

Tularosa Community Ditch Corporation  
PO Box 925, Tularosa, NM 88352-0925  
Office: 512 St. Frances Street  
Quarterly Meeting of the Commissioners  
June 24, 2019 7 PM  
Minutes

Attendance: Norval Bookout, Maurice Hobson, Karen Lerner, Bookkeeper Nancy S. Carr, Katherine Tyler, Robert Danke

A. Call to Order 7:02

B. Pledge

C. No questions from attendees

D. Approval of Minutes, September 24, 2018.

Commissioner Maurice Hobson made the motion to accept the minutes as presented.

Commissioner Karen Lerner seconded the motion.

Motion Passed

E. Financial Statement

Chairman Bookout introduced the new bookkeeper and Mrs. Carr said she was very happy to take over the job and get it in order. She presented the financial statement for the dates, December 1, 2018 through February 28, 2019. Mrs. Carr reviewed the expenses of late fees to the IRS and New Mexico Tax and Revenue Department for a total of \$4,396. The previous bookkeeper, Michelle Thomas failed to submit the required paperwork forms with payroll taxes for 2016-2018 as well as numerous other failures and we needed to eliminate those fees, penalties and interests. Monies paid to Backintheblack bookkeeping were bills presented to the Ditch from Mrs. Thomas for December of 2018.

The ditch clean out is a seasonal expense and the computer is a one-time expense. Norval Bookout wanted to know if the report included the farmers' water rights. Kathy Tyler wanted to know if there was a way to separate out farmers from 49 Blocks for future information on the financial reports. Mrs. Carr said she will have it for the next quarterly meeting.

Commissioner Hobson made the motion to accept the financial report

Commissioner Lerner seconded the motion

Motion carried

F. Old Business

1. Robert Danke and Chairman Bookout both reported the job completed on the North Acequia Madre by the high school. Mr. Danke has the pictures of before and after the repair.

2. The Board is very happy that Robert Danke and Kathy Tyler are both interested in being part of the Ditch. It was suggested by Commissioner Lerner that it would not hurt to have small committees to assist in managing the numerous aspects of the Ditch such as the upcoming projects with capital outlay and assist the current board and the new board that will come in December, 2019.

3. No report from the Mayordomo Baca as he was not there and attending the 49 Blocks irrigation week.

#### G. New Business

1. Commissioner Hobson told the meeting that the legislature awarded \$100,000 for ditch repair to the Tularosa Ditch This was due to the efforts of Representative Zack Cook. The funds are coming out of the General Funds. Kathy Tyler asked about Zack Cook. Commissioner Hobson told her that Mr. Cook is the representative who covers Tularosa and has never let us down whenever it has been possible to request funding. We are going to partner with Interstate Stream Commission for a grant/loan for \$166,000 to finish up the next phase of the pipeline repair.

2. Repair on South Bookout and Darby Lane

Chairman Bookout asked if the bill for this repair had been submitted from the Village. Commissioner Lerner said that nothing had come in yet.

#### H. Other Business

Kathy Tyler asked how much is still owed by the water users. Mrs. Carr said it is still \$17,388. Robert Danke asked how that could be changed. Commissioner Hobson said that we all on the board including the mayordomo to pursue those debts. Mr. Danke asked if the New Mexico Acequia Association has some kind of form that could help us out in order to assert our rights to collect. Commissioner Lerner will check on it. Mrs. Tyler said that some people do not know they owe. Mr. Danke said some people do not care. Commissioner Hobson said there are people in the 49 Blocks who just let their yards go dry instead of living in this historic district and ignoring the advantages. Mrs. Tyler said people tried to take her water and she has to be very vigilant. Mr. Danke said there is a household on Clayton Lane that is installing a pond 50 X 50 and we need to check on it.

Kathy Tyler wants to know about the mayordomo of Bent. Mr. Bookout explained that the control in Bent is not what it should be. She also said that Smith has put in a third pond and wants to know the origin of the water. The chairman said it is from Tulie Creek. Mr. Hobson said the pond construction has ruined the filters of the Village and his water store. The construction is illegal and has no exceptions.

Kathy Tyler said she was going to take pictures of the Smith ponds before she has the next hearing with Santa Fe and the State Engineer. She thinks the State Engineer will side with Smith. Chairman Bookout said that we are under a court decree and the State Engineer cannot arbitrarily change the law. Commissioner Hobson said the new State Engineer was in before Governor Richardson and knows water. He has

faith that we will be protected in District Court. Commissioner Lerner said they may change their minds because the highway changed the track of the creek and that is how Dávalos lost his venue because of the installation of a bar ditch.

I. Adjourn

Commissioner Hobson made the motion to adjourn

Commissioner Lerner seconded the motion

Meeting adjourned at 7:58 pm.