

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

Tuesday, May 12, 2009

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: Jimmy Speed, Fred Stieg of Big Mesa, Don Lopez, Pete Tatschl, Robert Evans, Thomas Evans, Carl Foote, David Foote, Wilbert Pederson, Paul Estrada, Daniel Garcia, Greg Quartieri of District VII, Leo Thrasher, Tom Dominguez and Catherine Bugg of KTNM Radio.

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, President Perkins called this meeting to order at 9:00 a.m. in the district office.

APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING APRIL 14, 2009-

Director Bruhn made the motion to approve the draft minutes of the Arch Hurley Conservancy District's April 14, 2009 meeting after a spelling correction. 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-

David Foote asked where are we going to come up with 150,000 acre feet of water? Explain to me where there is 150,000 acre feet of water in this map right here-anywhere from Clayton to Portales I could know if that is right. President Larry Perkins said that the number is going to be looked into to for accuracy. David Foote stated that amount of water is not available on an annual basis.

Pete Tatschl said that the paper stated that there is 400,000 acre feet of water available in Ute Lake for the pipeline which is about twice the capacity of Ute Lake. I wrote to the paper to correct this error. The Water Plan states 25,000 acre feet.

Daniel Garcia asked if the Quay County Sun would publish information pertaining to Arch Hurley or information if there is water at Conchas Dam. There is never anything in the paper. Does Arch Hurley give the Quay County Sun information to put in the paper? It was mentioned to Mr. Garcia that the newspaper reporter is usually in attendance and that there is information about Arch Hurley on the web site. Ms. Bugg also informed Mr. Garcia that she will give a report on Arch Hurley tomorrow morning on the radio.

MANAGER'S REPORT

Today the Conchas Lake elevation is 4162.7 feet. There was 5,961 acre feet of inflow into the lake for the month of April. Last year at this time the elevation of Conchas Lake was 4167.2 feet.

On April 12, I received confirmation from Nancy Purdy at the BOR that the voluntary relinquishment of water rights form was approved for use by the Regional Salt Lake City office.

The letter and pictures concerning diversion in the Mora area has been delivered to the State Engineer's Office, the BOR, and District VII Office.

On April 24, I viewed Smart Ditch application in northern NM. This product application was approved by BOR for stimulus grant application in irrigation projects as well as NRCS for cost share agreements. The Smart Ditch is available in 12" and 24". Product information will be available in my office for interested landowners.

On April 26, I met with Representative Roch about Arch Hurley's discussions from the last meeting and gave him a copy of the letter that the Board sent out on diversions upstream of Conchas Lake. He said that he would write a letter to the State Engineer's office also. A copy of his letter is included in the board packet.

On April 27, one of the employees was cutting trees along the canal bank and the tree fell on him. He was put on light duty for a couple of days then released back to full duty by the doctor. That same day I received a call from an attorney from Albuquerque representing the owner of Buena Vista Ranch in La Cueva.

On April 29, I met with Bob Bruce and discussed Arch Hurley's grant options and we viewed work completed in the district to date. This gave Bob some ideas and direction on pursuing water conservation grants.

On May 5, Joe Alderete called and informed us that all of the BOR grant money has been pulled – even the stimulus money. The Water for America Grant is the only one still in place. The minimum application was raised from \$300,000 to \$1,000,000.

On May 6, I meet with Tim Farmer and Greg Quartieri at the Arch Hurley Office. They were here for the Regional Water Plan Meeting.

On May 8, UV Henson and I attended the D.A.R. Meeting where Arch Hurley was presented a certificate of award for the business of the year for the proper use, correct display and patriotic presentation of the American Flag.

That same day Gov. Richardson came to Tucumcari to hold a town hall meeting. I was able to bring to the Governor’s attention the concern that Arch Hurley has with the lack of State Engineers oversight in the Canadian River basins and tributaries. I asked that the office in District VII be staffed to the level that would allow them to oversee all diversions in the Canadian basin and its tributaries. Rep. Roch spoke and asked that the FTE that was frozen be filled.

The maintenance dept. has cleaned the entire Hudson Canal and started at the Y and is working down the Conchas Canal. We have burned, cut, and treated the trees up to siphon 32 on the Conchas.

We have been looking for a used Ag-Air Mist Sprayer that can be used to control weeds and woody vegetation in the canals in the event that no water is released from Conchas Lake this year.

WATER ALLOCATION REVIEW OF CONCHAS LAKE

Director Bruhn made the motion that no water be allocated at this time. The motion was seconded by Director Lopez. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

CUSTOM WORK EQUIPMENT PRICES

Director Bruhn made the motion to approve the prices listed on the Equipment Price Sheet. The motion was seconded by Director Gilbertson. Motion carried 5-0. A copy of the Equipment Prices is included and made a part of these minutes.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

APPROVAL OF 2010 BUDGET

Director Lopez made the motion to approve the 2010 Budget. The motion was seconded by Director Henson. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

APPROVAL OF RESOLUTION 2009-005

Director Bruhn made the motion to approve Resolution 2009-005. . The motion was seconded by Director Gilbertson. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

SKIP VERNON MEDIATION HEARING

The mediation hearing is set for June 24, 2009 and June 25, 2009 if necessary at the San Miguel Magistrate Court at 10:00 a.m. in Las Vegas. An advertisement with the media will be made informing the public that the Directors will be in attendance and no action will be taken. The mediation was ordered by a judge.

COLLECTION OF PAST DUE ASSESSMENTS

Manager McCasland stated that 45 land owners were sent a letter from the attorney on May 6, 2009. The next day people started coming in to pay or to make arrangements for making payments.

GREG QUARTIERI, DISTRICT VII STATE ENGINEER WATER SPECIALIST

Greg Quartieri was asked numerous questions and made various statements to questions that were asked in the past. He stated that he hasn't heard anything from the State about adding staff to District VII. The office staff is spread too thin to accomplish too much. He stated that the files of the Salmon and Buena Vista Ranches were located and they can be viewed at the District VII Office and copies are \$.20. In the file is an application to store 10,000 af in those lakes. A file of periodic readings that were sent in of their flumes was located. To progress on this issue, it was stated that more ground work needed to be

done. He stated that ISC conducted the meeting that was held May 6 and he would follow-up on the question that David Foote had. He stated that he would get Arch Hurley a CD of Regional Water Plan if available. There was a question about the plan of work for 2009. It comes for Tim Farmer, District Manager of VII and approved by OSE. How much information that you are currently reviewing that you have spoken with Franklin about is digital or electronic? The answer is zero. The only thing that is entered is domestic wells, Tucumcari is partially entered and Clayton is fully entered. How much water is left to have? There isn't any surface water available- no new applications. Applying for new surface water on the Canadian in theory shouldn't happen. A person could declare a spring, but would have to have documents to show pre 1907 use. The public has helped with getting information to us. I would like to get some education to schools about the conservation of water. It was asked about the salt cedar spraying. If the spraying of salt cedars results in additional water in the river, that water is basically just added back to the water shed. Is there any coordination between conservation reserve programs and ISC for dams and arroyos that affect water rights? In our area we haven't had any of that close to us, but if there was any damming up, then you are stopping the water free flowing, then multiple issues would be affected. We have not been contacted by that organization or anything along that line. Domestic wells aren't denied around Angel Fire, are limited to 1 af.

PRESIDENT'S COMMENTS-

President Perkins wanted to thank everyone for coming and for the participation. This will get the correct information out to everyone. I want to thank Greg Quarteri for coming and wanted to thank Tim Farmer for allowing Greg to come. I am still getting phone calls and compliments on how the canals are looking and appreciate the forethought of Manager McCasland on diligence of weed control and spraying the bottom the canal. I lot of good compliments on how the crews are working. If some of our constituents are upset with obtaining information about up-stream areas, they need to speak up. We are doing something good, bringing this information to the surface and attention to Greg Quartieri, Tim Farmer, State Engineer's Office, and area farmers.. If someone objects, they need to come forward so that we can find some common ground. Mrs. Tom Bruhn gave me a name from NM State and UNM to contact to obtain mapping. I haven't got in touch with them. As soon as I get those satellite pictures I will e-mail them to Greg and Tim.

DIRECTORS COMMENTS –

Director Henson stated how nice the building looks and even a few flowers planted. Director Henson asked what the lawyer wanted to know. Manager Franklin McCasland stated that the lawyer knew more about what was discussed in the Board meeting than even the newspaper. His information was obtained from someone that attended the board meeting, because the lawyer had information even before the manager's report was public record. He knew about pictures and what property I was on. A year's worth of water diversions from the Mora River readings was turned into Tim Farmer after

Manager McCasland inquired about them, even though the lawyer had stated that readings were reported monthly.

Director Gilbertson asked who Manager McCasland asked to get back into those river diversions. Manager McCasland stated that on the Sapello River it was an individual from northern New Mexico and on the Mora River I could see the diversion from the road.

Director Lopez had no comments.

Director Bruhn had no comments.

CONSIDERATION OF BILLS-

Director Henson made a motion to pay the submitted bills. The motion was seconded by Director Bruhn. Motion carried 5-0.

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

ADJOURNMENT OF REGULAR MEETING-

With no further business to discuss, the meeting was adjourned at 10:35 a.m. with unanimous vote.

ARCH HURLEY CONSERVANCY DISTRICT

President Larry Perkins

ATTEST:

Vice President, Tommy Bruhn

