



GILA / SAN FRANCISCO WATER COMMISSION
(Successor to the Southwest NM Water Planning Group - SWNMWPG)

Draft Minutes

DATE: September 17 2013 9:00 am

LOCATION: Silver City NM Commissioners Meeting Room

MEMBERS PRESENT: Tom Bates, Chairman

Vance Lee, Hidalgo County
Anthony Gutierrez, Grant County
David Ogilvie, Gila Basin Irrigation Commission
R. Javier Diaz, Luna County
Janice Kiehne, San Francisco Ditch Association
Jim Massengill, City of Deming

OTHERS PRESENT:

Vivian Gonzales, US Bureau of Reclamation
Dutch Salmon, Gila Conservation Coalition
Rick McIntruff, City of Deming
Mary Alice Murphy, Grant County Beat
Gerald Schultz

MINUTES:

APPROVAL OF THE AGENDA

A quorum was not present. The Members met as a committee.

APPROVAL OF THE MINUTES:

No Action taken on the August 20 2013 minutes. Members did discuss corrections to the minutes.

NEW BUSINESS:

- a. Reservation Fund Agreement with NM ISC - discussion and action item
No action taken.

Alex Thal provided a draft letter to be sent to the GSFWC entities. Members discussed corrections needed. Gerald Schultz in regards to the fund read his updated email of August 10 2013. Mr. Schultz requested that the email be part of the minutes. Members reiterated that the GSFWC will not be allocating the AWSA water.

Anthony Gutierrez offered to have the Grant County Attorney review Mr. Thal's letter regarding the legal use of funds. Thereafter the letter will be finalized and sent.

- b. Contract for a Professional Publicist through NM ISC. to hire or not to hire,-discussion/action item

Vance Lee has communicated with Craig Roepke, who working on a ‘scope of work’ for a publicist. Mr. Lee reviewed the scope of work and feels that it is extensive and expensive for the Membership to participate in funding a publicist. Instead GSFWC may be able to provide input to NM ISC.

- c. Public Outreach – Discussion/action item No action taken.

Janice Kiehne discussed the design of bumper stickers with slogans. The Membership also discussed doing public service announcements. Mr. Schultz suggested using university students to do these announcements.

- d. The Gila San Francisco Water Commission Open Meetings Resolution and the Open Meetings Act 10-15-1 – discussion/action No action taken.

The NM Legislature has amended the Open Meetings Act. Mr. Gutierrez, will ask the Grant County Attorney to work on updating the Water Commission’s resolution.

OLD BUSINESS

- a. Discussion: NM ISC Input Group on projects/public meeting.

No report. The input Group plans to meet on October 21 2013 in Silver City NM.

COMMITTEE REPORTS

- a. Treasurer’s Report

No report.

PUBLIC COMMENT

Gerald Schultz presented written comments on 1. NM 1st will have a Town Hall meeting in 2014. 2. On September 5 2013. Mr. Schultz attended a work shop on “Transformational Solution for Water in the West.” 3. ISC. writing a handbook on Regional Water Plans for those that will be updating water plans. and 4. The release of the Town of Silver City’s Sustainability Plan.

ANNOUNCEMENTS

None presented.

NEXT MEETING

The next meeting was set for October 22 2013 at 1:30 p.m. in Silver City in the Commissioner’s Meeting Room. Mr. Gutierrez will not be able to attend the next meeting he will be attending an infrastructure finance conference.

ADJOURNMENT

The meeting was adjourned.

Respectfully Submitted

Dolores R. Dominguez, Recording Secretary

Provided by Aley Thal for the Sept 17 2013

Draft

GSFWC meeting
Members amended

[INSERT DATE]

[TO: The Gila San Francisco Water Commission Members]

[Insert name and Address to each GSFWC member]

Dear [Insert GSFWC member name] Commissioner:

Subj.: Establishment of a Reservation Fund for the 14,000 Ac. Ft.

At our July 16, 2013 meeting, the Gila San Francisco Water Commission (GSFWC) approved the establishment of a Reservation Fund for the 14,000 ac. ft. of water. The vote was unanimous, after receiving public input from each of GSFWC government entity members, who conducted their respective public meetings during the previous month. *Check with Aley for correctness*

The GSFWC Reservation Fund would amount to \$22,000 annually with contributions from each member on or before October of each year, starting October 1, 2013. Each GSFWC member ~~would~~^{will} contribute to the funds on an annual basis (See Attachment 1- AWSA Annual Reservation and GSFWC Administration Fee Structure).

The Reservation Fund will be used to assist in financing project development to secure 14,000 ac. ft. of new water within Catron, Grant, Hidalgo and Luna Counties. The Reservation Fund is an investment in the water resources for our region.

The goal of the Southwest New Mexico regional water supply projects is to divert, store, and convey water for the benefit of citizens in the four-county region, including the municipal, agricultural, recreational, environmental, and industrial sectors; to assure long-term, sustainable water supplies and economic vitality of this region (See Attachment 2-Brochure for the AWSA Water).

Water is our most precious natural resource. In order to secure our future, we need to keep all of it we can within the region. If we do not act soon, the 14,000 ac. ft. of water per year will be lost forever. The AWSA water is the only source of new water supply to the four-county region. Time is critical for securing the 14,000 ac. ft. of water: the GSFWC and ISC must decide and communicate to the Secretary of Interior by June 2014. It is anticipated that decisions about contracting for the water will be visited after the NEPA process and closer to the construction phases.

Currently, fifteen regional entities have passed resolutions of support for the Southwest New Mexico Regional Water Supply Project (see Attachment 3). If your entity has not passed a resolution of support, you are encouraged to do so (Attachment 4-Sample Resolution) and return to Tom Bates tombates@dishmail.net.

The purpose of the resolution fee is to demonstrate an annual financial commitment to the Interstate Stream Commission, Secretary of the Department of Interior, and the ^{U.S.} Bureau of Reclamation. Financial resources are the strongest message one can send to these decision makers.

If you would please make your checks payable to Grant Soil and Water Conservation District, the Fiscal Agent for the Gila San Francisco Water Commission by October 1, 2013. If you have any questions about the Reservation Fund and the fees structure, please do not hesitate to call me at (575) 313-0866.

Sincerely,

Tom Bates, Chairman
Gila San Francisco Water Commission

Attachments:

- Attachment 1: AWSA Annual Reservation and GSFWC Administration Fee Structure
Attachment 2: Brochure: Benefits of the 14,100 Ac Ft. of Water Rights
Attachment 3: List of entities with Signed Resolutions in Support of the Southwest New Mexico Water Supply Project
Attachment 4: Sample Support Resolution

Attachment 1:

AWSA Annual Reservation and GSFWC Administration Fee Structure

Assessment is \$1,000 per member (18 members) plus an additional \$1,000 per County member (Luna Grant, Hidalgo, Catron) equals \$22,000 annually.

Reservation fee allocation is \$20,000 annually for the AWSA 14,000 acre ft. *of GSFWC*

Administration Fee for GSFWC is \$2,000 annually.

If Project is not implemented, amounts paid by or on behalf of each member will be refunded to that entity that paid the reservation fee.

Counties (or other members) *of the GSFWC* will have the option of paying on behalf of members within their jurisdiction to insure full reservation.

Reservation and Administration Fee subtotal breakdown by jurisdiction is as follows:

Luna County - \$5,000

Grant County - \$7,000

Hidalgo County - \$5,000

Catron County - \$5,000

(Each member is responsible for its own assessment unless another member pays on their behalf)

An agreement is to be entered into with ISC to demonstrate financial commitment for use of the 14,000 acre feet of AWSA allocation. *Conservation*

Reservation and Administration Fee is to be made payable to the Gila San Francisco Water Commission % Grant County Soil and Water District. The Grant Soil and Water District will set up a separate bank account for the Reservation Fee. *CONSERVATION*

The treasurer of the GSFWC (Alex Thal) will maintain accounts for each member's Reservation Fee balance. *C/O*

[Insert Brochure]

Attachment 2:

Benefits of the ^{14,000}~~14,100~~ Ac Ft. of Water Rights

Attachment 3:

Arizona Water Settlement^S Act
Signed Resolutions in Support of the
Southwest New Mexico Water Supply Project

- Luna County Resolution 13-16
- Grant County Resolution R-13-18
- Hidalgo County Resolution 2013-14
- Catron County Resolution 042-2013
- City of Deming Resolution 13-20
- Village of Columbus Resolution
- City of Lordsburg Resolution
- Village of Virden Resolution
- Village of Reserve Resolution
- Sierra Soil and Water Conservation District Resolution →
- Hidalgo Soil and Water Conservation District Resolution
- Grant Soil and Water Conservation District Resolution
- Dona Ana Soil & Water Conservation District Resolution 2013-3-3 →
- Gila Basin Irrigation Commission Resolution
- Sunset Ditch Company Resolution 2013-1

check with
a lawyer

↓ check
w/ a lawyer
Should be
removed?

Attachment 4:

RESOLUTION NO. _____

A RESOLUTION OF THE _____ DECLARING SUPPORT OF
THE SOUTHWEST NEW MEXICO REGIONAL WATER SUPPLY PROJECT, AN
AWSA PROPOSAL SUBMITTED BY THE CITY OF DEMING TO THE
NEW MEXICO INTERSTATE STREAM COMMISSION

WHEREAS, the State of New Mexico is entitled to divert up to 14,000 acre-feet of water from the Gila and San Francisco Rivers under the Arizona Water Settlements Act (AWSA) for the benefit of the four-county Southwest New Mexico Water Planning Region (Catron, Grant, Hidalgo, and Luna Counties) and receives federal funds to finance local projects to develop these water resources; and

WHEREAS, the AWSA water is the only source of new water supply to the four-county region; and

WHEREAS, the City of Deming submitted an application for a water diversion project to the New Mexico Interstate Stream Commission (ISC) pursuant to the AWSA, which was accepted for further evaluation in February 2012; and

WHEREAS, on January 18, 2013, the ISC invited applicants to amend their applications to incorporate elements of other similar applications or otherwise improve the clarity and scope of the application; and

WHEREAS, the cities of Deming, Silver City, Hurley, Bayard, and Santa Clara, and Luna and Grant counties met on February 12, 2013 to provide direction to the City of Deming in amending its application; and

WHEREAS, the goal of the Southwest New Mexico Regional Water Supply Project is to divert, store, and convey through a pipeline the AWSA water available to New Mexico for the benefit of citizens of the four-county region, including the municipal, agricultural, recreational, environmental, and industrial sectors, to assure long-term sustainable water supplies and economic vitality of this region; and

WHEREAS, Four thousand of the fourteen thousand acre feet of diversion under the ASWA is reserved for the San Francisco watershed in Catron County and is separate and aside from the ten thousand acre feet being advanced in the Southwest Regional Water Supply Project; and

WHEREAS, most public and domestic water supplies in the region are provided by groundwater, which is a finite and declining resource in Luna and Grant counties; and

WHEREAS, a reliable surface water supply to augment and enhance mined groundwater sources will ensure that long-term water supplies are available to the region through a conjunctive management system that relies on groundwater in times of drought and on surface water when supplies area available; and

WHEREAS, the _____, New Mexico supports the design and construction of multiple diversion storage facilities, with at least one large water storage facility that would contain the majority of the storage allotment maximum of 60,000 acre feet; and

WHEREAS, the _____, New Mexico supports the use of water rights exchange mechanisms that allow use of AWSA water for the benefit of the four-county region and may result in significant cost savings by avoiding expensive conveyance structures; and

WHEREAS, the _____, New Mexico supports the creation of an entity that will oversee and manage the project and will enter into contracts to sell water to eligible water users; and

WHEREAS, the _____, New Mexico supports funding for Catron County's four thousand acre feet of ASWA allocation; and

WHEREAS, the _____, New Mexico supports the operational release of water from ASWA diversion storage facilities for downstream agricultural, industrial, and municipal use in Hidalgo County; and

WHEREAS, it is the firm resolution and desire that the benefits of the AWSA remain within the four-county region, and the _____, New Mexico objects to any efforts to transfer or sell the AWSA water resources outside the region; and

WHEREAS, the communities, water users, and stakeholders in the Southwest New Mexico Water Planning Region, including Catron, Grant, Hidalgo, and Luna Counties, wish to work cooperatively to protect and conserve the water resources of the planning region and to ensure that the water supplies assured to New Mexico under the AWSA are utilized for the benefit of the planning region.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEMING, NEW MEXICO that:

1. The _____ supports the revised application for the Southwest New Mexico Regional Water Supply Project; and
2. The _____ supports intergovernmental cooperation on development of this project and protection of this water supply for the benefit of the region; and
3. The _____ requests that all technical work provided by the U.S. Bureau of Reclamation be consistent with the conceptual framework presented by the applicants for funding under the AWSA and approved by the ISC; and
4. The _____ opposes the exportation or conveyance of AWSA water outside the four-county region.

PASSED, ADOPTED, AND APPROVED THIS _____ DAY OF _____, 2013.

_____, **NEW MEXICO**

Chair / Mayor

ATTEST:

Secretary / Clerk