

**ELEPHANT BUTTE IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING
November 10, 2014**

The monthly meeting of the Board of Directors of the Elephant Butte Irrigation District was held on Wednesday, October 8, 2014. The meeting was called to order by President James Salopek on a motion by Marty Franzoy, seconded by Jerry Franzoy. Motion carried. All members were present.

EBID personnel present were Gary Esslinger, Treasurer-Manager; Zachary Libbin, Engineer; Naomi Ontiveros Executive Secretary; Ereik Fuchs, Groundwater Resource Manager; Delyce Maciel, HR/Safety Director; Gail Norvell, Controller; AJ Carlson, Land water Analyst; Dennis McCarville, GIS Analyst; Stephen Howie, Land Tech I; Leo Barrett, Maintenance Director.

Also present was attorney Steve Hernandez and Dr. Lisa Henne, Law Office of Steven L. Hernandez; Dr. Phil King, Hydrology Consultant ; Jim Hangen, OSE; Greg Daviet, Dixie Ranch; Ron Reynolds, Susan Maness Hoyt Graham, Zia Natural Gas; Pat Banegas, Village of Hatch, Neal Hooks, State Representative candidate, Andy Nunez.

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

Bobby Sloan motioned and Marty Franzoy second to approve the September 10, 2014 board minutes. Motion carried. Willie Koenig motioned and Bobby Kuykendall second to approve the September 25, 2014 Special Board meeting minutes. Motion carried.

The calendar was discussed:

- November 11th-14th NWRA Conference in Coronado, CA
- November 16-18th- Blythe and Riverside California Irrigation Tour
- November 20th- Stormwater Coalition meeting in Hatch, NM
- November 27th and 28th EBID office closed Thanksgiving Holiday
- December 10th- EBID Monthly Board meeting
- December 11th- EBID General Meeting @ Grapevine
- December 25th-January 2nd- EBID Winter Shutdown

| License List for Special-Use-Permits for November 10, 2014 Board Meeting | | | |
|--|------------|-------------|------------------------------|
| Licensee | Assessment | Term | Fees Requested to be Waived? |
| 2014-L-080 CENTURY LINK | \$1,570.06 | 10 Years | |
| To construct, operate and maintain a 4" steel pipe for fiber optic cable crossing the Leaseburg Drain at approx sta# 351+00 | | | |
| 2014-L-081 CENTURY LINK | \$1,430.02 | 10 Years | |
| To construct, operate and maintain a 4" steel pipe for fiber optic cable crossing the Hill Lateral at approx sta# 33+54 | | | |
| 2014-L-082 CENTURY LINK | \$1,450.03 | 10 Years | |
| To construct, operate and maintain a 4" steel pipe for fiber optic cable crossing the Gardner Lateral @ W. Amador approx sta#22+00 | | | |
| 2014-L-083 DALE HOPKINS | \$1,566.67 | 10 Years | Yes |
| To operate and maintain an existing vehicle crossing on the Las Cruces Lateral at approx sta# 620+00 | | | Farm Use |
| 2014-L-085 JOHN M. VERLANDER | \$3,133.33 | 10 Years | Yes |
| To construct, operate and maintain one (1) fifteen foot (15') harvest gate on the McCrummen lateral | | | |

Roll Call

Pledge of Allegiance & Invocation

Minutes

Calendar of Events

Special Use Permits

| | | | |
|--|------------|----------|----------|
| (left bank) at Approx sta# 00+00 | | | Farm Use |
| 2014-L-086 TOWN OF MESILLA/ DEBBIE LUJAN | | | |
| To move, construct, operate, and maintain a 7" water line to the Mesilla Drain 5' from edge of district right-of-way approx sta# 228+50 through 237+00 | \$4,951.30 | 25 Years | |
| 2014-L-088 EL PASO ELECTRIC COMPANY | | | |
| To replace, operate, and maintain an existing powerline crossing the Leasburg Drain approx sta# 32+50 | \$3,416.67 | 25 Years | |
| 2014-L-089 DONA ANA COUNTY/ UTILITY DEPT | | | |
| To construct, operate and maintain a 8" gravity sewer line crossing the Anthony Lateral at approx sta# 246+85 | \$2,916.67 | 25 Years | |
| 2014-L-084 CENTURY LINK | | | |
| To operate and maintain nine (9) existing trespasses on the Angostura Lateral, Arrey canal, Garfield Canal, Gonzales Lateral, H-2 Lateral, McCall Lateral, Rincon "G" Lateral, Rincon Canal and the Rodey Lateral which have all ready been paid | | 10 Years | |

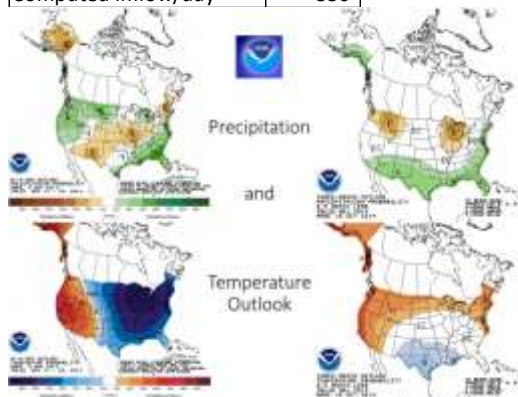
Zachary Libbin presented the Special Use Permit applications for the month of November to the Board. Marty Franzoy motioned and Willie Koenig second to approve the permits as presented. Motion carried.

Storage Status

| November 7, 2014 | Acre-feet |
|--------------------------|-----------|
| Elephant Butte Reservoir | 186,359 |
| Caballo Reservoir | 31,309 |
| Total Storage | 217,668 |
| CO Compact Credit | (4,350) |
| NM Compact Credit | (63,769) |
| Est. Rio Grande Compact | (68,119) |
| Est. San Juan-Chama | (23,793) |
| Total Usable Storage | 125,756 |
| Computed Inflow/day | 550 |

USDA-NRCS SNOTEL

| November 10, 2014 | SWE, % median | SWE, % peak | Precip, % avg |
|-------------------|------------------|----------------|------------------|
| Upper Rio Grande | 54* | 5* | 53 |
| Sangre de Cristos | 58* | 3* | 73 |
| Rio Chama | 38* | 2* | 56 |
| Jemez | 50* | 1* | 66 |



How it is looking:

- Still early in the water year, snow season just getting started
- General forecast is for better winter precipitation than last few years
- El Niño and Polar Vortex – Just one of those years
- Watershed will likely produce less runoff for the given level precipitation that it did over the past 30 years
- Think 8-12 inches, but don't hold me to it – and expect the unexpected.

Gail Norvell presented to the Board the financial reports for the Month of October. Cash in the bank was \$464,366, assessments receivable was \$489,766 and investments \$6,520,910 for a total increase of 336,719

over September 2013.

Gail presented the following contracts for renewal: Lobbyist contract for Kris Polly All motions carried.

Gail presented the Disposition of Assets List for approval. Jerry Franzoy motioned and Robert Faubion second to approve the disposition of assets. Motion carried.

Gail presented the board FY 2015 Budget Resolution 2014-15 for approval. Marty Franzoy motioned and Robert Faubion second to approve the presented FY 2015 Budget. Motion carried.

Gail presented the 2014 Budget Amendment Resolution 2014-06. Willie Koenig motioned and Robert Faubion second to approve the amended resolution as presented. Motion carried.

Gary advised the Board he attended the BOR RG Operation Agreement Environmental Input meeting on September 24th.

Gary also advised the Board the NWRA Annual Conference will be held from November 12th through the 14th. He requests approval for himself, Steve Hernandez, Mike McNamee and James Salopek to attend. Jerry Franzoy motioned and Marty Franzoy second to send all requested to the conference. Motion carried.

Steve Hernandez reported on legal matters.

LRR 303- Hatch Easements for Work on Placitas Arroyo- SLH-OPEN
LRR 345 – Lack/EBID Land Exchange and Flow Easement-LEP-OPEN
LRR 399- Amend and Revise Original Document with Zia Natural Gas-LEP-OPEN
LRR 410- Kit Carson Rd Permit-LEP-OPEN
LRR 425- JPA and Transfer of Loan to LRGPWWA-LEP-OPEN
LRR 432- Chamberino Well Protest-LEP-OPEN
LRR 433- Attaway 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 440- Clean Water Act-SLH-Open
LRR 445- Dos Lagos Golf Course-NMED-Permit-AWSD-LEP-Open
CID Update-SLH

Marty Franzoy moved Willie Koenig seconded to break for lunch. Motion carried. Following lunch, Bobby Kuykendall moved and Jerry Franzoy seconded to reconvene the meeting. Motion carried.

Tom Simpson moved and Willie Koenig 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. Verhines 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(Armijo)

NMED Public Notice 3-27-14 (PN2)

Potential litigation against DAC

Hot Springs Basin Protest (Attaway)

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

Following closed session, Tom Simpson motioned and Marty Franzoy seconded to approve the Irrigation District Tours sending all board members, Gary Esslinger, Legal, Dr. Phil King and Erech Fuchs. Motion carried.

Contract
Approvals

Disposition
Of Assets

Managers
Update

legal
Update

LRR
Report

Adjourn

Elephant Butte Irrigation District
July 9, 2014

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

The next meeting of the Board of Directors will be held on Wednesday, November 10, 2014.

JAMES SALOPEK, President

WILLIE KOENIG, Secretary