

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

**WATER SERVICE CHARGES**

**M-09-12-11-113**

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**WHEREAS**, the Middle Rio Grande Conservancy District ("MRGCD") pursuant to New Mexico Statutes, assesses Water Service Charges against irrigable acres that can be served from the works of the District; and,

**WHEREAS**, properties which no longer can be served by MRGCD ditches either as a result of the physical impossibility or for other reasons in accordance to MRGCD Rule 24 may seek exemption from payment of the Water Service Charge; and,

**WHEREAS**, pursuant to N.M.S.A. 73-18-8.1 and MRGCD Rule 24, such persons have a duty to file a formal protest with the District to reclassify their lands;

**WHEREAS**, such reclassification in accordance with NMSA 73-18-8.1 and Water Service Charge Rule 24 may grant exemption from future payment of Water Service Charge; and,

**WHEREAS**, in past years MRGCD residents may have been unaware of their obligation to file a protest to have their property reclassified so as to avoid imposition of the Water Service Charge; and,

**WHEREAS**, such properties may have past due delinquencies; and

**WHEREAS**, it is the intent of the MRGCD to make all persons aware of their obligation to pay the Water Service Charge, unless they successfully file a protest, and in the absence of such a protest require that such persons pay the Water Service Charge;

**NOW, THEREFORE, BE IT RESOLVED**, the Middle Rio Grande Conservancy District Board of Directors directs that the following policy be implemented by staff,

1. Beginning in the fiscal year 2012, the MRGCD shall give notice to all persons obligated to pay the Water Service Charge of their obligation to do so and further provide notice that failure to protest the imposition of the Water Service Charge shall constitute a waiver of the right to contest the obligation to pay the Water Service Charge for the fiscal year 2012 or any other year in which a protest has not been timely filed.
2. Beginning fiscal year 2012, failure to file a protest against the imposition of a Water Service Charge shall result in imposition of that charge, and any reclassification of the assessed lands in the future shall not relieve or waive the land owner's obligation to pay past due and delinquent Water Service Charges.

DATED AND RESOLVED this 26<sup>th</sup> day of September 2011.


MIDDLE RIO GRANDE CONSERVANCY DISTRICT



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Eugene Abeita, Vice Chairman

ATTEST:



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Steven L. Houser, Secretary/Treasurer