

Minutes of the Acequia del Caño Meeting January 26, 2015

Secretary Meade Martin called the meeting of parciantes to order at the Nambé Community center at 6:30 p.m. Treasurer Tim Merrigan announced that in person and by 16 proxy votes, 60 of 124 votes were present, a quorum.

Present were Janet Arrowsmith, Jack Blum, Peter Buehner, Ray and Vanessa Chavez, Gary Clark, John Gutting, Meade Martin, Tim Merrigan, Ben Montoya, Pedro Romero, Gabriel Montoya for Pojoaque Pueblo, Robert Salazar, Glen Sears and Judy Wright.

Martin read the agenda. Gutting moved to approve the agenda. Seconded by Gabriel Montoya. Pete Romero stood up to protest the agenda stating that it was against NM State Statute 73.2.13 to have an election to fill a vacancy on the commission. He asked Martin to read the statute to the meeting, which he did. Romero reported that Bruce Lewis had asked Peter Buehner to serve out his term and that Buehner had accepted. Romero asked why Buehner had not been appointed. Tim Merrigan and Meade Martin replied that their intention was to solicit the gathered parciantes to see if another party was interested in serving Lewis' term as Buehner had seemed reluctant when interviewed about the prospect back in July of 2014. Peter Buehner stated that he was willing to complete Lewis' term. Martin asked the assembled parciantes if anyone else should be considered. There was no other volunteer for the position and John Gutting moved that Peter Buehner be appointed by the commission to serve Lewis' term. Janet Arrowsmith seconded the motion. The motion carried with an abstention by Gabriel Montoya. Martin and Merrigan welcomed Buehner to the Commission.

Martin read the minutes of the previous meeting. Jon Gutting moved and Janet Arrowsmith seconded that the minutes be adopted as read. The motion passed unanimously.

Tim Merrigan read the financial report, which is attached. The cash balance at Dec. 31, 2014 was \$6,538.85 He said that some \$1,200 of the outstanding assessments of \$1,763.31 is owed by three parciantes, and that amount has been accumulating over many years. He said the total number of

parciantes with outstanding assessments has gone down. Gutting moved to approve the treasurer's report. The motion passed unanimously.

There was a discussion of the arrears member's accounts and Rob Salazar asked if it was possible for the commission to identify the parties, as he was confident that he might be able to help collect from members he knew. Merrigan reported that the greater part of the outstanding balance was owed by three parciantes who had not paid for many years. Anthony Whitman was in bankruptcy and Andrew Saunders' water rights had been severed from the property and were for sale. Merrigan mentioned that the Wade family was interested in purchasing the Saunders's rights.

Merrigan also reported that the association had received a payment from the Pojoaque Valley Schools for ten years of arrears dues on the water rights they had transferred from the Acequia to the school district's wells.

Gary Clark reported that he had seen a legal notice of a tax sale of the property at 116 State Road 503 in *The Santa Fe New Mexican Newspaper*, which is Anthony Whitman's address. In remarks before leaving for another Acequia meeting, Lany Berger mentioned her interest in that property.

Tim Merrigan said that the State Of New Mexico Department of Finance Administration (DFA) requires a Commission approved budget for the 2015 calendar year. He presented the commission's proposed budget \$22,500 (see attached).

The planned armoring of the concrete barriers with channel iron is budgeted at \$10,000. A motion to approve this project was made by Gabriel Montoya, seconded by Janet Arrowsmith. After an active discussion of the merits of this project lead by Pete Romero, the motion passed unanimously. Pete also requested that the commission follow through with their request for additional barriers needed for future improvements to the diversion.

An allocation of \$7,000 to repair the concrete ditch lining between the syphon outlet and the end of the lining on La Mesita Ranch was proposed. It was noted that this project has been stalled by a lack of funds. All present agreed that the cost was increasing with the delay. Gary Clark moved and Rob Salazar seconded the motion to approve these repairs, and it passed unanimously.

The commissioners then approved and signed the budget resolution.

It was noted that during an unusually powerful rainstorm, close to 1000 feet of the lined ditch below La Mesita was filled with sediment. John Gutting inquired if anything could be done to prevent future occurrences of this problem. Meade Martin remarked that this was the first time during his service on the ditch that a flood event had had such an extensive impact in that area. In August, Jack Blum requested Pete Romero to help organize and

hire a work party to hand shovel out the material. Pete mentioned that many years ago a fieldstone retaining wall had been built in the drainage above the Acequia to help prevent excessive material from washing into the ditch during storms. He said that it had worked well for many years. He noted that it was badly in need of repair. Gabriel Romero requested that Secretary Martin send a letter requesting assistance with the retaining wall repairs from Pojoaque Pueblo.

Martin also reported that during the 2013 season the ditch had requested assistance from La Mesita Ranch in maintaining the channel at the diversion. Martin had offered to have the Acequia reimburse the Ranch and Bob Cole's supervisor agreed to charge \$45 per hour for Gilberto Nuñez' time working with the Ranch's tractor at the river. Martin had requested a statement from the ranch in order to pay the bill in the spring of 2014. Cole reported to Martin that the time sheet had been misplaced by the Pueblo's business office. Gabriel Montoya said that he would look into it.

Rob Salazar spoke up about Santa Fe County's change in policy on the property tax exemption for agricultural lands. He said that he was aware of county personnel checking the physical condition of properties in our neighborhood to see if they were being actively utilized for agricultural purposes. The gathered parciantes agreed that the best way to protect your Ag. exemption and your water rights was to irrigate and produce something on your land.

Ray and Vanessa Chavez, Janet Arrowsmith, Glen Sears and Judy Wright asked about scheduling water times and mentioned that they felt the communication was not working. They requested advance notice of when water would be available and inquired as to why there was not a written schedule. Numerous explanations were offered, the chief one being that the water availability was unpredictable. It was suggested that the best way to schedule water is to contact the Mayordomo and work it out with him and the immediate neighbors.

Rob Salazar volunteered to update the Acequia website: <http://www.nmacequiacommission.state.nm.us/Associations/Acequia-del-Cano>. He also offered to help create an email contact list to help the Mayordomo notify members of water availability.

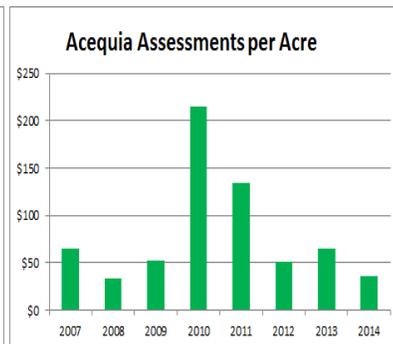
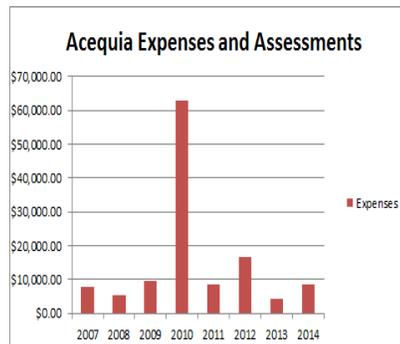
The commission thanked everyone for their attendance and the meeting adjourned at approximately 8:20pm.

Respectfully submitted by Meade Martin Secretary,
Acequia Del Caño
Adopted at the January 23, 2016 meeting.

Acequia del Cano 2014 Financial Report

- 2014 Expenses
 - Ditch Cleaning \$4,500.00
 - Diversion Maintenance \$3,458.62
 - Misc. Maintenance \$920.00
 - Other – tools, supplies, etc. \$68.67
 - TOTAL \$8,527.29

- Total 2014 Income (including PVSD payment) \$7,808.82
- 2014 Assessments
 - April 2013 - \$40/acre + \$5 member dues \$7,281.31
- December 31, 2014 status
 - Account Cash Balance \$6,538.85
 - Outstanding Assessments \$1,763.31



WHEREAS, Acequia del Caño is required to submit an annual budget to the State of New Mexico, and;

WHEREAS, Tim Merrigan (Treasurer of Acequia del Caño) has submitted a proposed budget to the Acequia commissioners at the January 26, 2015 Annual Meeting, and

WHEREAS, the submitted budget proposed the following expenditures:

- Annual Ditch Cleaning	\$4,500
- Repair of Damaged Concrete	\$7,000
- Add steel plates to diversion barriers	\$10,000
- Mic. Maintenance and supplies	<u>\$1,000</u>
- Total Budget	\$22,500

WHEREAS, the proposed budget was discussed at the January 26, 2015 public meeting and interested Parties were given the opportunity to file or register any objections to said proposed budget.

NOW, THEREFORE, BE IT RESOLVED BY THE Commissioners of the Acequia del Caño that the budget submitted is approved and adopted as the budget of the Acequia del Caño for 2015.

ADOPTED, this 26th day of January, A.D., 2015

