

**ELEPHANT BUTTE IRRIGATION DISTRICT  
BOARD OF DIRECTORS MEETING  
May 12, 2010**

The monthly meeting of the Board of Directors of the Elephant Butte Irrigation District was held on Wednesday, May 12, 2010. The meeting was called to order by President James Salopek on a motion by Ramon Alvarez, seconded by Willie Koenig. Motion carried. Joe Nelson was absent.

Roll Call

EBID Staff present were Henry Magallanez, Engineering Supervisor; James Narvaez, Hydrology Director; Gail Norvell, Controller; Ricardo Bejarano, Water Master; Valerie Beversdorf, CR & GIS Director and Leo Barrett, Maintenance Project Director. Personnel present were Linda Armijo, Land Specialist; Delyce Maciel, HR and Phil King, EBID Water Quality Consultant.

Also present were Steve Hernandez, Hubert & Hernandez, P.A; Rasool Ahadi and Calvin Chavez, OSE; Bud Starnes, NMSU, NMDA; and Sammy Singh, EBID Constituent.

Tom Simpson motioned and Willie Koenig seconded to accept the minutes of the April 14th meeting as with corrections. Motion carried.

Minutes  
Approval

The Water Transfer Hearing minutes were approved on a motion by Willie Koenig, seconded by Ramon Alvarez. Motion carried.

The calendar was discussed. Items on the calendar for the months of May and June 2010 include: Water Smart Proposal meeting to be held May 13<sup>th</sup> as a telephone conference; US OSE Mediation conference to be held May 20<sup>th</sup> in Las Cruces; and a meeting on Garfield Dam to be held May 21<sup>st</sup>.

Calendar of  
Events

The next meeting of the board will be Wednesday, June 9, 2010.

Henry Magallanez presented the special use permits for the month of April, 2010 and recommended approval of all licenses as presented.

Engineering  
Report

**Non-Moritorium**

Qwest Corporation: To construct, operate and maintain a buried cable crossing the East Drain at approximate 388+30 and the Anthony Lateral at approximate station 118+31. Assessment, \$2,140.12

Special Use  
Permits

Subtotal \$2,140.12

Total Assessment: \$2,140.12

**Non-Moritorium**

City of Las Cruces: To construct, replace, operate and maintain an existing waterline crossing the Armijo Lateral at McClure Road at approximate station 24+04. Assessment: \$3,166.67

City of Las Cruces: to construct, replace, operate and maintain an existing 4" gas line with a new 8 inch gas line crossing and paralleling various drains and laterals at various stations. Assessment \$35,684.97

Subtotal \$38,851.64

Total Assessments: \$38,851.64

**Moratorium**

El Paso Electric Co.: To construct, operate and maintain a new aerial electric powerline crossing the Laguna Lateral at approximate station 126+00; Assessment: \$3,166.67

Ray Johnson and Raylene Barton: To construct, operate and maintain a new

waterline parallel and crossing the Mayfield lateral at approximate stations 49+78 to 52+18 for approximately 240 feet. Assessment, \$1,694.98.

Subtotal \$4,861.65

Total Assessments: \$4,861.65

Robert Faubion motioned and Jerry Franzoy seconded to approve all licenses as presented. Motion carried.

Reclassification permit – Les Parnell. Henry presented a letter of thank you from Les Parnell stating he was most appreciative of EBID staff and legal staff for helping him secure his reclassification of land. Henry stated he was on the top of the list for reclassification.

Reclassification -  
Parnell

Henry discussed a request from Mesquite Mutual Domestic Water Consumers to relocate a well on Hwy 228 near the Mesquite Drain. The Board tabled the consideration indefinitely. Motion by Tom Simpson, seconded by Robert Faubion.

Mesquite Well

Valerie Beversdorf, Computer Resources and GIS Director, updated the Board on the CR-GIS Department. Valerie reported that GIS was preparing new maps to be used in the next flat rate weekend. GIS is also preparing a set of maps of the entire district to be on the wall in the board room.

CR-GIS Report  
Mapping

Valerie reported on the conversion of the old Hylax into the new Fusion programming system. She reported that the Water Records department was next on the list for conversion. Dave Nelson, the IT Programmer, will be in the office next week and will be learning the process for taking water orders in order to better be able to write a program to handle the water order process. He will be working with Gail Norvell and the people in the department to get this done. The plan is to have the Fusion completely implemented by end of 2010

Hylax to Fusion  
Conversion

Leo Barrett, Maintenance Project Director, gave an update for the maintenance department. He discussed the rotary mulcher mower that EBID was considering purchasing. The cost of freight and adaptor to EBID is \$4,800. Jerry Franzoy motioned and Robert Faubion seconded to pay the freight for the machine and the operator to test in our environment. Motion carried.

Maintenance  
Update

Rotary Mulcher  
Update

Spraying Report. Leo reported that the District is using Razar and Unison together to kill weeds, while leaving the grass to stabilize the drain banks. Bobby Sloan asked whether the District's spray trucks had calibrate tools installed for controlling output of chemicals with the speed of the truck. Leo said he was looking into the calibrators, but that they were saving costs right now by calibrating the trucks to spray adequately. Leo also said that the men were using the ATVs in small areas and spraying at 3:00 a.m. in windy conditions.

Spraying Update

Gail Norvell, Controller, gave the financial report. The Financial Fact Sheet for the month of April, 2010, is as follows: Cash in the bank totaled \$685,676; assessments receivable totaled \$633,256; and investments totaled \$5,430,454 for a grand total of \$6,749,386. This amount reflects an increase in assets of \$694,696 over April, 2009. No extraordinary costs or receipts were reported for the month of April. Also presented was the financial statement for the month of March, 2010.

Controller Report  
Financial Fact  
Sheet

Gail reported that the EAC was continuing to work on evaluations, sick leave bank and the irrigation display. EAC gave a presentation for Ag Day at Mesilla Park Elementary School for 3<sup>rd</sup> – 5<sup>th</sup> grades using the irrigation display. NMSU will be assisting with the development and enhancement of the irrigation display to incorporate impacts of flooding.

EAC Update

Gail informed the Board that the District's credit due from BOR for \$5,114.90 from the settlement in the legal matter CIV 90-09 has now been applied to our Bureau annual/quarterly billing.

BOR Credit – CIV 90-095

Water Trust Board Grant – Gail presented the Resolution Authorizing Grant Agreement With State Of New Mexico Environment Department, Resolution EBID 2010-07 for the Water Trust Grant 2010 Surface Water Agreement. Scott Adams motioned and Willie Koenig seconded to approve the resolution. Motion carried. The District's cost on the grant share will be \$37,000.

Water Trust Board Grant

Gary Esslinger discussed a meeting he and the Executive Committee had with the BOR Area Manager, Mike Hamman. Topics discussed were the Quagga Mussel, the BOR Budget and River Operations. Staff and legal are drafting suggestions to take over more of the actual river operations. It was a good meeting and Mr. Hamman was very accepting of our suggestions. He stated that a letter would be forthcoming on responding to our concerns.

BOR Area Manager Visit

Amendment to National Audubon Society Grant – Tom Simpson motioned and Willie Koenig seconded to approve the amendment. Motion carried. Approval of this grant will keep the District and NM Audubon working together on river restoration projects, enabling EBID water rights to be purchased by environmental groups like NM Audubon.

Nat. Audubon Society Grant

Burn Lake Grant – EBID and the City of Las Cruces have entered into a joint grant to monitor storm runoff. EBID would like to use Burn Lake as a regulating reservoir. EBID/CLC will make sure no e-coli would impair the use of water. EBID will cost share with CLC to take samples three times a year. The grant is in the amount of \$8000 and will establish a base for e-coli sampling. The Hydrology Department will sample along with the CLC for two years.

Burn Lake Grant

Gail Norvell presented the following service contracts for approval:

Service Contract Awards

Janitorial Service Contract – All Clean Maintenance's bid was approved on motion by Scott Adams, seconded by Robert Sloan. Motion carried.

Electrical Contract – High Peak Electric's bid was approved on motion by Willie Koenig, seconded by Tom Simpson. Motion Carried.

Plumbing – Precision Plumbing's bid was approved on motion by Tom Simpson seconded by Willie Koenig Motion carried.

James Narvaez, Hydrology Director, and Phil King, Water Quantity Consultant, reported on water quantity and the opening of the 2010 irrigation season.

Hydrology Update

After discussion, Phil King suggested that the allotment be raised to a total of 24 inches (2 ac/ft). He said this will work if the conveyance efficiency can be raised to 64%. If not, we'll have to shut down early due to poor efficiency. Operations and Hydrology will work hard to improve their current efficiency of 49%. Jerry Franzoy motioned that the allotment be increased an additional 12 inches at this time. Scott Adams seconded the motion. Motion carried. The allotment now stands at 2 ac/ft.

Allotment Discussion 2 ac/ft

Richard Bejarano, Water Master, gave the Operations Department report to date as follows: Farm Deliveries, 2,785; Acres Irrigated, 47,293; AF charged to farmers, 23,856; Actual Total Diversion, 47,967; Balance, 111,056; 4 breaks and 0 runovers. Total breaks for year, 5, and total runovers, 0. 2010. 2010 delivery efficiency at 46.49% as compared to 60.56% in 2009.

Operations Report

Richard reported that the 48-hour work schedule had not been implemented as of the date of the meeting due to the fact that he was waiting to have all new hires on board and trained prior to proceeding. The new schedule for all units including supervisors will begin the following week. After the units are working on the new schedule, comments from the farming community and employees will be evaluated. Supervisors will see that all employees make an honest effort to make the new 48-hour schedule work.

48-hour work schedule

Tom Simpson motioned and Willie Koenig seconded to break for lunch. Motion carried. Following lunch, Robert Sloan motioned and Scott Adams seconded to reconvene the meeting. Motion carried.

Lunch Break

Gary Esslinger, Treasurer-Manager, gave the Manager's report. Topics discussed were as follows:

Manager's Update

Family Farm Alliance (FFA) - The FFA Monthly Briefing was presented along with FFA's request for support and funding campaign to gain additional members. Gary suggested that EBID sponsor a fund raising campaign for FFA in the near future.

FFA Funding Request

Gary asked for attendees of the NM Water Law conference to be held August 5-6 in Santa Fe. James Salopek, Robert Faubion and Gary Esslinger will attend.

Gary asked for a resolution of Condolence for William (Bill) Baker who passed away May 3, 2010. Mr. Baker was a member of the National Water Resource Association (NWRA) serving as Chair of the Water Supply Subcommittee. Tom Simpson motioned and Ramon Alvarez seconded approve Resolution 2010-08

Resolution of Condolence 2010-08

Gary pointed out the addition of National and New Mexico state flags to the board room as well as the banner placed in the Boardroom. Members were pleased to have the addition of these items.

Flags and Banner

Steve Hernandez updated the Board on legal matters. All LRR's remain open and are being worked on with EBID Staff.

Legal Update

Willie Koenig motioned and Robert Sloan seconded to go into closed session to discuss legal matters. 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:

Open/Closed Session

- State ex. rel. D'Antonio vs. EBID CV 96-888 (Stream Adj.)
- AWRM Amicus Appeal Brief
- Denial of Parasol Dairy NMED Permit (LRR 289)
- Notice of Withdrawal of Triennial Review Proposed Changes
- Verde Realty Operating Partnership.

Following closed session, Tom Simpson motioned and Jerry Franzoy seconded to return to open session.

There being no further business, Willie Koenig motioned and Scott Adams seconded to adjourn the meeting. Motion carried.

Adjourn

The next meeting of the Board of Directors will be held on Wednesday, June 9, 2010.

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