

**El Creston Mutual Domestic Water Consumers Association**  
**January 30, 2018 Special Board Meeting**  
49 Mirasol Road, Ojitos Frios Subdivision

In attendance: Gene Solyntjes, Cheryl Zebrowski, Dennis Ditmanson. Public: Jim Peters,

1. Call to order at 7:05 with a quorum of board members in attendance.
2. Notice of this meeting was e-mailed to members.
3. Motion Made and seconded to approve the agenda. (Dennis/Cheryl) Motion passed.
4. The 4<sup>th</sup> Quarter Financial Report was presented by Jim Peters.
  - a. Motion Made and seconded to approve the 4<sup>th</sup> Quarter Financial Report, Resolution 2018-03. (Dennis/Cheryl) Motion passed.
5. Motion Made and seconded to approve the submittal of the State Drinking Water Revolving Fund project interest form. (Cheryl/Dennis) Motion passed.
6. Legal Issues
  - b. Corn Lawsuit:
    - i. A Motion to compel Gene Solyntjes to produce documents will be held on February 8, 2018.
    - ii. Ken intends to file a Motion of Summary Judgement, which is a request for the court to rule that Mr. Corn has no case, because there are no facts at issue. The Motion of Summary Judgement is basically claiming that El Creston believes the case should not go before a jury at all, or a jury could not rule in favor of Mr. Corn.
    - iii. Ken's cancer has returned, and he will no longer be able to represent us. Gene is contacting other attorneys.
  - c. Water Rights Transfer
    - i. Notice of a pre-hearing conference is scheduled for February 20, 2018 at 2 p.m. The pre-hearing conference will take place by phone. Please note that El Creston must submit a non-refundable hearing fee of \$25 post-marked by February 9, 2018. This is related to the 3 acre feet that was protested by nine people, 3 of whom continued their protest.
    - ii. The transfer of water rights of the 12 members along our line continues, with Rick Leshner of the OSE finding two more members who have not transferred the well to their names. Cheryl contacted them and will continue to follow-up with them.
7. Adjournment at 7:27

Respectfully submitted by Cheryl Zebrowski, Secretary