

**FOUNTAIN MUTUAL IRRIGATION CO.  
REGULAR MONTHLY MEETING  
Wednesday, February 21, 2023  
Noon - 12:00 P.M.  
Widefield Investment Group  
3 Widefield Blvd.  
Colorado Springs, CO 80911**

**Or**

**Join virtually at <https://video.cloudoffice.avaya.com/join/246550752>  
Or by phone at +1 (213) 4634500 United States (Los Angeles, CA)  
Access Code / Meeting ID: 246550752**

- 1. Call to Order**
- 2. Approve minutes of December 20, 2023 Board of Directors meeting and January 9, 2024 Board of Directors meeting (attached)**
- 3. Ditch Manager's Report**
- 4. Review Company Finances**
  - a. Review and Approve for distribution to shareholders annual audit draft (under separate cover)**
  - b. Review and Approve Monthly Invoices and Financial Reports (see attached)**
  - c. Report on Shareholder's Assessment fee invoices (See attached spreadsheet)**
- 5. Executive Session / Legal Report (David Shohet)**
  - a. Update White & Jankowski**
    - i. Triview Metro Dist. Prop. Amended Case No. 21CW3044 req. storage in Big J.**
    - ii. Triview Metro Dist. Case No. 21CW3058 – exchange of Stonewall Res. to FMIC**
    - iii. Triview Metro Dist. Case No. 21CW3082 – Excelsior Ditch**
    - iv. Triview Metro Dist. Case No. 22CW3004 – Bale Ditch No. 1 and No. 2**
    - v. Triview Metro Dist. Case No. 21CW3022 for 557 FMIC shares**
  - b. Security Water and Sanitation District Application – Case No. 23CW3039**
  - c. Spring Creek Daily Sheet**
  - d. Damage to the Canal**
  - e. Triview Carriage Agreement**
  - f. Big Johnson No Contact Agreement**
  - g. Reservoir Capacity Table Survey**
  - h. Spring Creek Augmentation Station**
  - i. Flume Replacement timeline**
- 6. New Business**
- 7. Old Business**
- 8. Adjournment**





**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
FOUNTAIN MUTUAL IRRIGATION COMPANY**  
HELD DECEMBER 20, 2023, AT 12:00 P.M.

The regular meeting of the Board of Directors of the Fountain Mutual Irrigation Company was held on Wednesday, December 20, 2023, at 12:00 p.m. at Widefield Investment Group, 3 Widefield Blvd., Colorado Springs, CO 80911.

Attendance

In attendance were Directors:

Mark Watson  
Al Testa  
Mike Thibault  
Carl Christian  
Jim McGrady

Also in attendance were:

David Shohet, Legal Counsel  
Kevin Walker, WSDM District Managers  
Moe Cady, Ditch Manager

1. **Call to Order:** President Watson called the meeting to order at 12:00 p.m. and confirmed a quorum was present.
2. **Approve Minutes from the November 2023 Board of Directors Meeting:** After review, Director McGrady moved to approve the Minutes from the November 2023 Board of Directors Meeting; seconded by Director Christian. Motion passed unanimously.
3. **Ditch Manager's Report:** Mr. Cady presented the Ditch Manager Report. The Board discussed the option of hiring Wheeler to inspect the ditch and provide a report. After discussion, the Board agreed to table this item until next month.
4. **Review Company Finances**
  - a. Review and Approve Monthly Invoices and Financial Reports: Mr. Walker noted that WSDM will take over the accounting starting in January 2024. After review, Director Christian moved to approve the monthly invoices and financial reports; seconded by Director McGrady. Motion passed unanimously.
5. **Executive Session / Legal Report**
  - a. Update White & Jankowski
    - i. Triview Metro Dist. Prop. Amended Case No. 21CW3044 req. storage in Big J.
    - ii. Triview Metro Dist. Case No. 21CW3058 – exchange of Stonewall Res. to FMIC
    - iii. Triview Metro Dist. Case No. 21CW3082 – Excelsior Ditch
    - iv. Triview Metro Dist. Case No. 22CW3004 – Bale Ditch No. 1 and No. 2
    - v. Triview Metro Dist. Case No. 21CW3022 for 557 FMIC shares

- b. Security Water and Sanitation District Application – Case No. 23CW3039
- c. Spring Creek Daily Sheet
- d. Damage to the Canal
- e. Triview Carriage Agreement
- f. Big Johnson No Contact Agreement
- g. Reservoir Capacity Table Survey
- h. Spring Creek Augmentation Station
- i. Flume Replacement timeline

Director McGrady moved to enter Executive Session to discuss the legal report topics as presented on the Agenda; seconded by Director Christian. Motion passed unanimously with the Executive Session beginning at 12:46 p.m. Director Testa moved to come out of Executive Session at 1:05 p.m.; seconded by Director Christian. Motion passed unanimously.

Director Christian moved to approve the 5-year No Contact Agreement; seconded by Director Testa. Motion passed unanimously.

#### **6. New Business**

- a. Update on Polaris Survey of Reservoir: Director McGrady moved to approve the invoice for the Polaris Survey of Reservoir for \$4,725; seconded by Director Testa. Motion passed unanimously.

- 7. Old Business:** The Board discussed the sale of the flatbed truck for \$1,000. Director Thibault moved to approve the sale of the asset; seconded by Director McGrady. Motion passed unanimously. Mr. Shohet discussed correspondence from Black Hills Energy regarding a ditch crossing but it was determined that it is not infrastructure belonging to FMIC. He noted another structure further east that does belong to FMIC that they will need the ditch crossing information on.

- 8. Reminder of January Annual Meeting Schedule:** The Annual Meeting is scheduled for January 9, 2024 at 11:30 a.m. for coffee with the meeting to follow at 12:00 p.m.

- 9. Adjourn:** There being no other business, Director Testa moved to adjourn the meeting; seconded by Director McGrady. Motion passed unanimously at 1:15 p.m.

Respectfully Submitted,  
WSDM District Managers

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By: Recording Secretary



**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
FOUNTAIN MUTUAL IRRIGATION COMPANY  
HELD JANUARY 9, 2024, AT 12:00 P.M.**

The regular meeting of the Board of Directors of the Fountain Mutual Irrigation Company was held on Tuesday, January 9, 2024, immediately following the 12:00 p.m. Annual Meeting at City of Fountain Council Chambers, 116 S. Main Street, Fountain, CO 80817, and virtually via teleconference.

Attendance

In attendance were Directors:

Mark Watson  
Al Testa  
Mike Thibault  
Carl Christian  
Jim McGrady

Also in attendance were:

Steve Monson, Monson, Cummins & Shoheit, LLC  
Kevin Walker, WSDM District Managers  
Moe Cady, Ditch Manager

1. **Call to Order:** President Watson called the meeting to order at 1:25 p.m. and confirmed a quorum was present.
2. **Approve Minutes from the December 2023 Board of Directors Meeting:** Mr. Walker requested the minutes be tabled for the February Meeting.
3. **Ditch Manager's Report:** Mr. Cady presented the Ditch Manager's Report.
4. **Review Company Finances**
  - a. Review and Approve Monthly Invoices and Financial Reports: Mr. Walker noted that WSDM will take over the accounting once the financials are turned over. After review, Director Testa moved to approve the payables; seconded by Director McGrady. Motion passed unanimously.
5. **Executive Session / Legal Report**
  - a. Update White & Jankowski
    - i. Triview Metro Dist. Prop. Amended Case No. 21CW3044 req. storage in Big J.
    - ii. Triview Metro Dist. Case No. 21CW3058 – exchange of Stonewall Res. to FMIC
    - iii. Triview Metro Dist. Case No. 21CW3082 – Excelsior Ditch
    - iv. Triview Metro Dist. Case No. 22CW3004 – Bale Ditch No. 1 and No. 2
    - v. Triview Metro Dist. Case No. 21CW3022 for 557 FMIC shares
  - b. Security Water and Sanitation District Application – Case No. 23CW3039
  - c. Spring Creek Daily Sheet

- d. Damage to the Canal
- e. Triview Carriage Agreement
- f. Big Johnson No Contact Agreement
- g. Reservoir Capacity Table Survey
- h. Spring Creek Augmentation Station
- i. Flume Replacement timeline

Director McGrady moved to enter Executive Session to discuss the legal report topics as presented on the Agenda; seconded by Director Christian. Motion passed unanimously with the Executive Session beginning at 1:55 p.m. Director Testa moved to come out of Executive Session at 2:33 p.m.; seconded by Director Christian. Motion passed unanimously.

**6. New Business**

- a. Update on Polaris Survey of Reservoir: The Board discussed the Polaris survey of the reservoir.
- b. Election of Officers: The Board discussed the election of officers. After discussion, Director Testa moved to table the election of officers for 6 months to allow time for the transition of new management; seconded by Director Thibault. Motion passed unanimously.
- c. Schedule Next Meeting: The next meeting is scheduled for February 21, 2024 at 12:00 p.m.

**7. Old Business:** There was no old business.

**8. Adjourn:** There being no other business, Director Testa moved to adjourn the meeting; seconded by Director McGrady. Motion passed unanimously at 2:45 p.m.

Respectfully Submitted,  
WSDM District Managers



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By: Recording Secretary



**Fountain Mutual Irrigation Company**  
**Payables Due**  
2/13/2024  
**GENERAL FUND ACCOUNT**

<b>Company</b>	<b>Invoice</b>	<b>Date</b>	<b>Amount</b>	<b>Comments</b>
Century Link	333257826	1/1/2024	\$ 48.00	
City of Fountain	10006875-00	1/16/2024	\$ 49.78	
City of Fountain	01109891-01	1/16/2024	\$ 5.47	
El Paso County Clerk	8747994	1/1/2024	\$ 481.05	
Glaser	120802	12/29/2023	\$ 679.15	
Laurie's Bookkeeping & Tax Service	1674	2/13/2024	\$ 1,030.00	
Monson, Cummins, Shohet & Farr, LLC	December	1/4/2024	\$ 1,647.00	
Vectra Bank Visa Credit Card	1162024	1/2/2024	\$ 1,012.37	Autopay
Vectra Bank Safety Deposit Box	000447 3187	1/2/2024	\$ 75.00	
Verizon	9954408083	1/10/2024	\$ 9.35	
WSDM	7879	1/31/2024	\$ 2,044.37	
<b>TOTAL</b>			<b>\$ 7,081.54</b>	

\_\_\_\_\_  
**TOTAL \$ 7,081.54**

Director \_\_\_\_\_





## FMIC 2021-2022 SHAREHOLDER'S INFO ON NUMBER OF SHARES

CONTACT NAME	NAME/ COMPANY	PHONE	TOTAL # OF SHARES	ASSESSMT. FEE	TOTAL DUE	Amount Paid`	DATE PAID
James McGrady	Triview Metropolitan District	719-488-6868	1,057	\$102	\$107,814		
Carl Christian	City of Fountain	719-322-2088	640	\$102	\$65,280		
Roy Heald	Security Water District	719-392-3475	723	\$102	\$73,746		
April Ruesewald	Colorado Centre	719-390-7003 x10	595	\$102	\$60,690		
Janet Refior	Fountain Valley School	719-390-7035	558	\$102	\$56,916		
Mark Watson	Widefield Land, LP	719-392-0194	295	\$102	\$30,090		
Mark Watson	Widefield Homes Water Company	719-392-0194	276	\$102	\$28,152		
Lucas Hale	Widefield Water & Sanitation District	719-390-7111	341	\$102	\$34,782		
Sheila Venezia	JV Ranches III, LLC	719-528-5000	177	\$102	\$18,054		
Gary Smith	Wigwam Mutual Water Co.	719-591-0909	151	\$102	\$15,402		
Abby Ortega	Colorado Springs Utilities	719-668-8748	144	\$102	\$14,688		
Jeremy Pritchett, Regional Land Manager	Transit Mix Concrete Co.	970-396-5252	104	\$102	\$10,608		
Mary Jane Agner	Carrick Partners	719-382-5425	95	\$102	\$9,690		
Schmidt Construction, Scott Davis	Edward C. Levy Co.	719-392-4207	87	\$102	\$8,874		
Michael Thibault		719-570-1456	78	\$102	\$7,956		
Gary Smith	Midway Ranches	719-591-0909	69	\$102	\$7,038		

Amy Lathen	Cherokee Metro District	719-597-5080	58	\$102	\$5,916		
Jerry Schnabel	Continental Materials Corp.	719-598-0215	34	\$102	\$3,468		
Ronald P. Singer		719-392-7525	30	\$102	\$3,060		
Herb Scheierman		719-382-5419	28	\$102	\$2,816		
Sally Miller	Cherry Creek Farms	719-382-3356	25	\$102	\$2,550		
Michael & Joan McNiece		719-226-0672	20	\$102	\$2,040		
Steve Schnurr	The Stephen J. Schnurr Living Trust	719-491-3101	18	\$102	\$1,836		
Robert Irwin	Cheyenne Mt. Dev. Co., LLC 401K Trust	719-475-7474	17	\$102	\$1,734		
Pam Adams	Amore Trust	406-698-6755	15	\$102	\$1,530	406-259-1100	
Jennie M. Paulson-Peterson	Jennie M. Paulson-Peterson Trust	505-797-1050	13	\$102	\$1,326		
Richard Davidson c/o Garry Davidson		719-392-4656	12	\$102	\$1,224		
Scott Davis	Schmidt Construction	719-392-4207	12	\$102	\$1,224		
Georgette Goonan	Goonan Living Trust	719-382-5708	10	\$102	\$1,020		
Don Gregory	Gregory & Co. Real Estate	303-840-9604	10	\$102	\$1,020		
Frederick D. Martin		719-495-2826	10	\$102	\$1,020		
Paul Anderson, Atty.	S.C.S. Red Rock Water District	719-576-8017	10	\$102	\$1,020		
Mr. and Mrs. Robert Thibault		719-392-6275	10	\$102	\$1,020		
Richard D. Janitell		719-596-7324	8	\$102	\$816		
Jim Martin	Cedar Lane Investments	719-634-5552	6	\$102	\$612		
Mark Fontana	Fontana Enterprises, Inc.	719-337-1999	10	\$102	\$1,020		
Carl & Wendy Christian		719-492-2797	2	\$102	\$204		
Ian & Molly Kallenbach		719-238-5246	5	\$102	\$510		

Jim Sorensen, President	Europartners Stresscon Corporation	719-390-5041	5	\$102	\$510		
Eric Ecklund	Wedgewood Farms, LLC		5	\$102	\$510		
Jim Morley	Spud Ranch, LLC		5	\$102	\$510		
James Young		719-475-0129	5	\$102	\$510		
Dr. Charles Durbin		719-392-3389	4	\$102	\$408		
	Osage Capital, LLC;	785-528-3006	3	\$102	\$306		
Shiloh Tinsley	Tammy Tinsley	719-382-7908	1	\$102	\$102		
Skylar Tinsley	Tammy Tinsley	719-382-7908	1	\$102	\$102		
Dae Sik Kim	Cheyenne Mt. Nursery		2	\$102	\$204		
Robbin Mitchell	Cottonwood Creek Estates, HOA	719-596-6677	2	\$102	\$204		
Lee Junglen		719-382-9671	2	\$102	\$204		
Rhonda Moore		719-481-9422	2	\$102	\$204		
Four Corners Distributing Corp.	Emory Guthrie	719-686-3398	1	\$102	\$102		
Edison School District (54JT)	Paul Frank		1	\$102	\$102		
Mary Edwards		719-596-8701	1	\$102	\$102		
<b>TOTALS</b>			<b>5,793</b>	<b>\$102</b>	<b>590,846</b>	<b>\$0</b>	