

ELEPHANT BUTTE IRRIGATION DISTRICT
BOARD OF DIRECTORS' MEETING
June 25, 2025

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, June 25, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., and Henry Ludwig. Board members Prescott Colquitt III and Preston Tharp were absent.

The Invocation was given by Director Sloan, followed by the Pledge of Allegiance led by Vice President Rovirosa.

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Karin Byrum, Finance Director; DL Sanders, Legal Counsel, appeared virtually; Pete Domenici Jr., Legal Counsel, appeared virtually; and Dr. Phil King appeared virtually.

EBID guests present were Jerry Schickedanz, flat-rate constituent; and Alfred Perault, OSE.

Virtual attendee present was Jerry Melendez.

President Daviet stated that the closed session discussion at the June 11, 2025 board meeting was limited to the items listed on the meeting agenda, although he did not mention that at the close of the last meeting. **Director Clayshulte Jr. moved, and the motion was seconded by Secretary Garay to approve the June 11, 2025, regular board meeting minutes. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

Karin Byrum presented Resolution 2025-09 Approval of Disposition of Assets with Exhibit A (estimated resale value less than \$5,000) and Exhibit B (estimated resale value greater than \$5,000). She noted that for items exceeding \$5,000, approval must be obtained from the New Mexico Department of Finance and Administration. Additionally, a 30-day notice is required to be submitted to the Office of the State Auditor for all property dispositions. **Secretary Garay moved, and the motion was seconded by Director Clayshulte Jr. to approve Resolution 2025-09. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

Karin Byrum presented the Contech ES 2025-26 Contract. She stated the contract is for corrugated metal pipe, bands, and ends, noting that only one responsive bid was received. She stated the contract is for four years, subject to annual renewal, and includes a 31% price increase. Concerns were raised regarding the shipping rate specified in the contract—\$5.10 per pound per mile—which was considered excessive. **Vice President Rovirosa moved to amend the contract language for the three shipping items to be per loaded mile, and the motion was seconded by Director Crist. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.** The contract, subject to approval, is amended. **Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion to approve the amended contract. Motion passed.**

President Daviet noted that, during the last board meeting, June 27 was announced as the final date for placing water orders; however, a subsequent email listed June 26. Josh Smith clarified that the email contained a typo and confirmed that water orders will be accepted through Friday, June 27, 2025.

Vice President Rovirosa moved; Director Clayshulte Jr. seconded to go into closed session. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

- A. Texas v. NM (USSC)
- B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
- C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
- D. Discussion regarding purchase, acquisition, or disposal of real property or water rights
- E. Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
- F. Limited Personnel Matters
- G. Other Threatened/Pending Litigation
- H. Motion to come out of closed session

Vice President Rovirosa moved; Secretary Garay seconded to come out of closed session. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

There being no further business, Secretary Garay moved, and Director Clayshulte Jr. seconded to adjourn the meeting. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.

The next meeting of the Board of Directors will be held on July 9, 2025, beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

Introduction
of Guests

Minutes
Approval

Resolution
2025-09

Contech ES
2025-26
Contract

Closed
Session

Adjourn