$118/administrative fee.

2021 The Feb. annual shareholder meeting was a virtual meeting because of COVID. Water flows were down all summer due to an extended drought. The transfer fee for new stock certificates was raised from \$20 to \$30. The company was able to assist with firefighting efforts on a 5000-acre fire on the Lasal Mtns. named "Pack Creek". Luckily the fire did not impact the Mill Creek drainage, but has caused serious flooding down the Pack Creek drainage. One flood played havoc with the company's supply shed and stack of irrigation pipe. The hourly rate for Board Member work was raised from \$10 to \$20. This was the first raise since 1992. The shed and pipe were moved to higher ground. The assessment was set at \$23/share and \$123/administrative fee.

2022 Mill Creek Flooding was the main topic for this year. Numerous floods came down during the summer. The upper dam for D3 has a culvert built into it to allow water to flow thru when the dam was built. One flood opened this culvert up and the whole creek was flowing thru it. Before the company could take action to block this opening, another flood filled it back in with debris and dirt and closed it back off. In August a massive 100+ year flood came down Mill Creek and flooded the town. The company sustained damage to parts of the D3 dam, D1/2 dam, gabion walls, and D2 pipeline. The city has been installing a new culinary water line from the tank above Powerhouse Lane, to a connection point on 400 East. They have crossed the company line in various places with no damage. This has helped the board to know exactly where some parts of our lines are located. The board looked at share movement within the company and determined that because of the way the water flows into the lower valley, no more shares could be moved either to the lake or to the mtn. The assessment was set at \$25/share and \$133/administrative fee.

2023 It was decided that the best way to repair the gabion wall that was on the east side of the lower dam was to just build a new gabion wall in front of the old wall. The new wall was firmly anchored in to the bottom of the creek and connected to the old wall in numerous locations. The LaSals had a very good snowpack going into the summer so water flow was very good all summer. The drawback to that was the water was very sandy for weeks which caused issues keeping the lines flowing at times. The assessment was set at \$26/share and \$138/administrative fee.