

**MINUTES OF THE
SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT
ON THE MRGCD WATER BANK**

FEBRUARY 13, 2023 - 3:00 P.M.

Directors having been duly notified; Madam Chair Russo Baca called the special meeting to order at 3:09 p.m. The following Directors and Staff were present:

DIRECTORS		STAFF	
Stephanie Russo Baca, Chair	Present	Jason Casuga	Chief Engineer/CEO
Karen Dunning, Vice Chair	Present	Lorna Wiggins	General Counsel
Barbara Baca, Director	Present	Dr. Charles DuMars	Chief Water Counsel
John Kelly, Director	Present	Pamela Fanelli	Secretary-Treasurer/CFO
Joaquin Baca, Director	Present	Eric Zamora	Chief Operating Officer
Glen Duggins, Director	Absent	Anne Marken	Water Operations Div. Mgr.
Michael T. Sandoval, Director	Present	Matt Martinez	Water Distribution Div. Mgr.

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

Holly Dietz	Linda Dietz
Anna Algermissien	Maryann Poore
Rhett Sanders-Spencer, MRGCD	Ashley Viehl, MRGCD
Danielle Feygin, MRGCD	Casey Ish, MRGCD
Adam Lauer, Farm Credit of NM	Josh Hind, MRGCD

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Director Kelly led the Pledge of Allegiance at today's meeting.

Madam Chair Russo Baca declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting with all but Director Duggins in attendance.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Jason Casuga asked to adjust Item 3 to be the water availability and delivery report with Mr. Matt Martinez also speaking.

Director Kelly made the **MOTION TO APPROVE THE MEETING AGENDA with the above change**. Director Barbara Baca seconded the motion. The **MOTION CARRIED**.

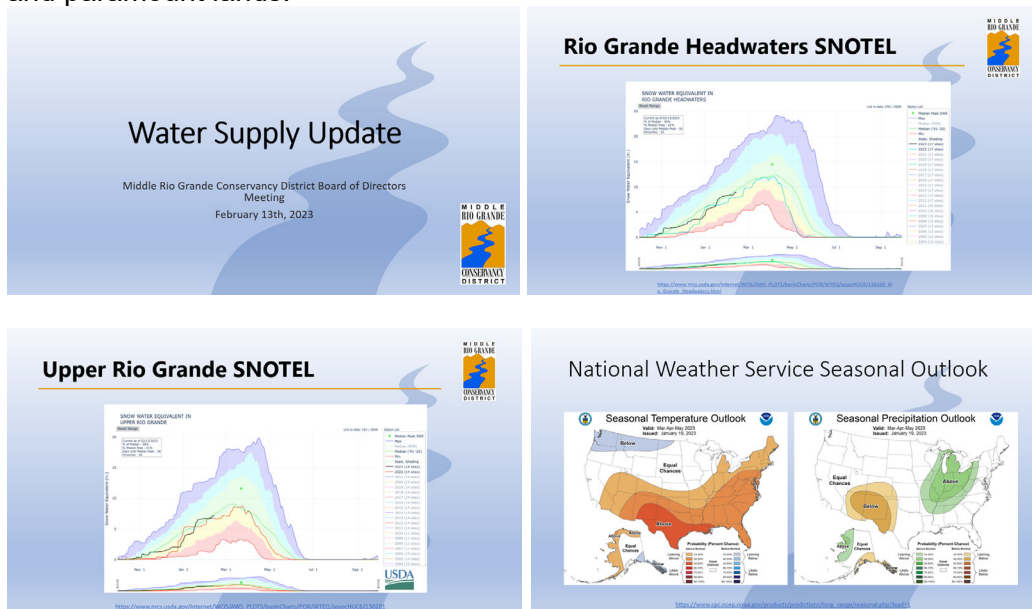
AGENDA ITEM NO. 3 - WATER AVAILABILITY & DELIVERY REPORT - Anne Marken, Water Operations Division Manager and Matt Martinez, Water Distribution Division Manager

Matt Martinez stated the water distribution team was focused on finishing up the winter projects and preparing the irrigation system to run water. He said their goal was to hire, train, and retain ISOs to establish stability and build rapport with their irrigators. He added that the phone numbers for ISO zones would remain the same and assignments would be updated on the website as needed. With Josh Hind's help, he demonstrated how to use the application regarding the Irrigation Systems Operator's contact information and how to find ISOs for certain areas found at <https://www.mrgcd.com/irrigation-systems-operators/>.

Mr. Martinez continued that they would be doing a staggered startup for the 2023 irrigation season again with diversions for charging to begin on March 6th for Belen, March 13th for Socorro, March 20th of Albuquerque, and March 27th for Cochiti Division. He reminded the board that they would not make deliveries within a division until it had completed charging and the first cycle of deliveries would be made as water was available and as irrigators were ready to receive it. Mr. Martinez stated that established crops, new seed, and all varieties would be eligible to receive water during the first delivery cycle. Contingent on water supply, he said they planned for irrigation deliveries to begin in Socorro on March 18th, in Belen on March 25th, and Albuquerque and Cochiti around April 1st. He said irrigators would begin contacting ISOs in early March for more details. Upon startup of irrigation deliveries MRGCD expects the water supply to be limited rotations will be implemented to carefully move water from one canal to another, so that a canal is fully charged to make turnout delivery as efficient as possible. He noted that given the uncertainty in water availability for the season, MRGCD could not guarantee the number of irrigation deliveries. He reiterated that MRGCD was still accepting applications for full season and partial season EWLP (Environmental Water Leasing Program) with the deadline being March 3, 2023; recommended interested parties to go to the website or contact Casey Ish at the General Office.

Discussion was had regarding the current leasing rate versus last year's rate.

Anne Marken stated that January was a good month for precipitation in the Rio Grande Basin. She said inflows into El Vado for March to July were forecasted to be about 105% of median and 92% at Otowi Gauge. Ms. Marken explained and discussed the SNOTEL graph for the Rio Grande Headwaters, which were currently 95% of median and 61% of peak median conditions. Upper Rio Grande Basin showed 98% of median conditions and 61% from peak median conditions, and the upper San Juan Basin was 118% of median conditions and 79% of peak median. Ms. Marken stated they were expected to get snow that night and the next day in the Rio Grande Basin upper mountains and was raining outside. She said the National Weather Service three-month outlook showed above average temperatures and below average precipitation. Ms. Marken noted that MRGCD could not store any native Rio Grande water in its upstream reservoirs due to the El Vado Dam construction and restrictions on storage from the Compact debt. She said 20,000 acre feet of native water would be stored in Abiquiu for prior and paramount lands.



Ms. Marken repeated that diversions will begin in Belen on the 6th of March as Belen takes longer to charge than other divisions, in Socorro on the 13th of March, and in Albuquerque and Cochiti on the 20th of March. No deliveries will be made in any division while that division is being charged.

Dr. DuMars added that they reached an agreement with ABCWUA, Albuquerque Bernalillo County Water Utility Authority, and the State Engineer agreed to continue the evaluation of the permit for another six months. He said that would give them more opportunity to negotiate about how much they would make available to MRGCD. He said there were three different components, to get the Corps of Engineers to agree to storage, evaluate how to measure water going in, and to get an agreement to overlay their existing easement to store within their parameters of their easement.

AGENDA ITEM NO. 4 - MRGCD IRRIGATION/WATER BANK COMMITTEE REPORT & RECOMMENDATIONS ON WATER BANK LEASE RATES & FEES - Chair Russo Baca, Director Duggins, Director Sandoval and Jason M. Casuga, CE/CEO

Madam Chair Russo Baca stated that herself, Director Duggins, and Director Sandoval, as well as Mr. Casuga, and others, were present at the Irrigation Committee meeting. They discussed the water bank and how they would not have a water bank in the 2023 season other than for alternate curtailment locations, also known as ACLs. She said they encouraged people to reach out to the MRGCD and inquire about alternate curtailment locations for this upcoming difficult season.

Jason Casuga reported that staff made a recommendation to the irrigation committee during their meeting to leave the water service charges alone for another year. He said they realized it would possibly have to be raised in the future, but they wanted to leave it alone for one more year and then perform analysis to come up with appropriate processes to start increasing it again. Mr. Casuga said they would maintain the administrative fee on the water bank process as \$100 per lease per acre and would remain at \$50 per acre/per year on top of the water service charge per acre/per year.

AGENDA ITEM NO. 5 - ITEMS FROM THE FLOOR (COMMENTS ARE LIMITED TO SIX (6) MINUTES)

Holly Dietz

Ms. Dietz returned regarding access from MRGCD facility, and stated she was given two days to respond to Mr. Casuga's email that she needed to get documents to him but was not able to do it in time as she replied she would be out of town. She felt it was unnerving and just wanted to find a solution. She stated she looked up the property and found that it was subdivided in the 1950s and that the pipes that were there for irrigation were still there presently. She said the whole property was changed in the 1950s and the only access was off the ditch with all their structures involved.

She brought her daughter who purchased the land to the meeting for introductions as they would like to move forward, put a well in and some infrastructures also.



January 11, 2023

SENT VIA ELECTRONIC EMAIL

Holly Dietz
400 Shirk LN SW
Albuquerque, NM 87105

REFERENCE: REQUEST FOR DOCUMENTS RELATED TO APPLICATION FOR PARALLEL
INGRESS/EGRESS WITHIN THE BARR INTERIOR DRAIN RIGHT-OF-WAY

Dear Ms. Dietz,

On Monday January 9th, 2023 you reported to the Middle Rio Grande Conservancy District (MRGCD) Board of Directors that an agreement exists between you and another party for the sale of your property located 406 Shirk Lane SW (MRGCD Map 54, Tract 11A1). Please provide a copy of the original agreement and any documentation that you have to substantiate this claim by close of business Friday, January 13, 2023, for review by the staff and the Board of Directors of the MRGCD related to your request for ingress/egress access for your property located at 400 Shirk Lane SW (MRGCD Map 54, Tract 11A2).

A copy of this letter has also been mailed to you. If you have any questions, you may reach me by email at jason@mrgcd.us or by phone at 505-247-0234.

Thank you.

Sincerely,

Jason M. Casuga, P.E.
CEO/Chief Engineer

Anna Algermissen

Ms. Algermissen, Ms. Holly Dietz's daughter, came to introduce herself and to let the board know she did purchase the property. She also said she moved back in June after graduating from UC Davis School of Veterinary. She suggested that the board give her a call if they had any questions about their animals.

Linda Dietz

Ms. Linda Dietz, Holly Dietz's aunt and Ms. Algermissen's great Aunt, gave some family background, stating that their family had been associated with the MRGCD for the last 95 years in various capacities. Her grandfather, Robert Dietz II, was on the original MRGCD board back in the 20s. She said it was their family history and she was there to support her niece's request. Ms. Dietz stated the last hearing caused confusion on how her daughters appeal would be heard and asked who her daughter needed to speak to about purchasing an easement right of way to provide her with a long-term solution.

AGENDA ITEM NO. 6 - CONSIDERATION/APPROVAL OF RESOLUTION M-02-13-23-198 FOR THE ADOPTION OF WATER BANK RATES & FEES FOR 2023 IRRIGATION SEASON

Chair Russo Baca stated the administration fee was \$100 per lease for five years subject to no changes to the water bank contract. She said the water service charge will remain at \$43.82 per acre/per year and the lease rate will also remain \$50 per acre/per year.

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

ADOPTION OF WATER BANK RATES & FEES FOR 2023 IRRIGATION SEASON

M-02-13-23-198

WHEREAS, the Board of Directors (Board) of the Middle Rio Grande Conservancy District (District), has reviewed a recommendation from the Board's Water Bank Committee for the fees for the 2023 irrigation season; and

WHEREAS, at a Special Meeting of the Board held February 13, 2023, called for the purpose of establishing Water Bank Rates and Fees, the Board approved the following for the 2023 irrigation season:

Administration Fee
\$100.00/per lease
(for 5 years subject to "NO" changes to Water Bank Contract)

Water Service Charge (per acre)
\$43.82 per acre / per year

Lease Rate (per acre)
\$50.00 per acre / per year

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Middle Rio Grande Conservancy District, hereby approves the fees and lease rates for the Water Bank hereinabove described.

RESOLVED: in session this 13th day of February 2023.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Stephanie Russo Baca, Chair

ATTEST:

Pamela Fanelli, CMA, CGFM
Secretary-Treasurer/CFO

Director Kelly made the **MOTION TO APPROVE RESOLUTION M-02-13-23-198 REGARDING THE WATER BANK RATES**. Director Barbara Baca seconded the motion. The **MOTION CARRIED**.

With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the meeting at 3:45 p.m..

Approved to be the correct Minutes of the Board of Directors of February 13, 2023.

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Stephanie Russo Baca, Madam Chair
MRGCD Board of Directors