

**ELEPHANT BUTTE IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING
April 9, 2014**

The monthly meeting of the Board of Directors of the Elephant Butte Irrigation District was held on Wednesday, April 9, 2014. The meeting was called to order by President James Salopek on a motion by Jerry Franzoy, seconded by Willie Koenig. Motion carried. Bobby Kuykendall was absent.

EBID personnel present were Gary Esslinger, Treasurer-Manager; Zachary Libbin, Junior Engineer; Leo Barrett, Maintenance Director; Naomi Ontiveros Executive Secretary; Ereik Fuchs, Groundwater Resource Manager; Delyce Maciel, HR/Safety Director; Richard Bejarano, Watermaster; James Narvaez, Hydrology Director; Gail Norvell, Controller; Jean Hinsley, Engineering; Sammy Gonzalez, Watermaster; Dennis McCarville; GIS Analyst.

Also present were Steve Hernandez, Samantha Barncastle, Dr. Tom Maddock, Dr. Phil King, Hydrology Consultant (telephonically); Greg Daviet, Dixie Ranch; Joe Paul Lack, Scott Adams, Chris Franzoy, Keith Franzoy, Buddy Achen, Bill Cupit, Robert (Bruno) Carso, EBID members; Billy Finn and Delbert Humberson, USIBWC; Sara Folk, USGIS; Andy Nunez, EBID lobbyist; Lacy Levine and Ryan Ward, NMED.

The Pledge of Allegiance was read by President James Salopek followed by an Invocation given by Marty Franzoy.

Willie Koenig motioned and Marty Franzoy second to approve March 12, 2014 board minutes. Motion carried.

The calendar was discussed:

- April 10th & 11th- Robert Faubion and Mike McNamee attending Law of the RG; Santa Fe, NM
- April 15th & 16th- Robert Faubion, Dr. King and Gary attending NM First Town Hall Mtg; Albq. NM
- April 22nd @ 9am ROD Implementation Group Mtg; EBID Office
- April 24th @ 6pm IBWC Citizens forum; City Council Chambers
- April 30th @ 10 am NMWDOC Spring Workshop
- May 14th EBID Board Mtg
- Possible growers meeting to be scheduled in the month of May

Benjamin Segovia with the NM Livestock Bureau explained to the board the formation of the Western Conservationist Movement. He expressed the concern the group had on the Organ Mountains-Desert Peaks National Monument and its impacts to farmer members of EBID and ranchers. Mr. Segovia adds the movement is to protect the lands and the life of the farmers and ranchers. He has requested assistance in funding to help with the continued work needed to advocate for a better solution. After further discussion between board members Willie Koenig motioned and Tom Simpson second to contribute funding to the Western Conservationist and the Western Heritage Alliance in the amount of ten thousand dollars being split 50/50 (five thousand each) between the two groups. Motion carried.

Non-Moratorium			
License List for Special-Use-Permits for April 9, 2014 Board Meeting			
Licensee	Assessment	Term	Fees Requested to be Waived?
2014-L-016 CENTURY LINK	\$50.00	10 Years	
To construct, operate, and maintain a service drop on the West Drain at Approx. Sta# 320+00			
2014-L-017 ROBERT SLOAN	\$1,566.67	10 Years	Yes
To construct, operate, and maintain an irrigation well pipe crossing the San Miguel Lateral at Approx. Sta#			\$1,566.67
			Farm use
2014-L-018 PASCUAL RODRIGUEZ	\$1,047.29	10 Years	Yes
To pump in-take out into the Mesilla Lateral at Approx.			

Roll Call

Pledge of Allegiance & Invocation

Minutes

Calendar of Events

Western Conservationist Movement

Special Use Permits

Sta# 239+00			\$1,047.29
			Farm use
2014-L-019 TIME WARNER CABLE, INC.			
To construct, operate, and maintain an aerial utility crossing the La Union West Lateral at Approx. Sta# 471+00	\$2,916.67	25 Years	
2014-L-020 PICACHO MDWCA			
To construct, operate, and maintain four (4) waterlines crossings one (1) crossing the Picacho "C" Lateral, one (1) crossing the Picacho "A" Lateral, one (1) crossing the Picacho Main Canal, & one (1) crossing the Picacho Dam all at various stations.	\$9,000.00	25 Years	
2014-L-021 EL PASO ELECTRIC CO.			
To put a new anchor within EBID right-of-way on the Three Saints Main Canal at Approx. Sta# 83+50	\$2,916.67	25 Years	Yes
			\$2,916.67
			Farm use
2014-L-022 RUDY PROVENCIO/MOE CAMILLI			
To operate, and maintain an existing paved rd. and a vehicle crossing at WW #20 near Joy Rd. at Three Saints West Lateral	\$4,712.20	10 Years	Yes
			\$4,712.20
			Renewal
2014-L-023 WILLIAM CUPIT			
To operate, and maintain an existing vehicle crossing the Mesilla Lateral at Approx. Sta# 69+50	\$1,667.67	10 Years	Yes
			\$1,667.67
			Farm use
2014-L-024 MELISSA LIVINGSTON			
To operate, and maintain an existing bridge crossing the La Union East Lateral at Approx. Sta# 269+00	\$1,666.67	10 Years	Yes
			\$1,666.67
			Farm use

Zachary Libbin presented the Special Use Permit applications for the month of April to the Board. Marty Franzoy motioned and Robert Faubion second to approve the permit list as presented. Motion carried.

Zack presented the Board an appraisal and survey for approval of sale of a 2.1246 acre portion of EBID's Hatch Drain to Chris Franzoy pursuant to EBID Board Policy 1997-ENG10. The portion of the Drain was explained to be 2.1246 acres from approximate Station Number 381+50 to 388+62 near Hatch, NM. Zack advised that EBID board has previously approved a special use permit for Mr. Franzoy to pipe, operate and maintain this portion of the drain and Zack's recommendation was that EBID retain a flowage easement through the property. Robert Faubion motioned and Robert Sloan seconded to accept the presented appraisal and survey of said property and approve the sale to Mr. Chris Franzoy and retain a flowage easement. Motion carried.

Portion Hatch Drain Property Sale C. Franzoy

Zack presented the Board a request from Mr. Buddy Achen to consider sale of a portion of EBID's Park Drain to Sun Valley Hardware pursuant to EBID Board Policy 1997-ENG10. The portion of the Drain was explained to be from approximate Station Number 380+00 to 385+00 near Mesilla Park, NM. Zack advised that EBID may wish to sell the remainder of this drain within city limits to the City of Las Cruces and Zack's recommendation was that EBID retain a flowage easement through the property that could eventually be transferred to the City. Robert Faubion motioned and Robert Sloan second to approve that Mr. Achen proceed with a survey and appraisal of the indicated portion of the Park Drain at his cost. Motion carried.

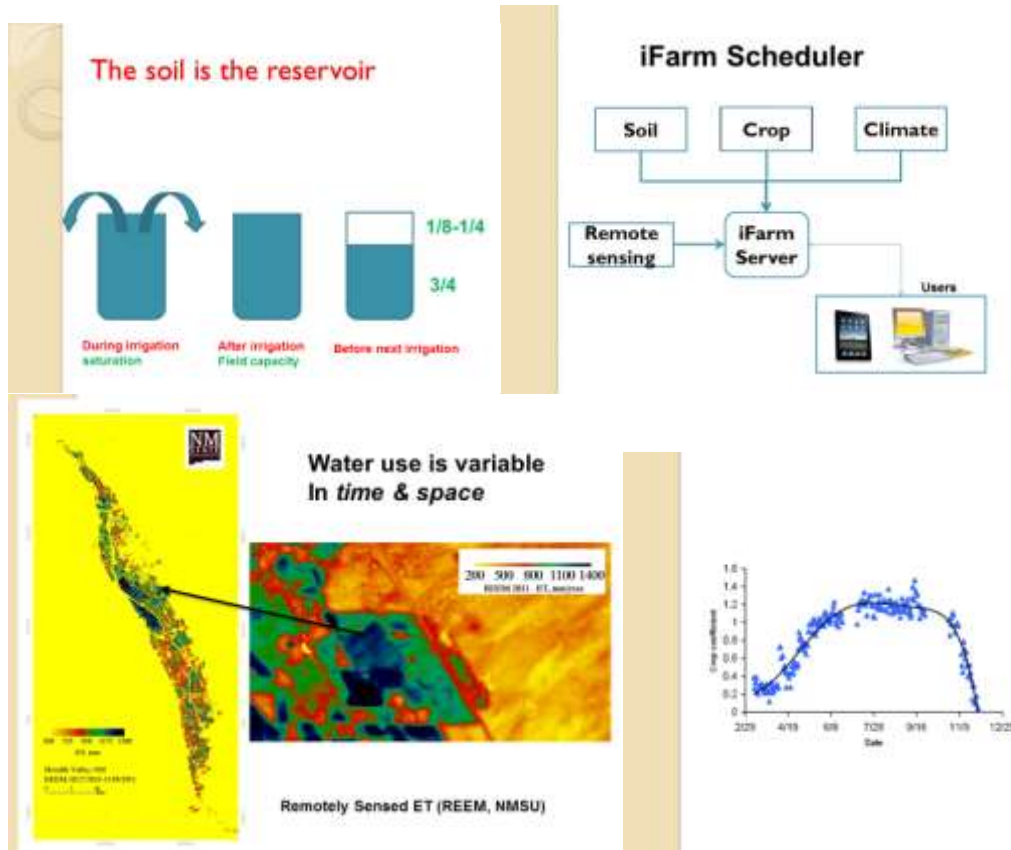
Portion Park Drain Sale B. Achen

Zack presented to the board four existing encroachments for review pursuant to Board policy 1999-Eng5.

Encroach Ment

The board agreed with staff recommendations and instructed Zack to draft an agreement for each encroachment, then send it to legal for review, and then brought back to the next board meeting for final approval.

Dr. Zohrab Samani presented a project he has been working on called Real-time Water Management Services. This is an opportunity to help farmers and to provide an irrigation schedule online. Dr. Samani adds he has been working with Greg Daviet on this project. He presented some additional information for the board about how his program will enable farmers to determine their irrigation schedule for their crops.



Storage Status

April 1, 2014	Acre-feet
Elephant Butte Reservoir	361,565
Caballo Reservoir	39,879
Total Storage	401,444
Est. Rio Grande Compact	(80,014)
Est. San Juan-Chama	(17,169)
Total Usable Storage	304,261
Estimated gains/losses	(20,000)
Seasonal Usable Storage	284,261
Computed Inflow/day	63

SNOTEL Update

April 9, 2014	SWE, % mean	SWE, % peak	Precip, % avg
Upper Rio Grande	75	69	77
Sangre de Cristos	45	35	65
Rio Chama	54	50	57
Jemez	1	1	53

Runoff Forecast

List

Real-time
 Water
 Management
 Service

Hydrology
 Report

March - July Runoff Forecast, 1,000 acre-feet						
Exceedance Probability	10%	30%	50%	70%	90%	Average
Rio Grande at Otowi	380	290	230	184	128	720
Rio Grande at San Marcial	255	129	43	-44	-173	510

March - July Runoff Forecast, percent of average						
Exceedance Probability	10%	30%	50%	70%	90%	Average
Rio Grande at Otowi	53%	40%	32%	26%	18%	720
Rio Grande at San Marcial	50%	25%	8%	-9%	-34%	510

San Marcial April - July Runoff Forecast						
Exceedance Probability	10%	30%	50%	70%	90%	Average
1,000 acre-feet	225	97	11	-76	205	440
Percent of Average	51%	22%	2%	-17%	47%	

Based on April 1 Allocation:

Allotment Outlook	1-Apr-14
Seasonal Usable Storage	284,261
Estimated Diversion Ratio	66.1%
EBID Carryover	3,008
EBID Allocation 2014 water	90,794
EBID Total Allocation	93,802
EPCWID Carryover	(6,487)
EPCWID Allocation 2014 Water	85,645
EPCWID Total Allocation	79,158
Mexico Allocation	15,039
Total Allocation	187,999
Rough Allotment Est., inches:*	6.5
*assumes 52% conveyance efficiency	

Take-home points

- Estimated allotment still in 6 inch range
- Little improvement in supply expected
- River losses key unknown, could bring EBID allocation down
- Short release certain: 9-13 weeks with no help from monsoon
- El Nino (50% chance) could help monsoon late in season

Dr. King presented by phone conference while he is recovering from back surgery. He recommends no allotment be set at this time and the district hold a special board meeting later in the month or wait until the May board meeting to set the allotment. Marty Franzoy advised the Board he spoke with numerous farmers in the Hatch Valley area and received many confirmations that a May 1st release date would benefit them and they would be ready to take the water needed. Dr. King and James Narvaez also advised the board EP#1 and Mexico have agreed to a May 25th release date for a June 1st delivery and expressed their concern that a release earlier than May 25 may adversely affect our claim against the IBWC for the early release they did for Mexico in 2012 years ago. In that release, EBID suffered an approximately loss of 25,000 acre feet. Gary and Robert Faubion suggest holding a growers meeting in Hatch to give all farmers in the area an opportunity to express their needs and to better give them an understanding on the concerns and possibly consequences to an early release. Billy Finn with IBWC spoke to the board about the BiNational Water Planning meeting to be held April 23rd. This meeting will be held with BOR, EP#1 and Mexico to further discuss the May 25th release date. Dr. King suggests that when the district does decide to make the release we run until all the water is gone and then shut off; he does not recommend that we release and then start up again

during the irrigation season, we run water until we are out!

James Narvaez advised the board he and Gail Norvell are finalizing the Growers water information sheets to be sent out to farmers for the implementation of the new irrigation management system. He hopes to have those out by the end of the month.

Erek Fuchs introduced Sara Faulk for an update on the USGS modeling activities in the Rincon and Mesilla Basins.

USGS
Report

What is a model used for?

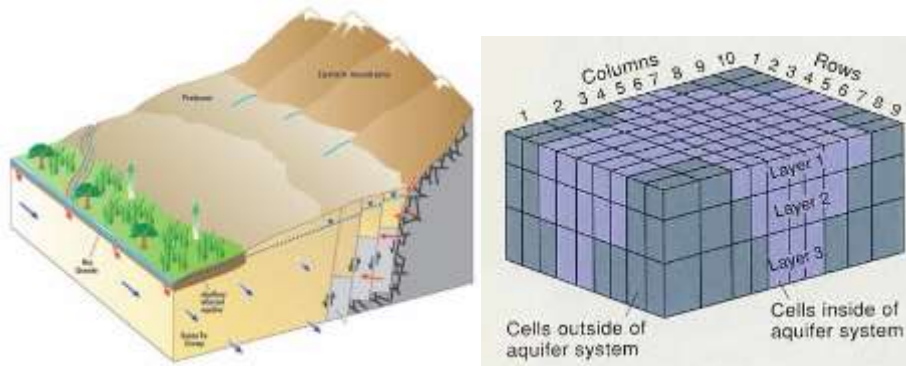
Develop a better understanding of the physical system
Data synthesis
Study system dynamics
Scenario testing

Provide a tool that can be used for management
Estimate the response of the system to management scenarios
Design monitoring networks

Groundwater Model

Discretize study area into model grid

GW flow equations solved for each cell



Why do we need another model for the Rincon and Mesilla Basins?

- Increasingly complex questions require a more complex model
- Potential effects of Rio Grande Project Operating Agreement (OA) on Project allocations and delivery of water to EBID, EP#1, and Mexico
- Potential effects of Rio Grande Project operations on water supply and use within the Basins, including effects on groundwater recharge and incentives for groundwater pumping for supplemental irrigation
- Potential effects of cropping patterns, on-farm irrigation efficiency, groundwater management, climate variability and change, and other factors on Rio Grande Project operation

Previous Groundwater Models

- 1992 - Frenzel and Kaehler
- 1993 - Hamilton and Maddock
- 1999 - Weedon and Maddock
- 2007 - S.S. Papadopoulos with NM Office Of State Engineer
- Previous groundwater models have external computation of surface processes (crop demand, surface-water deliveries)

Current Modeling Objective

- USGS and Reclamation are collaborating to:
- Develop an improved integrated hydrologic model to better understand the many factors affecting the conjunctive use of groundwater and surface-water resources in the Basins
- Analyze a broad range of water supply, demand, and management scenarios to address key technical questions identified by Reclamation

- Foster collaboration with local, state, and Federal groups

The Board did not set on the proposed modeling project and did not commit to funding the project at this time.

Gail Norvell presented to the Board the financial reports for the Month of March 2014. Cash in the bank was \$485,162, assessments receivable was \$1,089,660 and investments \$9,061,915 for a total increase of \$366,995 over March 2013.

Gail presented the contract renewal for Henry Magallanez with no changes in fees for his EBID Consulting work and mentoring of Zach Libbin. Willie Koenig questioned the need to renew Henry's contract another year. Gary advised Willie and the Board that Henry brings years of knowledge on the district and is able to help Zack with "out of the ordinary" problems or questions that occur. Gary adds this may be the last year a contract will be needed for Henry as it will give another year for Zack to grasp all occurrences and in this time Zack will have finished his schooling needed to obtain his professional engineering licensers. Willie Koenig motioned and Robert Faubion second to approve the presented contract. Renewal contract for Park hill, Smith and Cooper Inc. was also presented for board approval with no change in fees. Willie Koenig motioned and Bobby Sloan second to approve the presented contract. Motion carried.

Gail requested approval on the ENMRD grant extension. The State of New Mexico Energy, Minerals and Natural Resources Department provided an extension of the grant agreement from June 30, 2014 to June 30, 2016 for the Selden Drain Restoration Project. Robert Faubion motioned and Bobby Sloan second to approve the grant extension. Motion carried.

Gary Esslinger, James Salopek and Steve Hernandez attended the NWRA Conference in Washington, DC. They met with all the Congressional staff regarding EBID issues. There was also a meeting of staffers from the House and Senate that deal with water issues. They also had a meeting with Mike Conner, Deputy Secretary of Interior and discussed the Organ Mountain Monument Proposal and also starting to work an alternate water supply for the Lower Rio Grande. Gary, Steve and James felt this trip was a successful trip.

Gary, legal and a several board members attended the RGCC meeting that was held Santa Fe on March 20th. Gary said the reports given by all the commissioners and the federal agencies were insightful but some of the Federal Agencies were vague on specific projects.

A response letter from Christopher McAlear, BLM Director, was received regarding the Districts letter sent to Secretary Jewell on the proposed Organ Mountains-Desert Peaks National Monument. Gary advised a follow up letter will be sent to Mr. McAlear.

Gary briefed the Board about the NM Farm and Ranch request for an ad in their "The Resource Guide Edition." He asked if the District would like to purchase an ad spot in their upcoming edition. The board declined to participate at this time.

Steve Hernandez and Samantha Barncastle reported on legal matters.

- LRR 303- Hatch Easements for Work on Placitas Arroyo- SRB-OPEN
- LRR 345 – Lack/EBID Land Exchange and Flow Easement-LEP-OPEN
- LRR 386- Lien Form and Process for Delinquent Farm Accounts- SRB-OPEN
- LRR 387- Drain Right of Way Use- SRB-OPEN
- LRR 394- Review BLM Letter Regarding Copper Flat Mines- LEP-OPEN
- LRR 399- Amend and Revise Original Document with Zia Natural Gas-LEP-OPEN
- LRR 406- IBWC O& M Flood Gate MOU-LEP-OPEN
- LRR 409- Transfer of Tortugas #2 Dam-LEP-OPEN
- LRR 410- Kit Carson Rd Permit-LEP-OPEN
- LRR 424- 1920 Conversion Act for Change of use, water rights
- LRR 425- JPA and Transfer of Loan to LRGPWWA-LEP-OPEN
- LRR 426- Acosta Land Lock-SRB-OPEN
- LRR 428- Haddad v. Picado, et. al- SRB-CLOSE
- LRR 429- Petition for Writ of Mandamus against SE-SRB-OPEN
- LRR 430- NM Government Conduct Act-LEP-OPEN
- LRR 432- Chamberino Well Protest-LEP-OPEN

Financial
Fact Sheet

Contract
Renewals

Grant
Extension

Managers
Update

Legal
Update

LRR
Report

Elephant Butte Irrigation District
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LRR 433- Hot Springs Basin Protest-LEP-OPEN
LRR 434- BLM Issues Re: Sibley Green Site 4, Sibley Green Site 5
and Crow Broad Placitas Dams-LEP-OPEN
LRR 435- NMED-SWQB Seeks Public Input: WQS ins MRG-SRB-OPEN
LRR 436- NMED-SWQB Draft NPS Management Plan-SRB-OPEN
LRR 437- NM General Services Dept.-Risk Mgmt Division-SRB-OPEN
LRR 438- Fincham Mobile Storage-SRB-OPEN
LRR 439- Division of surface water from RG by EBID-SLH- Open
CID Update-SLH/SRB-

Marty Franzoy moved and Robert Faubion seconded to break for lunch. Motion carried. Following lunch, Willie Koenig moved and Mike McNamee seconded to reconvene the meeting. Motion carried.

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 102-EBID Claims to Groundwater
- SSI 103-Domestic Wells
- SSI 104-US Project Water Right
- Expedited Inter Se-Boyd Claims and Boyd Appeal to NM court of Appeals
- Pre 1906 Claimants' Motion for SSI and appeal
- Motion to designate SSI regarding Copper Flats Corporation

State of New Mexico vs United States of America, et al.; no. CV 11-00691 JB-WDS

Texas v. NM (USSC)

LRR 342/ Matter 150 & 155-CRRUA

Chamberino Well Protest

Hot Springs Basin Protest

NMED Public Notice 3-27-14 (PN2)

Following closed session, Willie Koenig motioned and Marty Franzoy seconded to return to open session. Motion carried. During closed session only the above-noted topics were discussed.

There being no further business, Marty Franzoy moved and Mike McNamee seconded to adjourn the meeting. Motion carried.

The next meeting of the Board of Directors will be held on Wednesday, May 14, 2014.

JAMES SALOPEK, President

WILLIE KOENIG, Secretary

Adjourn