

**ELEPHANT BUTTE IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING
March 9, 2011**

The monthly meeting of the Board of Directors of the Elephant Butte Irrigation District was held on Wednesday, February 9, 2011. The meeting was called to order by President James Salopek on a motion by Robert Faubion, seconded by Scott Adams. Motion carried. Member absent was Tom Simpson.

Roll Call

EBID personnel present were Henry Magallanez, Engineering Supervisor, Linda Armijo, Land Records Specialist; A.J. Carlson, Land Water Analyst; Chuy Morales, ??; Zachery Libbin, ?? Gail Norvell, Contoller; James Narvaez, Hydrology Director; Valerie Beversdorf, CR/GIS Director; Dustin Leonard, GIS specialist; Delyce Maciel, HR/Safety Director; Richard Bejarano, Watermaster; Roman Ramos, Assistant Watermaster; Naomi Ontiveros, Executive Secretary.

Also present were Steve Hernandez and Samantha Barncastle, Law Office of Steven L. Hernandez; Dr. Phil King; Eric Fuchs, NMOSE.; Chad Reynolds, Leslie Graham, Zia Natural Gas; Richard Llanez, Ric-Llan Farms; Beth Bardwell, Audubon New Mexico; James Powell, BOR-EB; Chris Canavan, NMED/SWQB; Kevin Bixby, SWEC; Arturo Trango Rio Grande Natural Gas;

Jerry Franzoy motioned and Willie Koenig seconded to accept the minutes of the February 9, 2011 meeting as presented. Motion carried.

Minutes Approval

The calendar was discussed. Items on the calendar include: Growers meetings March 8th, 10th, 15th and 17th with presentations by Dr. Phil King and Samantha Barncastle. March 30, 2011 Compact Meeting in Albuquerque, NM.

Calendar of Events

License List for Special-Use-Permits for March 9, 2011 Board Meeting
Non-Moratorium

| Licensee | Assessment | Fees Requested to be Waived |
|--|------------|------------------------------|
| 2010-L-018 El Paso Electric | | |
| To construct, operate, and maintain an overhead powerline crossing the Lower Chamberino Lateral at Sta# 40+03. | \$2,916.67 | |
| 2011-L-019 Qwest Corporation | | |
| To construct, operate, and maintain a buried utility crossing the Laguna Lateral at Sta# 66+98 | \$1,450.03 | |
| 2011-L-023 Ben Bolaños | | |
| New Bridge across the Westside Canal at Sta# 327+00 | \$2,566.67 | |
| 2010-L-071 Leasburg State Park | | |
| Install 2 new foot bridges over Leasburg Canal at Sta# 3+50 and 25+00, within Leasburg State Park | \$6,333.33 | \$6,333.33 NM State Parks |
| 2011-L-024 Brazito MDWUA | | |
| New water main crossing Lake Lateral at Sta# | \$2,916.67 | |

11+50 along Hwy. 478

Subtotal \$19,600.04 \$0.00

Total Assessments \$19,600.04

Henry Magallanez introduced Chuy Morales and Zachary Libbin who presented the board with permits for the month of February.

Special Use Permits

Motion to approve all the special permits and to accept Boundary Expansion certified copy by Jerry Franzoy second by Ramon Alvarez and motion carried. Motion to approve IBWC permit for parallel issues involving levee rehabilitation by Robert Faubion second by Scott Adams. Motion Carried.

Zia Natural Gas Manager Leslie Graham introduced Chad Reynold, Ron Reynold and Arturo Tarango. She spoke to the board regarding the start date beginning April 1, 2011 and at this time they will be doing customer service. Zia Natural Gas is based out of Ruidoso, NM but there local office is located at 300 W. Picacho Ave and will be open by March 28, 2011. She expresses her hope to develop a good working relationship with EBID. An application letter will be presented to the board at the April 13, 2011 board meeting.

Zia Natural Gas

Kevin Bixby presented to the board his La Mancha Wet Land Project. The land was donated to Mr. Bixby in 2003 and started working on the project in 2006. Mr. Bixby expresses how he is trying to work with EBID and stake holders. He will connect to the river through a levee already installed and water will only flow if the river is 12 cfs or higher. There are a few issues regarding water right approvals. There are three water right acres so far approved. Wayne Miller calculates nine acft per year with a full allocation. The project is to restore fish in the river and the Leasburg Dam. Mr. Bixby explains to the board they are still working on how to measure water deliveries; and it seems that the best way that works so far is the way EBID measures the water. Samantha Barncastle adds that IBWC has said they will not work with Mr. Bixby until they have spoken with EBID first. Henry Magallanez asked if he still had funding available. Kevin Bixby explained he was awarded two grants one in 2008 and the other in 2010. The 2010 grant contract has not yet been recieved. He is hoping to receive that grant before the irrigation season.

La Mancha Wet Land Project

Gary Esslinger advised the board that Leo Barrett would not be in to give his Maintenance report due to an issue that came up with the IBWC contractors hitting a gas line and traffic being blocked on the levee. EBID has been working with the local contractors and have not had any problems with them.

Maintenance Department Update

Richard Bejarano introduced Roman Ramos the new Assistant Watermaster. Roman spoke to the board and expressed his gratitude and is looking forward to improving the districts efficiency. Richard Bejarano updated the board on the Watermaster meeting. EP #1 small track schedule is April 8, 9 and 10th. Richard explains no burning has started due to lack of permission. He does state the farmers have been burning and doesn't see how they have been given the ok and yet EBID is unable to. Gary Esslinger asked Delyce Maciel if this is occurring. Delyce explains that it is the city dispatch that lets you know if there is no burning allowed; she advises the board she will be checking more often.

Operations/ Hydrology Report

Dr. Phil King presented to the board his presentation for the EBID Growers Meeting. He reiterates to the board that is going to be a short year due to lack of snow run off. If the relinquishment becomes immediately it will not affect us negatively for next year. There will be a allocation meeting March 10, 2011. Dr. King recommends asking for a one hundred thousand acft relinquishment. Motion to request relinquishment by Jerry Franzoy second by Robert Sloan. Motion Carried. Dr. King states a May irrigation season may happen if EBID is awarded the relinquishment. He explains to the board a six inch allotment is equal to one flat rate weekend.

Chris Canavan spoke to the board on water quality testing and standards. He advises the board there are currently nine water quality stations in lower Rio Grande. In a 2004 survey they used to check and see state and local water quality standards. The Tierra Blanca Creek was added this year. Assessment units are significant to look at. Two assessment units came back with ecoli. Gary Esslinger asked Mr. Canavan if during the testing they noticed a spike in the Sunland Park area, and if there is some one appointed to check if there are wastes being dumped in the area. Chris Canavan's response was no and he was not sure who would be responsible for that area but did advise that he would look into it.

NM Environment
 Department

Valerie Beversdorf gave her update on fusion. She lets the board known Dave Nelson has been in the EBID offices working on fusion for water records to be ready for the 2011 irrigation season. Work is on going to with units to fill in the areas missing for turnouts. Henry Magallanez and James Narvaez are working on well permits.

CR/GIS
 Report

Vision 2040 planning is writing the comprehensive development plan. The last meeting is scheduled for March 31, 2011.

Vision 2040

The Storm Water Coalition met on February 24, 2011 a good group of people showed up and they discussed on which direction the group should go. They would like to get county and city participation and don't want any taxing. The next meeting is scheduled for March 17, 2011.

Storm
 Water
 Coalition

Delyce Maciel gave the Human Resources and Safety update. The Assistant Watermaster position is finalized and we are currently taking applications for temporary positions for the irrigation season and a diesel mechanic. Safety training courses are on track and Delyce advises the board each employee needs 16 hours of safety training. Delyce advises the board the EAC Committee will be meeting at the end of March.

HR/ Safety
 Reporter

Gail Norvell presented to the board the financial reports for the Month of February 2011. Cash in the bank is \$777,747, assessments receivable is \$2,111,954 and investments \$8,827,211 for a total increase of \$1,083,457 over February 2010. Grant projects are on going. Gary Esslinger explains to the board that the Water Trust Board Grant Diez Lagos Regulating Reservoir is not final yet. The project was a query of an additional 40 acres by Greg Collins. Gary has tried repeated times to get a hold of Mr. Collins and unfortunately is unable to locate him. Gary will continue to try and locate Mr. Collins or look at other sources so the district does not lose the grant funding.

Controller
 Report
 Financial
 Fact Sheet

Gary Esslinger gave an update on the FFA Las Vegas Trip. He presented the board with the same power point presentation he presented in Las Vegas. A few slides were old board minutes about the title transfer and a letter from former President George W Bush. He spoke to them regarding the NCLS and explained that our district has not had any major flooding. The highest the water levels got on the levees was in the late 1940's and as of now the Salem, Garfield and Hatch areas can carry more.

Managers
 Update

Steve Hernandez reported on legal matters.

Legal
 Update

- LRR 302 - City of El Paso/Montoya Drain. Open- SAH
- LRR 303 - Hatch Easements. Open -SRB
- LRR 323 - Policies, Relinquish of Easement and Excess of Real Property. Open-SLH
- LRR 342- Protest to DAC and Verde Reality Water Rights Apps, Reopen-LEP
- LRR 345 - Lack/EBID Land Exchange and Flow Easement. Open-LEP
- LRR 351 - Request to realign ROW boundaries, Stahmann. Open-SAH
- LRR 359 - LRG MD Surface Water Treatment Facility Proposed Plan. Open-BJS
- LRR 365 - Assessment Roll Reconciliation. Open-SRB
- LRR 366 - Rincon Arroyo Weather Station MOA. Closed-SAB
- LRR 367 - Sierra County Communication Tower on Caballo Mountain MOA. Open-LEP

LRR
 Report

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

Lunch
Break

Willie Koenig motioned and Tom Simpson 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.)
CLC Well Applications-LRG 430-S-36

Following closed session, Scott Adams motioned and Willie Koenig seconded to return to open session. No topics other than those set forth above were discussed at the closed session.

There being no further business, Robert Faubion 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, April 13, 2011.

JAMES SALOPEK, President

WILLIE KOENIG, Secretary