



Doña Ana Soil and Water Conservation District

USDA Service Center, NRCS Field Office, Suite 118

760 Stern Drive ■ Las Cruces, New Mexico 88005 ■ (575) 522-8775, Ext. 116 ■ www.daswcd.org

January 11, 2018

Mr. Scott Krahlung
Dona Ana County Clerk
845 N Motel Blvd.
Las Cruces, NM 88005

Re: Certification of results, La Union Watershed District Referendum, December 5, 2017

Mr. Krahlung,

The Dona Ana Soil and Water Conservation District (DASWCD) conducted a referendum on December 5, 2017 at the La Union Elementary School, 875 Mercantil Ave, Anthony, NM 88021, to determine whether or not the property owners within the defined area of the La Union Watershed, who are impacted by the annual flooding, wanted to proceed with the creation of the La Union Watershed District pursuant to the Watershed District Act [73-20-1 NMSA 1978].

The results of the referendum vote were 11 votes in favor and 5 votes opposed to the creation of the La Union Watershed District as recorded on the Ballot Tally Sheet attached to this letter. Pursuant to [73-20-11 NMSA 1978], Polling superintendent, Supervisor David J. Martinez, certified the results of the referendum to the DASWCD Board of Supervisors at their regular meeting on December 14, 2017. The Board accepted the certification and recorded the action into the records of the meeting.

The DASWCD Board of Supervisors now formally certifies the results of the referendum to you, the Dona Ana County Clerk and ask that you officially record the action and declare the formal creation of the La Union Watershed District.

Jerry Schickedanz
Chairman

Attachment



COUNTY OF DONA ANA) MISC
STATE OF NEW MEXICO) ss PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On JAN 11, 2018 03:40:51 PM
And Was Duly Recorded as Instrument # 1800939
Of The Records Of Dona Ana County



Witness My Hand And Seal Of Office,
Scott Krahlung, County Clerk, Dona Ana, NM

Deputy Renee Torres

All-Purpose Acknowledgment

State of New Mexico

County of Dona Ana

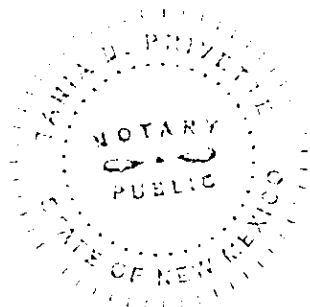
On January 11, 2018 before me, the undersigned, a Notary Public in and for said State personally appeared Jerry G. Schickedanz, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument the person executed the instrument.

WITNESS my hand and official seal

Signature



Tania D. Privette



My Commission Expires:

Oct 15, 2019

HAND COUNTED BALLOT TALLY SHEET
ELECTION HELD December 5, 2017

DOÑA ANA COUNTY

QUESTIONS								TOTALS
Creation of the La Union Watershed District, in La Union, New Mexico								
FOR	1	1	1	1	1	1	1	11
	1	1	1	1				
AGAINST	1	1	1	1	1			5

CERTIFICATE OF RETURN

We, the undersigned, being all of the election officials for the election held on October 6, 2016 in the precinct and/or voting division indicated above, do hereby certify that we have correctly counted and tallied the votes legally cast, that the results of such count and tally is as shown herein, and that we have properly posted the totals to the appropriate column and line on the certificate of returns or other official return sheet for this precinct.

[Signature]

 PRESIDING ELECTION JUDGE

 ELECTION JUDGE

 ELECTION JUDGE

POLLING LOCATION:
La Union Elementary

TO BE USED FOR ANY HAND COUNTED BALLOTS

(CIRCLE ONE)

POLLING PLACE

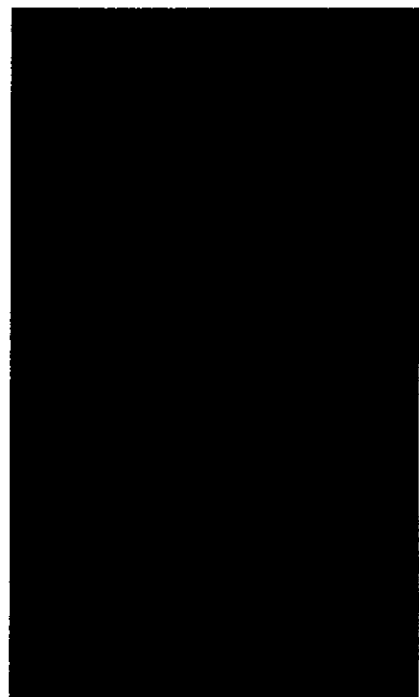
ABSENTEE

OTHER _____

1 TOTAL BALLOTS RECEIVED *17*

2 TOTAL BALLOTS REJECTED *1*

3 TOTAL BALLOTS COUNTED *16*



New Mexico Watershed District Act [73-20-1 NMSA 1978]

shall consider the question whether the operation of a district within the proposed boundaries with the powers conferred upon such districts in Section 73-20-13 NMSA 1978 is administratively practicable and feasible. To assist the board of supervisors in this determination, the board shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be given as provided in Section 73-20-8 NMSA 1978, except that, notice sent to absentee landowners shall also inform them of their right to request a ballot. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls and shall designate one or more places within the proposed district as polling places. The board shall appoint a polling superintendent and other necessary polling officers giving equal representation to the proponents and opponents of the question involved. Ballots shall be sent to all absentee landowners upon request and they may vote by return ballot by first class mail.

History: 1953 Comp., § 45-5-27, enacted by Laws 1957, ch. 210, § 9; 1975, ch. 294, § 3.

ANNOTATIONS

Legislative intent is that the board may, after the hearing and tentative decision to include additional lands, immediately conduct a referendum. Under these circumstances, a combined notice that complies with all the statutory provisions is sufficient for both the hearing and referendum. 1975 Op. Att'y Gen. No. 75-44.

73-20-10. Ballots.

The question to be voted on shall be submitted by ballots that define the boundaries of the proposed district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by the board, shall be eligible to vote in the referendum.

History: 1953 Comp., § 45-5-28, enacted by Laws 1957, ch. 210, § 10; 2003, ch. 228, § 2.

The 2003 amendment, effective June 20, 2003, rewrote this section to the extent that a detailed comparison is impracticable.

73-20-11. Votes; results.

The votes shall be counted by the election officers at the close of the polls and report of the results along with the ballots delivered to the polling superintendent, who shall certify the results to the board of supervisors. If a majority of the votes cast favor creation of the district, the board of supervisors shall certify the results to the county clerk in the county involved. Upon proper recording of the action, the watershed district shall be duly created. After recording, the certification shall be filed with the New Mexico department of agriculture.

History: 1953 Comp., § 45-5-29, enacted by Laws 1957, ch. 210, § 11; 1973, ch. 332, § 5; 1977, ch. 254, § 49; 1987, ch. 234, § 74; 2003, ch. 228, § 3.