

11/28/2009

PVID & ACEQUIA del CAÑO 11/17/2009 MEETING MINUTES

Present: David Ortiz, President, Pojoaque Valley Irrigation District  
Robert Baran, President, Acequia del Caño Commission  
Meade Martin, Secretary, Acequia del Caño Commission  
Dr. Maureen Merritt, parciante, note taker for meeting minutes  
Pete Romero, parciante  
Harry Montoya, County Commissioner

- I. Meeting called at 6:30PM by David Ortiz to discuss several issues of concern regarding the Acequia del Caño's operations;  
Discussion ensued re: the second page of his PVID letter to the Caño Commissioners dated October 21, 2009. (See copy for reference).  
In the letter, 6 specific issues were outlined:

Issue #1. David indicated that the continuous 'mining' and destruction of the Nambé River bed with a farm tractor for the intended purpose of rebuilding and repairing of our ditch banks, has caused ongoing problems not only for our ditch but that of several other nearby acequias both above and below our diversion, as well as to the river itself.

Pete: stated Castulo Arevalo, Meade Martin's ranch foreman, was on site at the river periodically from August 15, forward, reverting to excavating the riverbed again though he was instructed not to. Pete recommended removal only of the infill of sand deposited in our ditch from flooding, but Castulo Arevalo went deeper than the culvert (flow line). Pete stated it was destroying stability even more with this type of activity.

Meade: stated he must change his practice to be on site in future, anytime Castulo Arevalo is there to do work at the diversion. Then he stated that he would have to start charging the Acequia del Caño for the work. Robert and Pete both quickly stated that they oppose charging parciantes for destroying the diversion point elevation.

General discussion about flooding ensued.

Pete: stated floods normally help lay rock and silt base down and contribute to stability of the riverbed. But if it is being torn up constantly, then that defeats what nature does for us.

David: stated using Castulo Arevalo is not in the best interests of the riverbed or our Acequia (more damage). Solution: He recommends using Arsenio (or another knowledgeable heavy equipment operator) so the bed doesn't get

further destroyed. Plus he recommends on-site supervision when any work is being done at our diversion.

Meade: agreed and stated OK then, I will change current practice and not use Castulo Arevalo to 'put water back' anymore.

Pete and Meade: discussed Arsenio's methods and Ortiz ditch's methods, as in mining of the riverbeds and banks. Meade mentioned he thought Arsenio had damaged the riverbed before when asked to turn the water in. It was acknowledged that Arsenio has heavier equipment, which does not damage the river but actually contributes to the stability of the riverbed, compared to the lighter machine being used by Castulo Arevalo.

Pete then stated that when Arsenio was asked to turn the water in he did~ which was all he could do after the damage already done by Castulo.

*#1 Solution:* must use the right equipment; right hired man, and the right supervision. Must 'compact' the riverbed after moving material, and discontinue mining, which tears it up.

Issue #2: Riverbed flow line is lower than our acequia by 3 feet.

David: stated must remove material from inside the channel to lower the ditch flow line and place it in the riverbed.

Pete: stated that any berm that is 6 inches or more above the top water flow line will have no effect in keeping water in our acequia. Riverbed should be higher than the Acequia.

Maureen: questioned how long this problem has been going on?

Robert: answered, 6 years, ever since this Commission was elected.

*#2Solution:* Keep berm low, and riverbed higher.

Issue #3: Replace damaged culvert under county roadway, and lower it to the appropriate level.

David: stated maybe county can lend some assistance.

Meade: stated County not available to lower downstream grade.

Pete: stated not County's job. All agreed: Acequia del Caño must do it.

Meade: stated, we could implement Phase I, but we have no dollars for the project.

David: stated, as an immediate practice, we must repair or replace culvert and lower it also. At least ask the county if they will help. Discussion ensued.

Meade: stated, they won't do a concrete reinforced crossing.

Pete: stated it is County Road 106, so must be maintained by the County.

*#3Solution deferred:* will ask Harry Montoya about it when he arrives later on for this meeting tonight.

Issue #4: Remove sand from the intake channel and use it on the riverbed.

*#4Solution:* Already answered under issue #2 above.

Issue #5: Need for a permanent riverbed retention and diversion structure.

David: stated del Caño needs to work with the NRCS to design and construct such a device. Or maybe use State Engineer along with a private firm.

Pete: mentioned the Garduno ditch just completed a very nice job.

David: stated there are new Grant funds of \$2.4 Mil just now available.

General discussion ensued:

David: stated, one proposed solution is to consolidate with Garduno ditch, or consolidate and co-build permanent diversion with the Ortiz ditch.

If that were done, the ditch would need to change the point of diversion with the State Engineer.

David: stated Ben Lujan indicated that when they built permanent Garduno structure, it was done with more than one acequia in mind.

Pete: stated we must do whatever is necessary to keep our acequias functional. Says Arsenio is a Garduno Commissioner, and he's the one who secured the funding for their new diversion. We could ask him.

Meade: questioned, what to do about the return flow from the Acequia Jose' Gabriel Ortiz, then?

David: stated, if combine with the Garduno, and then it won't be an issue.

*#5 Solution A:* per David, PVID; Caño Commissioners to draft a letter to Ben Lujan about consolidating with the Garduno and Ortiz ditches. David will work with Meade to coordinate PVID and Caño efforts.

Discussion about potential problem with this solution: having to sell the idea to the other 2 ditches. They know we have some ongoing issues with the way our acequia is functioning.

Discussion ensued re: direct costs to Caño...pipe from our diversion along the road to Garduno and Gabriel Ortiz. Could take water from Garduno's (a place to split water). North side of river, a new structure would have to be built and run it to the Caño.

Harry Montoya arrived 7:30 PM.

Discussion ensued with him about County Road 106, locations, crossings, culvert replacement, etc.

Commissioners and PVID asked Harry to have County lend financial assistance and labor to replace culvert that is broken.

Discussion: Decided it would need to be 30inch heavy gauge by about 20 feet with a flared apron.

Pete: stated 2.3 feet of drop is needed to produce 1 PSI for a pipeline to function.

Meade: stated the buried level of the new culvert is critical for the correct elevation and flow.

David: stated Mr. Carlos Vigil, county road Project Manager, recommends rip-rap near County Rd 84G, because it affects the road drainage into Caño ditch.

Meade: stated we need to pipe the ditch for storm water runoff.

David referred to email from Vigil for specifics of piping, and the need for 30 inch by 40 feet pipe minimum.

*#5 Solution B:* Robert stated Caño Commission could meet with the County about the culvert the week after Thanksgiving tentatively.

*Issue #6:* Channel downstream from the culvert needs to be cleaned to avoid sand buildup at the culvert.

*#6 Solution:* as above.

David: mentioned he does not recommend using wooden posts and brush 'dam' to build up the riverbed as was done previously, because it was ineffective to control the river flow, further destabilized the river bed, and they have since washed away.

David: referred to email of 10/28/09 from the PVID to the del Caño Commission regarding the desander tube being purposely blocked. He asks that this practice stop, and that the tube be checked daily by the Mayordomo to make sure it is open when the ditch operations are active.

New topic: Meade states new land owner Thomas Lopez, of Callejon de Atenacio near Louie Romero's place, installed a culvert about 3 weeks ago IN the del Caño ditch right on our concrete liner, so he could drive over it to access his land. About two years ago, Meade Martin, Jack Blum and Pete Romero met with him, and explained why he could not put a culvert obstruction in the ditch, because doing so would cause the concrete lining to break up, with the pieces causing blockage of the downstream siphon. Told him that in turn could cost tens of thousands of dollars to repair. They gave him several alternative solutions to access his property.

Discussion ensued; it was noted that he has not followed those suggestions to date and the culvert remains there. David stated that the Acequia Commission must approve any crossing over an acequia.

*Solution:* Jack to get in touch with Mr. Lopez right away; have him remove the culvert by a deadline \_\_\_\_? If he doesn't comply, then Acequia del Caño Commissioner or mayordomo will have it removed and bill him accordingly.

With business concluded, David thanked everyone for attending and meeting was adjourned at 8:30PM.