

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

Tuesday, October 13, 2009

Directors Present: Larry Perkins; President, UV Henson; Secretary/Treasurer, Pablo Lopez, Director; John Gilbertson, Director

Directors/Staff Tom Bruhn; Vice President

Absent:

Staff Present: Franklin McCasland, District Manager; Donna Lafferty, Office Manager; Craig Hoffman, Maintenance Supervisor; Mark Preciado Water Master

Guests Present: Jimmy Speed, Robert Evans, Drake Swenson, Ray Bates, Phillip Box, Thomas Evans, Tommy Evans, Wilbert Pederson, Judy Smith of FSA Office, Rex Kirksey, and Tom Dominguez..

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.

PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was lead by President Perkins and the Invocation was given by Phillip Box.

**APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING
SEPTEMBER 8, 2009-**

Director Lopez made the motion to approve the draft minutes of the Arch Hurley Conservancy District's September 8, 2009 meeting. The motion was seconded by Director Henson. Motion carried 4 – 0.

Directors Voted:

Perkins – “YES”

Bruhn – “ABSENT”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

VISITORS COMMENTS-

Wilbert Pederson had a question on adjudicated water rights in the Eagle Nest area. Manager McCasland will look into this and report back on the next meeting.

MANAGER'S REPORT

Today the Conchas Lake elevation is at 4163.7 feet. Conchas Lake received 3,447 acre feet of inflow for the month of September. Last year at this time the elevation of Conchas lake was 4164.7 feet.

On September 16th I met with the BOR and followed up with a meeting with Chuck DuMars and Catherine Robinson. We discussed the issue of illegal water diversions on the Canadian River and its tributaries and the pending protests on file with the State Engineer. I also gave them copies of all of the letters that have been sent out to our elected officials and the BOR. One of the letters was in reference to the federal screening program where the BOR in Albuquerque discontinued this program. Mr. DuMars said he could talk to the BOR Commissioner about this and see what his response is. I told Chuck that I was planning on attending the NWRA water conference in November and I will meet with the Commissioner also to discuss all of Arch Hurley's issues.

On September 22nd I received a call from Senator Udall's office that the grants from the BOR will be released in approximately 60 days. Later that day Joe Alderete from the BOR called and told me the same. He said that the BOR would send out an e-mail to inform everyone and that they would have a BOR grant workshop in Albuquerque to go over any changes with the new grants.

That same day we received a copy of a letter sent out by Representative Lujan to John D'Antonio at the State Engineers office concerning the unauthorized diversions on the Canadian River water shed. The State Engineers offices responded and indicated that they were aware of the situation and are looking into the issue. They will also be reviewing the Water Rights file and set up a meeting with the upstream irrigators in the Mora area.

This month Donna attended the basic BOR RRA training and next month Tara will attend the advanced RRA training. A copy of the training that is covered is in the information section of the board packets.

This passed month we have had to make some large repairs on some of our heavy equipment. We have had to replaced two turbo chargers, clutch in gradall, rebuild an injector pump on the D-7 dozer, replace a shifter fork in the transmission of the John Deere loader and replace several seals in hydraulic cylinders. The men are working on

maintenance projects and have completed some custom work projects for landowners in the district. The excavators are above the Tucumcari Check on cleaning out of the canals.

In today's hand out there is information about the next Cooperative Weed management Board Meeting on Wednesday October 21, 2009 @ 3:00pm at the Quay County Extension Office.

APPROVE CERTIFICATE OF CANVASS OF ELECTION

Director Lopez made a motion to approve the Certificate of Canvass of Election for the Director-at-Large and Municipal Director. Director Gilbertson seconded the motion. Motion carried 4-0.

Directors Voted:

Perkins – “YES”

Bruhn – “ABSENT”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

WATER ALLOCATION REVIEW OF CONCHAS LAKE

Director Henson made the motion that no water be allocated at this time. The motion was seconded by Director Lopez. Motion carried 4-0. This item will not be on the agenda until next year.

Directors Voted:

Perkins – “YES”

Bruhn – “ABSENT”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

PROTEST OF VERMEJO PARK APPLICATIONS

Director Henson made the motion to take the advice of Arch Hurley's water rights attorney, Chuck DuMars, and withdraw the 3 protests on Vermejo Park. The motion was seconded by Director Lopez. Motion carried 4-0. Manager McCasland will inform our attorney at Law & Resource Planning Associates about this decision.

Directors Voted:

Perkins – “YES”

Bruhn – “ABSENT”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

OPEN MEETING ACT

The Directors discussed the minutes. Enclosed in the Board packet is a copy of the State Statutes that pertain to Open Meetings. It states in the statutes that if “visitors” is listed on

the agenda then each individual's comments need to be summarized in the minutes. If it is taken off the agenda, then no comments could be taken from the visitors. Arch Hurley will follow the statutes. Manager McCasland stated that a transcriber's fee is between \$150 to \$200 per hour. If a constituent wants something documented in the minutes, they need to request to be on the agenda.

OTHER BUSINESS/ DIRECTORS COMMENTS

Manager McCasland reported that the Peanut Lateral which hasn't been used in years and is west of the Madrid Bridge has filled in with trees and vegetation. It will need to be cleaned out this winter. The area will need to be surveyed so that it will be put back in useful shape so landowners can receive water.

Director Henson stated that it's good that Arch Hurley had spent about \$5,000 with 15 local businesses this past month.

CONSIDERATION OF BILLS-

Director Henson made a motion to pay the submitted bills. The motion was seconded by Director Lopez. Motion carried 4-0.

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

ADJOURNMENT OF REGULAR MEETING-

With no further business to discuss, the meeting was adjourned at 9:59 a.m. with a unanimous vote.

ARCH HURLEY CONSERVANCY DISTRICT

President Larry Perkins

ATTEST:

Secretary/Treasurer UV Henson

