

**MINUTES OF THE  
REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS OF THE  
MIDDLE RIO GRANDE CONSERVANCY DISTRICT  
SEPTEMBER 10, 2018**

Directors having been duly notified, Chairman Duggins called the regular meeting to order at 3:05 pm at the MRGCD General Office. The following Directors and Staff were present:

**DIRECTORS**

Glen Duggins	Chairman
Derrick J. Lente	Vice-Chair
Joaquín Baca	Director
Karen Dunning	Director
John Kelly	Director
Beverly Romero	Director
Valerie Moore	Director

**STAFF**

Mike Hamman	Chief Engineer/CEO
Dr. DuMars	Chief Water Counsel
Lorna Wiggins	General Counsel
Bruce Wiggins	General Counsel
David M. Fergeson	Secretary-Treasurer
Jeanette Bustamante	Administrative Officer/CPO
David Gensler	Water Operations Manager
Becky Burnham	Budget Analyst
Alicia Lopez	Engineer 1
Adrienne Martinez	Engineer 1
Yasmeen Najmi	Planner/RRA
Christine Nardi	Human Resource Director
Jason Casuga	Engineer Manager
Sarah Avallone	Assessment/Collection Supervisor

The following names of individuals were interested viewers and/or participants:

Adam Triolo, Carrie Tingley Mudd Volleyball Fundraiser	Alexandria Lyons, MWR-UNM
Gary Stansifer, OSE	Santiago Montoya
Viola Sanchez, BIA	

**AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE**

Sandy Ontiveros led the Pledge of Allegiance in Spanish.

Chairman Duggins welcomed the guests and declared a quorum.

**AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA**

Mike Hamman asked that a new item be inserted for the agenda to be presented directly after Item 2; Carrie Tingley Mud Volleyball Fundraiser, Adam Triolo. Mike Hamman also asked that another item be inserted as Item 9.b.1., which will be Joint Powers Agreement between the MRGCD and the Village of Los Lunas for Joint Management of the Rio Grande Bosque Park, presented by Yasmeen Najmi.

Director Kelly made the **MOTION TO APPROVE THE AMENDED AGENDA**. Director Moore seconded the motion. The **MOTION CARRIED** unanimously.

**NEW AGENDA ITEM (NOT NUMBERED) - CARRIE TINGLEY MUD VOLLEYBALL FUNDRAISER**

Adam Triolo, from Carrie Tingley Mud Volleyball Fundraiser, stopped by today to thank the MRGCD for its ongoing support (and continued proclamation) of sponsoring the mud volleyball event by preparing the fields, mowing, and adding water to the volleyball pits. Mr. Triolo specifically thanked Joe Brem and Mike Peralta, from the MRGCD, for the hard work they did helping with the event. This year the even raised \$365,000 for the kids at the hospital, which helps pay for the Carrie Tingley kids' equipment and the sports camp throughout the state for the kids. He brought by a plaque and some t-shirts to show his thanks.

Mike Hamman noted that he believes this is a worthwhile event for the MRGCD to be supporting.

**AGENDA ITEM NO. 3 – APPROVAL OF MRGCD PAYMENT RATIFICATION & ATTORNEY INVOICES**

**a. Consideration/Approval of Payment Ratification for September 10, 2018**

Director Moore questioned why there were different line items for West Consultants, one for hydrology department and one for Socorro Division. Mike Hamman reported that they were working on the same project but charged different business units.

Director Moore also asked about the 73 trips to the landfill. Mike Hamman and Joe Brem reported that many, many trips are required to the landfill from cleaning up the Bosque, including tires, debris, and trash.

Director Kelly asked about the on-call engineering services project on Santo Domingo Pueblo with Smith Engineering. Mike Hamman and Jason Casuga reported that the services were rendered after a washout along the Cochiti Main Canal. They were hired to help redesign a structure to help deflect the flows back to the center of the arroyo.

Director Baca asked about Rio Grande Agricultural Land Trust. Mike Hamman explained it is a sponsorship that MRGCD is maintaining with that entity. They are working with MRGCD on promoting several outreach efforts associated with ESA projects, habitat development work, and working with local farmers and others interesting in putting lands in conservation trusts within the entity and possibly other efforts that going on in Bernalillo and Socorro Counties. "Save the Bosque' taskforce is also part of their effort.

Director Kelly made the **MOTION TO APPROVE THE PAYMENT RATIFICATION FOR SEPTEMBER 10, 2018**. Director Moore seconded the motion. The **MOTION CARRIED**.

**b. Consideration/Approval of August 2018 Invoice for Wiggins, Williams & Wiggins**

No questions or discussions were made regarding the invoice.

Director Moore a made the **MOTION TO APPROVE THE AUGUST 2018 INVOICE FOR WIGGINS, WILLIAMS & WIGGINS**. Director Kelly seconded the motion. The **MOTION CARRIED**.

**c. Consideration/Approval of August 2018 Invoice for Law and Resource Planning Associates**

No questions or discussions were made regarding the invoice.

Director Moore made the **MOTION TO APPROVE THE AUGUST 2018 INVOICE FOR LAW AND RESOURCE PLANNING ASSOCIATES**. Director Baca seconded the motion. The **MOTION CARRIED**.

**AGENDA ITEM NO. 4 – APPROVAL OF MRGCD MEETING MINUTES**

**a. Consideration/Approval of Minutes for Regular Board Meeting - August 13, 2018**

There were no changes to the minutes for the regular board meeting of August 13, 2018.

Director Romero made the **MOTION TO APPROVE THE MINUTES FOR THE REGULAR BOARD MEETING OF AUGUST 13, 2018**. Director Moore seconded the motion. The **MOTION CARRIED**.

**b. Consideration/Approval of Minutes for Regular Board Meeting - August 27, 2018**

There were no changes to the minutes for the regular board meeting of August 27, 2018.

Director Romero made the **MOTION TO APPROVE THE MINUTES FOR THE REGULAR BOARD MEETING OF AUGUST 27, 2018**. Director Kelly seconded the motion. The **MOTION CARRIED**.

**AGENDA ITEM NO. 5 – BOARD OF EQUALIZATION**

Director Kelly made the **MOTION TO CONVENE THE BOARD OF EQUALIZATION**. Director Romero seconded the motion. The **MOTION CARRIED**.

**a. Reclassification Hearing - Sarah Avallone, MRGCD Assessment Officer**

There was a recommendation in each of the Board Members' packets for today's meeting regarding the Reclassification and the Water Service Charge contracts. Protestors who disagree with evaluations have the opportunity to come before the Board today to protest or talk about the disagreement. No protestors were present at today's meeting.

Director Duggins noted that there seemed to be fewer reclassifications this year compared to years past. Sarah Avallone concurred; there are fewer reclassifications and about the same number of water service charge contracts.

Director Dunning asked if there are any numbers on how much the MRGCD would gain or lose in the water service charge fees. Ms. Avallone responded that that the numbers evened out this year on the exemption acres at 220 and the water service charge contracts at 220.

Director Dunning then asked what the Water Service Charge criteria is if a farmer wants to transfer his water rights to a well. Sarah Avallone responded that charges are based on the property being considered irrigable. In other words, is it possible by any means to get water to the property? Chuck DuMars reiterated Sarah's point and added that to supplement the well;

the farmer will be using basically an alternative point of diversion from the MRGCD water. So, it is not an independent water right. Water services charges still apply.

Director Kelly asked if MRGCD is in the process of revising water transfer policy that may require properties that have sold their water rights to continue to pay the water service charge so there's not an adverse impact on the adjoining farmers. Mike Hamman responded that the staff is revising the policy currently. It has not been finalized yet; however, as soon as the appropriate committees meet, it will then come to the Board for a vote, and a revised policy will be in place. Further, we will not be able to retroactively enforce the policy after it is put in place.

Director Kelly a made the **MOTION TO APPROVE THE STAFF RECOMMENDATIONS AS PROVIDED IN THE DETAILED RECLASSIFICATION FILE**, Director Lente seconded the motion. The **MOTION CARRIED**.

#### **AGENDA ITEM NO. 6 – RECONVENE REGULAR BOARD MEETING**

Director Kelly made the **MOTION TO ADJOURN THE BOARD OF EQUALIZATION AND RECONVENE THE REGULAR BOARD MEETING**. Director Moore seconded the motion. The **MOTION CARRIED**.

#### **AGENDA ITEM NO. 7 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)**

##### Santiago Montoya

Mr. Montoya lives in Valencia County. He feels that his questions and requests to Mike Hamman have gone unanswered insofar as the Conservancy staff (mainly ditch riders and heavy equipment) trespassing on his property, the drainage of water from the ditch is eroding his property (and others around him), debris removed from the ditch is left on the banks for months and month, which then dries up, and the ends up back on his property or back in the ditch. Mr. Montoya stated he has asked Mr. Hamman about sloping toward the Conservancy ditch; however, this matter has not been addressed because of fear the ditch rider could fall in the ditch.

Director Kelly asked Mr. Hamman to send one of the engineering staff to look at the issue and report back to the Board this fall.

Chairman Duggins agreed and advised Mr. Montoya that someone from the staff would be in contact with him soon.

#### **AGENDA ITEM NO. 8 – REPORTS FROM THE U.S. DEPARTMENT OF INTERIOR**

##### **a. U.S. Bureau of Reclamation - Ms. Jennifer Faler, Area Manager**

Ms. Faler was not present at today's meeting; therefore, this topic will remain on the agenda for the next meeting.

##### **b. U.S. Bureau of Indian Affairs - Ms. Viola Sanchez, Designated Engineer**

Viola Sanchez reported that as of September 1st, BIA went into the Prior and Paramount operations. BIA actually ran out of general district storage the day before that, on 8/31. Ms. Sanchez used a handout to explain how the way things are divided up among the District divisions

### 2018 PUEBLO IRRIGATION SCHEDULE

	SUN	MON	TUES	WEDS	THURS	FRY	SAT
AUGUST	Normal Water still in ditches All Pueblos irrigate	MRGCD release ends at El Vado; Begin P&P release. All Pueblos irrigate	Normal Water still in ditches All Pueblos irrigate	Normal Water still in ditches All Pueblos irrigate	Normal Water still in ditches All Pueblos irrigate	MRGCD release ends at El Vado; Begin P&P release. All Pueblos irrigate	Cochiti Division begin 6 a.m. Isleta Belen Division
	26	27	28	29	30	31	1
SEPTEMBER	Cochiti Division Isleta Belen Division	Cochiti Division Isleta Belen Division	Cochiti Division Isleta Belen Division	Cochiti Division ends 6 p.m. Isleta Belen Division	ABQ Div. Sandia Santa Ana begin 6 a.m. Isleta Belen Division	ABQ Division Sandia Santa Ana Isleta Belen Division	ABQ Division Isleta begin 6:00 a.m. Isleta Belen Division
	2	3	4	5	6	7	8
	ABQ Division Isleta Isleta Belen Division	Flows to Isleta via Atrisco Feeder. Pueblo directs to east or west sides.	Flows to Isleta via Atrisco Feeder. Pueblo directs to east or west sides.	Flows to Isleta via Atrisco Feeder. Pueblo directs to east or west sides.	Cochiti Division begin 6 a.m. Isleta ABQ, Belen Divisions	Cochiti Division Isleta Belen Division	Cochiti Division Isleta Belen Division
	9	10	11	12	13	14	15
	Cochiti Division Isleta Belen Division	Cochiti Division ends 6 p.m. Isleta Belen Division	ABQ Div. Sandia Santa Ana begin 6 a.m. Isleta Belen Division	ABQ Div. Sandia Santa Ana Isleta Belen Division	ABQ Div. Sandia Santa Ana Isleta Belen Division	ABQ Div. Sandia Santa Ana Isleta Belen Division	ABQ Div. Isleta begin 6:00 a.m. Isleta Belen Division
	16	17	18	19	20	21	22
	Flows to Isleta via Atrisco Feeder. Pueblo directs to east or west sides.	Flows to Isleta via Atrisco Feeder. Pueblo directs to east or west sides.	Cochiti Division begin 6 a.m. Isleta ABQ and Belen Divisions	Cochiti Division Isleta Belen Division	Cochiti Division Isleta Belen Division	Cochiti Division Isleta Belen Division	Cochiti Division ends 6 p.m. Isleta Belen Division
	23	24	25	26	27	28	29
	Santa Ana begin 6 a.m. Isleta Belen Division	ABQ Div. Sandia Santa Ana Isleta Belen Division	ABQ Div. Sandia Santa Ana Isleta Belen Division	ABQ Div. Sandia Santa Ana Isleta Belen Division	ABQ Div. Isleta begin 6:00 a.m. Isleta Belen Division	To be determined Isleta Belen Division	To be determined Isleta Belen Division
	30	1	2	3	4	5	6

- Normal water still in all MRGCD ditches. All Pueblos irrigate just before general District shutdown.
- Cochiti Division: Cochiti, Santo Domingo, San Felipe, Santa Ana Indian Ditch, Algodones Lower Acequia irrigate. Return flows exiting Cochiti Division routed to Albuquerque Main Canal.
- Albuquerque Division: Santa Ana Albuquerque Main (includes Bosque Lateral 1, Ranchitos, Desawa North and Desawa South), Sandia, and Isleta (Acequia Madre, Butte Lateral, Los Lunas Lateral) irrigate. Return flows routed to Isleta via Atrisco Feeder.
- Belen Division: Isleta Pueblo east side, west side New Belen Acequia and Los Lunas Lateral on west side.

See explanation sheet for details.

There have been questions about how BIA doesn't give water to the Indian newly reclaimed, but this schedule will provide enough time to irrigate their P&P, but anything over and above that, they will run out of time.

The good news is that there has been more water available than what BIA thought going into this. We got some rain, and we had some natural flows that came down the main stem from Embudo and going towards Otowi. So, we had a little surplus of natural flows.

Reclamation was probably over-releasing minnow water to get started. We bypass a certain amount at Angostura. It started at 350 CFS, in order to keep the Albuquerque reach of the river

wet. They have decided we can probably make due with just 300 so they can cut back their releases from Abiquiu Reservoir or Heron (both), whichever one they happen to have the water in.

We are kind of tightening down a little bit. There won't be as much water in the system. The non-Indian shutdown was pretty much enforced for about the first week or so. We then decided we had enough water in the system to allow some limited non-Indian irrigation, plus anything that is south of Isleta is pretty much fair game. As long as the water is available, we do allow limited non-Indian irrigation. The first go-round was in the Alameda Canal up here in the North Valley and then possibly some more areas in the North Valley were going to receive water. Sile may receive water on their next Cochiti Division cycle. Meanwhile, there is a lot of irrigation going on south of Isleta with a little extra water there.

BIA's next step is to correctly decide how much losses are in the river because we don't want to release of Prior and Paramount if we don't have to. The whole point of the Prior and Paramount storage is to make sure the tribes have a full supply, but we don't want to over-release either.

Ms. Sanchez thanked the District and the Pueblos for their work and cooperation. She reiterated that the Tribes are doing a lot on their own to coordinate the water flows within their Pueblos.

Director Dunning asked about the carriage losses. Ms. Sanchez responded that it is a computed value. Anytime you have to compute a value as compared to measuring it, there is a lot of room for interpretation of people's preferences to get in the way. We have to compute those losses, and that's where the room for argument comes in. Mr. Hamman added that it is important because there are different types of waters moving through the system. We want to allocate it appropriately once we decide what the carriage loss is for this particular period of time. We then try to allocate it to how much is the Native flow taking, how much is the San Juan-Chama moving through both the Bureau and Utility Authority. We are dividing it proportionately among the different waters in the system.

Director Kelly asked Ms. Sanchez if the 6,000-acre feet in water storage will get the BIA all the way to 10/4/18. Ms. Sanchez responded that it should get BIA to 9/30/10. It is about 200-acre feet per day of consumption.

Director Moore asked if there could be some type of workshop or meeting regarding the elements of P&P because it is confusing to her. Ms. Sanchez said she would be pleased to do that. Chairman Kelly asked Mike Hamman to coordinate a meeting or lunch for Director Moore, Ms. Sanchez, and himself (Mike Hamman).

## **AGENDA ITEM NO. 9 – REPORT(S) FROM THE MRGCD CHIEF ENGINEER - Mike Hamman, CE/CEO**

### **NEW BUSINESS**

#### **a. Water Report - David Gensler, Water Operations Manager**

Mr. Gensler reported that we squeaked through the last week of August, making little adjustments in response to scattered rains, and the final drops of our stored water came through the gates of Cochiti on Saturday, September 1<sup>st</sup>.

We transitioned to Prior and Paramount operations over the Labor Day weekend, kind of a gradual thing for north to south. A carefully-laid plan was put in place the last day of August for Reclamation, the Water Utility Authority, and Santa Fe to release San Juan-Chama water for flows at Albuquerque. The District carefully set up Angostura Dam to pass this required water.

Carriage losses were estimated and a portion between natural flow and the San Juan-Chama water. The Designated Engineer (DE) computed the required P&P releases and developed a schedule. It rained, and nothing went according to plan. But, at least until now, it's worked out pretty well, although non-Pueblo irrigation and Cochiti and Albuquerque areas have been shut off all week. Temperatures have been down, and there have been some scattered showers. It's September, and no one should be seriously hurt by the lack of water so far.

We have had enough water arriving at Isleta Dam for both the Isleta P&P need and to continue the existing side-to-side rotation that they've been doing down there all summer. At Socorro, thanks to arroyo inflow, showers, and return flows from Belen, we continue to have enough water to comfortably irrigate all users.

Things appear to be drying out a little now. After a week of these P&P ops, we have found that there's a little extra water in the northern areas, and we will start to allow limited deliveries to non-Indian lands. We've been communicating with the DE on this, and I believe she's in agreement that we do have a little extra water. We'll proceed very cautiously and make certain that we continue to meet the P&P needs as we do this and also that we don't suddenly sacrifice water to our downstream users in favor of our upstream users.

We will try to get at least one irrigation in to those who need it in September. We started delivering water as of this morning to a few laterals and turnouts on the Albuquerque Main, playing it by ear as the week goes by, trying to make the most of the water we have. I think we started running a little water to Corrales this afternoon.

One interesting observation has been losses on the Rio Chama. With the lowered flow, now 100% San Juan-Chama moving on the Rio Chama, and the water users are now on an extremely curtailed schedule. The increase in available water to the middle valley was very noticeable when they were curtailed, much more so than I thought it would be.

Going to Director Dunning's question about the carriage losses, in effect the District shoulders carriage losses for almost everybody when we're in normal operations. There are agreed-to percentages that get paid in the accounting models, but the hard truth is that the amount of water we move is so much larger than anybody else out there moving water around that essentially, we bear all the carriage losses. This is kind of an interesting period, now that everything moving is San Juan-Chama water, and there's less water moving. So, we're seeing actual carriage losses, and we're able to kind of estimate how much should be apportioned to each user. It's going to be substantially more than those agreed-to percentages that are in the accounting models.

For the nuts and bolts of water ops today, we have about 500 CFS coming out of Cochiti Dam. 425 of this are originating as San Juan-Chama on the Rio Chama. The remainder, about 160 CFS is natural flow from the main stem. And you have to throw in there about 80 CFS lost between releases from storage down to the release from Cochiti. So, that's how those numbers stack up.

We're adjusting at Angostura today to bypass 300 CFS, based on an expectation that Reclamation, Water Utility Authority, and Santa Fe are providing a 350 CFS release from

storage. We've apportioned their conveyance loss is roughly 50 CFS, getting that water from the point of release down to Angostura Diversion Dam.

We're currently diverting 110 CFS at Cochiti into our canals. Everything over and above the minnow bypass that is arriving at Angostura, we're also diverting that. Today, that was around 150 CFS. Now, you may notice that those numbers don't add up. Virtually, all the water we're diverting into Cochiti is showing up as return flow. Today, anyway, at Angostura, that may change as things dry out. There is still some lingering water from rains, a little bank storage, a few arroyos were trickling over the weekend, drains are charged up, etc.

Our drain system is fully charged up now through the Albuquerque area. That water that's being diverted at Angostura is being routed through the Pueblos and whatever they don't use is being dumped into the drain system for delivery down to Isleta. We've got about 180 CFS now arriving at Isleta through the drainage system. So, those drains can really move a lot of water. That'll probably start to decrease a little bit. They're charged now with return flows from the general irrigation that was happening a week ago and some of the rains and stuff we had.

Today, that's allowing us to divert 280 CFS and still leave 50 CFS flowing downstream in the river for the minnow. At San Acacia, we're diverting about 130. We have about 180 in the Socorro Main, and we're bypassing 40 for the river. So, our bypass flows at both dams are higher than we expected they'd be, and our diversions are higher than we expected they'd be.

**b. 1. Joint Powers Agreement Between the MRGCD and the Village of Los Lunas for Joint Management of the Rio Grande Bosque Park - Yasmeen Najmi**

Mike Hamman noted that this was for informational purposes only since it has to be advertised before the Board can vote to approve it. Mr. Hamman wanted Yasmeen Najmi to give a brief overview of the changes in the document. Yasmeen Najmi reported that Bruce Wiggins looked at the document and asked the Village of Los Lunas to edit section 10, and Bruce had a few editorial and grammatical changes

Mike Hamman pointed everyone to the map that shows the area of interest. With the help of Game and Fish, we will identify a gating process or new gate structure to provide further security. It will be a joint project with Los Lunas Bosque officers.

Director Kelly asked if there were any restrictions within Item 6 on trapping that would preclude MRGCD from doing proper levee maintenance. Yasmeen Najmi responded that you cannot trap wildlife; however, the language in the JPA says that basically the Village cannot prohibit MRGCD from doing its jobs and that it has jurisdiction over its lands and facilities.

Director Dunning asked when would be signed off by the Village. Ms. Najmi responded that she believes the Mayor of Los Lunas will sign it rather quickly. The intent with the language was to make it pretty clear that any kind of recreation facilities or improvements in the future should be in line with the sensitivity of the Bosque ecosystem and should be low impact. We will be looking for anything like that if they submit any plans to us, which I anticipate that they probably will.

**2. Update on Socorro Hub Project, Approval for Power Upgrade Socorro Electric Coop - Jason Casuga, Engineering Division Manager**

Jason Casuga reported that this is a three-phase upgrade and will extend from the railroad track, along Wendy's Farm Road, east. It'll cross the main canal and cross the drain, and then head south to the Socorro Hub site. The estimate comes out to \$149,000. Originally, this was estimated at about \$140,000, but, about a month ago, the coop decided that they needed to go to the Ground – 3 Phase – 500KVA transformer as opposed to the original pole-mounted transformer. Mr. Casuga is asking the board to approve this project to move forward with the service.

Director Moore was worried that Socorro Electric Coop would charge more at the end of the project than the amount estimated. Jason Casuga did note that on the contract, there was a warning that said the customer would be charged if the amount of the work was higher than the estimate.

Director Kelly noted that he felt their rates were fair and reasonable. He feels it is imperative to move forward with this project. If the amount charged at the end is higher than the amount estimated, Mr. Hamman can use his contracting authority to approve it.

Chairman Duggins asked the amount of horsepower the project, once complete, will require. Jason Casuga did know off the top of his head but guessed it was 300 horsepower upon startup. Chairman Duggins noted that, in his opinion, electric was better than diesel.

Director Dunning asked if the MRGCD would be paying higher electric bills once the project was complete. Mr. Casuga responded that they were looking at a way to rely on solar. Jason Casuga noted that David plans on using this facility to provide operational flexibility which is probably well worth our money, especially during drought times to have the availability of water. The money spent on that will be well spent in delivering water. The electric bill will be dependent on how much we use. He believes that once we get the facility operational, we will find a balance between the flexibility that David Gensler wants to create in managing the system and the cost of that flexibility.

Director Kelly made the **MOTION TO APPROVE THE POWER UPGRADE WITH SOCORRO ELECTRIC COOP.** Director Moore seconded the motion. The **MOTION CARRIED.**

- c. **Approval to Proceed with the 2019 Clean Water State Revolving Loan Offer to the Middle Rio Grande Conservancy District Funding Request for Implementing Agricultural BMP's Project - Mike Hamman, CE/CEO**

This project basically lends the MRGCD money at 1.2% percent interest for long-term loans, to then lend out to farmers, which gives farmers another resource tool. The interest is only charged to MRGCD for funds that are drawn on the loan.

Director Kelly a made the **MOTION TO APPROVE PROCEEDING WITH THE 2019 CLEAN WATER STATE REVOLVING LOAN OFFER TO THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT FUNDING REQUEST FOR IMPLEMENTING AGRICULTURAL BMP'S PROJECT.** Director Baca seconded the motion. The **MOTION CARRIED.**

- d. **Report on the Six Middle Rio Grande Pueblos Coalition Meeting on September 6, 2018 –Mike Hamman, CE/CEO**

There were a couple of topics discussed at the meeting which concerned the Pueblos, they were worried that MRGCD was not keeping them in the loop and going through the title transfer process.

There is some concern on their part that if there's anything that happens in title transfer that would limit the United States' abilities to look out for their trust asset interests, they want to be assured that as that unfolds they want to be protected. They also want to be consulted, both individually and collectively by the Bureau of Reclamation and in concert with concerns that BIA may have regarding the trust assets.

The other thing of concern to them is moving forward with the proof of beneficial use. Mr. Hamman explained to them that we are not making any determination, other than what is statutorily already designed in the system relative to the Act of 1928 and '35. We are trying to protect the entire rights of all the members of the District and all the members of the Pueblos, as well as pre-1907 water rights.

Dr. DuMars noted that our position is the entirety of the consumption between Cochiti Dam and Elephant Butte is the amount contemplated by the Rio Grande Compact, and we're not budging on that at all. That is the purpose of the PBU. It does not have anything to do with the Pueblos other than to make sure that in the unlikely event someone were to make a bogus claim against the Pueblos, they're already covered by the PBU that has been accepted by the District, Conservancy court, and the State Engineer.

Chairman Kelly asked the status of the PBU. Dr. DuMars responded that Mr. Hamman is trying to schedule the committees to go over the PBU due to its critical nature.

**e. Construction Technique Utilizing Large Sandbags for Canal Dams and Breaches – Mike Hamman, CE/CEO and Jason Casuga, Engineering Division Manager**

Mike Hamman and Jason Casuga reported that they are looking into various techniques for early and quick response for canal breaches. They gave a presentation on using large sandbags (also included some pictures). They discussed several ways of placing the filled sandbags, and using an excavator to place. Discussion also included storing them at the yards, as well as transportation to get to the site.

**f. Scheduling of Board Committee Meetings – Mike Hamman, CE/CEO**

After much discussion, the legislative committee will meet before the Board Meeting on September 24<sup>th</sup>. Since everybody's schedules were full, Mr. Hamman will follow up with email to schedule the committee meetings for the irrigation committee and the urban committee.

**g. Approved Licenses for August 2018 (For Informational Purposes)**

9g

**MEMORANDUM  
ENGINEERING DEPARTMENT**

**F.Y.I.**



TO: Mike Hamman, Chief Executive Officer  
 FROM: Adrienne Martinez, Engineer  
 DATE: September 7, 2018  
 RE: MRGCD Licenses

The following license requests were approved by staff for the month of August 2018.

1. SP-041-2018—License with the Kiwanis Club of Corrales to conduct the Corrales Ditch Run 5K, 10K, and Half Marathon on September 23, 2018 within the Corrales Main Canal and Corrales Acequia right-of-ways for a portion of the race.
2. SP-045-2018— License with RMCI, Inc. to discharge pumped ground water from the construction of the “Village of Los Lunas Sludge Management Improvements” Project at the Los Lunas Waste Water Treatment Plant into the Upper Belen Riverside Drain.
3. SP-047-2018—License with Northern Entertainment Productions, LLC., to film a scene for the television show “Midnight Texas” for four (4) days between Wednesday August 9<sup>th</sup> and Tuesday September 4<sup>th</sup>, 2018.

**AGENDA ITEM NO. 10 – REPORT(S) FROM THE MRGCD ATTORNEY(S) (Chief Water Counsel and/or General Counsel)**

Neither counsel had anything to report.

**AGENDA ITEM NO. 11 – REPORT(S) FROM THE MRGCD BOARD OF DIRECTORS**

There were no reports from the Directors.

**AGENDA ITEM NO. 12 – EXECUTIVE SESSION**

**a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7  
1. Threatened or Pending Litigation**

Director Moore made the **MOTION TO GO INTO EXECUTIVE SESSION.** Director Kelly seconded the motion. The **MOTION CARRIED** (by a roll-call vote).

Director Dunning	Yes	Chairman Duggins	Yes
Director Baca	Yes	Director Moore	Yes
Director Kelly	Yes		

Director Kelly made the **MOTION TO RETURN TO REGULAR BOARD MEETING.** Director Baca seconded the motion. The **MOTION CARRIED** (by a roll-call vote).

Director Dunning	Yes	Chairman Duggins	Yes
Director Baca	Yes	Director Moore	Yes
Director Kelly	Yes		

With no further comments, questions or concerns, Director Baca made the **MOTION TO ADJOURN THE MEETING**. Director Moore seconded the motion and the **MOTION CARRIED** unanimously.

The meeting was adjourned at 5:19 p.m.

Approved to be the correct Minutes of the Board of Directors of September 10, 2018.

**ATTESTED:**

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David M. Fergeson  
Secretary/Treasurer

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Glen Duggins, Chairman  
MRGCD Board of Directors