

**ELEPHANT BUTTE IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING
April 17, 2009**

The Board of Directors of the Elephant Butte Irrigation District held a special meeting for the purpose of discussing State ex. rel. D'Antonio vs. EBID CV 96-888 (Stream Adj.) in a video conference meeting with John D'Antonio, NM State Engineer. The meeting was held on Wednesday, April 17, 2009 at the office of the State Engineer, Las Cruces. The meeting was called to order by President James Salopek on a motion by Jerry Franzoy, seconded by Bill Gary. Motion carried. All members were present.

EBID Staff present was Gary Esslinger, Treasurer-Manager. Also present were Steve Hernandez and Phil King.

Jerry Franzoy motioned and Joe Nelson seconded to go into closed session to discuss EBID vs. United States BOR; (US Dist.Ct.NM) No. CIV-1309; Operating Agreement. Motion carried.

Pursuant to Section 10-15-1-h, NMSA of the New Mexico Open Meetings Act, the following topics shall be discussed in closed session:

State ex. rel. D'Antonio vs. EBID CV 96-888 (Stream Adj.)

Bill Gary motioned and Jerry Franzoy seconded to return to open session. Motion carried by roll call vote with all members present agreeing to the motion to return to open session. During closed session the above-noted topic was discussed.

There being no further business, Bill Gary motioned and Joe Nelson seconded to adjourn the meeting. Motion carried.

Roll Call

Closed/
Open Session

Adjourn

JAMES SALOPEK, President

WILLIE KOENIG, Secretary