

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

**Tuesday, October 12, 2010**

**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.

**Guests Present:** Jimmy Speed, Rex Kirksey, Bill Cone, David Foote, Ray Bates, Tom Dominguez and Greg Quartieri of State Engineer's Office.

**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 President Perkins.

**APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING  
September 14, 2010**

Director Gilbertson made the motion to approve the draft minutes of the Arch Hurley Conservancy District's September 14, 2010 meeting. The motion was seconded by Director Henson. 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 4162.77 feet. Conchas Lake received 7,936 acre feet of inflow for the month of September. Last year at this time the elevation of Conchas Lake was 4163.6 feet. The irrigation delivery efficiency for the month of September was 47.1%.

On September 15<sup>th</sup>, we treated the lower Hudson and Conchas Canals for moss. The herbicide used was Cleargate. We followed up with treatments of copper sulfate on the 27<sup>th</sup> and the 30<sup>th</sup>. This seems to have helped the moss problem. We will be better prepared to treat this problem next year before it gets as severe.

On September 16<sup>th</sup> the water orders and carry water exceeded the amount of water that could be released from the lake. We had to start a waiting list for water deliveries. Whenever a land owner turned water off the next person on the list turned on. There were a few land owners that did not like this method but, most understood the problem we were having and worked with us.

On September 22, the lake elevation was at 4162.7. The maximum water release was 200cfs. We were selling 128.5cfs and losing our surface levels in the main canal in A-unit. It was looking like we wouldn't make it to the end of the month on water deliveries.

On September 23, we received a large rain north of Conchas. The USGS stream flow gauging station at Sanchez recorded 11,000 cfs of water flowing down the Canadian River. We received over a foot of inflow into Conchas and we discontinued the waiting list for water orders.

On September 27, there was a motion filed in district court to dismiss the suit against Arch Hurley with prejudice regarding the drowning in 2006.

In the board packet is the information for this year's NWRA conference in November. I plan on attending this year. Also there is a copy of a legal notice filed with the OSE. This is not an application for new water. It is for a temporary permit to change point of diversion, place, and purpose of use of surface water. Also in the board packet is correspondence from Anthony Vigil from the BOR. They would like to inspect 5 more siphons this year. I informed Anthony that Arch Hurley had two BOR water conservation grants to complete before we could start on siphon inspections.

Jason Latham has accepted a position with the USACE. Craig Hoffman will cover F – unit for the rest of the irrigation season. Matt's, in G- unit, wife is due with a child any day now. Kevin and Mark will cover that unit. The maintenance department is winterizing all of our equipment.

### **VISITORS COMMENTS**

No comments from the visitors.

### **WATER ALLOCATION**

Director Bruhn made the motion to not allocate any water at this time. The motion was seconded by Director Gilbertson. Motion carried 5–0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

### **REQUEST TO REVISE RESOLUTION 97-012**

Director Henson made the motion to not change Resolution 97-012. The motion was seconded by Director Lopez. Motion carried 4–1. This resolution refers to equipment or structures across Arch Hurley canals, ditches, laterals, roads, and rights-of-way.

Directors Voted:

Perkins – “YES”

Bruhn – “NO”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

### **APPROVE BOR ASSISTANCE AGREEMENT FOR WATER SMART GRANT**

Director Lopez made the motion to approve the BOR Assistance Agreement for Water Smart Grant. The motion was seconded by Director Bruhn. Motion carried 5–0. The tentative completion date is 9/30/2012.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

## **GREG QUARTIERI, OFFICE OF STATE ENGINEER DISTRICT VII**

Greg Quartieri informed the Board of the complaints about illegal diversions on the Mora River. The one in particular was the one east of Waltrous on the Waltrous Valley Ranch (Michael and Rebecca Jusbasche). There was a large excavation right into the Mora River of about 200-300 feet basically made into a pool. A letter was sent to landowner. The landowner did respond in a timely manner to the deadline stated in the letter. The landowner was unhappy with the community ditch and he does have the right to apply for a “change point of diversion”. He has to go thru the correct procedures which include filing an application, and giving public notice, and giving the public the option to protest. Also, the landowner has to obtain majority approval from community ditch owners before SEO will even consider the application. The USACE and the State of NM Environmental Department were made aware of the excavation.

## **BOR RESPONSE TO FEDERAL SURPLUS EQUIPMENT**

A letter dated September 24, 2010 from the BOR which references back to a letter from BOR’s Solicitor’s Office explaining the reason for denial for excess equipment. Their possible solution is to obtain property through the State of NM, however no heavy equipment is available through ISC and DFA. Manager McCasland stated that he has requested a meeting with Commissioner Mike Connor during the NWRA Conference in November and will also speak with Senator Jeff Bingaman.

## **NM WATER RESOURCES ASSOCIATION LETTER**

Manager McCasland reported that the Association hasn’t received a response from either of the gubernatorial candidates.

## **DIRECTORS COMMENTS**

Director Lopez asked about purchasing 1 or 2 new four-wheel drive pick-ups for the District. President Perkins suggested that we look at 2 pick-ups the first year and then put one in the budget each year. That way we don’t get to the point that all of the pick-ups need to be replaced at the same time. Manager McCasland stated that Arch Hurley could purchase new vehicles under the State contract. The State has contracts with Ford, Dodge, and Chevrolet. The price would be under \$20,000.00 for a four-wheel drive pick-up. Manager McCasland stated that he would work on the proposal for the next board meeting.

President Perkins stated that we have a good water run this year. He stated that he has heard negative comments about the waiting list and how exceptionally well everything is

going from the same constituent. President Perkins stated that he appreciates all the hard work.

Director Bruhn stated that he received “thanks” from the ditchriders for their pay raise.

### **EXECUTIVE SESSION**

Director Bruhn made the motion to go into executive session. Director Lopez seconded the motion. A roll call was taken and all the directors voted yes. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”

Henson – “YES”

Director Bruhn made the motion to come out of executive session. Director Gilbertson seconded the motion. A roll call was taken and all the directors voted yes. Motion carried 5-0. President Perkins stated that only limited personnel matters and threatened or pending litigation and representation thereof were discussed.

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 11:35 a.m. with a unanimous vote.

ARCH HURLEY CONSERVANCY DISTRICT

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President Larry Perkins

**ATTEST:**

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Secretary/Treasurer UV Henson

