

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

Tuesday, November 10, 2009

Directors Present: Larry Perkins; President, Tom Bruhn; Vice President, UV 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 Supervisor; Mark Preciado Water Master

Guests Present: Jimmy Speed, Robert Evans, Ray Bates, Phillip Box, Thomas Evans, Paul Estrada, Catherine Bugg, Beverly Lake, Wilbert Pederson,, Rex Kirksey, and David Foote

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 Larry Perkins.

APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING OCTOBER 13, 2009-

Director Henson made the motion to approve the draft minutes of the Arch Hurley Conservancy District's October 13, 2009 meeting. The motion was seconded by Director Lopez. Motion carried 5 – 0.

Directors Voted:

Perkins – “YES”
Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”
Henson – “YES”

MANAGER'S REPORT

Today the Conchas Lake elevation is at 4163.3 feet. Conchas Lake received 360 acre feet of inflow for the month of October. Last year at this time the elevation of Conchas lake was 4162.0 feet.

This month I have met with the State Engineer John D` Antonio, John Romero and Tim Farmer all from the State Engineers Office to discuss the Mora River issue and the diversions not measured on the river. In the board packet is a letter from our attorney to the State Engineer's Office and a response back to Chuck DuMars and also a letter to State Rep. Dennis Roch. Tim Farmer is currently gathering information on all the water rights in the Mora Valley and will report to the Arch Hurley Board with the findings and plan of action within the next couple of months. Staffing in the Cimarron District VII office is still a problem. The State Engineer's Office has 49 positions not filled because of the State's hiring freeze and they are looking at employee furloughs this budget year to reduce the State's 650 million dollar budget deficit.

On October 19th I attended the ISC meeting in Santa Fe. On my way up I checked the diversions on the Mora River and found that 100% of the water on the river was being diverted to the lakes at Buena Vista Ranch. I called Tim Framer and notified him of the diversion. I asked how much water year to date has been diverted to the Buena Vista Ranch lakes. He could not give me an answer on the amount but was working on it.

At the last meeting Wilbert Pederson asked a question about the water adjudication on the Cimarron River and Eagle Nest Lake. In the packet is a letter from our attorney that explains that this water is senior water rights with a 1907 priority date. Also in the Board's packet is the order acknowledging our withdrawal of protest and dismissing Arch Hurley Conservancy District in the Vermejo protests.

On November 19th I have a meeting with the BOR Commissioner Mike Conner to discuss the issues facing Arch Hurley Conservancy District. I was also informed by Tammie Padilla from the BOR that Arch Hurley would not have to perform the annual crop census this year. The BOR is discussing the idea of discontinuing the crop census altogether.

The men are working on maintenance throughout the project and the excavators are west of town behind the old truck stop on cleaning out the canals.

The Arch Hurley Employee Christmas Dinner will be at noon on December 18th at the Rural 2 Fire Station on Norton Road.

VISITORS COMMENTS-

Thomas Evans asked that the dates be validated that are listed in the Manager's Report. Five thousand acres seems high especially for the date used.

Phillip Box stated that he is encouraged with what he's hearing, at least some of these questions are being asked and getting some answers back even though it's kinda slow, but we have made a good start and just keep pushing. I appreciate the Board taking that initiative.

Ray Bates stated that it is hard to believe with the farming practices in the earlier years of using animals and then small tractors that there was that much land broke out. I think the way to solve this it to take someone to court.

Rex Kirksey wants to encourage the Board to keep on the same battle and continue to seek community support.

Catherine Bugg stated we need to keep pushing this issue. I would like to thank the maintenance crew for the work on an easement road. I would like for the American flag at the Arch Hurley office to be replaced and it should be flown at half-mast in observance of Veteran's Week.

David Foote stated that the e-mail of 10/26/09 gives him the hope of some way of adjudication without suing.

Larry Perkins stated to Wilbert Pederson that he will get him a copy of correspondence in reference to his question of the last board meeting.

There was a discussion among the Directors about the BOR not requiring Arch Hurley to do an annual crop census this year and possibly not in the future either. Arch Hurley could continue doing it for their benefit of the use and the information it provides.

OATH OF OFFICE

Manager McCasland gave the Oath of Office to newly elected directors Larry Perkins and UV Henson.

ELECTION OF BOARD OFFICERS

Director Lopez made the motion to leave the officers as is which means Larry Perkins as President, Tom Bruhn as Vice-President and UV Henson as Secretary/Treasurer. The motion was seconded by Director Gilbertson. Motion carried 5-0.

Directors Voted:

Perkins – “YES”
Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”
Henson – “YES”

BEVERLY LAKE, HEARTLAND YOUTH GROUP

Director Bruhn made the motion to approve the Group's request to place 1 or 2 local, agriculture-oriented youths to sit in on Board meetings with no voting privileges. The motion was seconded by Director Lopez. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

PROPOSED CHANGES TO NM STATUTES

Director Henson made the motion to accept the proposed amendments except 73-18-36 and make no changes to that one. The motion was seconded by Director Lopez. Motion carried 5-0. The proposed changes are attached and a part of these minutes.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

CONSIDERATION OF BILLS-

Director Henson made a motion to pay the submitted bills. The motion was seconded by Director Gilbertson. 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 10:07 a.m. with a unanimous vote.

ARCH HURLEY CONSERVANCY DISTRICT

President Larry Perkins

ATTEST:

Secretary/Treasurer UV Henson

