

# San Juan Water Commission

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MEMBERS:  
City of Aztec  
City of Bloomfield  
City of Farmington  
San Juan County  
S.J. County Rural Water Users Association

**Final Minutes Approved: January 6, 2016**

## SAN JUAN WATER COMMISSION REGULAR MEETING MINUTES NOVEMBER 4, 2015

The San Juan Water Commission met in a Regular Meeting pursuant to due Notice, Wednesday, November 4, 2015 at 9:00 A.M. in the San Juan Water Commission's conference area in the San Juan Water Commission Office Building, 7450 East Main Street, Farmington, New Mexico.

### **CALL TO ORDER**

Chairman K. Johns called the regular meeting of the San Juan Water Commission (SJWC) to order at 9:02 A.M.

#### **Members Present**

City of Aztec

Josh Ray – Commissioner

Robert Oxford – Alternate Commissioner

City of Bloomfield

Teresa Brevik – Alternate Commissioner

City of Farmington

Cy Cooper – Commissioner

Jay Burnham – Alternate Commissioner

San Juan County

Keith Johns – Commissioner

S.J. Rural Water Users Assoc.

Jim Dunlap – Commissioner

#### **Members Absent**

City of Bloomfield

Elwin Roark – Commissioner

San Juan County

Margaret McDaniel – Alternate Commissioner

S.J. Rural Water Users Assoc.

Keith Lee – Alternate Commissioner

#### **Legal Present**

Doug Echols

Sarah Klahn

#### **Staff Present**

Aaron Chavez - Executive Director

Shaun Bishop

Jacqueline Allcorn

Gordon Miller

**Visitors:** (4)

In the absence of Commissioner E. Roark, Alternate Commissioner T. Brevik, was the voting member for the City of Bloomfield.

#### **APPROVAL OF AGENDA**

Chairman K. Johns called for approval of the Final Agenda. Motion was made by J. Dunlap and seconded by Teresa Brevik to approve the Final Agenda as written, and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

#### **CONSIDERATION OF APPROVAL OF THE OCTOBER 14, 2015 REGULAR MEETING MINUTES**

Motion was made by C. Cooper, seconded by J. Ray to approve the October 14, 2015 regular meeting minutes, and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

#### **COMMENTS FROM THE PUBLIC**

There were no comments from the public.

#### **CONSIDERATION OF SJWC RESOLUTION 2015-04 ~ "A RESOLUTION ACCEPTING THE MAP ESTABLISHING SERVICE AREAS AMONG THE SAN JUAN COUNTY WATER USERS ASSOCIATIONS AND MUTUAL DOMESTIC WATER USERS ASSOCIATIONS"**

K. Johns said the map establishing service areas among the San Juan County Water Users Associations and Mutual Domestic Water Users Associations was presented for consideration and approved by the San Juan County Commission during their November 3, 2015 meeting. A. Chavez added that upon approval of SJWC's Resolution 2015-04, the map will be reformatted in size prior to registering it with the County Clerk's Office. C. Cooper asked how many other Water Association were within the fore-mentioned service area. J. Dunlap replied that other than private associations, there are no other non-profit rural water associations within the county (service area). C. Cooper commented that the City of Farmington's view was that the service area resolution (2015-04) does not restrict the boundaries from changing, being annexed, or from incorporating additional service areas. C. Cooper also commented that SJWC's Resolution 2015-04 has no legal bearing. D. Echols commented that the cities have the right to annex if they choose, and the goal of the map was to establish boundaries as they currently exist. Following a brief discussion on what happens when a city annexes an area that is served by a mutual domestic water association - J. Dunlap said that the city and the rural water association involved would negotiate a solution that would benefit both parties.

Motion was made by J. Dunlap, seconded by T. Brevik to approve SJWC Resolution 2015-04 ~ "A Resolution Accepting the Map Establishing Service Areas Among the San Juan County Water Users Associations and Mutual Domestic Water Users Associations", and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

#### **LA PLATA CONSERVANCY DISTRICT (LPCD) MAPPING PROJECT UPDATE**

G. Miller updated the Commission on the La Plata Conservancy District (LPCD) mapping project. G. Miller said that the SJWC staff worked with LPCD to map their existing irrigation infrastructure. G. Miller said that the purpose of the mapping project was to provide LPCD with a data-set to identify and prioritize areas where efficiency improvements could be made when utilizing grant money. G. Miller said that in cooperation with the LPCD water master, he walked roughly 48 miles of ditch using a GPS unit to record ditch centerlines, diversions, return flow points, head-gates, culverts, siphons, utility crossings, and other features. G. Miller said field work began July 2014 and was completed in January 2015. G. Miller said data editing and model composition is complete and that all that remains is consultation with LPCD on the formatting of maps and data. G. Miller concluded his presentation by showing slides of LPCD's mapped ditches.

#### **CLOSED EXECUTIVE SESSION**

Motion was made by C. Cooper and seconded by J. Dunlap to go into a Closed Executive Session pursuant to Sections 10-15-1(H) (7), and (8) NMSA 1978, under the attorney-client privilege to discuss matters pertaining to threatened or pending litigation in which the public body is or may become a participant and the acquisition or disposal of water rights and consideration of limited personnel matters relating to the contract for Executive Director, and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

Chairman K. Johns closed the meeting at 9:18 A.M.

Motion was made by C. Cooper, seconded by T. Brevik to reopen the meeting and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

Chairman K. Johns reopened the meeting at 10:10 A.M.

Chairman K. Johns stated that no discussion, other than that [discussion] pertaining to threatened or pending litigation in which the public body is or may be a participant, and the acquisition or disposal of water rights, and consideration of limited personnel matters relating to the contract for Executive Director took place during the Closed Executive Session.

**CONSIDERATION OF AUTHORIZING CHAIRMAN KEITH JOHNS TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO CASE NO. 2013CW3011 IN COLORADO WATER COURT**

Motion was made by J. Dunlap, seconded by T. Brevik to authorize Chairman Keith Johns to execute all necessary documents related to Case No. 2013CW3011 in Colorado Water Court, and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

**CONSIDERATION OF CONTRACT WITH MR. AARON CHAVEZ AS EXECUTIVE DIRECTOR**

Motion was made by J. Dunlap, seconded by C. Cooper to authorize Chairman Keith Johns to sign and execute the contract with Aaron Chavez as Executive Director, and appoint Aaron Chavez as Executive Director effective immediately, and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

**COMMENTS FROM COMMISSIONERS, ALTERNATES, AND STAFF**

A. Chavez thanked the Commissioners and Alternates for the opportunity to serve as their Executive Director. A. Chavez said that he looks forward to working with the Commissioners, Alternates and their constituents.

J. Dunlap suggested the Commission may want to revisit the subject of working with the State of New Mexico on top water banking at Navajo Dam, noting that it will be a long time before we use all of the water that has been allocated to the Commission. J. Dunlap suggested the subject of water banking be put on the January 2016 Commission Agenda for further discussion, noting that the ISC has been working on the subject of water banking for the last five years and that the Bureau of Reclamation has drafted directives and standards for excess capacity. A. Chavez added that there was a comment period on the BOR's draft language, and that the San Juan Water Commission had submitted comments on September 30, 2015 regarding the BOR's draft Manual Directives and Standards for Excess Capacity.

**ADJOURNMENT**

Motion was made by C. Cooper, seconded by T. Brevik to adjourn, and upon voice vote the motion carried unanimously (T. Brevik, C. Cooper, J. Dunlap, K. Johns, and J. Ray all voted yes).

There being no further business, Chairman K. Johns adjourned the meeting at 10:20 A.M.

**APPROVED THIS 6<sup>TH</sup> DAY OF JANUARY, 2016  
SAN JUAN WATER COMMISSION:**

*Signature on File*  
**Keith Johns, Chairman**