

Animas Consolidated Ditch Company
118th Annual Stockholder's Meeting
March 24th, 2012 ~ 1:00pm ~ Animas Valley Grange

Call to Order

Meeting called to order at 1:02 pm by President John Ott

Introduction of Board Members Present: John Ott, Ed Zink, Eric Bikis, Tim Holt, Dan James

Introduction of Guests Present: Jim Mead - Ditch Walker, Nancy Agro – Attorney, Jessica Upshaw – filling in for Meme Eberspacher, Jud Hassell – intern ditch walker.

Minutes: March 26, 2011 Annual Meeting

Paddy Lynch motioned to accept the minutes from the 2011 Annual Meeting, Jake Archuleta seconded the motion, vote taken, all in favor, passed.

President's Report: John Ott

- No big challenges last year
- A submersible camera was sent in to inspect under Hermosa Creek siphon and the concrete pipe is in great shape, looks bomb proof.
- Ditch cleaning started on Wednesday and a new structure will be built where there is a drop above Iron Horse Inn. Where, in the event of an emergency, they will be able to divert the water.
- Bids are being received for a couple of structures on the ditch that are a challenge. Iron Horse Inn and Greg Bruckbauer's property. There is a product called high density polyethylene that they can hook on to and yank through the existing culvert to line it rather than dig it up.

Financial Reports:

- Review of 2011 Financials
- Maintenance fee was raised slightly due to Jud and Jim working to walk the ditch, as well as increasing funds in the bank.
- There is about \$118,000 in equity.
- Presentation of the 2012 Budget:
Motion made by Marie Shields to approve 2012 Budget, seconded by Ed Zink, vote taken, all in favor, passed.

Old Business

Ditch Walker:

- Ditch is looking pretty good.
- Water slated to be turned on by the 10th of April.
- There has been a substantial amount of cleaning from Bruce Lane to Hermosa Creek which will help with water flow.

Eric Bikis talked about the **Duty of Water:**

There is old water with different decree dates beginning in 1875. Each of the decrees have different uses, the primary use is irrigation. The Board is looking at the legal supply, how much is diverted, where does it go and how is it used. The ditch is in good shape. There are some maps that have been generated which were put on an aerial photo so the Board feels they have the knowledge needed in the event people would challenge our water adjudication down the road. Water is being used now that is pumped above the ditch, so the Board wants to ensure the water owned is being used properly. The company has a "B" shares available for purchase. Water is never sold down the ditch. Water is sold upstream because the ditch gets smaller as it gets down to the end.

New Business

Marie Roessler made a motion for the Animas Consolidated Ditch Board to act on behalf of the shareholders, to vote opposed to the proposed constitutional amendment; John Neely seconded the motion, vote taken, all in favor, passed.

Nominations for Board Members and Election

- Two Directors for 3 year terms – John Ott and Ed Zink
- John Ott is up for re-election and is willing to stand for election again.
- Ed Zink is up for re-election and is willing to stand for election again.
- Paddy Lynch nominated himself as a candidate for election to the Board of Directors.
- Warren Rider is new to the ditch and understands the water world pretty well and nominated himself as a candidate for election to the Board of Directors.

Vote was taken, results: John Ott and Ed Zink were re-elected.

Question/Concerns from the floor:

- Paddy Lynch: concerned that there are people who have A and B shares, a lot of these people do not live here and there are horses in the fields and the best way to eradicate the prairie dogs is to flood irrigation.
- There is a cause and effect for everything that is done. A shareholder said an effect of flood irrigation is mosquito control, other wildlife habitat concerns and flooding of other people's property.
- If someone flood irrigates and floods a neighbor's property, the neighbor would be upset.

Paddy Lynch made a motion to adjourn the meeting, Jud Hassell seconded the motion, vote taken, adjourned at 2:08pm.