# ENMWUA Regular Board Meeting

DATE: Thursday, March 26, 2026
LOCATION: Portales Memorial Building, 200 E. 7th Street, Portales, NM

## 1. Call to Order

The meeting was called to order at 3:00 pm

## 2. Roll Call

The meeting commenced with roll call. The following were in attendance:

**Board Members**

**In-person**: Chairman Morris, Vice-Chairman Lucero, Secretary Bryant, Member Garza, Member Merrick, and Member Carter.

**Staff and ENMWUA Vendors (In-person):**

ENMWUA Staff: Executive Director Mark Howl, Deputy Director Jacquelynn Bowens, Attorney: Kameron Barnett, Jacobs Engineering: Jim Honea, Kent Bienlien, and Aaron Smith, Harper Brothers Construction: Jack Zebrowski.

**ENMWUA Vendors (Virtual):**

Jacobs Engineering: Kathy Croll, Willoughby and Willoughby: De'Aun Willoughby CPA, Thompson Consulting: Joe Thompson.

**Public Attendees (In-person or Virtual):**

Robin Fornoff from Eastern New Mexico News, Lisa Welch with Maverick Tech Solutions, and eighteen members of the public representing local landowners in both Clovis and Portales were present.

## 3. Invocation

Member Merrick delivered an invocation prior to the commencement of the Board meeting.

## 4. Pledge of Allegiance and Salute to the New Mexico Flag

Vice Chairman Lucero led the Board members in reciting the Pledge of Allegiance to the United States Flag and the Salute to the New Mexico Flag.

## 5. Approval of Agenda

A motion to approve the agenda was unanimously approved.

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| **Result:** | **Approved by Vote (4-0)** |
| **Ayes: 5** | |
| **Nays: 0** | |

## 6. Approval of Minutes

a) The Board unanimously approved the minutes of the Regular Board Meeting held on Thursday, February 26, 2026, at 3:00 pm at the Portales Memorial Building, 200 E. 7th Street, Portales, NM, 88130

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| **Result:** | Approved by Vote (4-0) |
| **Ayes: 5** | |
| **Nays: 0** | |

## 7. Public Input

Ms. K.C. Schooley, Ms. Ashley Pipkin, Mr. Eric Palla and Mr. Art Schaap all provided public comment.

## 8. Monthly Financials

a) <u>Approval of Monthly Financials for the Month Ending February 28, 2026. – Bowens</u>

Ms. Bowens reported on financial activities for the month ending February 28, 2026. Total revenues were in the amount of $17,070,945.59. Expenditures as of February 28, 2026, reported at $5,132,837.76.

A motion was made for approval of the monthly financials, and a roll call vote took place.

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| **Result:** | Approved by Vote (5-0) |
| **Motion: Merrick** | |
| **Second: Lucero** | |
| **Ayes: 5** | |
| **Nays: 0** | |

b) <u>Approval of Monthly Bank Transfer Request from ENMWUA LGIP Account STO# 8043 to Business Checking Account #7101- Bowens</u>

Chairman Morris informed the Board Members at this time the Executive Director is requesting a transfer of funds for the Authority in the amount of $103,000.00.

A motion was made for approval, and a roll call vote took place.

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| **Result:** | Approved by Vote (5-0) |
| **Motion: Merrick** | |
| **Second: Lucero** | |
| **Ayes: 5** | |
| **Nays: 0** | |

## 9. New Business Items

a) Presentation and Request for Approval of FY2025 Annual Audit from De'Aun Willoughby CPA, PC. – Howl, Willoughby

Ms. Willoughby presented the results of the Federal and State audits, confirming that the Eastern New Mexico Water Utility Authority received no findings for the prior or current fiscal year, this includes Federal Awards Findings, Financial Statement Findings, and all Other Findings required under Section 12-6-5 NMSA 1978.

A motion was made for approval, and a roll call vote took place.

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| **Result:** | Approved by Vote (6-0) |
| **Motion: Lucero** | |
| **Second: Bryant** | |
| **Ayes: 6** | |
| **Nays: 0** | |

b) Request for Approval of a Professional Services Agreement between the Eastern New Mexico Water Utility Authority and Howe Water Science, LLC to provide Expert Peer Review on the ENMRWS Pilot Water Treatment Plant and Water Treatment Plant - Bowens

Ms. Bowens stated that Howe Water Science LLC provides hydrogeologic and water resources consulting services to support peer review of the Water Treatment Plant and water blending analytics. She requested approval of a one-year contract renewal in an amount not to exceed $60,000, noting that there are no changes to the scope of work or billing rates. Approval would ensure continuity of independent technical review services. Mr. Howl added that, while peer review is not required, the ENMWUA remains committed to exceeding standard requirements.

A motion was made for approval, and a roll call vote took place.

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| **Result:** | Approved by Vote (6-0) |
| **Motion: Garza** | |
| **Second: Merrick** | |
| **Ayes: 6** | |
| **Nays: 0** | |

c) Request for Approval of Drake Industries Contract Amendment #3.- Bowens

Ms. Bowens reported that this action represents Contract Amendment Number 3 and outlined the key revisions, which include updated compensation based on a quote provided by Drake Industries LLC on March 17, 2026, for the Texico Lateral and Raw Water 3 projects. She confirmed that all other provisions of the original contract remain unchanged.

A motion was made for approval, and a roll call vote took place.

**Result:** Approved by Vote (6-0)

**Motion:** **Bryant**

**Second:** **Carter**

**Ayes: 6**

**Nays: 0**

d) <u>Request for Approval of an Easement Agreement between Stanley Richard Owen and Emma Diane Owen to the ENMWUA for the Construction of the Eastern New Mexico Rural Water System Raw Water 2 Pipeline. - Howl, Barnett</u>

Mr. Howl presented the easement agreement between the Stanley Richard Owen and Emma Diane Owen and the Eastern New Mexico Water Utility Authority, explaining that the easement is for the ENMRWS Raw Water 2 Pipeline project. He noted that the property owners have agreed to both the easement and the associated compensation.

A motion was made for approval, and a roll call vote took place.

**Result:** Approved by Vote (6-0)

**Motion:** **Garza**

**Second:** **Bryant**

**Ayes: 6**

**Nays: 0**

e) <u>Request for Approval of an Easement Agreement between Gibson Ranch – Rhonda Lee McIntyre, Sue Elanie Umshler, Michael Rayment Gibson and Franklin D. Gibson to the ENMWUA for the Construction of the Eastern New Mexico Rural Water System Raw Water 2 Pipeline. - Howl, Barnett</u>

Mr. Howl presented the easement agreement between Gibson Ranch and the Eastern New Mexico Water Utility Authority, explaining that the easement is for the ENMRWS Raw Water 2 Pipeline project. He noted that the property owners have agreed to both the easement and the associated compensation. Mr. Barnett stated that a Memorandum of Understanding (MOU) for calf loss production and for fencing has been put in place as well.

A motion was made for approval, and a roll call vote took place.

**Result:** Approved by Vote (6-0)

**Motion:** **Garza**

**Second:** **Lucero**

**Ayes: 6**

**Nays: 0**

F) Request for Approval of the Purchase of Real Estate from Marcus A. Williams to the ENMWUA for the Use of the Eastern New Mexico Rural Water System Raw Water 1 Pipeline. - Howl, Barnett

Mr. Howl presented the purchase agreement between Marcus A. Williams and the Eastern New Mexico Water Utility Authority for property needed to support the Eastern New Mexico Rural Water System Raw Water 1 pipeline. Mr. Barnett explained that the property owner had been offered the option of either granting an easement or selling the property and ultimately chose to proceed with the sale.

A motion was made for approval, and a roll call vote took place.

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| **Result:** | Approved by Vote (6-0) |
| **Motion: Lucero** | |
| **Second: Bryant** | |
| **Ayes: 6** | |
| **Nays: 0** | |

## 10. Unfinished Business

There was no unfinished business.

## 11. Reports from Board Members and Staff

a) State Activities – Thompson

Mr. Thompson reported on state activities.

b) Federal Activities – Ryan

Mr. Ryan was absent and there was no report on Federal Activities.

c) Project Development Activities – Jacobs Engineering, Jim Honea

FW1 – Kent Bienlien with Jacobs Engineering advised the final connection is comlete on the pipe installation, chain link fence is 75% complete and the Cathodic Protection System is 75%, with substantial completion expected May 2026 and final completion July 2026.

RW3 – Jack Zebrowski with Harper Brothers Construction reported that topsoil removal is 73% complete, temporary fencing 75% complete, and pipe installation 33% complete. The project is progressing on schedule, with final completion expected by June 15, 2027.

Texico Lateral – Jack Zebrowski with Harper Brothers Construction reported that substantial completion should be August 8$^{th}$, 2026, and final completion should be October 5$^{th}$, 2026.

RW1A - Mr. Honea reported that bids are due May 20, 2026.

RW1B/RW2 – Mr. Honea reported that the target completion for a bid package is May 2026. All required permitting has been submitted.

Intake/Caprock Pump Station – Mr. Honea reported that there are no new updates. The bid-ready documents have been stamped and are prepared for release.

Elida Pump Station – Mr. Honea reported Elida pump station 90% design has been completed.

Water Treatment Plant – Mr. Honea reported that the pilot plant at the Intake Site is operating and gathering data and is extending to July. An Open House is being planned. The deep well injection permit is under State review. The administration and maintenance buildings 90% design is underway.

Spotlight: – Cultural Resources - The National Historic Preservation Act of 1966 requires federally funded projects, such as the ENMWUA pipeline, to identify and evaluate historic properties through the Section 106 review process. Because of this requirement, ERO has surveyed the entire pipeline alignment and all realignments to date, and any future realignments outside the existing corridor will require new survey work. To comply with NHPA standards, all resources over 50 years old are documented, and as of December 2025, ERO has recorded 97 cultural sites ranging from 9,500 B.C. to A.D. 1976. While most sites need no additional work due to ineligibility or project avoidance, monitoring remains necessary in sensitive areas such as near Blackwater Draw, where both prehistoric and historic resources including lithic scatters, rock shelters, habitations, trash scatters, roads, and railroads have been identified.

d) Ute Reservoir USGS Report – Bowens

Currently the Ute Reservoir Storage in ac/ft as of February 24, 2026, the Reservoir was at 193,400 ac/ft and as of today, March 26, 2026, was reported at 191,800 ac/ft for a loss of 1,600 ac/ft. The Ute Reservoir Water Surface Elevation in ac/ft, as of February 24, 2026, was reported at 3,786.76 ft and as of today, March 26, 2026, was reported at 3,786.52 ft for a loss of 0.24 ft/2.88 in.

e) Report from the Chair – Morris

Chairman Morris addressed recent public concerns regarding the deep-well injection process and provided clarification based on referenced materials. The Chairman shared with the board the Village of Logan and Quay Country press release. He noted that he had issued a written response to both the Mayor of Logan and the Senior Writer of the Eastern New Mexico News to ensure accurate information was shared with the public. Chairman Morris also highlighted his recent trip to Washington, D.C., where he met with New Mexico's Senators and House Representatives. He reported that these discussions were productive and focused on advancing the Eastern New Mexico Rural Water System, strengthening federal partnerships, and ensuring continued support for the Authority's long-term water infrastructure needs.

f) Report from the Executive Director – Howl

Mr. Howl reported on recent stakeholder outreach, noting meetings with four stakeholders in Texico and one in Clovis, as well as his attendance at both the Elida City Council meeting and a Curry County Commission meeting. He announced that the Authority has hired two new operators and a new office manager. He also stated that the Authority collaborated with the Eastern New Mexico News to provide responses to questions related to a recent Eastern New Mexico News article. He concluded by announcing an Open House scheduled for May 27 at the pilot project site, where engineers and water experts will review and discuss the treatment process.

## 12. Future Agenda Items

a) Next Regular Meeting, Date, Time, and Location: Thursday, April 23, 2026, at 3:00 p.m. at Texico Community Building, 211 N. Griffin Street, Texico, NM 88130.

## 13. For the Good of the Order

## 14. Adjournment

The meeting was adjourned officially at 4:50 pm

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| X | X |
| Michael A. Morris<br>Chairman | Chris Bryant<br>Secretary |