

**ELEPHANT BUTTE IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING
February 8, 2012**

The monthly meeting of the Board of Directors of the Elephant Butte Irrigation District was held on Wednesday, February 8, 2012. The meeting was called to order by President James Salopek on a motion by Jerry Franzoy, seconded by Tom Simpson. Motion carried. Member absent was Willie Koenig.

Roll Call

EBID personnel present were Zachary Libbin, Junior Engineer; Chuy Morales, Engineer Tech; Gail Norvell, Controller; Valerie Beversdorf, CR/GIS Director; Leslie Kryder, GIS Specialist; James Narvaez, Hydrology Director; Leo Barrett, Maintenance Director; Erek Fuchs, Groundwater Resource Manager; Naomi Ontiveros Executive Secretary.

Also present were Samantha Barncastle and Steve Hernandez, Law Office of Steven L. Hernandez; Dr. Phil King, Hydrology Consultant; Richard Llenez, EBID Constituent; James Powell, EB BOR.

Willie Koenig read the Oath of Office and was sworn in for a 4-year term ending December 31, 2015.

Swearing Of Officer

Jerry Franzoy moved and Tom Simpson seconded to accept the minutes with corrections made of the January 9, 2012 meeting. Motion carried.

Minutes Approval

Ramon Alvarez moved and Willie Koenig seconded to accept the water transfer minutes of January 9, 2012. Motion carried.

Tom Simpson motioned and Robert Faubion second to approve Resolution 2012-04 Notice of Public Meeting And Participation Act. Motion carried.

Resolution 2012-04

The calendar was discussed. Gary advised the Board Steve Hernandez, James Salopek and himself will be attending the Annual Family Farm Alliance Conference in Las Vegas, February 23rd - 24th. He also adds he will be attending the Spring NM Floodplain Managers Association Conference in Socorro on March 15th and will make a presentation. The Rio Grande Compact Annual Meeting will be held in Austin, TX on March 21st. Gary also adds the NWRA Annual Conference is March 26-28th in Washington, DC; James Salopek, Steve Hernandez and himself will be attending.

Calendar of Events

Non-Moratorium

License List for Special-Use-Permits for February 8, 2012 Board Meeting

Licensee	Assessment	Fees Requested to be Waived
2012-L-001 Edgar Villalobos / Angel Groves LLC		Requested Waived
To operate and maintain a covered portion of the Harlan Spur Drain at approx. Sta# 15+00 to 0+00 and the West Drain at approx. Sta# 1274+60 thru 1245+43	\$8,338.30	\$8,338.30 Farm Use
2012-L-004 Steve Lyles		Requested Waived
To construct, operate and maintain new and existing irrigation pipes crossing the Picacho Main Lateral at approx. Sta # 372+50 and 380+00 and pump-in at approx. Sta# 375+00	\$5,000.00	\$5,000.00 Farm Use
2012-L-005 Zia Natural Gas		
To construct, operate and maintain a buried utility	Blanket Agreement	

Special Use Permits

crossing the Westside Canal at Sta# 314+96

2012-L-006 Zia Natural Gas

To construct, operate and maintain a buried utility paralleling the Lower Chamberino Lateral at Sta# 38+50 thru 44+00 Blanket Agreement

2012-L-007 El Paso Electric Co

To utilize a portion of the piped portion of the Porter Lateral from Sta# 5+82 thru 15+48 for maintenance access only Requested Waived

	\$4,805.62	\$4,805.62
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2011-L-106 Billy Salopek / 4-MP Farms

To construct, operate and maintain an irrigation pipeline crossing the Leasburg Drain at approx. Sta# 375+25 and Hill Lateral at approx. Sta # 0+90 Requested Waived

	\$3,233.33	\$3,233.33
		Farm Use

2011-L-111 Francisco Rubio / Dilaso Inc

To construct, operate and maintain harvest gates on the West Drain at approx. Sta# 698+00 and 713+50 and the Lower Chamberino Lateral at approx. Sta# 149+00, 159+00 and 165+00 Requested Waived

	\$4,866.67	\$4,866.67
		Farm Use
Subtotal	\$13,338.30	\$13,338.30

Total Assessments \$0.00

Zachary Libbin presented to the Board the Special Use Permits for the month of February. Special use permits regarding Zia Natural Gas were tabled until the March board meeting. Jerry Franzoy motion and Robert Faubion second to approve the Special use permits presented, excluding Zia Natural Gas. Motion carried.

Leo Barrett gave the Maintenance update. The Leasburg Main heading infrastructure has been completed and the gates and hardware will be the final step needed to complete the project. The excavator mulcher has been fixed and will be working the Del Rio Drain for clean up. Canal and culvert cleaning throughout the CLC and outer limits of the city is continuing. Burning will occur when weather permits to get the canals ready for the irrigation season. Herbicide spraying is underway in different locations in the district when weather permits.

Maintenance Department Update

Dr. Phil King gave the update on the water allocation and outlook for February. The snowpack continues range between 70 and 95 % of average snow pack. Snotel reports at higher elevations seem to be leveling off and not climbing. With another short supply, based on reservoir levels, this coming season both districts, EP#1 and EBID are planning to begin the irrigation season together on May 15th. The current allotment to EBID constituents at this time would be a six acft inches and adding NM relinquishment credit water may increase the allotment to as much as one acft; the allotment has not yet been finalized for the year based on these unknowns. He the current time based on the availability I the reservoir the total allocation would be 148,442 ac/ft; EBID's allocation would be 84,007 ac/ft of that total.

Operations/ Hydrology Report

Erek Fuchs gave the Groundwater report. Erek advised the Board he attended the Wells, Pumps seminar at NMSU on February 11th. He adds there was useful information presented. Erek also advises the Board he and Gary meet with IBWC Commissioner Edward Drusina on January 25th at the El Paso Headquarters regarding water theft.

Groundwater Resource Report

Valerie Beversdorf gave the CR/GIS update. Valerie introduced Leslie Kryder the newest member of the District. She will be working under Valerie as GIS Specialist working on GIS Projects and assist with computer resource projects. Valerie advised the Board she has implemented the option to our constituents to receive up to date information via email. Another project Valerie is currently working on is locating abandoned turnouts and turnouts that are no longer working; she has been working with Richard Bejarano on this project.

CR/GIS
Report

Storm Water
Coalition

Valerie discussed the Storm Water Coalition Organization. The Storm Water Coalition met in January and submitted the JPA to DFA for approval which was approved. The next meeting will be February 16th and officers will be selected.

Valerie also discussed Vision 2040. Vision 2040 is still being worked on by planners. Valerie adds this will be a living a document and will be updated constantly.

Vision 2040

Valerie advised the Board the Rio Grande Citizens Forum meet on January 14th and had a big turnout. An update on Water Quality and an idea of where e-coli may be coming from was discussed.

Gary Esslinger gave the HR/Safety update on behalf of Delyce Maciel. The current employee count is 85 with no pending retirements. EAC is scheduled to meet March 5, 2012 at 8 am. The water trailer is available for the Board to look at. Gary adds the EAC has worked hard to show the younger kids the importance of agriculture and has done an excellent job. The Water festival is scheduled for March 15th at Young Park in Las Cruces.

HR/ Safety
Report

Gail Norvell presented to the Board the financial reports for the Month of January 2011. Cash in the bank is \$1,403,812, assessments receivable is \$2,532,163 and investments \$6,298,212 for a total increase of \$803,619 over January 2012. Grant projects are on going and in process.

Controller
Report
Financial
Fact Sheet

Gail presented to the IT Contract for Ron Mears. Jerry Franzoy motioned and Ramon Alvarez second to approve the contract. Motion carried.

IT Contract

Gail presented the budget approval letter from the State of NM Dept of Finance and Administration for the Fiscal year 11-12.

Gary Esslinger advised the Board that Steve Hernandez, James Salopek and himself will be attending the 2012 Federal Water Issues Conference in Washington, DC on March 26th through the 28th. Willie Koenig motioned and Ramon Alvarez second to approve sending them to the conference. Motion carried.

Managers
Update

A motion to contribute five hundred dollars to the Family Farm Alliance Conference and to the RCGC annual conference for our participation in the advisory workshop was made by Jerry Franzoy and second by Ramon Alvarez. Motion carried

Steve Hernandez and Samantha Barncastle reported on legal matters.

- LRR 302 – City of El Paso/Montoya Drain. Open- SAH
- LRR 303 – Hatch Easements. Open -SRB
- LRR 345 – Lack/EBID Land Exchange and Flow Easement. Open-LEP
- LRR 351 - Request to realign ROW boundaries, Stahmann. Open-SAH
- LRR 367 – Sierra County Communication Tower on Caballo Mountain MOA. Open-LEP
- LRR 384- LRR Reclassification Amendment of Current Policy-Open- SRB
- LRR 386- Lien Form and Process for Delinquent Farm Accounts- Open- SRB
- LRR 387- Drain Right of Way Use-Open-SRB
- LRR 390- Determine ownership of Rhodes Arroyo Dam and Leasburg Dam-Open- LEP
- LRR 391- 2012-2014 Draft Integrated CWA 303d/305b-SLH-Closed
- LRR 392- Rio Grande Water Transfer Program-Open-LEP
- LRR 393-Diez Lagos Public Comments- LEP- Open

Legal
Update

LRR
Report

- CID Update-SLH/SRB

Jerry Franzoy moved and Ramon Alvarez seconded to break for lunch. Motion carried. Following lunch, Ramon Alvarez moved and Jerry Franzoy seconded to reconvene the meeting. Motion carried

Open/
Closed
Session

Tom Simpson moved and Robert Faubion 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.)

- SSI 101-CIR/FDR
- SSI 103-Domestic Wells
- SSI 104-US Project Water Right
- SSI 105-Expedited Inter Se-Boyd Claims

LRR 342/ Matter 150-2nd EBID Protest to Verde Realty Operating Partnership Application
LRR 358/ Matter 151-EBID Protest to City of Las Cruces Well Application- LRG 430-S-36
and LRG 5818

Matter 155- EBID Protests to County of Dona Ana Applications LRG 3150 B and LRG 9356
AWRM Appeal to Supreme Court

Diez Lagos Properties

LRG-3150-D into LRG-12171-S-2 and LRG-3229 Protest to Application of Sunland Park and
Charles Johns

State of NM vs. US/EBID/EP#1. MP/ 11-CV-691/WDS

There being no further business, Robert Faubion moved and Robert Sloan seconded to adjourn the meeting. Motion carried.

Adjourn

The next meeting of the Board of Directors will be held on Wednesday March 14, 2012.

JAMES SALOPEK, President

WILLIE KOENIG, Secretary