

South & West Field Irrigation Company Annual Meeting Minutes

Monday, January 27, 2025

A meeting of the South & West Field Irrigation Company was held on Monday, January 27, 2025, at 7:00 PM in the Cedar City Council Chamber, located at 10 North Main Street, Cedar City, Utah.

Opening Remarks: Paul Bittmenn welcomed the attendees. Dan Dotson shared information about the 2024 water flow and reviewed the spillway repairs. Due to erosion issues, the spillway was reinforced with $\frac{5}{8}$ inch galvanized steel sheets, which has successfully addressed the erosion problem. Dan also discussed ongoing issues related to the city's water infrastructure, including the need for improvements to various valves and dirt ditches.

Canyon Park Rotary Project: A discussion followed regarding the Rotary project at Canyon Park. Concerns were raised that the proposed gates might negatively impact shareholder irrigation rights, particularly on the north end of town. Several alternatives were suggested, and it was agreed that Paul and Dan would meet with Paul Monroe to discuss potential solutions.

Financial Review: Tyler Brown presented the financial statement and balance sheet of the company. The total outstanding payments due amounted to \$31,427, with \$22,880 attributed to 2025 assessments. The highest balance of the spillway loan was \$55,000, but it has been reduced to \$41,480. The current checking balance is \$15,228, with \$3,780 received today. Tyler also proposed the implementation of a late payment fee and a fee for individuals with delinquent accounts that require public notification in the newspaper.

Board Member Terms: Paul Bittmenn announced that the terms for Harold Shirley, Eric Witzke, and Jeff Corry had expired. Steve Platt inquired if these members were willing to serve another term, to which they affirmed. Steve then made a motion to re-elect them by acclamation, which was seconded by [Name]. The motion passed unanimously.

Adjournment: The meeting was adjourned.

Attendees: Cassie Jenkins, Patrick McDonald, Larry Robb, Dane Leavitt, Randy Earl, Jeff Corry, Julia Corry, Laney Earl, Tiger Funk, Kay Anne Cantonwine, Norma Thompson, Derek Christensen, Steve Platt, Sage Platt, R. Scott Phillips, Michael Miller, Tyler Romeril, Andy McCrea, Janet McCrea, Shane Prestwich and Verl Prestwich, Dan Dotson, Steve Ashworth, Harold Shirley, Eric Witzke & Paul Bittmenn

Illegible Attendees: Robert E Dalton, Cei M Self,

South & West Field Irrigation Company – Board Meeting Minutes

(Immediately Following the Annual Meeting) – Monday, January 27, 2024

Board Members Present: Jeff Corry, Dan Dotson, Steve Ashworth, Tiger Funk, Harold Shirley, Eric Witzke & Paul Bittmenn

Water Rights for Iron Horse Development: Dane Leavitt from Leavitt Land explained the need for them to purchase water rights for their Iron Horse development. They aim to acquire approximately 90 water shares. Dane stated that they planned to send an offer to all shareholders at a price of \$28,000 per share. He also offered to pay the delinquent balances for shareholders who are four or five years behind on payments, allowing them time to consider the offer from Leavitt Land.

There were no objections to paying the delinquent amounts. A discussion followed regarding the sale of 11+ shares of SWFIC treasury stock to the Leavitt's for \$28,000 per share. The board voted to sell all of the treasury stock, with Steve Ashworth abstaining from the vote.

Budget Review and Approval: Tyler Brown presented the company's budget. Harold Shirley motioned to approve the budget, and the motion was seconded by Jeff Corry.

Water Shares Transfer Issue: Tyler also discussed the issue concerning Kelly Robert Dalton's water shares, which were transferred to Isaac Cross. It was determined that this issue was between the stockholders and not a matter for the board to resolve.

Late Fee Proposal: A discussion ensued regarding the addition of a \$10 late fee for shareholders who are more than 90 days delinquent in their annual assessment to cover the additional costs of collecting dues. Harold Shirley proposed the following termination schedule and that a \$10 late fee be initiated starting in March 2025 for delinquent accounts. Jeff Corry seconded the motion, and the proposal was approved unanimously.

Termination of Water Rights: The board agreed to clarify the time frame for terminating water rights due to delinquency as follows:

- **2025:** Termination when shareholders are delinquent for 5 assessments
- **2026:** Termination when shareholders are delinquent for 4 assessments
- **2027:** Termination when shareholders are delinquent for 3 assessments
- *After 2027 termination will occur when shareholders are delinquent 3 assessments*

Adjournment: Jeff Corry motioned to adjourn the meeting, and the motion was seconded by Steve Ashworth. The vote was unanimous.

Bylaw Changes: The following changes to the bylaws were proposed and approved:

1. The company's policy on terminating water rights due to delinquency will be revised as follows:
 - **2025:** Termination when shareholders are delinquent for 5 assessments
 - **2026:** Termination when shareholders are delinquent for 4 assessments
 - **2027:** Termination when shareholders are delinquent for 3 assessments
 - *After 2027 termination will occur when shareholders are delinquent 3 assessments*
2. A \$10 annual late fee will be assessed for shareholders who are more than 90 days delinquent, starting in March 2025.