

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

**Tuesday, May 10, 2011**

**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, Fred Stieg, Ray Bates, Margaret Horner Young, Rex Kirksey, Peter Tatschl, Drake Swenson, Robert Curtis, Bob Stubbs, Jearld White, Carl Foote, Tom Dominguez, Harry Heckendorn, Jason Box and Phillip Box.

**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 9:04 a.m. in the District Office.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

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

**APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING  
April 12, 2011**

Director Bruhn made the motion to approve the draft minutes of the Arch Hurley Conservancy District's April 12, 2011 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 4160.9 feet. Last year at this time the elevation of Conchas Lake was 4166.1 feet. Conchas Lake received 429 acre feet of inflow for the month of April. Last year during the month of April we received 10,901 acre feet of inflow into Conchas Lake.

### CANADIAN RIVER BASIN as of May 1, 2011

May - June streamflow forecasts for the Canadian River Basin range from 36 percent of average for the Eagle Nest Reservoir Inflow to 17 percent of average near Cimmaron. Inflow into Conchas Reservoir is expected to be 28 percent of median for the May to June period, or 7,300 acre-feet. March to June streamflow forecasts are also well below average for all forecast points. Snowpack in the basin is only 7 percent of average, down significantly from last year's 115 percent at this time. Total reservoir storage in the Canadian basin is 69,800 acre-feet or 30 percent of average compared to last year's 92,800 acre-feet at this time.

In your board packet is a letter from Carla Pickering. She is the Grant officer for the BOR. We were informed that Arch Hurley's water conservation grant proposal was not accepted. We were told that funding has been cut on the federal side and that they had received three times the number of applications as last year, but last week we received a call from Janice Richardson at the BOR and informed us that they have received additional funding and was reviewing our water conservation grant application.

Also in the board packet is an Audit Contract signed by Sandra Rush CPA. This is a multi-year audit contract for 2010, 2011, and 2012.

On April 25, Mark found where someone dumped a large amount of trash on the canal by Tucumcari Mountain. In the trash was some junk mail from the person who dumped the trash. The sheriff was called and a report and citation was issued.

On April 29, I met with Mike Hamman at the BOR regarding Arch Hurley's annual debt payment. Tammie Padilla and Joe Alderete were also in attendance from the BOR staff.

On May 2, the ditchrider in D-unit started to town and his vehicle was backfiring and it started a grass fire on Norton Road. The fire was less than one acre and was contained mainly in the right-of-way. We sent out a water truck from the shop to help put out the fire. It was found that a rodent had chewed the sparkplug wires and that caused all of the problems.

On May 9, we received a letter from the BOR informing Arch Hurley that we have been awarded the water conservation grant that was previously denied. The notice of intent to

award the funding opportunity announcement No. R11SF40009 has been signed and returned to the BOR. This is a \$206,000 grant.

Last week I met with Joe Hronich. He is the Vermejo Conservancy District manager. The Vermejo Conservancy District is going through the same drought issues that we are. They have allocated 2 inches of water to only a part of their district as some of their reservoirs are still completely dry. We discussed different delivery methods on a rotational system with a limited water allocation. I also met with Tim Farmer and Greg Quartieri from the District VII OSE. They gave us some information on an upcoming irrigation group workshop in Springer on May 19. Some of the agenda items include Water Sharing & Distribution, NRCS Programs and ISC programs & funding.

We have completed and have been reimbursed for the first water conservation grant from the BOR. The second grant is for \$100,000 of bentonite application in the Main Canal. We have completed 25% of this grant and have requested reimbursement for the work completed from the BOR. Whenever we receive payment we will start the second phase of the grant.

We have hauled in some soil and water packed it around the culvert on the Madrid Bridge. The men have also replaced some gates, staff gages and weir blades throughout the project. They are also spraying woody vegetation with herbicide in the canals.

## **VISITORS**

Phillip Box stated that he had visited with Mayor Jim Witcher and asked if the City Commission could help support Arch Hurley in our request to monitor the water shed. The mayor indicated that he didn't see a problem, however the city had never been asked for their support. I would like to continue with the pressure on the State Engineer to measure. I would like for Manager McCasland to work with City Manager Bobbye Rose.

Pete Tatschl stated that he had looked at the budget proposals. I know that you are doing the very best job you can in very difficult circumstances and the ground work shows. My concern is that having to spend more money that we take in and how long we can continue to do that before we get in the same shape as our country.

Fred Stieg of Big Mesa wanted everyone to know that Big Mesa's web site is [bigmesa.nm.com](http://bigmesa.nm.com)

Bob Stubbs would like for the District to continue on with repair work because it is hard to repair things when the canals are full of water.

Carl Foote stated that we don't need another \$2 added to the assessment - cut back, and lay off some help.

Drake Swenson stated that we don't need another tax of 20% and any board member who thinks we do should resign today.

Sissy Young stated that Clovis passed the ¼ tax increase for the pipeline from Ute Lake to Clovis.

### **. WATER ALLOCATION**

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”

### **LIMITED WATER ALLOCATION ROTATION**

Enclosed in the board packet is the efficiency table of the sold/diversions for 2010. Manager McCasland brought up the option for Board discussion for a rotation type irrigation run – 15 days on one side (Units A, B, C and D) and then 15 days on the other side (Units E, F, and G). This rotation would be on a limited allocation of water. With this type of water run, a farmer would irrigate when the water is on in their unit and then would water again, if water available, when it rotates back to them. This agenda item was tabled for a future board meeting and a workshop was proposed.

### **ANNUAL DEBT PAYMENT WAIVED**

Manager McCasland stated that he met with Mike Hamman, Tammie Padilla, and Joe Alderete of the BOR on April 29 to discuss the waiving of the Arch Hurley annual payment to BOR for 3 years. Arch Hurley wanted the payments to be added to the back of the note. On the local level, the BOR can defer one payment and that payment would then be due the following year. The request for the waiving of the payment for 3 years will need to go to the Regional Office. It will take approximately 60-90 days for an answer.

### **FEDERAL CONGRESSIONAL CAPITAL APPROPRIATION**

Director Henson made the motion for Manager McCasland to write a letter to Senator Bingaman requesting Federal Appropriation to be used for equipment purchase and underground pipeline. A copy of this request should also go the Representatives Udall and Lujan. Within the letter, emphasize that the funds would be used for water conservation projects to make the request more appealing. The motion was seconded by Director Lopez. Motion carried 5-0.

Directors Voted:

Perkins – “YES”  
Bruhn – “YES”

Gilbertson – “YES”

Lopez – “YES”  
Henson – “YES”

### **CITY OF TUCUMCARI REQUEST TO CROSS LATERAL**

The paperwork from the City of Tucumcari requesting permission to bore under the Farm Lateral to provide reuse water to NMSU Agricultural Science Center. This paperwork was also mailed to the Bureau of Reclamation in Albuquerque.

### **BIG MESA WATER**

The Board of Directors would like to tour the facilities of Big Mesa. Fred Stieg stated that the best time for a tour is in the morning. Mr. Stieg extended an invitation to anyone who would like to take the tour. Manager McCasland and Mr. Stieg will set up a time.

### **RESOLUTION 2011-004**

Director Lopez made the motion to approve Resolution 2011-004 which pertains to 2012 budget. The motion was seconded by Director Henson. Motion carried 3-2.

Directors Voted:

Perkins – “YES”  
Bruhn – “NO”

Gilbertson – “NO”

Lopez – “YES”  
Henson – “YES”

### **DIRECTOR’S COMMENTS**

Director Gilbertson stated that we need a plan to figure out what the problems are because it won’t rain. I have a question about reclassifying land from B to A. Property

values have dropped over the years and we have a 50 year old project. It will be easy to prove that Arch Hurley was never a viable project. I would like documentation from reuse project to see that it takes 3 ½ acre feet of water to raise this kind of alfalfa and 12,000# milo.

Director Lopez stated that we do get complaints about pick-up going back and forth, however a job sometimes will take 2 or 3 hours and then the workers need to move to another location. That is why the pickups are seen moving to another location.

Director Bruhn stated that he remembers a few years ago that the Lopez's tried to get a well drilled and didn't get it done. It is in the paper again now calling it a transfer. Manager McCasland stated that the well caved in and the application is to drill another well right beside it. If this well is drilled, it will be metered.

President Perkins stated that he has noticed that the Arch Hurley pickups have 2 people in them recently. I would like to commend Manager McCasland and Mark for conserving gas with the carpooling. We are conserving on gas by not idling the pick-ups also. Manager McCasland would like to receive phone calls from constituents with money saving ideas or questions about why vehicles are in a particular location.

### **EXECUTIVE SESSION**

Director Bruhn made the motion to go into executive session. The motion was seconded by Director Lopez. A roll call was taken and each of the directors voted yes. Directors went into executive session at 11:18 a.m.

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

### **EXECUTIVE SESSION**

Director Bruhn made the motion to come out of executive session. The motion was seconded by Director Gilbertson. A roll call was taken and each of the directors voted yes. Directors came out of executive session at 11:45 a.m. President Perkins stated that only threatened or pending litigation was discussed.

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

Director Bruhn made a motion to reject Skip Vernon’s settlement offer and have the attorney continue with the dismissal process and the attorney have no further contact with Skip Vernon unless a subpoena is served. The motion was seconded by Director Lopez. Motion carried 5-0.

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 Bruhn. Motion carried 5-0. Directors would like to receive a monthly bill from the lawyers instead of quarterly.

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 12 noon with a unanimous vote.

ARCH HURLEY CONSERVANCY DISTRICT

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President Larry Perkins

**ATTEST:**

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Secretary/Treasurer UV Henson

