

QUAY COUNTY GOVERNMENT

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AGENDA SPECIAL SESSION QUAY COUNTY BOARD OF COMMISSIONERS July 7, 2015

1:30 P.M. Call Meeting to Order
Approval/Amendment of Agenda

- I. Richard Primrose, Quay County Manager**
 - Discussion and proposed action on an application for permit to appropriate surface water for Interstate Stream Commission (ISC) SP-5044.

- II. Other Quay County Business That May Arise During Commission Meeting and/or Comments from the Commissioners**

Adjourn



DOC #CM-00371
07/21/2015 01:53 PM Doc Type: COCOM Pages: 3
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Quay County, NM Veronica Marez, County Clerk



SPECIAL SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

July 7, 2015

1:30 p.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in special session the 7th day of July, 2015 at 1:30 p.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Mike Cherry, Member
Sue Dowell, Member
Richard Primrose County Manager
Ellen White, Chief Deputy County Clerk

OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent
Cheryl Simpson, Quay County Manager's Office
Tom & Mimi Sidwell, Quay County Residents
Bill Humphries, Quay County Resident

The meeting was called to order by Chairman Franklin McCasland.

County Manager Richard Primrose presented the facts regarding the recently published legal notice in the Quay County Sun regarding an application for permit to appropriate surface water for Interstate Stream Commission (ISC) SP-5044. Primrose stated the Tucumcari Quay County Regional Water Authority had a meeting last week following a discussion he and Franklin McCasland had with the District 7 Representative of the State Engineer's Office while he was holding office hours in Tucumcari. The TCQRWA requested the Board of Commissioners file a protest regarding this permit request on behalf of the local entities and citizens of Quay County.

Nelda Burson, Quay County Probate Judge joined the meeting. Time noted 1:35 p.m.

McCasland stated the Interstate Stream Commission filed a similar application for permit in 2012 but it was derailed due to the appropriation of water language it contained. This new application does not include any diversions or appropriations of water.

Primrose continued by saying he does not believe the ISC or State Engineers Office has followed procedures with proper notification to affected parties. Primrose said this permit has the potential to affect landowners statewide. He reported that both Luna and Hidalgo Counties are also planning to file protest realizing how this would eventually trickle down to all parts of New Mexico.

McCasland said if the County does not file protest, questions and concerns will not be addressed and the permit will be approved.

Bill Humphries agreed that at best, they did not properly give notice or follow their own procedures with respect to public hearings. Humphries stated this Permit has multiple negative implications.

Tom Sidwell concurred saying the ISC is not following their own Strategic Water Reserve Plan which requires specific notifications to County's and Governing Bodies therein. Sidwell stated this is a tool being used with regards to the Endangered Species Act.

Richard Primrose stated it was obvious the Ute Pipeline is having an impact on this Permit request.

Commissioner Cherry said the Board is under the gun to move forward today due to time constraints as this protest must be received by the District 7 Engineers Office no later than Friday July 10. Cherry said he would like to include Tom Sidwell's remarks regarding the Strategic Water Reserve Plan.

McCasland said filing of any protest will bring the NM State Engineer's Office and NM Interstate Stream Commission to the table to answer all concerns. He said the remarks regarding the Strategic Water Reserve Plan are in Mr. Sidwell's own protest and will be noted by the State Engineer. It is noted that Mr. Sidwell's Protest is attached and made a part of these minutes.

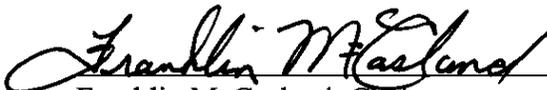
A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to file the attached Protest regarding the Interstate Stream Commission Application for Permit SP-5044. MOTION carried with Dowell voting "aye", Cherry voting "aye" and McCasland voting "aye".

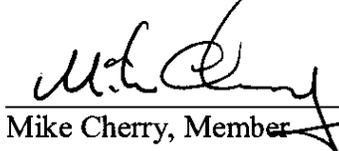
Under Other Business: NONE

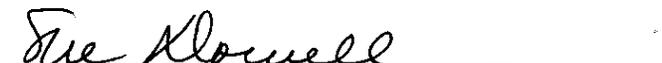
There being no further business, a MOTION was made by Sue Dowell, SECONDED by Mike Cherry to adjourn the special meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, July 13, 2015, at 9:00 a.m. MOTION carried with all members voting "aye". Time noted 1:55 p.m.

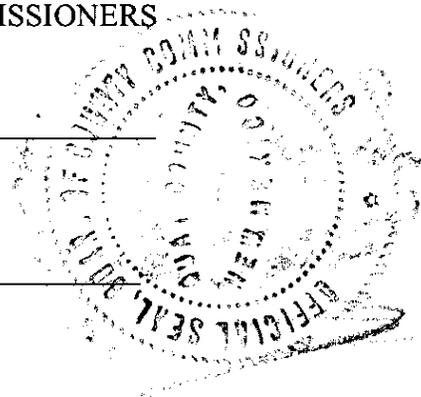
Respectfully submitted by Ellen White, Chief Deputy County Clerk

BOARD OF QUAY COUNTY COMMISSIONERS

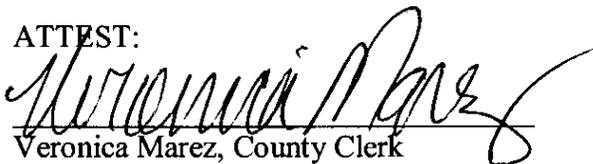

Franklin McCasland, Chairman


Mike Cherry, Member


Sue Dowell, Member



ATTEST:


Veronica Marez, County Clerk