

**OFFICIAL MINUTES AND ACTIONS TAKEN  
ARCH HURLEY CONSERVANCY DISTRICT'S  
BOARD OF DIRECTORS**

**Tuesday, September 9, 2008**

**Directors Present:** Larry Perkins, President; Tom Bruhn, Vice President; U.V. Henson, Secretary/Treasurer; Pablo Lopez, Director; John Gilbertson, Director

**Directors/Staff  
Absent:**

**Staff Present:** Franklin McCasland, District Manager; Donna Lafferty, Office Manager; Craig Hoffman, Maintenance Supervision

**Guests Present:** Chelle Delaney of Quay County Sun; Phillip Box; Pete Tatschl, David Foote, Jimmy Speed, Paul Estrada, David Peacock, Rex Kirksey, Tom Dominguez, County Agent, and Ray Bates

**MEETING CALLED TO ORDER-**

Finding a quorum present and finding this regularly scheduled meeting of the Arch Hurley Conservancy District's Board of Directors duly advertised, as required by statute, District President Perkins called this meeting to order at 9:00 a.m. in the district office.

**APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING AUGUST 12, 2008-**

Director Bruhn made the motion to approve the draft minutes of the Arch Hurley Conservancy District's August 12, 2008 meeting after the correction to the motion concerning David Foote's letter. The motion was seconded by Director Henson. Motion carried

5 – 0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

**VISITORS COMMENTS-**

There were no comments from the visitors.

## MANAGER'S REPORT

.For the month of August, Arch Hurley delivered 1,405 acre feet of water into the project. The release from Conchas was 3,422 acre feet. That equates to a 41.0% delivery rate. Inflow into Conchas this month was 13,744 acre feet, compared to 4,473 acre feet of inflow for July.

On Saturday August 16<sup>th</sup> we received a good rain across the majority of the district. The ditch riders were instructed to build up and hold as much excess storm water as possible. We also started filling dry lakes with the excess storm water. Sunday morning the water release from Conchas was ordered off. We delivered water for the next four days from surface levels in the delivery system and release from dry lakes. There is some maintenance that needs to be done this winter to the outlet of dry lakes and down stream on the Conchas side to improve the efficient use of excess storm water.

On August 25<sup>th</sup> an employee was mowing grass and the lawn mower threw a piece of wire into his left foot through his leather boot. The employee was transferred to Clovis Plains Regional Hospital where it was removed during surgery. He returned to work on August 27<sup>th</sup>.

On August 26<sup>th</sup> repairs were made to sections of cement laterals on the Benson, Israel and Bull this damage was caused from the rain storm on the 16<sup>th</sup>. A total of seven yards of cement was poured to make the needed repairs.

On the Largo Canyon protest, Robert Ritter has not hired a hydrologist or started any work to prove to the State Engineer that the application would not have an adverse affect on down stream water users.

On August 27<sup>th</sup>, John Gilbertson and I traveled to Las Vegas for the Skip Vernon hearing. The hearing was to strike Skip Vernon's counterclaim. The judge did not rule in our favor. The good news to the ruling is that Skip will have to prove all of those counterclaims in court. The bad news is Peter said the trial could take four to five days in the courtroom to hear all of Skips counterclaims. The Judge has ordered Arch Hurley and Skip Vernon to enter into mediation. This is to be completed by the last part of November. If we can't reach a settlement through mediation, a trial would be held in July or August of 2009 in Las Vegas N.M. The Arch Hurley Board would have to approve someone to attend the mediation that had authority to agree on a settlement proposal and bring back to the full board for approval. I would recommend to the board that Arch Hurley settle this as quickly as possible. Year to date in professional services, Arch Hurley has expended \$55,880. \$40,000 is what was budgeted for this year. I project that we will be \$30,000 over budget in that line item at the current monthly billing rate by the end of the year.

We are in the process of going out for a RFP for quotes on employee health insurance and an auditor for the next three years. This information will be presented to the board at the next meeting.

Mark informed me this morning that last night someone vandalized the blue water waste way gate. This is the third time this year in that area this to happen. We will look at options to limit public travel in that area after this water run.

### **DISCUSSION/ACTION DAVID FOOTE**

Director Gilbertson made the motion to table and rewrite the letter to David Foote. It was seconded by Director Bruhn. Motion carried 3 – 1.

	Directors Voted:	
Perkins – “YES”		Lopez – “NO”
Bruhn – “YES”	Gilbertson -“YES”	Henson -“ABSTAIN”

### **DISCUSSION/ACTION 2008 ALLOCATION REVIEW TENATIVE WATER CUT OFF DATE**

Director Lopez moved that 1” of water be allocated at this time. It was seconded by Director Bruhn. Motion carried 5-0.

	Directors Voted:	
Perkins – “YES”		Lopez – “YES”
Bruhn – “YES”	Gilbertson “YES”	Henson – “YES”

Director Lopez made the motion for the tentative cut off date to be October 15, 2008 or when the orders go below the 40 acre feet after that date. It was seconded by Director Gilbertson. Motion carried 5-0.

	Directors Voted:	
Perkins – “YES”		Lopez – “YES”
Bruhn – “YES”	Gilbertson “YES”	Henson – “YES”

### **DISCUSSION/ACTION APPROVAL OF 2007 AUDIT**

Director Bruhn made the motion to approve the 2007 audit. It was seconded by Director Henson. Motion carried 5 – 0.

	Directors Voted:	
Perkins – “YES”		Lopez – “YES”
Bruhn – “YES”	Gilbertson “YES”	Henson – “YES”

**PRESIDENT’S COMMENTS-**

President Perkins thanked the Lord for the rains that He gave us. The water has been turned on and off because of the rains and I would like to encourage the ditchriders to continue to run the ditches tight as they have been doing. This has made for a long season. I would like to commend the crew for doing a good job. Asked about the 4 day work week and Manager McCasland informed him that maintenance is still on the 4 day work week, however the ditchriders have returned to regular hours since the water is on. The maintenance crew will return to a 5 day work week this winter.

**DIRECTORS COMMENTS -**

Director Henson had no comments.

Director Bruhn asked if during the crop census questionnaire if the ditchrider could ask the farmer to project his crops for the next year. This information could be used as a possibility to use chemicals in areas where crops would allow instead of multiple shredding.

Director Lopez had no comments.

Director Gilbertson had no comments.

**CONSIDERATION OF BILLS-**

Director Henson made a motion to pay the submitted bills, seconded by Director Lopez. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson - YES

Lopez – “YES”

Henson – “YES”

**ADJOURNMENT OF REGULAR MEETING-**

With no further business to discuss, the meeting was adjourned at 9:45 a.m. with unanimous vote.

The Strategic Workshop was held after the regular meeting. It was conducted by Rex Kirksey.

ARCH HURLEY CONSERVANCY DISTRICT

---

Larry Perkins, President

**ATTEST:**

---

Secretary, UV Henson