

**ELEPHANT BUTTE IRRIGATION DISTRICT  
BOARD OF DIRECTORS MEETING  
June 8, 2011**

The monthly meeting of the Board of Directors of the Elephant Butte Irrigation District was held on Wednesday, June 8, 2011. The meeting was called to order by President James Salopek on a motion by Tom Simpson, seconded by Scott Adams. Motion carried. Member absent was Joe Nelson.

EBID personnel present were Henry Magallanez, Engineering Supervisor, Zachery Libbin, Junior Engineer; Chuy Morales, Engineer Tech; Gail Norvell, Controller; James Narvaez, Hydrology Director; Valerie Beversdorf, CR/GIS Director; Dustin Leonard, GIS Specialist; Leo Barrett, Maintenance Project Director; James Narvaez, Hydrology Director; Delyce Maciel, HR/Safety Director; Naomi Ontiveros Executive Secretary.

Also present were Samantha Barncastle and Steve Hernandez, Law Office of Steven L. Hernandez; Dr. Phil King; Eric Fuchs, NMOSE; Erik Ness Rosa Del Rio Media; Hilary Brinegar, NM Department of Agriculture; Chuck Ennis, Sammy Singh EBID Constituent; James Powell, BOR Elephant Butte Dam.

Ramon Alvarez motioned and Willie Koenig seconded to accept the minutes of the May 11, 2011 meeting. Motion carried.

The calendar was discussed. Gary Esslinger advised the Board on June 9, 2011 the Rio Grande Project Tour will be at EBID. Gary also advised the board there will be a NWRA Western Water Seminar from July 25-27, 2011 in Colorado Springs, CO.

Chuy Morales and Zachary Libbin presented the board with permits for the month of June.

**License List for Special-Use-Permits for June 8, 2011 Board Meeting  
Non-Moratorium**

Licensee	Assessment	Fees Requested to be Waived
<b>2010-L-036 Zia Natural Gas</b>		Requested Waived
To construct, operate, and maintain a buried gasline crossing the Chamberino East Lateral at Sta# 80+72 for an Esslinger well pump	\$3,166.67	\$3,166.67 Farm well
<b>2011-L-040 Zia Natural Gas</b>		Requested Waived
To construct, operate, and maintain a buried gasline crossing the Laguna Lateral at Sta# 175+60 and running parrallel Sta#175+60 thru 179+36 for a Salopek well pump	\$5,517.60	\$5,517.60 Farm well
<b>2011-L-041 Zia Natural Gas</b>		Requested Waived
To construct, operate, and maintain a buried gasline crossing the Picacho Main Canal at 297+50 for a Lyall well pump	\$3,166.67	\$3,166.67 Farm well
<b>2011-L-043 Picado and Candelaria</b>		Requested Waived
To use the La Union West Lateral for pump in and take out, pump in at Sta# 165+01	No Fees	No fees Farm well
<b>2010-L-046 Lopez, Branson</b>		Requested Waived
	\$1,666.67	Requested Waived

Roll Call

Minutes Approval

Calendar of Events

Special Use Permits

To maintain and operate an existing culvert vehicle crossing the San Miguel Lateral at Sta# 266+50		\$1,666.67
<b>2011-L-039 El Paso Electric</b>		Requested Waived
To construct, operate, and maintain a span of three phase overhead utility crossing the Upper Chamberino Lateral at Sta# 373+56	\$2,916.67	\$2,916.67 Farm well
<b>2011-L-042 El Paso Electric</b>		
To repair, operate, and maintain an existing span of three phase overhead utility crossing the Chamberino East Lateral at Sta# 329+40	\$2,916.67	
<b>2011-L-045 El Paso Electric</b>		
To construct, operate, and maintain a span of three phase overhead utility crossing the Mayfield Lateral at approximate Sta# 20+50	\$2,916.67	
Subtotal	\$25,684.29	\$19,850.95
<b>Total Assessments</b>		<b>\$5,833.34</b>

License List for Special-Use-Permits for June 8, 2011 Board Meeting  
 Moratorium

Licensee	Assessment	Fees Requested to be Waived
<b>2011-L-047 NM Department of Transportation</b>		Requested Waived
To construct, operate, and maintain a concrete box culvert vehicle crossing the Arrey Canal at approximate Sta# 5+28.	\$3,416.67	\$3,416.67
<b>2011-L-038 City of Las Cruces</b>		Requested Waived
To construct, operate, and maintain pavement and water, sewer, and gas utilities parallel use of the Las Cruces Lateral from approximately Sta#221+00 to approximate Sta# 240+00	\$7,976.25	\$7,976.25
Subtotal	\$11,392.92	\$11,392.92
<b>Total Assessments</b>		<b>\$0.00</b>

Motion to approve all special permits and allow by Jerry Franzoy second by Scott Adams. Motion carried.

James Powell with the Elephant Butte Dam BOR presented the board with an update. Mr. Powell advised the board this year they will be setting up a Conference Review Evaluation regarding their maintenance program and status. A team out of Denver, CO will be coming out to Caballo and Elephant Butte. The civil engineer portion of the evaluation will take place in July. There are a few issues that will be looked at and replaced. A leak in the regulating gate and balance valves that are not operating correctly. Water losses at Caballo and Elephant Butte are being monitored once a week; so far there only seems to be a 10-15cfs difference from what is being said and what is

James Powell

being released. Mr. Powell adds that in September the American Society Civil Engineer Plaque for the Elephant Butte Dam National Historic will be relocated to the east viewer point. They will also be replacing the 75 year plaque since the old one has been vandalized and soon a 100 year plaque will be added.

Leo Barrett gave the maintenance update. The pipe for Ranch Road was delivered in the South area. Trash is continued to be cleaned out of canals, and routine servicing on heavy equipment and fleet is continuing. Installing JAT's and replacing old jack styling lifting devices is on going and the testing of the electric turbines at Waste Way 5 on the Garfield Main had very good results. The first heavy order of weed control chemical has been ordered for the year. The North and Central are continuing on flood control dams. Leo adds the rotary disc mulcher demo went well and all were very pleased with the results. On the first day with 4 ½ hours of work the rotary disc was able to clean 650-700ft of a drain ditch. He suggests that this equipment is something the Board should consider but Leo would like to look at purchasing the 52" rotary disc. He explains to the Board the 52" rotary disc can be used for multiple uses and would be more beneficial for the district. Motion to approve the purchase of the 52" rotary disc mulcher by Robert Sloan second by Jerry Franzoy.

Maintenance  
Department  
Update

Gary Esslinger presented the Operations report for Richard Bejarano. There were several ditch breaks since the season began. Once major ditch break happened on the Brown Lateral on Friday, June 3, 2011 flooding 14 acres of pecans belonging to Sammy Singh. On Monday, June 6<sup>th</sup> a second ditch break occurred on the Little La Union Lateral watering 10 rows of cotton on Richard Corona's field; no apparent damages were caused. Gary adds the need for operations personnel to be more alert and vigilant is very important as this is a short water season and we need to take care of the water.

Operations/  
Hydrology  
Report

Dr. Phil King presented the irrigation season outlook. The outlook for the season has not been looking good and continues to be degrading rapidly. There was another drop in the snow pack and now there is less to count on for delivery to EBID. The Ottawa gauge is better than it was last month but the San Marcial gauge is showing less water delivered. On June 15, 2011 the minnow water that is purchased by the BOR will go away and that will less the flow into Elephant Butte. Dr. King doesn't recommend any changes to the allotment at this time and that it remains at 4 inch allotment. The demand for water has started to pick up and will be continuously monitored.

James Narvaez presented to the board the Hydrology report. Deliveries to date are 2,448 acres, 1,056 acft, 342 delivers and a daily status as of June 8, 2011 of 44 Irrigations. 3,463 acres irrigating, 629 orders pending and 6, 844 pending acres. The district's beginning balance was 59,000 acft and as of June 8, 2011 a total estimated used was 14,628 leaving a balance of 44,372. James also requested the board to allow management to work with the farmers who are out of compliance with the Pump In Pump Out policy. The board agreed managers need to work as best as they can within their limitations. The board also agreed the Pump Policy needed to be re-evaluated.

James also gave a brief presentation on his Watershed trip to Northern NM. He highlighted he visited key areas at the Rio Grande and Rio Chama. Measuring important locations such as the Otowi gauge, Albiquin, El Vado, Embudo and Chochiti to document the low run off from this years snow pack. The current low forecast is very much responding to the low spring run off.

Valerie Beversdorf presented Policy 2008-OP12 for amendment. It was shown to the board that all corrections and additions were made to the policy. Motion to approve amended Policy 2008-OP12 by Robert Faubion second by Scott Adams. Motion carried.

Policy  
Amendment

Valerie Beversdorf gave CR/GIS update. Water Records has been using Fusion and a few issues have occurred during their first season with the program and they continue to work them out. Dustin Leonard is still working with Operations on the GEO Database.

CR/GIS  
Report

Valerie went through the EBID website and discussed the different links and information available. She encouraged everyone to let the constituents know that they can find updated information on

the website.

Valerie also advised the Board the next policy to be reviewed will be LRR 323 Relinquishment of Easement Policy and Excess of Real Property Policy.

The Storm Water Coalition meeting scheduled for May was postponed. The next scheduled meeting will be held on June 16, 2011.

Delyce Maciel gave the HR and Safety update. One employee has converted to long term disability which leaves the current count of full time employees at 96 with one on FMLA and one maintenance employee anticipated to retire in June. Two temporary employees were hired; one for the Water Records department and one for maintenance.

Gail Norvell presented to the Board the financial reports for the Month of May 2011. Cash in the bank is \$469,938, assessments receivable is \$860,709 and investments \$5,941,030 for a total increase of \$1,108,044 over May 2010. Grant projects are on going. Diez Lagos Grant may still be viable as contact has been made with the developer. Work will continue on the Grant and move forward.

Gail advised the board of several contract renewals for the month of June. Thomas Maddock II, Dr. Phil King, Dr. Fernando Cadena, Central Fire & Safety, Precision Refrigeration Heating & Cooling, Inc. ; Law Office of Steven L. Hernandez; Peters Law Firm LLC; Holt, Mynatt, Martinez, PC and Dona Ana County these renewals have no change in contract. High Peak Electric and Law Office of Beverly Singleman have changes to their contracts with fee increases. Motion to approve all contract renewals as proposed by Robert Faubion second by Scot Adams. Motion carried.

Gail presented to the board with Resolution 2011-10 Authorizing Grant Agreement With The Water Trust Board and New Mexico Finance Department. Motion to accept Resolution 2011-10 by Jerry Franzoy second by Scott Adams. Motion carried.

Gary reported to the board that the Water and Energy Efficiency Grant Application was denied but it has been resubmitted under another grant proposal.

Gary requested the board's approval for himself, James Salopek and Steve Hernandez to attend the NWRA 2011 Western Water Seminar from July 25-27, 2011 in Colorado Springs, Colorado. Motion to approve by Jerry Franzoy second by Scott Adams. Motion carried.

Samantha Barncastle reported on legal matters.

- 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-SRB
- LRR 367 – Sierra County Communication Tower on Caballo Mountain MOA. Open-LEP
- LRR 374- Water Transfer and Stacking Request- Closed-SRB
- LRR 375- Delinquent Accounts for 2 or more acres- Closed-SLH
- LRR 376- Spill 2008-OP12 Policy- Closed- SRB

Jerry Franzoy motioned and Robert Sloan seconded to break for lunch. Motion carried. Following lunch, Tom Simpson motioned and Robert Sloan seconded to reconvene the meeting. Motion carried.

Storm  
Water  
Coalition

HR/ Safety  
Report

Controller  
Report  
Financial  
Fact Sheet

Contract  
Renewals

Resolution  
2011-10

Managers  
Update

NWRA  
Seminar  
Conference

Legal  
Update

LRR  
Report

Lunch  
Break

Elephant Butte Irrigation District  
Board of Directors Meeting  
June 8, 2011

Jerry Franzoy 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:

State ex. rel. D'Antonio vs. EBID CV 96-888 (Stream Adj.)  
CLC Well Applications-LRG 430-S-36

Following closed session, Willie Koenig motioned and Scott Adams 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, Scott Adams motioned and Willie Koenig seconded to adjourn the meeting. Motion carried.

The next meeting of the Board of Directors will be held on Wednesday, July 13, 2011.

Open/  
Closed  
Session

Adjourn

JAMES SALOPEK, President

WILLIE KOENIG, Secretary