



Agenda

For Presentation at the 2,205th Regular Meeting of the Board of Directors of the Middle Rio Grande Conservancy District

November 13, 2023 – 3:00 p.m.

Zoom Meeting Link:

<https://zoom.us/j/2765069278?pwd=V2d0SWppTkxGTTFMb0g5RFhmeERjZz09>

Meeting ID: 276 506 9278 and Passcode: 504470



MRGCD General Office * 1931 Second Street SW * Albuquerque, New Mexico
Meetings are held on second Mondays/month. Any questions please call the Board Liaison at (505) 247-0234.
For more information, visit our website at www.mrgcd.com

All items on Agenda are Subject to Action and times shown are approximate and are subject to change.

- 3:00 1. **Pledge of Allegiance**
- 3:01 2. **Approval of the Agenda**
- 3:03 3. **Consent Agenda**
- Consideration/Approval of Payment Ratification – November 13, 2023
 - Consideration/Approval of October 2023 Invoice for Wiggins, Williams & Wiggins
 - Consideration/Approval of October 2023 Invoice for Law and Resource Planning Assoc.
 - Consideration/Approval of the Minutes for the Special Board Meeting – October 6, 2023
 - Consideration/Approval of the Minutes for the Special Board Meeting – October 9, 2023
 - Consideration/Approval of the Minutes for the Regular Board Meeting – October 9, 2023
 - Memo on MRGCD Approved Licenses for October 2023 (For Informational Purposes Only)
- 3:08 4. **Wrap Up of the 2023 Irrigation Season**
- Report on the Water Supply Conditions – Anne Marken, Water Ops Division Manager
 - Report on Preparation for Off-season Activities and Workplan – Matt Martinez, Water Distribution Division Manager
- 3:25 5. **Items from the Floor (Comments are limited to six (6) minutes)**
- 3:40 6. **Discussion/Approval of MRGCD Board Committees** – Chair Russo Baca
- 3:50 7. **Report(s) from the Human Resources Department** – Christine L. Nardi, MBA
- Introduction of MRGCD New Hires
 - Report on Management and Development Training
- 4:00 8. **Report(s) from the Secretary-Treasurer/CFO** – Pamela Fanelli, CMA, CGFM
- Consideration/Approval for Resolution M-11-13-23-204 Authorizing Application for a WaterSmart: Drought Resiliency Program Grant (NOF No. R24AS00007) Through the US Bureau of Reclamation for the Construction of the Feeder No. 3 Pump Station in Southern Valencia County – West Side Belen Division
- 4:10 9. **Report(s) from the Department of the Interior**
- Bureau of Reclamation – Jennifer Faler, Area Manager
 - Bureau of Reclamation – Robert S. Padilla, Supervisory Civil (Hydraulic) Engineer
 - Temporary Banks Stabilization Project (Corrales Siphon)
 - Bureau of Indian Affairs – Dr. Sarah Delavan, Designated Engineer
- 4:25 10. **Report(s) from the Chief Operating Officer – Eric Zamora, PE**
- MRGCD Division Manager Updates – Tyler Otero, Belen Division Manager
 - Discussion/Approval regarding Krupiak Encroachment – Rhett Sanders-Spencer, Right of Way Specialist and Jason M. Casuga, CE/CEO
 - Update on Bureau of Indian Affairs Winter Work O&M

- 4:40 11. **Report(s) from the Chief Engineer/CEO – Jason M. Casuga, PE**
- a. Consideration/Approval of the Atrisco Acequia Madre Master Plan – Danielle Wilson, Sites Southwest and Yasmeen Najmi, Planner
 - b. Report(s) from the Conservation Program – Casey Ish, Conservation Program Supervisor
 - 1. Discussion/Approval of Abiquiu Cultural Study Cost Share
 - 2. Update on the 2024/2025 Environmental Water Leasing Program
 - c. Report on the Engineering Projects – Alicia Lopez, Engineering & Mapping Manager
 - d. Report on the Corrales Council Meeting, October 23, 2023 – Jason M. Casuga, CE/CEO
 - e. Report from the Public Information Officer – Amanda Molina
 - f. Report on the Six Middle Rio Grande Pueblo Coalition Meeting, November 3, 2023 – Jason M. Casuga, CE/CEO
 - g. Report on Upcoming Events
 - 1. Socorro Farmers – Irrigators Meeting, November 30, 2023
 - 2. Colorado River Water Users Association (CRWUA) Annual Conference, Paris Las Vegas Hotel | December 13-15, 2023
- 5:40 12. **Report(s) from the MRGCD Attorney(s) – Chief Water Counsel or General Counsel**
- 5:45 13. **Report(s) from the Board**
- a. Report on the Rio Grande Agricultural Land Trust (RGALT) Annual Fundraiser Harvest Dinner, October 14, 2023 – Chair Russo Baca
 - b. Report on the Conservation Advisory Committee Meeting, October 19, 2023 – Chair Russo Baca
 - c. Report on the Meeting with U.S. Congressman Vasquez Field Representative Annie Quintana-Eddins, October 24, 2023 – Chair Russo Baca
 - d. Report on the Latinos Farmers & Ranchers International 2023 Congreso, October 26–28, 2023 – Chair Russo Baca
 - e. Report on the Irrigation Committee Meeting, November 1, 2023 – Chair Russo Baca and Directors Sandoval and Duggins
 - f. Report on the 11th Annual Tribal Water Law Conference, November 6–7, 2023 – Chair Russo Baca and Directors Jiron and Sandoval
 - g. Report on the 68th Annual NM Water Resources Research Institute’s NM Water Conference, November 8-9, 2023 – Chair Russo Baca
- 6:00 14. **Executive Session**
- a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)2
 - 1. Limited Personnel Matters
 - b. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7
 - 1. Threatened or Pending Litigation

THE PUBLISHING OF THIS AGENDA DOES NOT PRECLUDE THE CONSIDERATION OF OTHER MATTERS.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Board Liaison at (505) 247-0234 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various formats.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT
NOVEMBER 13, 2023
Checks for the Period October 1, 2023 through October 31, 2023

Check Number	Vendor Name	Check Amount	Description	Location
EFT	NEW MEXICO TAXATION & REVENUE DEPARTMENT	21,701.61 907.30	SEPTEMBER 2023 WITHHOLDING TAX WORKERS' COMPENSATION FEE - QTR 3	
EFT	STATE OF ARIZONA DEPARTMENT OF REVENUE	86.28	2023 QUARTER 3 WITHHOLDING TAX	
EFT	DEPARTMENT OF WORKFORCE SOLUTIONS	4,236.39	2023 QUARTER 3 UNEMPLOYMENT FEE	
EFT	PAYROLL	304,073.29	PAY PERIOD 20	
EFT	PERA	106,532.63	PAY PERIOD 20	
EFT	IRS	40,641.43	PAY PERIOD 20	
EFT	VOYA DEFERRED COMP	8,459.00	PAY PERIOD 20	
EFT	PAYROLL	307,922.65	PAY PERIOD 21	
EFT	PERA	107,279.94	PAY PERIOD 21	
EFT	IRS	41,168.15	PAY PERIOD 21	
EFT	VOYA DEFERRED COMP	8,459.00	PAY PERIOD 21	
	TOTAL PAYROLL	951,467.67		
148759	GOMEZ, RAY	(2,744.54)	VOIDED CHECK DATED 09/26/2023	
148863	4 RIVERS EQUIPMENT	166.07 111.92 8.59	FUEL PUMP UNIT 47023 GAUGE UNIT 74600 PLUG UNIT 57404	ALBUQUERQUE DIVISION EQUIPMENT REPAIR & TRANS BELEN DIVISION
148864	ALBUQUERQUE BOLT	10.00	BOLTS UNIT 54419	ALBUQUERQUE DIVISION
148865	ALLIANCE AUDIO	7,522.99	SOUND SYSTEM - CENTENNIAL LUNCHEON	ADMINISTRATION
148866	AWARDS ETC	54.50	PHOTO PLAQUE	BOARD OF DIRECTORS
148867	BOHANNAN HUSTON	1,223.97	SAN ACACIA LEVEE CERT- USACE CO- SEPT23	ENGINEERING & MAPPING
148868	CHASE MECHANICAL LLC	599.89 1,425.00	REPAIR SPLIT SYSTEM IN JANITORIAL CLOSET VACUUMED DEBRIS - COLLAPSED PIPE	GENERAL OFFICE ALBUQUERQUE DIVISION
148869	CONSTRUCTION TRUCK	2,564.74	REPAIR BAFFLES & LEAKS UNIT 44602	ALBUQUERQUE DIVISION
148870	DELTA DENTAL	10,957.89	OCT23 - DELTA DENTAL FY2024	NON DIVISION
148871	GALLES CHEVROLET	1,900.06	DIAGNOSE & REPAIR UNIT 23801	ALBUQUERQUE DIVISION
148872	GENUINE NAPA	(360.53) 919.61	CREDIT MISC PARTS- INV 498311 PO 20240912 PARTS UNIT 54017	BELEN DIVISION BELEN DIVISION
148873	GEOTEL CORPORATION	227.12	SEPT23- ANNUAL PRESS CLIPPING SERVICE	NON DIVISION
148874	IRSC	675.00	RADIATOR UNIT 44416	ALBUQUERQUE DIVISION
148875	JIVE COMMUNICATIONS,	2,431.04	CN-384945-2004 OCT23	NON DIVISION
148876	MAINTENANCE SERVICE	414.10 2,036.03 80.72	OCT23 - JANITORIAL CLEANING OCT23 - JANITORIAL CLEANING STAIN REMOVAL	ALBUQUERQUE DIVISION GENERAL OFFICE GENERAL OFFICE
148877	NAPA AUTO PARTS	31.28 16.18 16.18 88.98 9.38	BUCKETS & LIDS MIRROR MIRROR UNIT 44418 SCREWDRIVER HOLDER TAPE	EQUIPMENT REPAIR & TRANS ALBUQUERQUE DIVISION ALBUQUERQUE DIVISION EQUIPMENT REPAIR & TRANS EQUIPMENT REPAIR & TRANS
148878	NEW MEXICO GAS CO	41.50	SEPT23 MONTHLY UTILITY CHARGE	BELEN DIVISION
148879	O'REILLY AUTO PARTS	27.98 102.53	COOLANT UNIT 47023 DRAG LINK UNIT 54017	ALBUQUERQUE DIVISION BELEN DIVISION
148880	PNM	17.71 445.47	SEPT23 MONTHLY UTILITY CHARGE SEPT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION ALBUQUERQUE DIVISION
148881	POSTMASTER	388.00	FY24 P.O. BOX 585 ANNUAL BOX RENTAL	NON DIVISION
148882	POWER FORD	63.50	MISC. PARTS UNIT 63808	SOCORRO DIVISION
148883	PURCELL TIRE COMPANY	704.38	TIRE REPAIR/SERVICE CALL UNIT 47019	ALBUQUERQUE DIVISION
148884	RAIN FOR RENT	29,754.29	SEPT23 - RENTAL FOR CORRALES PUMPS	CAPITAL INVESTMENT FUND ABQ
148885	RANDY'S ACE HARDWARE	30.62	REPAIR-UNIT# 8425.21	SOCORRO DIVISION
148886	RED SHOVEL LLC	523.17	OCT23 - MONTHLY GROUNDS MAINTENANCE	GENERAL OFFICE
148887	RELEVANT INDUSTRIAL	80.18	HOSE UNIT 47112	ALBUQUERQUE DIVISION

Check Number	Vendor Name	Check Amount	Description	Location
148888	ROBERTS TRUCK CENTER	48.92	FILTER UNIT 54423	BELEN DIVISION
148889	RUSH TRUCK CENTERS	140.00	CONTROL/FUSE BOX UNIT 44420	ALBUQUERQUE DIVISION
148890	SOUTHERN TIRE MART	455.83	TIRE REPAIR/SERVICE CALL UNIT 47027	ALBUQUERQUE DIVISION
		1,919.60	TIRES UNIT 54423	BELEN DIVISION
148891	SOUTHWEST LANDFILL	2,004.88	LANDFILL- SEPT23	ALBUQUERQUE DIVISION
148892	SWCA	28,847.51	AUG23- FY24 OUTFALL SAMPLING	GRANTS FUND GO
148893	TLC CO INC	655.04	EYE WASH STATION AND WATER FOUNTAIN LINE REPAIR	EQUIPMENT REPAIR & TRANS
148894	TRANSCRIPTION	822.06	SEPT23-REGULAR BOARD MEETING MINUTES	BOARD OF DIRECTORS
148895	TRUEPOINT SOLUTIONS	200.00	CONFERENCE REGISTRATION GAMBOA, ESTELLA	ACCOUNTING
148896	TYLER BUSINESS FORMS	491.16	2023 CALENDAR YEAR- 1099S & W2 FORMS	ACCOUNTING
148897	UNUM LIFE INSURANCE	5,714.13	SEP23- LIFE, AD&D, STD, & LTD- ACCT# 0692501-001 2	NON DIVISION
		7,493.49	SEPT23- UNUM LIFE EMPLOYER - ACCT# 0692500-001 5	NON DIVISION
148898	VALENCIA COUNTY CLERK	25.00	RELEASE OF LIEN	ACCOUNTING
		25.00	RELEASE OF LIEN	ACCOUNTING
148899	WAGNER EQUIPMENT CO.	247.79	SCREWS, LATCH, STUD BALLS & GAS SPRINGS UNIT 67113	SOCORRO DIVISION
148900	WILSON & COMPANY	792.12	8/12/23-9/8/23- CORRALES SIPHON PREDESIGN	GRANTS FUND ABQ
148901	WILSON & COMPANY	26,024.03	8/12/23- 9/8/23 - TO#12 SOCORRO MAIN CANAL N. SECT	GRANTS FUND SOC
148902	WILSON & COMPANY	1,819.72	8/12/23-9/8/23 TO#11 SOCORRO MAIN CANAL LINING	GRANTS FUND SOC
148903	CHILD SUPPORT ENFORCE	1,370.31	PAYROLL GARNISHMENT	NON DIVISION
148904	GOMEZ, RAY	2,744.54	SEPT23-RETIREE	HUMAN RESOURCES
148905	STATE OF NEW MEXICO	258.21	PAYROLL GARNISHMENT	NON DIVISION
148906	WAKEFIELD & ASSOCIATES	138.39	PAYROLL GARNISHMENT	NON DIVISION
148907	4 RIVERS EQUIPMENT	7,835.20	MOWER WITH BRUSH HOG ATTACHMENT	BELEN DIVISION
148908	ALBUQUERQUE PUB	85.88	LEGAL AD- RFP	PURCHASING
		99.99	OCT23 - EL DEFENSOR BOARD MEETING NOTICE	BOARD OF DIRECTORS
		103.97	OCT23- ABQ JOURNAL BOARD MEETING NOTICE	BOARD OF DIRECTORS
		195.49	OCT23- ABQ JOURNAL SPECIAL BOARD MEETING NOTICE	BOARD OF DIRECTORS
		188.28	OCT23- EL DEFENSOR SPECIAL BOARD MEETING NOTICE	BOARD OF DIRECTORS
		93.85	OCT23- VAL CO NEWS SPECIAL BOARD MEETING NOTICE	BOARD OF DIRECTORS
		101.19	OCT23- VAL CO NEWS-BULLETIN BOARD MEETING NOTICE	BOARD OF DIRECTORS
148909	AMAZON CAPITAL	99.98	WADERS	CONSERVATION/PLANNING
148910	ANSWER NEW MEXICO	942.29	SEPT23 MONTHLY CHARGE	NON DIVISION
		414.95	SEPT23 MONTHLY CHARGE	BELEN DIVISION
148911	BACA, JOAQUIN	75.00	MILEAGE EXPENSE NM WATER LAW SANTA FE SEP 18-19,23	BOARD OF DIRECTORS
148912	BAKER UTILITY SUPPLY	11,160.00	HDP PIPE	INVENTORY
148913	BANK OF AMERICA	200.00	CONFERENCE TRAINING- RICARDO VARELA	PURCHASING
		200.00	CONFERENCE TRAINING- RICHARD DELOIA	PURCHASING
		332.96	E.GAMBOA TRUE POINT RENO, NV OCT 23-25, 23	ACCOUNTING
		15.06	EASEL FOR CENTENNIAL LUNCHEON 9/28/202	ADMINISTRATION
		611.52	LODGING CLASS A CDL TRAINING ROSWELL, NM SEP 10	SOCORRO DIVISION
		29.79	MEALS- NM WATER LAW SANTA FE SEP 18-19,23	ADMINISTRATION
		18.63	MEALS- NM WATER LAW SANTA FE SEP 18-19,23	CONSERVATION/PLANNING
		57.96	MEALS- NM WATER LAW SANTA FE SEP 18-19,23	EXEC TEAM
		29.79	MEALS- NM WATER LAW SANTA FE SEP 18-19,23	LICENSING & LAND SALES
		31.05	MEALS- NM WATER LAW SANTA FE SEP 18-19,23	WATER OPS & CONS
		38.83	OCT23- INTERMEDIA MONTHLY	INFORMATION SYS
		21.64	PARKING FEE LA FONDA	BOARD OF DIRECTORS
		21.64	PARKING FEE LA FONDA	BOARD OF DIRECTORS
		650.00	REGISTRATION INAUGURAL CRGWU MEETING	ADMINISTRATION
		621.35	SECOND PRINTER TRAY - AP	ACCOUNTING
		17.64	SECOND PRINTER TRAY - AP	INFORMATION SYS
148914	BENAVIDEZ, CAROL	451.45	OCT23- RETIREE	HUMAN RESOURCES
148915	BRUCKNER TRUCK SALES	670.81	MISC. MACK DUMP TRUCK PARTS UNIT 44416	ALBUQUERQUE DIVISION
148916	CARR, RIGGS & INGRAM	18,699.30	FY24 AUDITOR CONTRACT- BILLING #2	ACCOUNTING
148917	CENTURY EQUIPMENT	3,218.80	MISC PARTS UNIT 47022	ALBUQUERQUE DIVISION
		4,139.40	MOWER CUTTER BARS	INVENTORY

Check Number	Vendor Name	Check Amount	Description	Location
		721.19	SEAL KIT VALVE KIT UNIT 47024	ALBUQUERQUE DIVISION
148918	CHOICE STEEL COMPANY	1,477.28	METAL ORDER	INVENTORY
		738.08	STEEL PLATE	ALBUQUERQUE DIVISION
148919	CITY OF ALBUQUERQUE	194,240.98	OCT23 - PRESBYTERIAN COA001401362	NON DIVISION
148920	CITY TREATS PARTIES	4,568.75	CATERING /CENTENNIAL EVENT	ADMINISTRATION
148921	CRAIG INDEPENDENT	39.14	TIRE REPAIR UNIT 54419	ALBUQUERQUE DIVISION
		42.20	TIRE REPAIR UNIT 54420	BELEN DIVISION
		20.60	TIRE REPAIR UNIT 80020	WATER DISTRIBUTION DIV
		41.20	TIRE REPAIRS UNIT 80032	WATER DISTRIBUTION DIV
148922	CRITTERS OIL CHANGE	75.00	OIL CHANGE UNIT 53612	BELEN DIVISION
148923	DESERT GREENS EQUIP	(738.91)	CREDIT WINDOWPANE- INV 02-76315 PO 20241045	SOCORRO DIVISION
		1,337.82	FILTER KIT & HEADER ASSEMBLY UNIT 47027	ALBUQUERQUE DIVISION
		3,761.41	MISC PARTS UNIT 8992.72	ALBUQUERQUE DIVISION
		160.18	RESTOCKING FEE	SOCORRO DIVISION
148924	DMC LOGISTICS	417.96	OCT23 -DELIVERY OF BOD MEETING PACKETS	BOARD OF DIRECTORS
148925	ERDMANN, BRITTNEY	58.30	EXPENSES NM WATER LAW SANTA FE SEP 18-19,23	WATER OPS & CONS
148926	FEDEX	13.99	SHIPPING CELL PHONE BACK	HUMAN RESOURCES
148927	FINANCE AUTHORITY	13,177.04	OCT23 EQUIPMENT	DEBT SERVICE
		12,809.11	PPRF-4727 OCT23 EQP. PURCHASE	DEBT SERVICE
148928	FLEETPRIDE	860.99	ENGINE OIL COOLER UNIT 44416	ALBUQUERQUE DIVISION
148929	GENSLER, DAVID	338.63	SEPT23- RETIREE	HUMAN RESOURCES
148930	GOMEZ, RAY	2,744.54	OCT23- RETIREE	HUMAN RESOURCES
148931	GREENWOOD, JEFFREY C	350.57	OCT23- RETIREE	HUMAN RESOURCES
148932	IMSCO DIVISION	8,970.00	1" WIRE ROPE CABLE / BELEN DIVISION	BELEN DIVISION
		1,315.05	CABLE SPOOL ORDER	INVENTORY
148933	JOHN THOMPSON CONSUL	12,318.75	CY23 -LOBBYIST SERVICES Q4	NON DIVISION
148934	LAW & RESOURCE	10,812.34	SEPT23 - COUNSEL	NON DIVISION
148935	LOPEZ, ALICIA	26.72	REIMBURSE FOR WATER TRUST BOARD MEETING	ENGINEERING & MAPPING
148936	MARQUEZ, BELLINA C	720.74	OCT23- RETIREE	HUMAN RESOURCES
148937	MARTINEZ, DANIEL	528.22	OCT23- RETIREE	HUMAN RESOURCES
148938	MOLINA, AMANDA	37.02	MEALS- NM WATER LAW SANTA FE SEP 18-19,23	ADMINISTRATION
148939	MONTIEL'S CUSTOM	850.00	WINDOWS UNIT 67004	SOCORRO DIVISION
148940	NEW MEXICO GAS CO	28.47	SEPT23 MONTHLY UTILITY CHARGE	COCHITI DIVISION
		28.47	SEPT23 MONTHLY UTILITY CHARGE	COCHITI DIVISION
		31.12	SEPT23 MONTHLY UTILITY CHARGE	COCHITI DIVISION
148941	PERALTA POWER	59.94	MISC PARTS UNIT 6627.88	BELEN DIVISION
148942	POWER FORD	(1,800.00)	CREDIT CORE CHARGE- INV 552424 PO 20241169	SOCORRO DIVISION
		7,730.00	ENGINE ASSEMBLY UNIT 63808	SOCORRO DIVISION
148943	PURCELL TIRE COMPANY	217.69	RIM UNIT 54419	ALBUQUERQUE DIVISION
		26.75	TIRE REPAIR UNIT 44008	ALBUQUERQUE DIVISION
		37.45	TIRE REPAIR UNIT 47022	ALBUQUERQUE DIVISION
		85.60	TIRE REPAIR UNIT 47313	ALBUQUERQUE DIVISION
		397.12	TIRE UNIT 8580.10	ALBUQUERQUE DIVISION
148944	RELEVANT INDUSTRIAL	55.00	HOSE UNIT 47026	ALBUQUERQUE DIVISION
148945	ROADSAFE TRAFFIC	232.50	OSHA-10 & 30 DECALS/LABELS & CORROSIVE DECALS	SAFETY DEPARTMENT
148946	ROBERTS TRUCK CENTER	179.92	THERMOSTAT & SENSOR UNIT 44601	ALBUQUERQUE DIVISION
148947	RUSSO BACA, STEPHANI	105.42	REIMBURSEMENT- NM WATER LAW SANTA FE SEP 18-19	BOARD OF DIRECTORS
148948	SANDERS-SPENCER	45.34	REIMBURSEMENT- NM WATER LAW SANTA FE SEP 18-19	LICENSING & LAND SALES
148949	SANDOVAL, MICHAEL T	65.51	REIMBURSEMENT- NM WATER LAW SANTA FE SEP 18-19	BOARD OF DIRECTORS
148950	SOUTHERN TIRE MART	1,725.00	TIRES UNIT 54417 & 54420	BELEN DIVISION
148951	STAPLES ADVANTAGE	639.15	SUPPLIES	GENERAL OFFICE
148952	TECHNA GLASS	130.81	GLASS INSTALLATION UNIT 57205	BELEN DIVISION
		130.81	GLASS INSTALLATION UNIT 57306	BELEN DIVISION
148953	THOMPSON SAFETY LLC	514.00	SAFETY SUPPLIES	INVENTORY
148954	TRUEPOINT SOLUTIONS,	990.00	SEPT23 - TRUE POINT CUSTOMER INFORMATION POR	GRANTS FUND GO
148955	UNICOR	248.32	SEPT23- SHRED BINS PICKUP	ACCOUNTING

Check Number	Vendor Name	Check Amount	Description	Location
148956	V-VARGAS, ERMELIND	351.84	OCT23- RETIREE	HUMAN RESOURCES
148957	VALENCIA COUNTY	5,844.23	SEPT23 FUEL COSTS	BELEN DIVISION
		200.00	SEPT23 FUEL COSTS ADMIN FEE	NON DIVISION
148958	WAGNER EQUIPMENT CO.	458.13	TUBE, ROD, & NUTS UNIT 67113	SOCORRO DIVISION
148959	WEX BANK	79,994.91	WEX FUEL SEPT23: UNL \$26,726 DSL \$53,228 FEES \$41	MULTIPLE DEPTS/DIVISIONS
148960	WIGGINS, WILLIAMS	5,792.91	SEPT23 - COUNSEL	NON DIVISION
148961	WIPER SUPPLY INC	903.05	JANITORIAL SUPPLIES- TOWELS	INVENTORY
148962	4 RIVERS EQUIPMENT	44.64	STOPLIGHT LEFT REAR LENS UNIT 57117	BELEN DIVISION
148963	ABCWUA	664.80	SEPT23 MONTHLY UTILITY CHARGE	GENERAL OFFICE
		500.41	SEPT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION
		421.76	SEPT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION
		136.94	SEPT23 MONTHLY UTILITY CHARGE	EQUIPMENT REPAIR & TRANS
148964	ACTION HOSE INC.	285.27	HOSE & CABLE TIES UNIT 47024	ALBUQUERQUE DIVISION
		58.44	HOSE & CABLE TIES UNIT 47024	EQUIPMENT REPAIR & TRANS
		301.55	HYDRAULIC HOSE UNIT 57310	BELEN DIVISION
148965	AWARDS ETC	60.00	BOARD OF DIRECTOR NAME PLATES	BOARD OF DIRECTORS
		7.50	NAME PLATE	WATER OPS & CONS
148966	BANK OF AMERICA	1,390.00	TRIBAL WATER LAW CONFERENCE, SANTA FE	BOARD OF DIRECTORS
		1,390.00	TRIBAL WATER LAW CONFERENCE, SANTA FE	CONSERVATION/PLANNING
		695.00	TRIBAL WATER LAW CONFERENCE, SANTA FE	ENGINEERING & MAPPING
		695.00	TRIBAL WATER LAW CONFERENCE, SANTA FE	WATER OPS & CONS
		25.51	EXPENSES OCT 3-5, 2023 INAUGURAL CRGWU	EXEC TEAM
		100.60	BOARD ELECTION RECEPTION SUPPLIES	NON DIVISION
		369.93	FY24- ZOOM ANNUAL CHARGE	INFORMATION SYS
		355.93	HOTEL INAUGURAL CRGWU SANTA FE OCT 3-5	EXEC TEAM
		204.88	MARRIOT LAS CRUCES OCT.2-3, 2023 WNR	EXEC TEAM
		695.00	JIRON- TRIBAL WATER LAW CONFERENCE REG	BOARD OF DIRECTORS
		34.84	MEAL- MARRIOT LAS CRUCES OCT.2-3, 2023 WNR	EXEC TEAM
		85.00	TRAINING GOVERNMENT FINANCE OFFICERS ASSOC.	ACCOUNTING
148967	BASIC IDIQ, INC.	2,300.00	SP-125-2023 DAMAGE DEPOSIT REFUND	NON DIVISION
148968	BERNALILLO COUNTY CL	50.00	RELEASE OF LIENS	ACCOUNTING
148969	BOHANNAN HUSTON	299.98	SEPT23 - IRRIGATION ASSESSMENT	ENGINEERING & MAPPING
148970	BOOT BARN	110.49	FY24- SERNA KENNETH- BOOT VOUCHER	ALBUQUERQUE DIVISION
148971	BOYD-SHUCK NAPA	56.02	REPAIR-UNIT# 67004 2009 JD TRACTOR	SOCORRO DIVISION
		24.69	REPAIR-UNIT# 67018 2018 JD MOWER	SOCORRO DIVISION
		130.65	REPAIR-UNIT# 8425.21 2012 ALAMO BATWING MOWER	SOCORRO DIVISION
		28.01	REPAIR-UNIT# 8425.22 2017 FALCON ALAMO MOWER	SOCORRO DIVISION
148972	CENTURY EQUIPMENT	355.10	MOWER HARDWARE	INVENTORY
148973	CENTURY LINK	79.92	SEPT23 MONTHLY CHARGE	BELEN DIVISION
148974	CHASE MECHANICAL LLC	29,823.54	ALBUQUERQUE WELDING SHOP ELECTRICAL	ALBUQUERQUE DIVISION
148975	CINTAS FIRST AID	106.00	RESTOCK FIRST AID	ALBUQUERQUE DIVISION
		192.63	RESTOCK FIRST AID	BELEN DIVISION
		89.75	RESTOCK FIRST AID	EQUIPMENT REPAIR & TRANS
		104.39	RESTOCK FIRST AID	GENERAL OFFICE
		193.31	RESTOCK FIRST AID	SOCORRO DIVISION
		95.72	RESTOCK FIRST AID	COCHITI DIVISION
		55.00	WATER COOLER- BELEN	BELEN DIVISION
148976	CIRCLED WAGONS	538.13	PHOTOGRAPHER - CENTENNIAL LUNCHEON	ADMINISTRATION
148977	CITY OF ALBUQUERQUE	12,592.81	SEPT23 FUEL CHARGES	ALBUQUERQUE DIVISION
		3,677.51	SEPT23 FUEL CHARGES	EQUIPMENT REPAIR & TRANS
		125.00	SEPT23 FUEL FEE	GENERAL OFFICE
		401.06	SEPT23 FUEL CHARGES	WATER DISTRIBUTION DIV
148978	CITY OF BELEN	2,435.53	25 GENERAL E BACA SEPT23	BELEN DIVISION
148979	CITY OF SOCORRO	298.49	04-009470-001 SEPT23	SOCORRO DIVISION
148980	CRITTER CONTROL	219.61	OCT23- COCHITI PEST CONTROL	COCHITI DIVISION
148981	CUMULUS RADIO CORP.	7,727.47	RADIO AD- MRGCD ELECTIONS	BOARD OF DIRECTORS

Check Number	Vendor Name	Check Amount	Description	Location
148982	DESERT GREENS EQUIP	11.26	FLANGE/LUG NUTS UNIT 47022	ALBUQUERQUE DIVISION
148983	GAMBOA, MARTHA	156.00	ADVANCE TRUE POINT CONNECT RENO, NV OCT.23	ACCOUNTING
148984	GENUINE NAPA	(43.99)	CREDIT BRAKE PADS INV 500673 PO 20241216	BELEN DIVISION
		(58.58)	CREDIT FILTER INV 501243 PO 24002495	BELEN DIVISION
		72.07	FILTER UNI T54017	BELEN DIVISION
		96.16	HYDRAULIC LEAK REPAIRS UNIT 57026	BELEN DIVISION
		125.69	HYDRAULIC LEAK REPAIRS UNIT 57204	BELEN DIVISION
		163.68	ITEM# 6005-2RSJ BRG ROLLER BALL BEARING	WATER OPS & CONS
		76.37	MISC FILTER UNIT 544170	BELEN DIVISION
		40.42	MISC PARTS	BELEN DIVISION
		382.43	MISC PARTS UNIT 54017	BELEN DIVISION
		91.50	MISC PARTS UNIT 57025	BELEN DIVISION
		49.99	MISC PARTS UNIT 73614	BELEN DIVISION
		28.76	PARTS UNIT 53809 & SHOP SUPPLIES	BELEN DIVISION
		157.09	REPAIRS UNIT 57204	BELEN DIVISION
		109.15	STABILIZER UNIT 53809	BELEN DIVISION
148985	GPS, LLC	72.15	TIRE REPAIR-UNIT# 35801 1994 JD LOADER TRACTOR	SOCORRO DIVISION
		72.15	TIRE REPAIR-UNIT# 64413 2009 INTERNATIONAL DUMP	SOCORRO DIVISION
148986	HUB INTERNATIONAL	110.00	OSHA 30HR TRAINING CARD COST- 11 ATTENDEES	NON DIVISION
148987	IMSCO DIVISION	955.20	2007 LOCKS	INVENTORY
148988	INTRAWORKS, INC.	138.72	FY24 SECURITY SOCORRO- OCT23-DEC23	SOCORRO DIVISION
148989	KRONOS SAASHR, INC.	1,268.85	SEPT23 - UKG KRONOS READY SOFTWARE	INFORMATION SYS
148990	LEE LANDSCAPES, INC.	2,300.00	SP-158-2023 DAMAGE DEPOSIT REFUND	NON DIVISION
148991	MCSWEENEY, JUDITH	19.15	REIMBURSE WATER TRUST BOARD MEETING	ACCOUNTING
148992	MESA OIL, INC	114.92	FY24 FLEET PRODUCT DISPOSAL ENCUMBRANCE	EQUIPMENT REPAIR & TRANS
148993	NAPA AUTO PARTS	119.12	MISC PARTS UNIT 43364	ALBUQUERQUE DIVISION
		34.06	TOOL BOX SUPPORT LIFTS UNIT 44011	ALBUQUERQUE DIVISION
		51.82	VALVE HINGE KITS HEADLIGHT LIFT SUPPORTS	ALBUQUERQUE DIVISION
148994	O'REILLY AUTO PARTS	44.99	CAB FILTER UNIT 53470	BELEN DIVISION
		32.97	CLEANING SUPPLIES FOR VEHICLE MAINTENANCE	SOCORRO DIVISION
		16.49	KIT UNIT 43364	ALBUQUERQUE DIVISION
		7.17	OIL FILTER UNIT 43364	ALBUQUERQUE DIVISION
		4.39	STEEL WOOL SUPPLIES FOR SHOP	EQUIPMENT REPAIR & TRANS
		19.99	TRANSMISSION TREATMENT UNIT 23801	ALBUQUERQUE DIVISION
148995	OCCUPATIONAL HEALTH	229.25	PRE EMPLOYMENT SCREENINGS	WATER DISTRIBUTION DIV
148996	PARTS AUTHORITY	300.14	ALTERNATOR UNIT 63445	SOCORRO DIVISION
		1,327.53	BALDWIN FILTERS	INVENTORY
		(78.00)	CREDIT CORE CHARGE PO 20241276	SOCORRO DIVISION
148997	PENA BLANCA SANIT	80.39	SYSTEM# 38 SEPT23	COCHITI DIVISION
148998	PNM	16.80	SEPT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION
		65.15	OCT23 MONTHLY UTILITY CHARGE	COCHITI DIVISION
		3,313.49	SEPT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION
		16.80	OCT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION
		16.59	OCT23 MONTHLY UTILITY CHARGE	COCHITI DIVISION
		144.06	OCT23 MONTHLY UTILITY CHARGE	COCHITI DIVISION
		784.83	SEPT23 MONTHLY UTILITY CHARGE	BELEN DIVISION
		64.93	SEPT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION
148999	PURCELL TIRE COMPANY	3,577.38	TIRE ORDER	INVENTORY
		160.50	TIRE REPAIR UNIT 80039	WATER DISTRIBUTION DIV
149000	RAKS BUILDING SUPPLY	25.25	MISC PARTS	WATER OPS & CONS
149001	RODGERS & COMPANY	2,300.00	SP-251-2023 DAMAGE DEPOSIT REFUND	NON DIVISION
149002	SAN ACACIA MDWCA	21.53	OCT23 WATER SAN ACACIA	SOCORRO DIVISION
149003	SANDOVAL COUNTY LAND	175.98	LANDFILL SEPT23	ALBUQUERQUE DIVISION
149004	SOCORRO ELECTRIC	8,665.22	10268007 SEPT23	SOCORRO DIVISION
		710.60	10268012 SEPT23	SOCORRO DIVISION
149005	SORBCO	44.72	BOLTS AND NUTS FOR PIN RETAINER UNIT 57310	BELEN DIVISION

Check Number	Vendor Name	Check Amount	Description	Location
		36.00	BOLTS FOR COVERS AND BELLY PANS UNIT 57404	BELEN DIVISION
		16.99	JIC FITTING UNIT 57025	BELEN DIVISION
149006	TAS SECURITY SYSTEMS	107.57	GENERAL OFFICE KEY PAD	GENERAL OFFICE
149007	TRACTOR & EQUIPMENT	1,378.86	MOWER BLADES AND HARDWARE	INVENTORY
149008	TYLER TECHNOLOGIES	700.00	MUNIS WORK ORDER- TRAINING	INFORMATION SYS
149009	UNIVERSITY MRO LLC	4.25	POST ACCIDENT & DOT RANDOM	BELEN DIVISION
		4.25	POST ACCIDENT & DOT RANDOM	EQUIPMENT REPAIR & TRANS
		4.25	POST ACCIDENT & DOT RANDOM	WATER DISTRIBUTION DIV
		4.25	POST ACCIDENT & DOT RANDOM	SOCORRO DIVISION
149010	WASTE MANAGEMENT	216.07	OCT23 - MONTHLY DUMPSTER SERVICE- COCHITI	COCHITI DIVISION
149011	4 RIVERS EQUIPMENT	3,500.00	10/3/23-10/30/23 - WATER TRUCK RENTAL	BELEN DIVISION
		680.36	ALTERNATOR, SWITCH, & PLOW BOLTS UNIT 67303	SOCORRO DIVISION
		(75.00)	CREDIT CORE CHARGE INV1540759 PO 20241336	SOCORRO DIVISION
149012	ACTION HOSE INC.	102.43	FITTINGS & HOSE	ALBUQUERQUE DIVISION
		88.02	HOSES UNIT 23801	ALBUQUERQUE DIVISION
149013	BANK OF AMERICA	289.68	C.ISH MARRIOT LAS CRUCES OCT.2-3, 2023 WNR	CONSERVATION/PLANNING
		355.93	CRGWU MEETING SANTA FE OCT 3-5- BACA	BOARD OF DIRECTORS
		711.86	CRGWU MEETING SANTA FE OCT 3-5- DUNNING	BOARD OF DIRECTORS
		355.93	CRGWU MEETING SANTA FE OCT 3-5- RUSSO BACA	BOARD OF DIRECTORS
149014	BOOT BARN	282.64	FY24- BOOT VOUCHERS	SOCORRO DIVISION
149015	CENTURY EQUIPMENT	671.20	PINS UNIT 57021	BELEN DIVISION
149016	CHACON, MARK	146.33	OCT23- RETIREE	HUMAN RESOURCES
149017	CONSERVANCY OIL CO	2,975.50	OIL ORDER	INVENTORY
149018	CRAIG INDEPENDENT	264.35	NEW TIRES UNIT 54420	BELEN DIVISION
		55.14	TIRE REPAIR UNIT 54417	BELEN DIVISION
		53.31	TIRE REPAIR UNIT 57306	BELEN DIVISION
		20.60	TIRE REPAIR UNIT 80027	WATER DISTRIBUTION DIV
149019	CRANE, JOHN	210.42	OCT23- RETIREE	HUMAN RESOURCES
149020	CRITTERS OIL CHANGE	75.00	OIL CHANGE UNIT 53466	BELEN DIVISION
		75.00	OIL CHANGE UNIT 53468	WATER DISTRIBUTION DIV
		75.00	OIL CHANGE UNIT 53469	BELEN DIVISION
		75.00	OIL CHANGE UNIT 80007	WATER OPS & CONS
		75.00	OIL CHANGE UNIT 80032	WATER DISTRIBUTION DIV
149021	DESERT GREENS EQUIP	75.06	WHEEL BOLT & NUT UNIT 47022	ALBUQUERQUE DIVISION
149022	DUNNING, KAREN	84.88	REIMBURSEMENT 2023 INAUGURAL CRGWU	BOARD OF DIRECTORS
149023	HOME DEPOT CREDIT	208.92	FILTERS FOR WATER FOUNTAINS	GENERAL OFFICE
		46.72	PAD LOCKS FOR COCHITI DIVISION	COCHITI DIVISION
149024	HUNTER BOWER LUMBER	687.22	CONSTRUCTION SUPPLIES	INVENTORY
149025	INLAND KENWORTH INC.	301,635.00	NEW LUBE TRUCK UNIT 74203	EQUIPMENT REPAIR & TRANS
149026	ISH, JAMES CASEY	11.44	MEAL EXPENSES LAS CRUCES OCT.2-3,2023	CONSERVATION/PLANNING
149027	MT INDUSTRIES, INC.	1,748.76	TARP SYSTEM & PULLARM KIT UNIT 544170	BELEN DIVISION
149028	MORA, RUBEN	564.10	OCT23- RETIREE	HUMAN RESOURCES
149029	NAPA AUTO PARTS	1.46	ALLTHREAD UNIT 67504	SOCORRO DIVISION
		744.00	AUTOMOTIVE ORDER	INVENTORY
		320.33	MISC. PARTS UNIT 63808	SOCORRO DIVISION
		27.96	SHOP SUPPLIES	EQUIPMENT REPAIR & TRANS
		43.99	THREADLOCKER	EQUIPMENT REPAIR & TRANS
149030	NATURE CONSERVANCY	50,000.00	PMT #1 - MOA WITH NATURE CONSERVANCY	NON DIVISION
149031	NEW MEXICO MUTUAL	17,177.07	ACCT# 212978753- INSTALLMENT & DEDUCTIBLE	NON DIVISION
149032	NEW MEXICO TRACTOR S	1,298.98	DIAGNOSE & REPAIR UNIT 47025	ALBUQUERQUE DIVISION
149033	O'REILLY AUTO PARTS	307.65	MISC. PARTS UNIT 43450	ALBUQUERQUE DIVISION
		3.70	MISC. PARTS UNIT 43450	EQUIPMENT REPAIR & TRANS
		369.63	MISC. PARTS UNIT 63808	SOCORRO DIVISION
149034	OCCUPATIONAL HEALTH	103.32	DOT RECERT	BELEN DIVISION
		114.08	DOT RECERT	SOCORRO DIVISION
149035	PACIFIC OFFICE AUTO	318.57	OCT23-COPIER LEASE 3RD YEAR - 2023-2024	ALBUQUERQUE DIVISION

Check Number	Vendor Name	Check Amount	Description	Location
		186.43	OCT23-COPIER LEASE 3RD YEAR - 2023-2024	EQUIPMENT REPAIR & TRANS
		1,063.92	OCT23-COPIER LEASE 3RD YEAR - 2023-2024	GENERAL OFFICE
149036	PACIFIC OFFICE AUTO	257.75	SEPT23 - OVERAGES CUSTOMER# 635984	NON DIVISION
149037	PERALTA POWER	385.00	TUBE ASSEMBLY UNIT 6627.85	BELEN DIVISION
149038	PRUDENTIAL OVERALL S	170.14	FY24 UNIFORM RENTAL	BELEN DIVISION
		156.39	FY24-UNIFOM RENTAL	EQUIPMENT REPAIR & TRANS
149039	PURCELL TIRE COMPANY	568.81	TIRE UNIT 47311	ALBUQUERQUE DIVISION
149040	QUEST DIAGNOSTICS	55.60	POST ACCIDENT & DOT RANDOM	WATER DISTRIBUTION DIV
		55.60	POST ACCIDENT & DOT RANDOM	SOCORRO DIVISION
		77.30	POST ACCIDENT & PRE EMPLOYMENT	EQUIPMENT REPAIR & TRANS
		40.20	POST ACCIDENT & PRE EMPLOYMENT	CONSERVATION/PLANNING
149041	RANDY'S ACE HARDWARE	96.64	OFFICE AND BATHROOM CLEANING SUPPLIES	SOCORRO DIVISION
149042	RG ENGINEERING	2,022.29	8/28/23-10/6/23 - TORT CLAIM SERVICES	NON DIVISION
149043	SNELLING	830.74	ABQ DIVISION TEMP- 30.33 HRS 10/2-10/5	ALBUQUERQUE DIVISION
149044	SOCORRO COUNTY CLERK	25.00	RELEASE OF LIEN	ACCOUNTING
149045	SONTEK/YSI	430.00	GEODE CABLE REPLACEMENT	WATER OPS & CONS
149046	SOUTHERN TIRE MART	26.91	TIRE REPAIR UNIT 80014	WATER DISTRIBUTION DIV
149047	THOMPSON SAFETY LLC	245.00	SAFETY SUPPLIES	INVENTORY
149048	TOTAL CONTRACTING	2,300.00	SP-021-2022 DAMAGE DEPOSIT REFUND	NON DIVISION
149049	UNIFIRST CORP	369.38	FY24- UNIFORM RENTAL	SOCORRO DIVISION
149050	VAISA, MORRIS	1,073.50	OCT23- RETIREE	HUMAN RESOURCES
149051	WAGNER EQUIPMENT CO.	530.14	CATERPILLAR FILTERS	INVENTORY
149052	4 RIVERS EQUIPMENT	57.96	RELAY UNIT 57310	BELEN DIVISION
		571.19	WINDSHIELD UNIT 47113	ALBUQUERQUE DIVISION
149053	ACTION HOSE INC.	73.42	FITTING UNIT 44602	ALBUQUERQUE DIVISION
		56.68	FITTINGS UNIT 65103	SOCORRO DIVISION
		63.11	FLANGE UNIT 23801	ALBUQUERQUE DIVISION
		1,172.61	HOSE - ALB DIVISION	CAPITAL INVESTMENT FUND ABQ
		497.78	HOSE ASSEMBLY UNIT 47025	ALBUQUERQUE DIVISION
		79.98	HOSE UNIT 47024	ALBUQUERQUE DIVISION
		88.00	OIL UNIT 47024	ALBUQUERQUE DIVISION
149054	ALBUQUERQUE BOLT	47.60	BOLTS & LOCKWASHERS UNIT 47018	ALBUQUERQUE DIVISION
149055	ALLSTATE HYDRAULICS	1,002.32	R&R HYDRAULIC CYLINDERS UNIT 47018	ALBUQUERQUE DIVISION
		677.83	R&R HYDRAULIC CYLINDERS UNIT 57021	BELEN DIVISION
		2,021.67	R&R HYDRAULIC CYLINDERS UNIT 57024	BELEN DIVISION
149056	AMAZON CAPITAL	29.99	I.T. ORDER	INFORMATION SYS
		49.99	KEYBOARD AND MOUSE FOR ER&T	INFORMATION SYS
149057	ATMAX EQUIPMENT CO	258,325.10	MACHINE MOWER	BELEN DIVISION
		258,325.10	TRACTOR MOWER	ALBUQUERQUE DIVISION
149058	AVALLONE, SARAH	280.67	OCT23- RETIREE	HUMAN RESOURCES
149059	BARNHILL BOLT CO	28.75	LOCKNUT UNIT 47022	ALBUQUERQUE DIVISION
149060	BERNALILLO COUNTY CL	1,050.00	BERN CO CLAIM OF LIENS 2023	ACCOUNTING
149061	BJW VENTURES, LLC	285.00	SEAT COVERS UNIT 44013	ALBUQUERQUE DIVISION
149062	CASTLE BRANCH, INC.	200.22	PRE EMPLOYMENT SCREENINGS	HUMAN RESOURCES
149063	CELLCO PARTNERSHIP	5,526.90	AUG23- VERIZON/CELLCO GPS MONTHLY SERVICE	EQUIPMENT REPAIR & TRANS
149064	CENTURY EQUIPMENT	16.18	MISC. JOHN DEERE TRACTOR/MOWER PARTS-ALAMO	ALBUQUERQUE DIVISION
		186.73	SEAL KIT UNIT 47024	ALBUQUERQUE DIVISION
149065	CENTURY LINK	162.97	575-835-1454 245B OCT23	SOCORRO DIVISION
149066	CHASE MECHANICAL LLC	500.00	BELEN DIVISION ESTIMATE & ADJUSTED PULLY	BELEN DIVISION
		6,341.54	SHOP A/C UNIT-PER RUSTY SWINT	EQUIPMENT REPAIR & TRANS
149067	CHOICE STEEL COMPANY	4.80	HINGES	EQUIPMENT REPAIR & TRANS
		940.00	METAL ORDER	INVENTORY
149068	CONSERVANCY OIL CO	3,041.50	OIL ORDER	INVENTORY
149069	CONTINENTAL BATTERY	150.96	BATTERIES	ALBUQUERQUE DIVISION
		238.00	BATTERIES	SOCORRO DIVISION
		74.46	BATTERY	BELEN DIVISION

Check Number	Vendor Name	Check Amount	Description	Location
149070	CRAIG INDEPENDENT	232.82	NEW TIRE INSTALLATION UNIT 54423	BELEN DIVISION
		41.20	TIRE REPAIR UNIT 53461	BELEN DIVISION
		97.74	TIRE REPAIR UNIT 54017	BELEN DIVISION
149071	CRITTERS OIL CHANGE	75.00	OIL CHANGE UNI T53439	BELEN DIVISION
		75.00	OIL CHANGE UNIT 80023	WATER DISTRIBUTION DIV
149072	DIESEL LAPTOPS, LLC	11,431.80	MECHANIC LAPTOP FOR DIVISION	COCHITI DIVISION
		11,431.80	MECHANIC LAPTOP FOR DIVISION	SOCORRO DIVISION
149073	FANELLI, PAMELA	24.26	MEAL REIMBURSEMENT WATER TRUST BOARD MEETING	ACCOUNTING
149074	GENUINE NAPA	(43.30)	CREDIT STABILIZER INV 501052 PO 20241281	BELEN DIVISION
		(83.34)	CREDIT TIES INV 500673 PO 20241216	BELEN DIVISION
		40.00	LAMPS/ELECTRICAL CONNECTORS UNIT 544170	BELEN DIVISION
		329.44	MISC PARTS UNIT 54414	BELEN DIVISION
		52.41	PARTS UNIT 54414	BELEN DIVISION
		21.38	ROCKER SWITCH UNIT 54601	BELEN DIVISION
149075	INLAND KENWORTH INC.	1,147.98	KENWORTH FILTERS	INVENTORY
149076	MATHESON TRI-GAS INC	481.66	WELDING SUPPLIES	EQUIPMENT REPAIR & TRANS
149077	NAPA AUTO PARTS	13.82	FUSEABLE LINK WIRE LOOM	EQUIPMENT REPAIR & TRANS
		35.78	MISC PARTS UNIT 8580.70	EQUIPMENT REPAIR & TRANS
		57.60	MISC SUPPLIES	EQUIPMENT REPAIR & TRANS
		348.54	MISC TOOLS	SOCORRO DIVISION
		25.72	MISC. PARTS UNIT 47022	ALBUQUERQUE DIVISION
149078	NED'S PIPE & STEEL	111.00	SHOP SUPPLIES	BELEN DIVISION
149079	NEW MEXICO GAS CO	36.32	OCT23 MONTHLY UTILITY CHARGE	GENERAL OFFICE
		29.32	OCT23 MONTHLY UTILITY CHARGE	ALBUQUERQUE DIVISION
		75.19	OCT23 MONTHLY UTILITY CHARGE	EQUIPMENT REPAIR & TRANS
149080	O'BRIEN HUNTER	71.31	DEDUCTION REFUND	NON DIVISION
149081	O'REILLY AUTO PARTS	12.41	COOLANT TEMP SENSOR UNIT 43621	ALBUQUERQUE DIVISION
149082	OCCUPATIONAL HEALTH	103.32	DOT RECERT	COCHITI DIVISION
149083	PNM	40.44	OCT23 MONTHLY UTILITY CHARGE	BELEN DIVISION
		22.54	OCT23 MONTHLY UTILITY CHARGE	BELEN DIVISION
149084	PRUDENTIAL OVERALL S	50.00	FY24-UNIFOM RENTAL	BELEN DIVISION
		52.13	FY24-UNIFOM RENTAL	EQUIPMENT REPAIR & TRANS
149085	PURCELL TIRE COMPANY	28.66	TIRE REPAIR UNIT 43460	ALBUQUERQUE DIVISION
		69.55	TIRE REPAIR UNIT 47024	ALBUQUERQUE DIVISION
		216.23	TIRE REPAIR UNIT 8580.70	EQUIPMENT REPAIR & TRANS
		609.98	TIRE UNIT 54419	ALBUQUERQUE DIVISION
149086	RAIN FOR RENT	5,123.20	AUG & SEPT23 CORRALES PUMPS-MAINTENANCE	CAPITAL INVESTMENT FUND ABQ
149087	ROBERTS TRUCK CENTER	83.12	CAPS UNIT 44412	ALBUQUERQUE DIVISION
		709.79	MIRROR ASSEMBLY UNIT 44412	ALBUQUERQUE DIVISION
149088	SANDOVAL COUNTY CLERK	375.00	SAND CO CLAIM OF LIENS BULK 2023	ACCOUNTING
149089	SILVA'S AUTO TIRE	45.00	TIRE REPAIR UNIT 80023	WATER DISTRIBUTION DIV
		45.00	TIRE REPAIR UNIT 80029	WATER DISTRIBUTION DIV
149090	SOCORRO COUNTY CLERK	600.00	CLAIM OF LIENS 2023 BULK	ACCOUNTING
149091	SORBCO	8.00	BOLTS UNIT 54414	BELEN DIVISION
149092	STAPLES ADVANTAGE	8.19	CARDSTOCK / HR	HUMAN RESOURCES
		276.34	INK CARTRIDGES	INVENTORY
		30.91	MISC SUPPLIES	EQUIPMENT REPAIR & TRANS
		3.83	MISC SUPPLIES	ENGINEERING & MAPPING
		37.47	MISC SUPPLIES	GENERAL OFFICE
		23.45	MISC SUPPLIES	PURCHASING
		409.12	RECORDS BOOKS	NON DIVISION
149093	SWCA	13,112.47	SEPT23 - FY24 OUTFALL SAMPLING	GRANTS FUND GO
		15,735.04	SEPT23- FY24 OUTFALL SAMPLING	GRANTS FUND GO
149094	TAFOYA, MARK A	600.93	NOV23- RETIREE	HUMAN RESOURCES
149095	THOMPSON SAFETY LLC	650.20	SAFETY SUPPLIES	INVENTORY
149096	ULINE, INC.	607.81	WIRE SHELF BIN ORGANIZER	COCHITI DIVISION

Check Number	Vendor Name	Check Amount	Description	Location
		281.42	INDUSTRIAL COVERALL WITH HOOD 2XL - 25/BOX	SAFETY DEPARTMENT
149097	UNIFORMS & MORE	42.00	POLOS	CONSERVATION/PLANNING
		58.00	RETIREMENT JACKET BARBARA	EXEC TEAM
149098	VALENCIA COUNTY CLERK	2,700.00	VAL CO CLAIM OF LIENS 2023 BULK	ACCOUNTING
149099	WIPER SUPPLY INC	232.55	JANITORIAL SUPPLIES- TOWELS	INVENTORY
149100	CHILD SUPPORT ENFORCE	1,370.31	PAYROLL GARNISHMENT	NON DIVISION
149101	GUGLIELMO & ASSOCIATES	506.22	PAYROLL GARNISHMENT	NON DIVISION
		506.22	PAYROLL GARNISHMENT	NON DIVISION
		688.63	PAYROLL GARNISHMENT	NON DIVISION
149102	STATE OF NEW MEXICO	258.21	PAYROLL GARNISHMENT	NON DIVISION
149103	THOMASON LAW FIRM	138.39	PAYROLL GARNISHMENT	NON DIVISION
149104	ACTION HOSE INC.	139.23	FITTINGS, HOSE, & COUPLER UNIT 74201	EQUIPMENT REPAIR & TRANS
149105	ALBUQUERQUE POWER	199.74	STIHL BRUSH BLADE KNIVES	INVENTORY
149106	AMAZON CAPITAL	(259.96)	CREDIT TRANSCEIVER PO 20241095	INFORMATION SYS
		571.77	IT SUPPLIES	INFORMATION SYS
		10.40	RESTOCKING FEE	INFORMATION SYS
		189.95	WHITEBOARD	INFORMATION SYS
149107	AT&T	5,796.66	OCT23 MONTHLY WIRELESS CHARGE	ALL DIVISIONS/DEPTS.
149108	BANK OF AMERICA	288.96	2023 ANNUAL CONF. LAS VEGAS, NV 12/12-12/15	EXEC TEAM
		370.45	CASUGA- CONFERENCE SAN ANTONIO, TX 11/7-11/10	EXEC TEAM
		(215.24)	CREDIT- SECOND TRAY FOR AP PRINTER	ACCOUNTING
		838.96	CRWUA 2023 ANNUAL CONF. LAS VEGAS, NV 12/12-12/15	BOARD OF DIRECTORS
		550.00	CRWUA 2023 ANNUAL CONF. LAS VEGAS, NV 12/12-12/15	EXEC TEAM
		850.00	NWRA ANNUAL CONF. SAN ANTONIO, TX 11/7-11/10	EXEC TEAM
		139.70	SNACKS-MANAGEMENT DEV. TRAINING	HUMAN RESOURCES
		231.41	SUPPLIES	GENERAL OFFICE
149109	BOBCAT OF ALBUQUERQUE	76.78	BELT UNIT 47203	ALBUQUERQUE DIVISION
149110	BOYD-SHUCK NAPA	56.04	FILTER NEEDED TO REPLACE FO0165-UNIT# 35801 JD TRC	SOCORRO DIVISION
		15.56	PARTS UNIT# 65105 2023 KENWORTH DUMP TRUCK	SOCORRO DIVISION
		246.98	PARTS UNIT# 8580.08 2010 TOYOTA FORKLIFT	SOCORRO DIVISION
		171.44	PARTS-UNIT# 67304 2011 CAT EXCAVATOR	SOCORRO DIVISION
149111	CASTLE BRANCH, INC.	401.76	PRE EMPLOYMENT SCREENINGS	HUMAN RESOURCES
149112	CHOICE STEEL COMPANY	41.40	HINGES FOR DIVISION	ALBUQUERQUE DIVISION
149113	CLARK TRUCK	16.53	KITS FOR ER&T	EQUIPMENT REPAIR & TRANS
149114	CONSTRUCTION RENTAL	1,235.72	STIHL SUPPLIES	INVENTORY
149115	CONTINENTAL BATTERY	74.99	BATTERY UNIT 4445.13	BELEN DIVISION
149116	CRITTERS OIL CHANGE	75.00	OIL CHANGE UNIT 80020	WATER DISTRIBUTION DIV
149117	CUMULUS RADIO CORP.	2,254.75	MRGCD ELECTIONS RADIO AD	BOARD OF DIRECTORS
149118	DESERT GREENS EQUIP	231.69	BALL BEARING UNIT 8992.12	ALBUQUERQUE DIVISION
		98.94	MIRROR UNIT 67019	SOCORRO DIVISION
		1,007.19	WINDSHIELD, WEATHERSTRIP, & WASHER UNIT 67018	SOCORRO DIVISION
149119	GENUINE NAPA	38.96	MISC PARTS UNIT 53469	BELEN DIVISION
		18.69	MISC PARTS UNIT 54414	BELEN DIVISION
		111.22	MISC PARTS UNIT 57024	BELEN DIVISION
149120	GPS, LLC	109.04	MAINTENANCE-UNIT# 80024 2022 FORD F150 4X4 TRUCK	WATER DISTRIBUTION DIV
149121	GRAINGER	92.72	PPE SAFETY	SAFETY DEPARTMENT
149122	IRON HORSE WELDING,	4,686.97	MISC. VOLVO EXCAVATOR PARTS UNIT 47312	ALBUQUERQUE DIVISION
149123	J & B AUTOMOTIVE	219.00	D-RINGS FOR ABQ DIVISION	ALBUQUERQUE DIVISION
149124	LEGALSHIELD	429.95	OCT23- GROUP# 34628- LEGALSHIELD FY2024	NON DIVISION
149125	LESEBERG'S	119.27	SCHEDULED MAINTENANCE-UNIT# 80017 2019 FORD F150	WATER DISTRIBUTION DIV
149126	MAC HYDRAULIC & LUBR	732.00	GREASE PUMP UNIT 74201	EQUIPMENT REPAIR & TRANS
149127	NAPA AUTO PARTS	51.47	FILTER UNIT 41001	ALBUQUERQUE DIVISION
		38.75	STEREO UNIT 47019	ALBUQUERQUE DIVISION
149128	NM TECH	2,150.76	08/14/23- 9/24/23 - ASR FEASIBILITY STUDY	GRANTS FUND GO
149129	O'REILLY AUTO PARTS	15.98	MATERIALS FOR WORK ON CROSSING MWO	SOCORRO DIVISION
149130	OCCUPATIONAL HEALTH	121.61	POST ACCIDENT	ALBUQUERQUE DIVISION

Check Number	Vendor Name	Check Amount	Description	Location
149131	PURCELL TIRE COMPANY	1,501.95	TIRES UNIT 74803	EQUIPMENT REPAIR & TRANS
		408.67	TIRES UNIT 74903	EQUIPMENT REPAIR & TRANS
149132	ROBERTS TRUCK CENTER	164.04	CONTROL VALVE UNIT 54414	BELEN DIVISION
		617.07	MIRROR ASSEMBLY UNIT 54414	BELEN DIVISION
149133	SAVE OUR BOSQUE TASK	15,000.00	1ST INSTALLMENT - MOA FY24	NON DIVISION
149134	SNELLING	821.70	ABQ DIVISION TEMP- 30.00 HRS 10/9-10/12	ALBUQUERQUE DIVISION
149135	SOUTHWEST GENERAL TI	297.08	TIRES UNIT 80032	WATER DISTRIBUTION DIV
149136	STAPLES ADVANTAGE	52.20	RESTOCK OFFICE SUPPLIES	BELEN DIVISION
149137	THE PRINTERS PRESS	3,780.00	DECALS FOR ER&T	NON DIVISION
149138	TYLER TECHNOLOGIES	700.00	SEPT 15, 2023 MUNIS WORK ORDER- TRAINING	INFORMATION SYS
149139	UNIFIRST CORP	63.75	FY24- UNIFORM RENTAL	SOCORRO DIVISION
149140	UNUM LIFE INSURANCE	1,717.86	OCT23- LIFE, AD&D, STD, & LTD- ACCT# 0692501-001 2	NON DIVISION
149141	VALENCIA COUNTY CLERK	25.00	RELEASE OF LIEN	ACCOUNTING
149142	VERIZON WIRELESS	155.97	OCT23 MONTHLY WIRELESS CHARGE	INFORMATION SYS
		137.72	OCT23 MONTHLY WIRELESS CHARGE	WATER DISTRIBUTION DIV
149143	WAGNER EQUIPMENT CO.	42.37	ROD, PIN, & CLIP UNIT 67113	SOCORRO DIVISION
149144	WATER STRATEGIES	8,000.00	OCT23- FEDERAL CONSULTING SERVICES	NON DIVISION
149145	WELCH EQUIPMENT CO	355.20	SEAT ASSEMBLY-W/SWITCH UNIT 8580.08	SOCORRO DIVISION
149146	WILLIAMS WINDMILL	82.80	MATERIALS FOR WORK ON CROSSING MWO	SOCORRO DIVISION
149147	AL LAMI, HASAN A.	572.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149148	ALEXANDER, PHILLIP N	3,327.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149149	ARAGON, ALBINO J.	756.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149150	ARAGON, LUGE	1,197.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149151	ARMIJO, BENNIE	754.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149152	ARMIJO, FABIAN D.	716.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149153	ARMIJO, LAVERNE	823.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149154	BACA, CAROLYN J.	1,684.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149155	BACA, ERLINDA	490.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149156	BACA, GILBERT M.	1,918.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149157	BACA, JEANETTE	777.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149158	BACA, OSWALD G.	582.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149159	BAKER, GALEN	653.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149160	BALDONADO, MARY C	586.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149161	BENAVIDEZ, COONEY	2,138.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149162	BERNAL, JAMES	2,520.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149163	BIZZARI, FATIN FARID	800.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149164	BLACKBURN, RANDALL M	1,041.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149165	BLAINE, CHARLES	665.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149166	BRUNACINI STABLES	1,398.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149167	BURSTEIN, JEROME	140.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149168	C DE BACA, ROBERT	184.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149169	CARRILLO, RONNIE	561.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149170	CASTILLO, BENJAMIN	952.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149171	CHAPMAN, RICHARD	483.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149172	CHAVEZ JR., DEMETRIO	140.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149173	CORDOVA, MIGUEL	6,738.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149174	DAVIS, KENNETH L	308.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149175	DURKIN, DAWN	2,326.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149176	EICHERT, DIANA	238.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149177	ENGLISH, JOHN	1,433.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149178	FISCHER, WILLIAM F.	295.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149179	FRASER, JOSEPH	995.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149180	FREEMAN, RALPH	1,169.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149181	GABALDON, DAVID	2,664.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149182	GARCIA, DANNETTE	2,715.50	2023 EWLP FULL YEAR PAYMENT	GRANTS FUND GO

Check Number	Vendor Name	Check Amount	Description	Location
149183	GARCIA, MICHAEL A.	5,958.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149184	GARCIA, RAY A.	1,153.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149185	GARLEY, LARRY B.	693.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149186	GHERARDI, ROBERT	618.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149187	HANCHETT, DAVID	382.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149188	HILL, ALAN T	238.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149189	HILL, NICOLE	210.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149190	JARAMILLO, VIOLA J	3,137.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149191	LARDNER, DAVID	546.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149192	LARRANAGA, LESLIE D	140.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149193	LOPEZ, VERONICA	401.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149194	LUCERO, LUIS F.	779.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149195	LUNA RICHARD	560.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149196	LUNDMARK, MICHAEL	1,745.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149197	MARTINEZ ALETHEA	389.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149198	MARTINEZ, MARTIN	323.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149199	MCELVAIN, GUY W.	2,302.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149200	MESA VERDE FARMS	1,351.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149201	MONTANO, ISIDRO	2,034.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149202	MONTOYA, GEORGE	4,440.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149203	MONTOYA, JOHN A.	1,398.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149204	MORRIS, RONALD	420.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149205	NATZKE, ROSELLA A	4,902.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149206	PADILLA, ALFRED R.	497.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149207	PADILLA, DONNA	205.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149208	PAISANO, ERLAND S	1,260.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149209	PAISANO, STUART	3,728.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149210	PEREA, LOREN L.	365.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149211	PEYERL, FRED	819.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149212	POSTMASTER	7,920.00	2023 WSC PERMIT #1118 BULK MAILING	ACCOUNTING
149213	ROJAS REVOCABLE TRUS	440.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149214	ROMERO SAHR GRACE	583.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149215	ROMERO, ALBERT	1,953.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149216	ROMERO, ANTHONY M.	1,334.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149217	ROMERO, LOUIS F.	1,176.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149218	ROMERO, LUCINDA S.	5,272.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149219	ROMERO, MARTIN W.	293.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149220	ROMERO, MICHAEL P	641.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149221	ROMERO, ROSALIO G	1,866.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149222	SALAZAR, EMILIANO	569.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149223	SANCHEZ JR., CHARLIE	1,618.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149224	SANCHEZ KATHY	4,452.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149225	SANCHEZ PRISCILLA ES	1,884.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149226	SANCHEZ, ADELINO	3,496.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149227	SANCHEZ, BENITO	1,575.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149228	SANCHEZ, MARIE	1,951.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149229	SANCHEZ, RAYMOND A.	614.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149230	SCHLOTTERBACK, ROGER	1,439.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149231	SELLERS, REBECCA	1,496.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149232	SICHLER, SCOTT	2,940.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO

Check Number	Vendor Name	Check Amount	Description	Location
149233	SILVA, JACOB	490.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149234	SNAKE RANCH LLC	978.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149235	SNOW, BARBARA B	2,044.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149236	THOMAS, STEPHEN W	210.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149237	TORRES, FLORENTINO	17,652.60	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149238	TORRES, JOHN P.	1,579.20	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149239	TRUJILLO, DAVID F.	1,787.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149240	VALLE VISTA LAND	1,191.40	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149241	WILLIS, ADAM	1,038.80	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
149242	WILLIS, RICHARD	420.00	2023 EWLP 2nd PAYMENT	GRANTS FUND GO
		951,467.67	TOTAL PAYROLL	
		1,604,174.34	TOTAL CHECKS - GENERAL FUND	
		25,986.15	TOTAL CHECKS - DEBT SERVICE FUND	
		238,213.95	TOTAL CHECKS - GRANTS FUND	
		36,050.10	TOTAL CHECKS - CAPITAL INVESTMENT FUND	
		<u>\$ 2,855,892.21</u>	GRAND TOTAL	
<hr/> Pamela S. Fanelli, CFO		<hr/> Stephanie Russo Baca, Chair		

**MINUTES OF THE
SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

OCTOBER 6, 2023 - 10:00 AM

Directors having been duly notified; Madam Chair Russo Baca called the special meeting to order at 10:09 am. The following Directors and Staff were present:

DIRECTORS

STAFF

Stephanie Russo Baca, Madam Chair	Present	Jason Casuga	Chief Engineer/CEO
Karen Dunning, Vice Chair	Present	Lorna Wiggins	General Counsel
Barbara Baca, Director	Present	Pamela Fanelli	Secretary-Treasurer/CFO
John Kelly, Director	Present		
Joaquin Baca, Director	Absent		
Glen Duggins, Director	Present		
Michael T. Sandoval, Director	Present		

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

Eli Lovato, AES	Ernie Marquez, AES	Carol Benavidez
Jerome Cordova	Brian Jiron	Beau Gonzales
Josh Hind, MRGCD	Amanda Molina, MRGCD	Doug Strech, MRGCD

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Eli Lovato led the Pledge of Allegiance at today’s meeting.

Madam Chair Russo Baca declared a quorum, and the meeting was publicly noticed.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

There were no changes made.

Vice Chair Dunning made the **MOTION TO APPROVE THE MEETING AGENDA**.
Seconded by Director Sandoval. The **MOTION CARRIED**.

AGENDA ITEM NO. 3 – CANVASSING OF RESULTS – Eli Lovato, Automated Election Services

Mr. Lovato declared the winners as Stephanie Russo Baca for the At Large position, John P. Kelly for the Bernalillo County position and Brian Jiron for the Valencia County position.



Middle Rio Grande Conservancy District
Board of Directors Election
Tuesday, October 3, 2023

OFFICIAL ELECTION RESULTS

DIRECTOR AT-LARGE POSITION NUMBER 1	Total Votes	%
STEPHANIE A. RUSSO BACA	1124	56.17%
JEROME CORDOVA	877	43.83%
BERNALILLO COUNTY DIRECTOR POSITION NUMBER 2	Total Votes	%
JOHN P. KELLY	630	100.00%
VALENCIA COUNTY DIRECTOR POSITION NUMBER 5	Total Votes	%
CAROL BENAVIDEZ	515	43.50%
KIRSTEN COUEVAS	123	10.39%
BRIAN JIRON	516	46.11%

33 Vice Chair congratulated both San Felipe and Isleta pueblos as she said they both had people
34 vote. She expressed her disappointment with Cochiti, Santo Domingo and Sandia pueblos as
35 the District made voting available to them and then no one voted.

36
37 Discussion ensued about better turnout amongst the pueblos and District wide communities.
38 The total qualified electors for this election due to the fact that the At Large position was open
39 was said to be over 88,000 individuals and the turnout was very low.

40
41 Director Duggins thanked Carol Benavidez for her efforts as they all know what it takes to put
42 your name on a ballot. He said the only losers are those who never tried. Ms. Benavidez
43 thanked the board for the opportunity.

44
45 **AGENDA ITEM NO. 4 – MOTION TO APPROVE DECLARATION OF RESULTS /**
46 **CERIFICATION OF OFFICIAL CANVASS**

47
48 Director Kelly began to make the motion to approve Declaration of Results and Certification of
49 Official Canvass.

50
51 Chair Russo Baca recused herself from the At Large position vote.

52
53 Vice Chair Dunning made the **MOTION TO AMEND THE MOTION AS TWO SEPARATE**
54 **VOTES.** Seconded by Director Kelly. Rollcall vote was administered, and the **MOTION**
55 **CARRIED.**

Director Baca	Yes	Chair Russo Baca	Abstained
Director Sandoval	Yes	Vice Chair Dunning	Yes
Director Kelly	Yes	Director Duggins	Yes

56
57
58
59 With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the
60 meeting at 10:23 a.m.

61
62 Approved to be the correct Minutes of the Board of Directors of October 6, 2023.

63
64
65 **ATTESTED:**

66
67
68
69 _____
70 Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Chair
MRGCD Board of Directors

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**MINUTES OF THE
SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

OCTOBER 9, 2023 - 1:30 P.M.

Directors having been duly notified; Madam Chair Russo Baca called the special meeting to order at 1:53pm. The following Directors and Staff were present:

DIRECTORS

Stephanie Russo Baca, Madam Chair	Present
Karen Dunning, Vice Chair	Present
Barbara Baca, Director	Present
John Kelly, Director	Present
Joaquin Baca, Director	Present
Glen Duggins, Director	Absent
Michael T. Sandoval, Director	Present

Jason Casuga
Lorna Wiggins
Dr. Charles DuMars
Pamela Fanelli
Eric Zamora
Anne Marken
Matt Martinez

STAFF

Chief Engineer/CEO
General Counsel
Chief Water Counsel
Secretary-Treasurer/CFO
Chief Operating Officer
Water Distribution Division Mgr.
Water Operations Division Mgr.

11
12 The following names of individuals were interested viewers, callers and/or participants

Brian Jiron	Margaret Jiron	Savannah Jiron
Caleb Jiron	Noah Jiron	Philip Jiron
Avelino Baca	Brock Baca	Martin Baca
Catherine Terranova	Amanda Molina, MRGCD	Christine Nardi, MRGCD
Josh Hind, MRGCD	Michael Padilla, MRGCD	Estella Gamboa, MRGCD

13
14 **AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE**

15
16 Caleb Jiron, son of the newest Valencia County director, led the Pledge of Allegiance at today's
17 meeting.

18
19 Madam Chair Russo Baca declared a quorum, and the meeting was publicly noticed. This
20 meeting was a hybrid meeting although no one attended virtually.

21
22 **AGENDA ITEM NO. 2 – CALL TO ORDER**

23 a. Oath of Office of Newly Elected MRGCD Directors - Honorable Judge J. Miles Hanisee,
24 NM Court of Appeals

- 25 1. At-Large Position No. 1 - Stephanie Russo Baca
26 2. Bernalillo County Position No. 2 - John P. Kelly
27 3. Valencia County Position No. 5 - Brian Jiron
28

29 Unfortunately Honorable Judge J. Miles Hanisee did not attend. Lorna M. Wiggins, the MRGCD
30 General Counsel, swore in the newly elected directors and had them sign their oaths of office.
31 She began with the At-Large position and the Valencia County position. Ms. Wiggins
32 reconvened and ended the call to order with the Bernalillo County position after Director Baca's
33 recognition.

34
35 b. Presentation of Election Certificate

36
37 The newly elected directors were presented with their certificates of election.

38
39 c. Recognition of outgoing Board Members
40

41 Director Barbara Baca was recognized for her work with MRGCD through the years and both
42 staff and fellow directors thanked her. Mr. Casuga also presented Director Baca with parting
43 gifts. Director Barbara Baca thanked MRGCD staff, constituents, and rate payers and said it
44 was a true pleasure to serve on the board.

45

46 **AGENDA ITEM NO. 3 - ADJOURN**

47

48 With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned
49 the meeting at 2:14 pm. A reception to celebrate both retiring and newly elected directors was
50 had with the board, staff, family and friends.

51

52 Approved to be the correct Minutes of the Board of Directors of October 09, 2023.

53

54

55 **ATTESTED:**

56

57

58

59

60 _____
61 Pamela Fanelli, CMA, CGFM
Secretary-Treasurer/CFO

Stephanie Russo Baca, Madam Chair
MRGCD Board of Directors

DRAFT

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**MINUTES OF THE
2,204th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

OCTOBER 9, 2023 - 3:00 PM

Directors having been duly notified; Madam Chair Russo Baca called the regular meeting to order at 3:03 pm. The following Directors and Staff were present:

DIRECTORS

Stephanie Russo Baca, Madam Chair Present
Karen Dunning, Vice Chair Present
Brian Jiron, Director Present
John Kelly, Director Present
Joaquin Baca, Director Present
Glen Duggins, Director Absent
Michael T. Sandoval, Director Present

STAFF

Jason Casuga Chief Engineer/CEO
Lorna Wiggins General Counsel
Dr. Charles DuMars Chief Water Counsel
Pamela Fanelli Secretary-Treasurer/CFO
Eric Zamora Chief Operating Officer
Anne Marken Water Distribution Division Mgr.
Matt Martinez Water Operations Division Mgr.

11
12 The following names of individuals were interested viewers, callers and/or participants

Margaret Jiron	Caleb Jiron	Savannah Jiron
Noah Jiron	Philip Jiron	Catherine Terranova
Avelino Baca	Brock Baca	Martin Baca
Casey Ish, MRGCD	Amanda Molina, MRGCD	Christine Nardi, MRGCD
Josh Hind, MRGCD	Michael Padilla, MRGCD	Estella Gamboa, MRGCD
Mark Garcia	Derek Jarner, MRGCD	Dan Krupiak
Santiago Maestas	Jerry Montaño	Troy Richardson
Tony Tafoya	John Thompson, MRGCD	John Fleck

13
14 **AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE**

15
16 Madam Chair Russo Baca acknowledged Indigenous People's Day.

17
18 Director Jiron led the Pledge of Allegiance at today's meeting.

19
20 Madam Chair Russo Baca declared a quorum, and the meeting was publicly noticed. This
21 meeting was a hybrid meeting.

22
23 **AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA**

24
25 Items 4 and 13(f) were removed from the agenda.

26
27 Madam Chair Russo Baca made the **MOTION TO APPROVE THE MEETING AGENDA**
28 **with the above changes.** Seconded by Director Joaquin Baca. The MOTION CARRIED
29 UNANIMOUSLY.

30
31 **AGENDA ITEM NO. 3 - CONSENT AGENDA**

- 32
33 a. **Consideration/Approval of Payment Ratification - October 9, 2023**
34 b. **Consideration/Approval of September 2023 Invoice for Wiggins, Williams &**
35 **Wiggins**
36 c. **Consideration/Approval of September 2023 Invoice for Law and Resource**
37 **Planning Assoc.**

- 38 **d. Consideration/Approval of the Minutes for the Regular Meeting Board Meeting -**
 39 **September 11, 2023**
 40 **e. Consideration/Approval for Purchasing a 1-ton Pickup Truck - Richard DeLoia,**
 41 **CPO**
 42 **f. Memo on MRGCD Approved Licenses for September 2023 (For informational**
 43 **Purposes Only)**
 44

45 Vice Chair Dunning recommended naming the directors that had any nay votes in the record, so
 46 constituents knew who voted for or against motions. It was decided that would occur going
 47 forward.

48
 49 Vice Chair Dunning made the **MOTION TO APPROVE THE CONSENT AGENDA with**
 50 **the above changes.** Seconded by Director Kelly. **The MOTION CARRIED UNANIMOUSLY.**

51
 52 **AGENDA ITEM NO. 4 - REORGANIZATION OF THE BOARD** - Lorna Wiggins, MRGCD
 53 **General Counsel**
 54

55 Director Kelly nominated Stephanie Russo Baca to be the Chair. No other nominations were
 56 made.

57
 58 Director Joaquin Baca made the **MOTION TO CLOSE NOMINATIONS FOR CHAIR OF**
 59 **THE BOARD.** Seconded by Director Sandoval. **The MOTION CARRIED UNANIMOUSLY.**

60
 61 Ms. Wiggins then asked the board if they would like to recognize Director Russo Baca as the
 62 continuing chair of the board or if they wanted to take a vote. Director Kelly believed it's by
 63 acclamation and consensus to keep her as the chair.

64
 65 Director Kelly nominated Karen Dunning to continue to be the vice chair. No other nominations
 66 were made.

67
 68 Director Sandoval made the **MOTION TO CLOSE NOMINATIONS FOR VICE CHAIR**
 69 **OF THE BOARD.** Seconded by Director Joaquin Baca. **The MOTION CARRIED**
 70 **UNANIMOUSLY.**

71
 72 Ms. Wiggins then asked that it's within the board's discretion to recognize by acclamation
 73 Director Dunning's position as vice chair or to have an election. There was a consensus to
 74 recognize Director Dunning as vice chair. She congratulated Director Russo Baca as chair and
 75 Director Dunning as vice chair.

76
 77 **AGENDA ITEM NO. 5 - 2023-24 BOARD COMMITTEE ASSIGNMENTS** - New Chairperson
 78

79 Madam Chair Russo Baca discussed all the board committee openings and asked each of the
 80 directors to pick the top three committees they would like to be on. She welcomed the newest
 81 director to talk to the other board members who sit on the current committees, as long as they
 82 do not have a rolling quorum, meaning having a discussion with two or more members.

83
 84 Director Kelly said there was interest from the community that they set up a process for getting
 85 input from farmers and had told people he would support forming an Urban Issues Advisory
 86 Committee. He felt that the members of the Urban Issues Committee could be on the advisory
 87 committee and to keep that in mind.
 88

89 Dr. DuMars recommended keeping in mind that the quantity of irrigation water rights, the
 90 number that are available have been steadily shrinking. He felt the combination of those issues,
 91 the proof of beneficial use issue and how that inner relates to the current quantities of water that
 92 are utilized by the irrigators within the District will be an important subset of the issues that
 93 would be taken up by the Urban Issues Advisory Committee.
 94

95 Madam Chair Russo Baca said she had been working with staff on a Farmers Advisory
 96 Committee to be more transparent and have better communication with the public.
 97

98 Mr. Casuga asked if they've thought through how members would be selected or did they have
 99 a methodology for filling these committees. Director Kelly replied that he would look to him and
 100 his staff for guidance on that similar to the Conservation Advisory Committee.
 101

102 There was question if the advisory committees would be the same as the other committees or
 103 separate. Mr. Casuga explained that the advisory committees provided input to the committee
 104 members. He thought that the board committees themselves still have to reside to be able to
 105 provide direction and recommendations to the whole board.
 106

107 **AGENDA ITEM NO. 6 - Update on the 2023 Irrigation Season**

108
 109 **a. Report on the Water Supply Conditions - Anne Marken, Water Ops Division
 110 Manager**

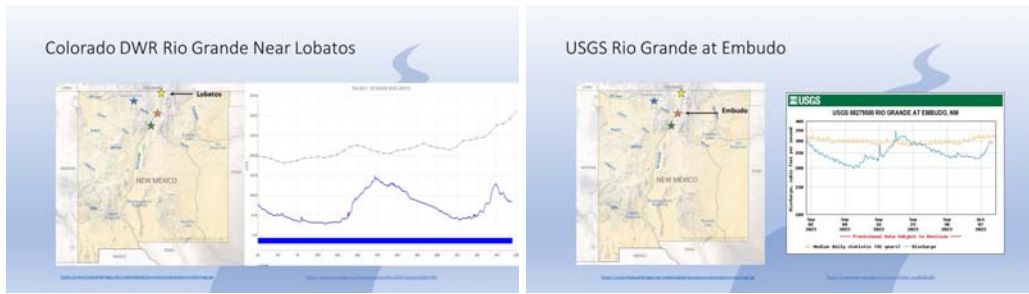
111
 112 Ms. Marken stated that within the last month of irrigation season, the cooler weather slowed the
 113 decline in the inflows. She showed the hydrographs and updated the Board on the CFS
 114 amounts as follows: 40 CFS at La Puente Gauge, 85 CFS at Lobatos Gauge, 280 CFS at
 115 Embudo Gauge, 1500 CFS at the Otowi Gauge. This gauge is reporting higher because the
 116 Corps of Engineers was moving native Rio Grande water that is stored for this spring for flood
 117 control purposed down to Cochiti Reservoir. That water is going to be released from Cochiti
 118 starting in November to be delivered to Elephant Butte.
 119

120 She reported that 380 CFS of water entering the middle valley below Cochiti, 70 CFS of this
 121 release is San Juan Chama water that will be released by the Bureau of Reclamation to support
 122 river flows through the middle Rio Grande, which leaves about 310 CFS inflow below the Cochiti
 123 Dam for irrigation purposes. She expressed that MRGCD had no storage water to augment
 124 native Rio Grande inflows and did not have enough available water to meet all of the irrigation
 125 demand to non-prior and paramount lands but said they are distributing the available flows as
 126 equitably as possible.
 127

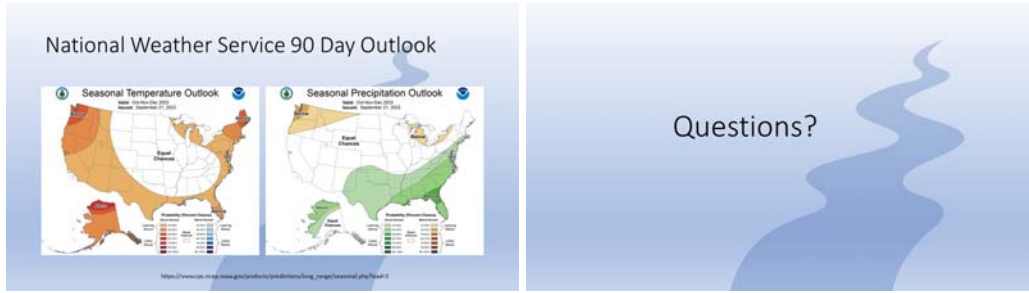
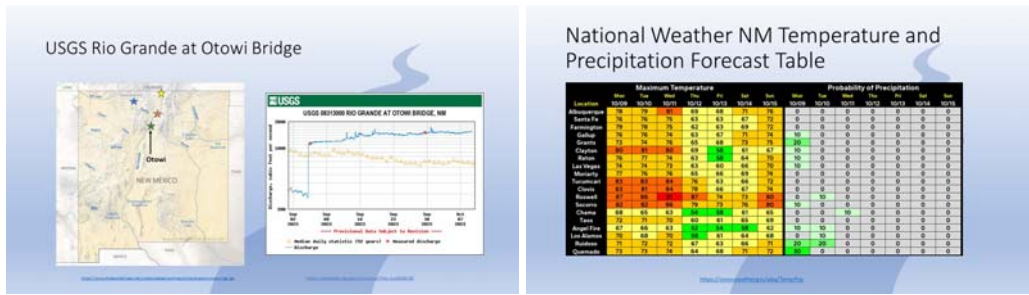
128 With the cooler weather in the forecast, she thought MRGCD will be able to continue to make
 129 limited irrigation deliveries to non-pueblo irrigators for the remainder of the irrigation season. Ms.
 130 Marken said the National Weather Service forecasted above average temperatures and equal
 131 chances for above or below average precipitation through December.
 132



134
135



136
137



138
139

140 Mr. Casuga asked her to explain the Corp's storage of floodwater. Ms. Marken stated in the
 141 spring, inflows into the Rio Chama and the Rio Grande were so high that this water was passed
 142 below both Abiquiu and Cochiti Reservoir, there was risk that flooding of downstream
 143 communities was possible. The Corp has authorized to store native Rio Grande water in those
 144 two reservoirs when there's flood risk downstream of them. With the Rio Grande Compact
 145 restrictions in place, which prohibited some stored of Rio Grande water at times. The Corp was
 146 not authorized to store native Rio Grande water for other purposes other than flooding. She
 147 continued to state that the Corp, after the natural hydrograph started to recede and we saw
 148 flows come down, the Corps released that water from storage quickly. They have a requirement
 149 in their water control manual, which is tied to the Compact as well, that whatever they haven't
 150 evacuated from storage by July 1 has to stay lock up in storage until the end of the MRGCD
 151 irrigation season in November. The purpose of that is their storage is for flood and not to
 152 augment irrigation in the middle Rio Grande. She said that if they continued to release that
 153 stored water through the summer, they would have taken advantage of those waters coming
 154 through the middle Rio Grande.

155
 156 Madam Chair Russo Baca mentioned that they would see much water from the San Juan
 157 Chama releases coming down the river but that is not for MRGCD San Juan Chama allocation.
 158 She requested that a press release be put out on that before the releases occur in November.
 159

160 Vice Chair Dunning asked if there was enough water at the Corrales siphon pumps. Ms.
 161 Marken answered no that it took over 300 CFS to get the pumps operating.
 162

163 Director Kelly asked how the Corps was doing on revising the water control manual so they
 164 could store native water in Abiquiu the next year. Mr. Casuga replied they had productive
 165 conversations, and all indications are the Corps will be complete with all items that they control
 166 by January 31. He also stated the District is working with the Bureau of Reclamation and
 167 ABCWUA to secure the sub allotment agreement contracts.
 168

169 Discussion ensued. Mr. Casuga added he expected to be out of Article VII around Christmas
 170 but would not be out of Article VI of the Rio Grande Compact. He stated that once they finished
 171 the sub-allotment agreement contracts with the new water control manual, they could proceed
 172 faster on discussions with the State on relinquishment credits.
 173

174 Director Jiron asked about an El Vado update. Mr. Casuga answered Reclamation would come
 175 to the November meeting with a construction update.
 176

177 **b. Status Report on Water Distribution - Matt Martinez, Water Distribution Division**
 178 **Manager**
 179

180 Ms. Marken reiterated that the amount of water coming into the middle Rio Grande was enough
 181 to meet prior and paramount demand but not enough to meet all of MRGCD's irrigation demand.
 182

183 Mr. Casuga added that when water became available for the irrigators to please take it because
 184 they did not know when it would come around again.
 185

186 See Appendix "A" for Matt Martinez's written report.
 187

188 **AGENDA ITEM NO. 7- ITEMS FROM THE FLOOR (Comments are limited to six (6)**
 189 **minutes)**
 190

191 **Mark Garcia**
 192

193 Mr. Garcia, president of Farmers for Future Farmers, discussion was had at the last meeting
 194 regarding work orders and said there were many farmers that needed turnouts repaired. He
 195 asked what the process was to get that done and who the irrigators go to regarding this matter.
 196

197 **Santiago Maestas**
 198

199 Mr. Maestas, an irrigator and commissioner on the Pajarito Acequia, stated they had a meeting
 200 and there were comments from irrigators regarding trash in the acequia making it difficult to
 201 walk along the acequia to get to turnouts. Regarding irrigation scheduling, he said it's difficult to
 202 maintain a good pressure head on the acequia. He proposed getting capital outlay funds from
 203 legislators to use funds to make improvements, such as, a long crested weir on the Pajarito
 204 Acequia to even out the distribution of water. He provided copies of the MOA between MRGCD
 205 and the Pajarito Acequia for year 1935.
 206

207 Director Kelly stated that to install a long crested weir, it would take a hydrologic analysis of the
 208 system including crossings and culverts. He also added the District has state money for
 209 projects out to bid, and other than a rough engineer's estimate, he felt the District would not be
 210 able to provide any conceptual drawings or very much in advance of the legislative session. He
 211 asked for patience as the District's short staffed with huge priorities currently, such as, a
 212 collapsed culvert in the Isleta Pueblo project.
 213

214 **Jerry Montañó**

215
216 Mr. Montañó stated they had a problem with ditch riders. He said they do not answer the phone
217 and asked about the procedure. He also said he was told a turnout would be fixed that had not
218 been from last year. He asked if or when the design of the pumping station would be on the
219 website.

220
221 Mr. Casuga spoke on the Feeder 3 project which is going out for a preliminary alternative or
222 alternative analysis. The District doesn't have all the funding needed for a project like that. He
223 said they are seeking grant funding, gathering what's feasible to scale the project and then
224 apply. He stated there will be a public process to the alternatives for the feeder and that it
225 would advertised.

226
227 Director Baca added that the preferred method is to follow up through District staff and the chain
228 of command, that the board of directors can be called also.

229
230 **Dan Krupiak**

231
232 Mr. Krupiak said the property line issue he brought up at last month's meeting was not taken
233 care of as promised. He said the property was causing him \$4,000 per month in interest while
234 he was waiting.

235
236 Mr. Casuga stated the District as a government agency follows a procurement process and said
237 the survey would be done towards the end of the week. He reminded him of their phone
238 conversation saying if it required a board action he would bring it to the Board. If not, he said he
239 had great discussion to settle once he reviewed and understood the survey.

240
241 **Tony Tafoya**

242
243 Mr. Tafoya said the last irrigation for the Sandoval Lateral from Dixon Road to the south end
244 was August 3rd and the pumps shut down August 17th. He talked about all the plants he's lost
245 in the past two years and the trees currently in danger. He said he took a ride to see how the El
246 Vado Dam was coming along and was disappointed on the progress. He felt the siphon project
247 was by far the most important to get done now. He felt the pumps could be lowered to get some
248 of the river water and Corrales could enjoy rotation of water at least once a month.

249
250 **Troy Richardson**

251
252 Mr. Richardson thought storage at Abiquiu was very important and wondered why the
253 agreement wasn't in place before construction began at the El Vado dam. He also felt the
254 bosque riparian zone problem needed to be solved. He stated the District should be working
255 with the Bureau of Reclamation and whatever other agencies that will cooperate on thinning the
256 bosque through the middle Rio Grande and farther down to get our delivered water to Elephant
257 Butte.

258
259 Director Kelly asked Mr. Tafoya and Mr. Richardson to attend the November meeting when the
260 Bureau will brief the board on the El Vado Dam because of the lack of geotechnical inspection
261 with the cementitious grout.

262
263 **AGENDA ITEM NO. 8 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT -**
264 **Christine L. Nardi, MBA**

265
266 **a. Introduction of MRGCD New Hires**

267
268
269
270
271

Ms. Nardi announced MRGCD new hires and any job changes which included an ISO for the Belen Division in Valencia County and a promotion for the Right-of-Way Supervisor in the General Office. She reported that the vacancy rate sat at 10%.



Memorandum

To: MRGCD Chair Russo-Baca and Board of Directors
Through: Jason M. Casuga, Chief Engineer/CEO
From: Human Resources
Date: October 9, 2023
Re: Introduction of New Hires and Job/Title Changes

General Office

PAUL	ARAGON	IRRIGATION SYSTEMS OPERATOR	10/2/2023
MICHAEL	PADILLA	RIGHT-OF-WAY SUPERVISOR	10/2/2023 PROMOTION

272
273
274
275
276
277

AGENDA ITEM NO. 9 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO - Pamela Fanelli, CMA, CGFM

a. Consideration/Approval for Resolution #BA-10-09-23-92 for Budget Adjustment for the Highway 147 Project

278
279
280
281
282

Ms. Fanelli submitted Resolution BA-10-09-23-92 for a budget adjustment in FY24 at \$3.1 million to pay for the unforeseen collapse of the culvert crossing of New Mexico Highway 147, at the Isleta Riverside Drain and two additional unanticipated crossing damages at the Albuquerque Main Canal at station 400+00± and the Bosque No. 2 Lateral at station 30+00±.

283
284
285

Director Kelly reported that the Finance Committee discussed the matter and moved to approve the resolution.

286
287
288

Director Kelly made the **MOTION TO APPROVE RESOLUTION #BA-10-09-23-92 FOR BUDGET ADJUSTMENT FOR THE HWY 147 PROJECT.** Seconded by Director Jiron. **The MOTION CARRIED UNANIMOUSLY.**

289
290
291

b. Consideration/Approval for Resolution #M-10-09-23-203 for the Equipment Loan Application to NMFA

292
293
294
295
296
297
298
299

Ms. Fanelli submitted Resolution #M-10-09-23-203 for approval to apply for an equipment loan to NMFA in the amount of \$2,964,945. She said the budgeted amount of the loan was originally \$2,175,000. The increase is because the District will be spending approximately \$800,000 on the unanticipated infrastructure failures from the Capital Investment Fund. She continued saying that they are increasing the amount of the loan to purchase much needed equipment. She added that this increase in the budget was just approved in the previous budget amendment.

300 Madam Chair Russo Baca made the **MOTION TO APPROVE RESOLUTION #M-10-**
 301 **09-23-203 FOR THE EQUIPMENT LOAN APPLICATION TO NMFA.** Seconded by Vice Chair
 302 Dunning. **The MOTION CARRIED UNANIMOUSLY.**

303
 304 **c. Consideration/Approval for Resolution #M-10-06-23-202 Authorizing the Execution**
 305 **and Delivery of the Corrales Water Trust Board Grant/Loan**
 306

307 Ms. Fanelli submitted Resolution #M-10-09-23-202 to authorize the execution and the delivery
 308 of the Corrales Water Trust Board Grant/Loan. The grant amount is \$6,372,000, the loan
 309 amount is \$708,000 and the District match is \$1,416,000 for the total cost of the project of
 310 \$8,496,000.

311
 312 Vice Chair Dunning made the **MOTION TO APPROVE RESOLUTION #M-10-06-23**
 313 **202.** Seconded by Madam Chair Russo Baca. **The MOTION CARRIED UNANIMOUSLY.**

314
 315 **d. Consideration/Approval of the First Quarter Financial Statements and Finance**
 316 **committee report - Pam Fanelli, CFO and the Report on the Finance Committee**
 317 **Meeting, October 6, 2023 - Directors Kelly, Dunning and Barbara Baca**
 318

319 Ms. Fanelli reported that the District has not received the first half of the 2023 tax distribution, so
 320 currently revenues are low, and expenditures are high. She said they depend on the reserves to
 321 pay the bills in the first quarter. Revenues for the general fund totaled \$850,000, and
 322 expenditures totaled \$5,800,000. She also provided the budget to actuals for the debt service
 323 fund, the grant fund, and the capital investment fund.

324
 325 Mr. Kelly reported that the Finance Committee reviewed the first quarter and said MRGCD is
 326 spending money off of reserves until the taxes start arriving in December and January, and then
 327 the second round in May and June. He agreed that they're behind in revenues and ahead in
 328 expenses. He felt it'll be resolved eventually and added MRGCD is not required to submit this
 329 to DFA but will submit the final quarter to DFA (NM Department of Finance and Administration).

330
 331 Director Kelly made the **MOTION TO APPROVE THE FIRST QUARTER FINANCIALS**
 332 **AS PRESENTED AND THE REPORT ON THE FINANCE COMMITTEE MEETING.** Seconded
 333 by Vice Chair Dunning. **The MOTION CARRIED UNANIMOUSLY.**

334
 335 **AGENDA ITEM NO. 10 - REPORT(S) FROM THE PROCUREMENT OFFICER - Richard**
 336 **DeLoia, CPO**
 337

338 **a. Consideration/Approval of the Peralta Pedestrian Bridge Installation**
 339

340 Mr. DeLoia presented for the approval of the Peralta pedestrian bridge installation and
 341 requested approval for the installation and construction to Lopez Precision, LLC for \$137,821.17
 342 including tax. He stated this project is awarded through the current MRGCD on-call
 343 construction contracts, which were obtained through the request for proposal process.

344
 345 Mr. Casuga said this is for the capital appropriations 21-F4090. He stated it's a culmination of
 346 multiple years' worth of work for which the District received capital outlay money. Not a fast
 347 process, he said they are in the third year, but this will be the final construction and placement
 348 of the bridge.

349
 350 Madam Chair Russo Baca welcomed Andrew Hautzinger to come forward as the bridge is part
 351 of the Whitfield Wildlife Conservation area. Mr. Hautzinger, on behalf of the board of directors

352 of Valencia Soil and Water Conservation District, said they were very thankful for the continued
 353 support and partnership of the MRGCD.

354

355 Director Kelly made the **MOTION TO APPROVE THE AWARD OF THE PERALTA**
 356 **PEDESTRIAN BRIDGE INSTALL TO LOPEZ PRECISION IN THE BID AMOUNT OF**
 357 **\$127,538.39 PLUS TAXES AS MAY BE APPLICABLE AS MAY BE CHANGED BY THE**
 358 **STATE DURING THE COURSE OF THE PROJECT.** Seconded by Vice Chair Dunning. The
 359 **MOTION CARRIED UNANIMOUSLY.**

360

361 **b. Consideration/Approval of the NM 147/Isleta Drain Emergency Culvert**
 362 **Replacement**

363

364 Mr. DeLoia requested approval for the replacement of the damaged Isleta Drain Culvert
 365 Crossing under NM 147 within the Pueblo of Isleta to AUI Incorporated for \$2,241,632.99
 366 including tax. He stated this project is awarded through the current MRGCD on-call construction
 367 contracts, which were obtained through the request for proposal process.

368

369 Further discussion ensued regarding the wage scale with Mike Rocco from AUI Inc. He went on
 370 to explain that this will be a unique project utilizing tunnel boring method, which he stated is very
 371 tough construction. He said approximately 450 feet of tunnel boring underneath Highway 147
 372 and also the Belen Highline Canal. He continued saying it's a massive de-watering also, pipe
 373 inside a pipe, dual containment pipe. He hoped for no disturbances as the traffic lanes would
 374 be open at all times.

375

376 Director Kelly made a **MOTION TO AWARD THE CONTRACT TO AUI INC. FOR**
 377 **\$2,241,632.99 INCLUDING NMGRT WITH THE CAVEAT THAT WHEN WE GET THE WAGE**
 378 **RATE DECISION, WE LOOK AT THE LABOR COMPONENT OF THE PROJECT.** Seconded
 379 by Director Sandoval. The **MOTION CARRIED UNANIMOUSLY.**

380

381 **c. Consideration/Approval of Feeder No. 3 Pump Station Planning and Conceptual**
 382 **Design**

383

384 Mr. Deloia requested approval for the Belen Feeder 3 pump station alternative analysis and
 385 conceptual design task order to Bohannan Huston for \$148,453.08 with tax. He stated this
 386 project is awarded through the current MRGCD on-call construction contracts, which were
 387 obtained through the request for proposal process.

388

389 Mr. Casuga added it included an alternative analysis that will conform with USDA bulletin 17-80-
 390 2. He felt it's important as they want to be able to use all of this work to apply for grant funding,
 391 be that BOR, USDA, and hopefully couple that with some state in our funding as well. He said
 392 this needs to conform, so that it doesn't eliminate the District's ability to apply for funding
 393 opportunities to help fund final design and construction.

394

395 Director Kelly made the **MOTION TO APPROVE THE ENGINEERING**
 396 **SERVICES TASK ORDER WITH BOHANNAN HUSTON FOR THE FEEDER 3 BOOSTER**
 397 **STATION IN THE AMOUNT OF \$137,935.50 WITHOUT TAX.** Seconded by Director Jiron.
 398 The **MOTION CARRIED UNANIMOUSLY.**

399

400 **AGENDA ITEM NO. 11 - REPORT(S) FROM THE CHIEF OPERATING OFFICER - Eric**
 401 **Zamora, PE**

402

403 **a. MRGCD Division Manager Updates - Derek Jarner, Albuquerque Division Manager**

404
405 Mr. Jarner felt things were going well. He reported that he manages 46 employees within the
406 division with a 9% vacancy rate. He felt lucky to have good, hard-working crew. He said the
407 division boundaries' shifted and they were spending more time in Isleta due to levee issues. He
408 said trees were a big topic of discussion and the costs of tree removal had gone up. Mr. Jarner
409 stated the Land and Licensing Team received 49 public requests this year from the public of
410 which 41 are in the Albuquerque Division. He expressed that the main infrastructure needs and
411 issues in the Albuquerque Division lie within Corrales at the Corrales Siphon, an Isleta, Highway
412 147.

413
414 Director Baca asked for an update on the Carson Zearing ditch fences and gates. Mr. Jarner
415 replied that they removed fencing along Carson Road on the Alameda Drain, mostly at the
416 crossings, and south down to Mountain Road. Mr. Casuga added the one the director is
417 inquiring on is a different right of way encroachment issue which is pending.

418
419 Vice Chair Dunning inquired on what they did with the debris after clearing. Mr. Jarner said they
420 gave some wood chips to Corrales Fire Department, hauled some to stockpiles and some to the
421 dump.

422
423 Vice Chair Dunning also asked how the division is preparing with the tree issues between
424 natural aging and that they're reaching the end of their life span, climate change, and drought
425 stricken. Mr. Casuga wished he could give a better financial outlook for trees in the future, but
426 the best thing they could do was spend the money they allocated annually.

427
428 Madam Chair Russo Baca requested a ride along of the divisions for Director Jiron. Mr. Casuga
429 stated they will definitely do that as part of training for new areas. That will involve the division
430 manager and the chief operations officer to understand all the operation challenges. He said he
431 can participate also, if needed, regarding discussions about ongoing legal actions in different
432 areas.

433
434 Eric Zamora added that they would be meeting to discuss winter work list. This is the time of
435 year where we get together and start looking at our offseason work, what needs to be done prior
436 to March 1 irrigation season. He said they are coordinating with BIA's designated engineer to
437 review all the pueblo work awaiting their feedback. Also he reported he will be contacting
438 Valencia County and Bernalillo County emergency management in preparation for what is
439 shaping up to be a good El Nino and hopefully some good snow pack.

440
441 **b. Report on the Homelessness Initiative**

442
443 Mr. Zamora gave a background on several meetings over the last few years with Valencia
444 County Sheriff's and Valencia County administration regarding homelessness issues. He said
445 they had to start talking about how to approach a trespass with a camper. He said the steps
446 were to identify that camp, make contact with the camper, and ideally remove camps, but there
447 were several legal and procedural issues. Have they given proper notification and what is the
448 status of that notification. Legally, does a camper have X number of days to remove their
449 encampment or do they have to be notified X number of days in advance. He stated our legal
450 staff would provide some commentary on an order or a preliminary injunction that was issued in
451 the second judicial district that provides that campers have personal property rights to the items
452 they have in the encampments. He said they wanted to know how to deal with it properly and
453 not violate anyone's civil rights. He said they had an issue with the sheriff's office wanting the
454 District to take the lead in making contact with an individual on the levee that was shooting with
455 a firearm. Mr. Zamora said they were aware homeless people had rights and they did not want

456 to violate that, but also wanted them to exist in a safe manner and not to pose any dangers to
457 the public or bosque.

458

459 Director Baca said he was concerned about the recent ruling and felt they would have more
460 encampments in the winter which could potentially lead to fires. He said they really needed to
461 address it more.

462

463 **AGENDA ITEM NO. 12 - REPORT(S) FROM THE CHIEF ENGINEER - Jason M. Casuga, PE**

464

465 **a. Report on the Centennial Luncheon, September 28, 2023 - Jason M. Casuga,**
466 **CE/CEO, Chair Russo Baca, Vice Chair Dunning, and Directors Kelly, Joaquin**
467 **Baca, Duggins and Barbara Baca**

468

469 Amanda Molina, the PIO, said the Centennial Lunch was a success and she had gotten some
470 great feedback. She gave credit to John Fleck for a job well done and the wonderful storyteller
471 he is. She's working on getting the video and photo on the website. She thanked everyone
472 who helped put it together and everyone who came. She specifically wanted to thank Tarah
473 Jaramillo in helping her keep organized and keeping the event moving smoothly; Yasmeen
474 Najmi for doing a wonderful job choosing those historic photos in the gallery and Josh Hind for
475 being super helpful in the audio and visual.

476

477 Discussion ensued. Mr. Casuga added that Mr. Fleck's presentation was very engaging, and he
478 had received nothing but positive feedback. He said it gave them a vision for what 2025 could
479 be like.

480

481 Dr. DuMars suggested for the next celebration they could integrate the rich pueblo history. He
482 felt Mr. Fleck did a wonderful job of taking the formation of the District, but there has been 200
483 years of history prior to that, and he felt that might be something to think about.

484

485 **b. Report on the Abiquiu Storage Environmental Compliance Meeting, September 25,**
486 **2023 - Jason M. Casuga, CE/CEO and Casey Ish, Conservation Program**
487 **Supervisor.**

488

489 Casey Ish said they were making good progress on securing storage in Abiquiu for 2024, but
490 they had to keep some things in mind, like the obligation on behalf to the Water Utility Authority
491 and MRGCD to secure for the new sub allotments with access for 40,000 acre feet of storage.
492 He said a big step in front of them is final cultural review. He said they had a meeting with the
493 Water Utility Authority the next day and would hopefully have an estimate on a contract by the
494 end of the week. Mr. Ish added they currently had about 53,000 acre feet of relinquishment
495 credit with the state.

496

497 Mr. Casuga asked the board to imagine a system and flexibility having both the ability to store
498 both native and San Juan Chama water at El Vado and Abiquiu.

499

500 **c. Report on the Water & Natural Resources NM Legislative Committee Meeting,**
501 **October 3, 2023 - Jason M. Casuga.**

502

503 Mr. Casuga said he was there on the panel with the State Engineer, Interstate Stream Director,
504 EBID, and Sierra County Soil & Water Conservation. He said they talked about southern water
505 issues and compliance with the Compact. He stated he wanted to focus on MRGCD water
506 management and the objectives there, which were meet irrigation demands, operate in a
507 manner that helped keep New Mexico out of debt status, and comply with ESA obligations. Mr.

508 Casuga said he listed everything the District committed to from 2020 to 2023 and also put it out
 509 there that they needed to stop calling it the Low Flow Conveyance Channel and call it what it is
 510 a compact compliance channel or a compact conveyance channel. He said water was coming
 511 out, but the drain accumulated it all and it never went back to the river, which was required. He
 512 said they were fighting to have an outlet opened up to allow it to drain and operate like a drain.
 513 Mr. Casuga added that the channel had the potential to benefit the lower Rio Grande, middle
 514 Rio Grande, and the ecosystem. He asked for trust in them to do what they needed to do.

515
 516 Director Baca said he was for the use of the Low Flow Conveyance Channel and strongly
 517 advised not to use the word “wasted” water because it led to an erroneous belief.
 518

519 Dr. DuMars stated that the settlement between New Mexico, Texas, and Colorado said if
 520 Elephant Butte Irrigation District failed to get enough water at the accounting point at the border,
 521 then basically they would be forfeiting and would be handed over to EP Number One, the district
 522 in El Paso.
 523

524 **d. Report on the Inaugural Meeting Coalition of Rio Grande Water Users, October 3-**
 525 **5, 2023 - Jason M. Casuga, CE/CEO, Chair Russo Baca, Vice Chair Dunning and**
 526 **Director Sandoval**
 527

528 Mr. Casuga said he believed it was the first right step and came away excited about adding both
 529 municipalities, representatives from Colorado, and hopefully Texas on planning next year’s.
 530

531 Madam Chair Russo Baca concurred it was a great event and hoped it continued year after
 532 year. She stated she appreciated the fact that there was tribal leadership there and were
 533 recognized.
 534

535 Vice Chair Dunning stated it went well and was happy it was going to continue. She added that
 536 for one of the luncheons, the keynote speaker didn’t show up and Jason Casuga did a really
 537 good job, emphasizing about collaboration. She learned much from Casey Ish’s presentation.
 538

539 **e. Report on NM Watershed & Dam Owners Coalition Conference, October 4-6, 2023 -**
 540 **Alicia Lopez, Engineering & Mapping Manager**
 541

542 Matthew Chavez felt the conference was very insightful and there were many key speakers on
 543 different projects going on around New Mexico. He learned new facts about watershed, and the
 544 irrigation policies. He appreciated the opportunity.
 545

546 Mr. Ish said it was really a conversation between two distinct watersheds. He said MRGCD was
 547 not set up to adequately capture supply coming out of the lowland but well set up to capture out
 548 of the high country. He said they needed to think about how they would capture the water,
 549 manage it, and make sure it stayed on the landscape for as long as possible to benefit everyone
 550 who needed it.

551 **f. Update on the Six Middle Rio Grande Pueblo Coalition Meeting, October 6, 2023 –**
 552 **Jason M. Casuga, CE/CEO**
 553

554 Mr. Casuga said this meeting was cancelled; no discussion was had.
 555

556 **g. Upcoming Events**

- 557 **1. RGALT 2023 Annual Fundraiser Harvest Dinner, Gutierrez Hubbell House -**
 558 **October 14, 2023**

- 559 2. **Latinos Farmers & Ranchers International El Congreso 2023, Isleta Resort &**
 560 **Casino October 26-28, 2023**
 561 3. **Annual Tribal Water Law Conference, Hilton Historic Plaza - November 6-7,**
 562 **2023**
 563 4. **2023 CRWUA Conference, Paris Las Vegas Hotel - December 13-15, 2023**
 564

565 Mr. Casuga gave an update on all the upcoming events.
 566

567 **AGENDA ITEM NO. 13 - REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water**
 568 **Counsel or General Counsel**
 569

570 Ms. Wiggins stated she had matters for executive session but nothing for the open session.
 571

572 Dr. DuMars said the hearing examiner put out a very detailed schedule about what would
 573 happen and how witnesses would be, with a starting date between January and March. He said
 574 his key witness is Mike Hamman, the principle author, who put together the proposal for the
 575 public interest. The hearing examiner wants to know whether or not it's in the public interest to
 576 do a PBU for the Middle Rio Grande Conservancy District.
 577

578 Madam Chair Russo Baca asked for an update on the MOU with La Joya. Mr. Casuga said
 579 they were supposed to have a meeting, but they had not heard back on that yet. They've
 580 drafted an MOU and are still waiting for feedback from LaJoya on the desire to enter into the
 581 MOU and/or negotiate any potential modifications for the MOU for them to enter in.
 582

583 Vice Chair Dunning asked if the Supreme Court had a calendar for a new session when they
 584 might hear that. Mr. DuMars said he believed the Supreme Court would affirm the settlement.
 585

586 **AGENDA ITEM NO. 15 - REPORT(S) FROM THE BOARD**
 587

- 588 a. **Report on the Belen River Park Discussion, September 12, 2023 - Chair Russo**
 589 **Baca**
 590

591 Madam Chair Russo Baca stated that she and Yasmeeen Najmi met with Lena Benavidez, the
 592 public works director at Valencia County about Willie Chavez Park along with Danny Monette
 593 and folks from Rio Communities. She received word that the county commissioners were
 594 interested in taking the project on again. She added the county was looking to go after planning
 595 funds for recreation for their parks and rec.
 596

- 597 b. **Report on the Valencia County Soil and Water Conservation District Desert Willow**
 598 **& Pollinator Festival, September 16, 2023 - Chair Russo Baca**
 599

600 Madam Chair Russo Baca stated it was a great event and had a field day where you could
 601 volunteer to do some additional clean up and planting. She mentioned MRGCD works really
 602 closely with the VCSWCD and hoped that Director Jiron will begin attending to work with them.
 603

- 604 c. **Report on the NM Water Law Conference, September 18-19, 2023 - Chair Russo**
 605 **Baca and Directors Joaquin Baca and Sandoval**
 606

607 Director Baca said it was a great conference. He networked and said he loved going to those.
 608

609 Director Sandoval felt that much was discussed and said it was very informative.
 610

611 Chair Russo Baca offered to send some of the slides if the board was interested.

612

613 **d. Report on the Conservation Advisory Committee Meeting, September 21, 2023 -**
 614 **Chair Russo Baca**

615

616 Madam Chair Russo Baca said it was a well-attended meeting with a hydrology update, talks
 617 about the last delivery of the San Juan Chama water, and the Story Wasteway project. She
 618 announced that the MRGCD filled the agricultural irrigation specialist position. She said she's
 619 looking forward to discussing goal is within the on-farm efficiency programs.

620

621 **e. Report on the Corrales Bosque Advisory Commission, Ravenna Seed Head**
 622 **Elimination Project, September 23, 2023 - Chair Russo Baca**

623

624 Madam Chair Russo Baca knew that ravenna grass is extremely invasive here in the bosque
 625 but in Corrales they do a cleanup once a year and encouraged everyone to go to spend time in
 626 the bosque and cut the seed head of the Ravenna grass to keep it from spreading.

627

628 Vice Chair Dunning made the **MOTION TO EXTEND THE MEETING PAST 6:00.**

629 Seconded by Director Baca . **The MOTION CARRIED UNANIMOUSLY.**

630

631 **f. Report on the NM Ag Water Use Geospatial Database & Funding Opportunities**
 632 **Meeting, September 25, 2023 - Chair Russo Baca**

633

634 Madam Chair Russo Baca said it was an interesting meeting with the Thornburg Foundation on
 635 Ag water use and geospatial databases and funding opportunities. She wasn't sure which
 636 would be the right department about how they're using data to determine how much is actually
 637 being saved through either following programs or just on-farm efficiency programs. She stated
 638 there was potential funding.

639

640 **g. Report on the Great NM Chile Taste-Off, October 07, 2023 - Chair Russo Baca**

641

642 Chair Russo Baca stated that Director Duggins attended also. She said they had a good
 643 turnout even though it was a little less than previous years due to the time change. She stated
 644 there were a few other vendors there, including the Socorro Soil and Water Conservation
 645 District.

646

647 Lorna Wiggins said she attended, and she and her sister became judges in the Chile Taste-Off
 648 for a couple who could not attend. She qualified as she is general counsel to the District as well
 649 to the Socorro Electric Co-op and her sister who is retired and finished a month of cooking
 650 lessons in France. She said there were 11 chiles to test and one had some authority. She
 651 heard that people appreciated the MRGCD's involvement.

652

653 Director Kelly made the **MOTION TO APPROVE ALL REPORTS FROM THE BOARD.**

654 Seconded by Vice Chair Dunning. **The MOTION CARRIED UNANIMOUSLY.**

655

656 Chair Russo Baca requested a motion to move into Executive Session at 6:09 p.m.

657

658 Chair Russo Baca made the **MOTION TO GO INTO EXECUTIVE SESSION.** Seconded
 659 by Director Kelly. Rollcall vote was administered with all members voting yes. **The MOTION**
 660 **CARRIED.**

661

Director Jiron	Yes	Chair Russo Baca	Yes
Director Sandoval	Yes	Vice Chair Dunning	Yes
Director Kelly	Yes	Director Baca	Yes

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AGENDA ITEM NO. 15 - EXECUTIVE SESSION

a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)2

1. Limited Personnel Matters

b. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7

1. Threatened or Pending Litigation

Chair Russo Baca requested a motion to move back into Regular Session at 6:37 p.m.

Director Kelly made the **MOTION TO GO BACK INTO REGULAR SESSION.**
Seconded by Vice Chair Dunning. Rollcall vote was administered with all members voting yes.
The **MOTION CARRIED.**

Director Jiron	Yes	Chair Russo Baca	Yes
Director Sandoval	Yes	Vice Chair Dunning	Yes
Director Kelly	Yes	Director Baca	Yes

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Mr. Casuga said during the executive session, they talked about homeless encampments and regarding specifically the current case before in Bernalillo County, Ladelle Williams v. the City of Albuquerque regarding a preliminary injunction about homeless encampments and their constitutional rights. He asked the Board if legal counsel and he could be given the authority to file a Minkus on this case if deemed necessary by our counsel. And depending on how this progresses, also be given the ability in consultation with our council be given the ability in consultation with myself, to authorize Ms. Wiggins to actually intervene and for the MRGCD to ultimately intervene in this case if she deems necessary with counsel with me. This is an issue regarding much of our land. We are a large land manager, and he believed this is something that we need to be on the forefront with.

Director Baca made the **MOTION TO APPROVE FILING A MINKUS, IF NECESSARY.**
Seconded by Director Kelly. **The MOTION CARRIED UNANIMOUSLY.**

With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the meeting at 6:38 pm.

Approved to be the correct Minutes of the Board of Directors of October 9, 2023.

ATTESTED:

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Pamela Fanelli, CMA, CGFM
Secretary-Treasurer/CFO

Stephanie Russo Baca, Madam Chair
MRGCD Board of Directors

The month of September did not start off well, but it turned out to be better than it could have. During the first week of September, the water supply dropped to the lowest amount of the entire season. Irrigation deliveries to non-Pueblo lands north of Isleta had been suspended and for several days there was very little water available to Belen and Socorro Divisions. The Bureau of Indian Affairs was even contemplating a release of Prior and Paramount water.

On September 11, mother nature began providing meaningful rainfall. These rain events in mid-September did not produce an abundant supply, but it was enough to ease irrigation demand and temporarily boost diversions. Rain inflows above Cochiti Dam helped prop mainstem Rio Grande flow for over a week. However, by late September, river flow returned to a season low causing another suspension of irrigation deliveries to non-pueblo lands north of Isleta Pueblo and again hampering supplies to our southern divisions.

Rain forecasts the last day of September and first week of October gave us reason for hope, but unfortunately these thunderstorms did not initially result in an increase to the irrigation supply. After a brief delay between rain events in the upper Rio Grande valley and two small increases to the Cochiti Dam release last week, we are again making irrigation deliveries in all four divisions.

Temperatures have let up and the irrigation demand has dropped overall, as it normally does this time of year. However, the supply is still not enough to meet the demand. Many water users have not received water for many weeks and are patiently awaiting a fall delivery. Others are taking a chance at fall planting and hoping for a follow up watering.

It is difficult to balance the needs of water users when there is not enough water to go around. And it is challenging to schedule with the water supply and demand at Isleta Dam varying day to day. Our irrigators system operators are doing their best to distribute as equitably as possible and come back to dry fields and new seed. Water is being rotated through the system as supply allows. It is getting increasingly difficult to route water to southern areas. I would like to thank our irrigators and farmers for their cooperation and patience dealing with shortages this season.

Fall is in the air. The season is winding down and the water distribution team is preparing for off season work. We will continue diverting and delivering available supplies until October 31st for non-pueblo users. We expect to divert for the six middle rio Grande pueblos until November 15th. Next month I will provide a summary of the season and an update on winter projects and activities.

Madam chair/ directors, I'd like to thank all of you for your support and guidance this season. For those of you who will not be returning for the next term, I wish you good luck. For those who are returning and joining the board, I look forward to working with you in the future.



**MEMORANDUM
LICENSING AND LANDS DEPARTMENT**

F.Y.I.

TO: Jason M. Casuga, P.E., Chief Executive Officer/Chief Engineer

THRU: Eric Zamora, P.E., Chief Operations Officer

FROM: Michael Padilla, Right-of-Way Supervisor

DATE: November 8, 2023

RE: M.R.G.C.D. Executed Licenses for October 2023

1. 243-2022 – License to install and maintain a 72” Ø X 20’ culvert crossing within the New Belen Acequia right-of-way to serve MRGCD map 97, Tract 38, 54, 55A Plat of Lands Jose Trujillo, In care of current owner(s) and its successors, and/or assigns.
2. 357-2022 – License with TDS Broadband Services LLC. to install and maintain a buried utility crossing within the Florida Lateral right-of-way.
3. 043-2023 – Special Use License with Albuquerque Folk Festival to utilize the General Office Parking Lot for overflow parking for the Albuquerque Folk Festival October 6th and 7th, 2023.
4. 073-2023 – License with Vexus Fiber to install and maintain an aerial utility crossing within the Menaul Lateral right-of-way.
5. 084-2023 – License with Vexus Fiber to install and maintain a parallel aerial utility within the Menaul Lateral right-of-way.
6. 085-2023 – License with Vexus Fiber to install and maintain an aerial utility crossing within the Menaul Lateral right-of-way.
7. 110-2023 – License with Vexus Fiber to install and maintain a buried utility crossing within the Foraker Lateral right-of-way.
8. 135-2023 – License with Vexus Fiber to install and maintain an aerial utility crossing within the Alameda Lateral right-of-way.
9. 138-2023 – License with Vexus Fiber to install and maintain a parallel aerial utility within the outer southerly 5’ of the Alameda Interior Drain right-of-way.
10. 177-2023 – License with Public Service Company of New Mexico to install and maintain an aerial utility crossing and one 45’ class 4 pole within the Duranes Lateral right-of-way.
11. 178-2023 – Special Use License with Quanta Services Inc. to remove vegetation for the construction of the Sun Zia Transmission Line per License No. 172-2022 within the Upper Sabinal Riverside Drain, The Rio Grande Floodway, and the San Juan Lower Riverside Drain rights-of-way.
12. 185-2023 – License with Unite Private Networks to install and maintain an aerial utility crossing within the Arenal Acequia right-of-way.

13. 196-2023 – License with Vexus Fiber to install and maintain an aerial utility crossing within the Duranes Acequia right-of-way.
14. 197-2023 – License with Vexus Fiber to install and maintain a parallel aerial utility within the Albuquerque Acequia right-of-way.
15. 201-2023 – License with Vexus Fiber to install and maintain an aerial utility crossing within the Duranes Acequia right-of-way.
16. 228-2023 – Special Use License with AIS BCSS to conduct subsurface geotechnical investigations and topographic surveys per the Isleta Diversion Dam Improvements and Fish Passage Project.
17. 229-2023 – Special Use License with AIS BCSS to conduct subsurface geotechnical investigations and topographic surveys per the San Acacia Diversion Dam Improvements and Fish Passage Project.
18. 236-2023_AMD2 (192-2022) – License amendment to include the installation and maintenance of a (1) 170’ double circuit steel monopole structure (SR-042/5) located within the MRGCD Map 118, Tract 4C Lands of Les Gibson right-of-way.
19. 256-2023 – License with Sun Zia Transmission, LLC. to install and maintain a temporary culvert crossing for the purpose of construction access for the Sun Zia Transmission Line within the Luna Interior Drain right-of-way.
20. 257-2023 – License with Sun Zia Transmission, LLC. to install and maintain a temporary culvert crossing for the purpose of construction access for the Sun Zia Transmission Line within the Sabinal Lateral No. 1 right-of-way.
21. 258-2023 – License with Sun Zia Transmission, LLC. to install and maintain a temporary culvert crossing for the purpose of construction access for the Sun Zia Transmission Line within the Sabinal Lateral No. 2 right-of-way.
22. 259-2023 – License with Sun Zia Transmission, LLC. to install and maintain a temporary culvert crossing for the purpose of construction access for the Sun Zia Transmission Line within the Bosque Interior Drain right-of-way.
23. 277-2023 – Special Use License with APS Sandia High School to host a cross country meet around the Los Poblanos Fields Open Space which include the Griegos Interior Drain, Gallegos Lateral, Hackman Lateral rights-of-way.
24. 278-2023 – License with Vexus Fiber to install and maintain an aerial utility crossing within the Griegos Acequia right-of-way.
25. 290-2023 – Special Use License with the Town of Tome Land Grant to access the Rio Grande Bosque within the grant boundaries for harvesting dead and down wood for community purposes.
26. 291-2023 – License with New Mexico Gas Company to install and maintain a buried utility crossing within the New Jarales Acequia right-of-way.
27. 295-2023 – Special Use License with the Day of the Tread to conduct a special event bicycle tour charity event within the Rio Grande Bosque right-of-way.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT
BOARD COMMITTEES AND VOLUNTARY ADVISORY COMMITTEES
2023-2024**

BOARD COMMITTEES

Finance Committee:	Water Protection Committee
Director John Kelly Vice Chair Karen Dunning Chair Stephanie Russo Baca	Chair Stephanie Russo Baca Director Joaquin Baca Director Michael T. Sandoval
Urban Issues Committee	Irrigation Committee
Director Joaquin Baca Director John Kelly Director Karen Dunning	Director Glen Duggins Director Michael T. Sandoval Director Brian Jiron
Legislative Committee	BIA Contract Committee
Chair Stephanie Russo Baca Vice Chair Karen Dunning Director Joaquin Baca	Chair Stephanie Russo Baca Director Michael T. Sandoval Director Brian Jiron
Mid-Region Council of Governments (MRCOG) Representation	Personnel Committee
Vice Chair Karen Dunning - Exec Committee Chair Stephanie Russo Baca – Alternate Jason Casuga, CEO/Chief Engineer – TPTG	Director John Kelly Vice Chair Karen Dunning Chair Stephanie Russo Baca
Election Committee	
Chair Stephanie Russo Baca Director John Kelly Director Brian Jiron	

VOLUNTARY ADVISORY COMMITTEES

Conservation Advisory Committee (NFWF grant requirement)

Urban Issues Advisory Committee

- Composition TBD

Irrigation Advisory Committee

- Proposed Composition: 10-person committee, 2 Tribal members, 2 members from each County



Memorandum

To: MRGCD Chair Russo Baca and Board of Directors
Through: Jason M. Casuga, Chief Engineer/CEO
From: Human Resources
Date: November 13, 2023
Re: Introduction of New Hires

General Office

GEROME	APODACA	IRRIGATION SYSTEMS OPERATOR	11/13/2023
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Cochiti Division

JOHN	LUCERO	WELDER I	11/13/2023
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Albuquerque Division

FIDEL	DIAZ	LIGHT EQUIPMENT OPERATOR	10/30/2023
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Socorro Division

IZIAH	MONTOYA	MEDIUM EQUIPMENT OPERATOR	11/13/2023
JOEL	MARTINEZ	MEDIUM EQUIPMENT OPERATOR	11/27/2023



1401 Catron Ave SE, Albuquerque, NM 87123

505.294.2586

www.tcphr.com

MRGCD MANAGEMENT DEVELOPMENT TRAINING SERIES

INTERVIEWING TECHNIQUES 10/25/2023

- Understanding Applicable Employment Law – Keeping Your Interview “Legal”
- Defining Job Requirements – Understanding the Technical plus Organizational Culture Fit
- Reviewing Resumes and Applications
- Designing Interview Questions (including Behavioral Interviewing Questions)
- Avoiding Common Errors
- Preparing for, Conducting, and Debriefing the Interview

PERFORMANCE MANAGEMENT: Providing Coaching and Feedback 11/16/2023

- The differences between feedback, coaching, mentoring and managing
- The characteristics of effective feedback: how to give it; how to receive it
- The power of listening – avoiding distracting listening habits
- Common coaching challenges and strategies for handling them
- Identify when negative feedback and coaching need to become corrective action for “performance improvement”

PERFORMANCE MANAGEMENT: Handling poor performance 12/13/2023

- Determining when corrective action is necessary
- Conducting corrective action/disciplinary session
- Determining when termination of employment is necessary
- Conducting the termination of employment meeting
- The importance of good documentation

HANDLING/RESOLVING CONFLICT..... 1/17/2024

- Cultivating “mastery in communication”
- Emotional self control; handling pressure
- Being Courageous – handling conflict and dreaded conversations

PERFORMANCE MANAGEMENT: Evaluating Employees 2/14/2023

- Writing and Delivering Performance Evaluations
- Key documents against legal claims
- Features leading to favorable evaluation results
- Common evaluation mistakes and appraiser errors

MAKING GOOD USE OF TIME 3/13/2024

- Having effective meetings
- Time management
- Delegation to develop others
- Effective Email communication

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**Resolution of the Board of Directors of the
Middle Rio Grande Conservancy District**

**Authorizing Application for a WaterSMART:
Drought Resiliency Program Grant (NOF No. R24AS00007)
through the U.S. Bureau of Reclamation for the
Construction the Feeder No. 3 Pump Station
in Southern Valencia County – West Side Belen Division**

Resolution No. M-11-13-23-204

WHEREAS, the reliability of water supply is essential to all water users within the Middle Rio Grande Conservancy District (MRGCD); and

WHEREAS, the MRGCD relies on the Rio Grande to meet customer demand, including 60,000 acres or irrigated agriculture within four counties and six Indian pueblos, as well as, operations required to meet the MRG ESA Biological Opinion and State of New Mexico’s Rio Grande Compact obligations, and

WHEREAS, the MRGCD desires to increase system efficiency and optimize its practices; and

WHEREAS, the U.S. Bureau of Reclamation (Reclamation) has made available funds through its WaterSMART grant program for the purpose of supporting Drought Resiliency Program initiatives through projects that result in increasing the reliability of water supplies through infrastructure improvements, and support broader sustainability benefits; and

WHEREAS, the MRGCD has prioritized the design and construction of a pump station located at the bottom of Feeder No. 3 in southern Valencia County to augment water supply to several canals and laterals that support approximately 4,500 acres of agriculture.

WHEREAS, the MRGCD does hereby commit to being a cost share and local sponsor of the Drought Resiliency Program if the MRGCD is awarded a grant. This includes the cost-share of up to \$2,000,000 in cash which the Board of Directors and the Chief Financial Officer will accordingly budget for in the District’s FY25 and FY26 operating budgets; and

Middle Rio Grande Conservancy District FEEDER NO 3

Irrigation Efficiency and Strategic Outfall Pump Station Project

EXECUTIVE SUMMARY

Introduction:

The Middle Rio Grande Conservancy District (District), a special district of the State of New Mexico, is seeking funding to address variable water supply conditions in the Middle Rio Grande Valley. The District's primary mission is to operate, maintain, and manage irrigation, drainage, and river flood control in the region. We are excited to present a crucial project that aims to enhance water efficiency and address regional water management challenges.

Project Description:

We propose the installation of a pump station at Feeder No 3, situated on District land in Valencia County. This station will supplement irrigation flows with drain water which is comprised of accreted groundwater from the Rio Grande and return flows from upstream irrigation. The estimated total project cost is \$5,000,000, and we are seeking \$2,500,000 under the WaterSMART Opportunity #R24AS0000 Task A. The District is fully committed to providing the required 50% match, totaling \$2,500,000.

Benefits:

This pump station will increase the conveyance efficiency of water to approximately 4,500 acres of farmland in southern Valencia County. It will enhance canal water surface elevations, increase the total system volume, and reduce supply variability. These improvements will result in more efficient water scheduling and application, saving valuable water resources.

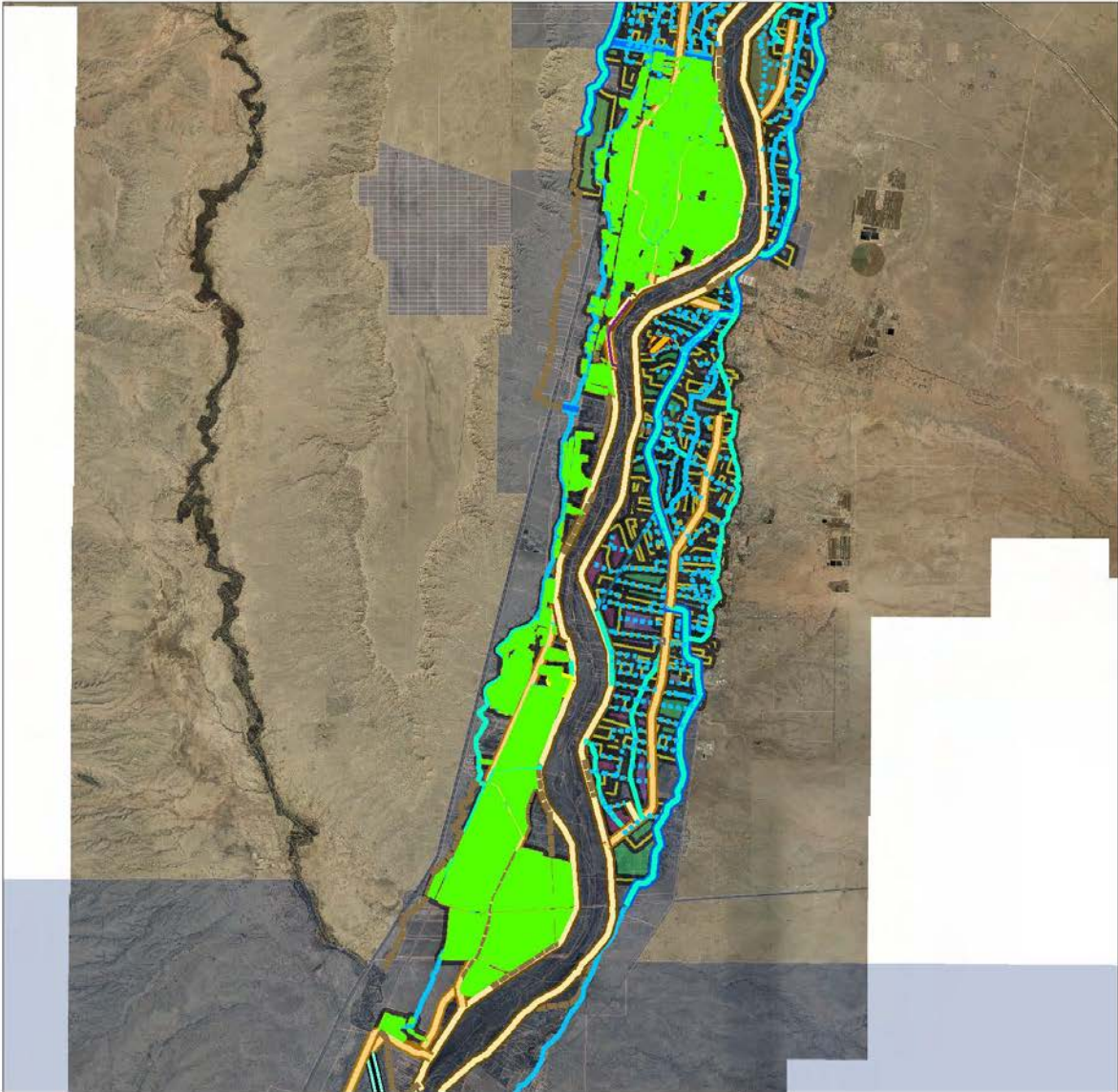
Environmental Impact:

Beyond these primary benefits, our project provides secondary and tertiary opportunities to benefit the river. The pump station will commit a portion of the water conserved through more efficient irrigation back to the river via the Feeder 3 Wasteway.

By supporting our project, you will play a vital role in enhancing water management in our region, benefiting local farmers and the environment while contributing to long-term water sustainability.

Thank you for your consideration.

1. Anticipated Cost of the entire project **\$5 million.**



Legal Description:

Irrigable Properties below Feeder #3

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Legend

 Properties currently within the MRGCD ISOLogs 2020



Date: 11/5/2021



BUREAU OF
RECLAMATION

Reclamation Middle Rio Grande Channel Maintenance Corrales West Bend Bank Erosion

Middle Rio Grande Conservancy District

Board Meeting

November 13, 2023

Outline

- Authorities, Project Background, and Purpose
- 2023 Spring River monitoring and Reach Trends
- Project Components
- Project Schedule
- Future Long Term Planned Work



Sandia RM 202.2
24 August 2021



MRG River Maintenance Authorities



- MRG Flood Control Acts of 1948 and 1950 – Authorized project works including Flood Control Dams, El Vado Dam, and River and Levee system, Irrigation rehabilitation
- Velarde to Caballo -260 river miles
- Maintenance of Rio Grande Channel and Low Flow Conveyance Channel
- Work w/ MRGCD and USACOE on MRG Project works, river system, levees, downstream water delivery and ESA habitat needs

MRG River Maintenance Past and Legal Considerations

- Flood Control Acts of 1948 and 1950 – Channelization Period 1950-70's, River Channel and Floodway, Rehabilitation of MRGCD's Irrigation and Drainage Facilities (1951 Contract, El Vado, Isleta, San Acacia), Flood and Sediment Control Dams and Levees by USACE, improved water delivery and conveyance
- Post channelization - maintenance of River Channel for less than flood flows, authorization for 5,000 and 8,000 cfs, 2-yr return flows
- 1938 Rio Grande Compact (Colorado, New Mexico, and Texas)
- Other federal responsibilities 1973 Endangered Species Act (2016 BO), 1970 National Environmental Policy Act, and 1972 Clean Water Act

River Monitoring – Spring Runoff

- 2023 Spring Runoff volume was 169% of 30-yr median (1991-2020); low runoff years in 2020, 21, 22
 - Cochiti Peak flow was 5400 cfs
 - San Felipe and Albuquerque were 5670 cfs and 5100 cfs respectively
 - Inflow into Cochiti peaked at 7850 cfs – long release of flood flows and storage
- River flights and on-the-ground inspection
- Observed bank erosion from San Felipe downstream to Alameda Bridge
- Also collect river cross sectional data, imagery, and LiDAR annually for monitoring

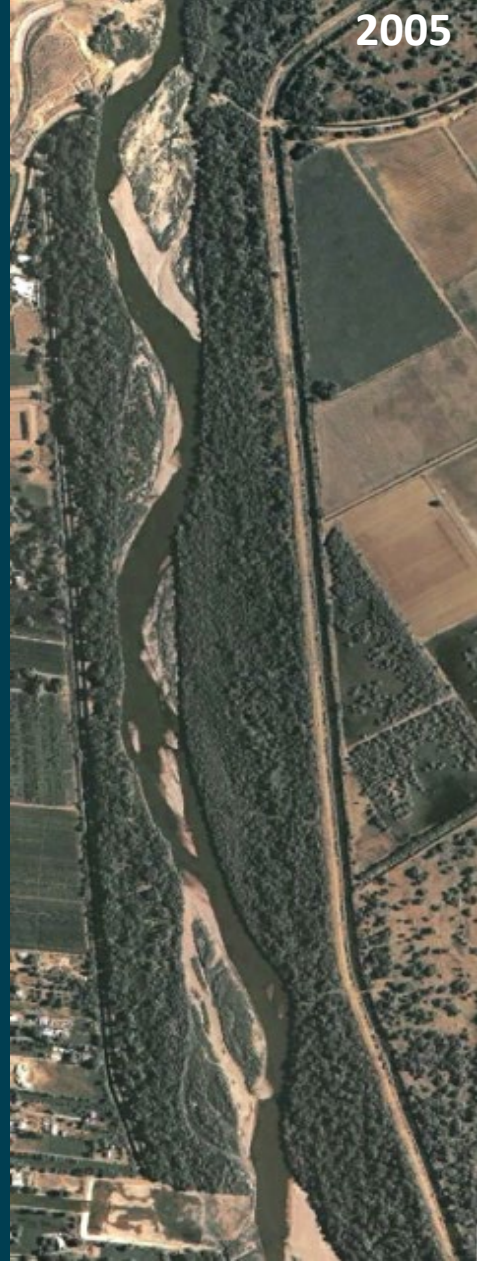


Corrales West Bend 2023 Observed Erosion and Trends

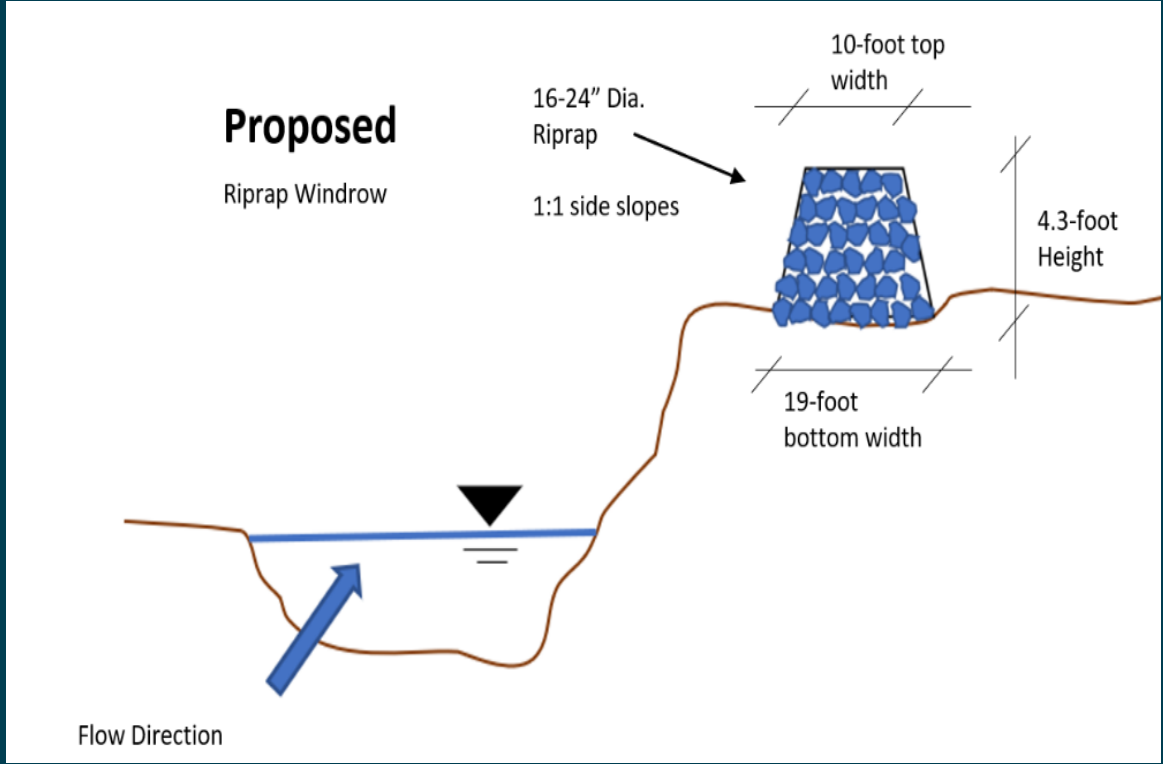
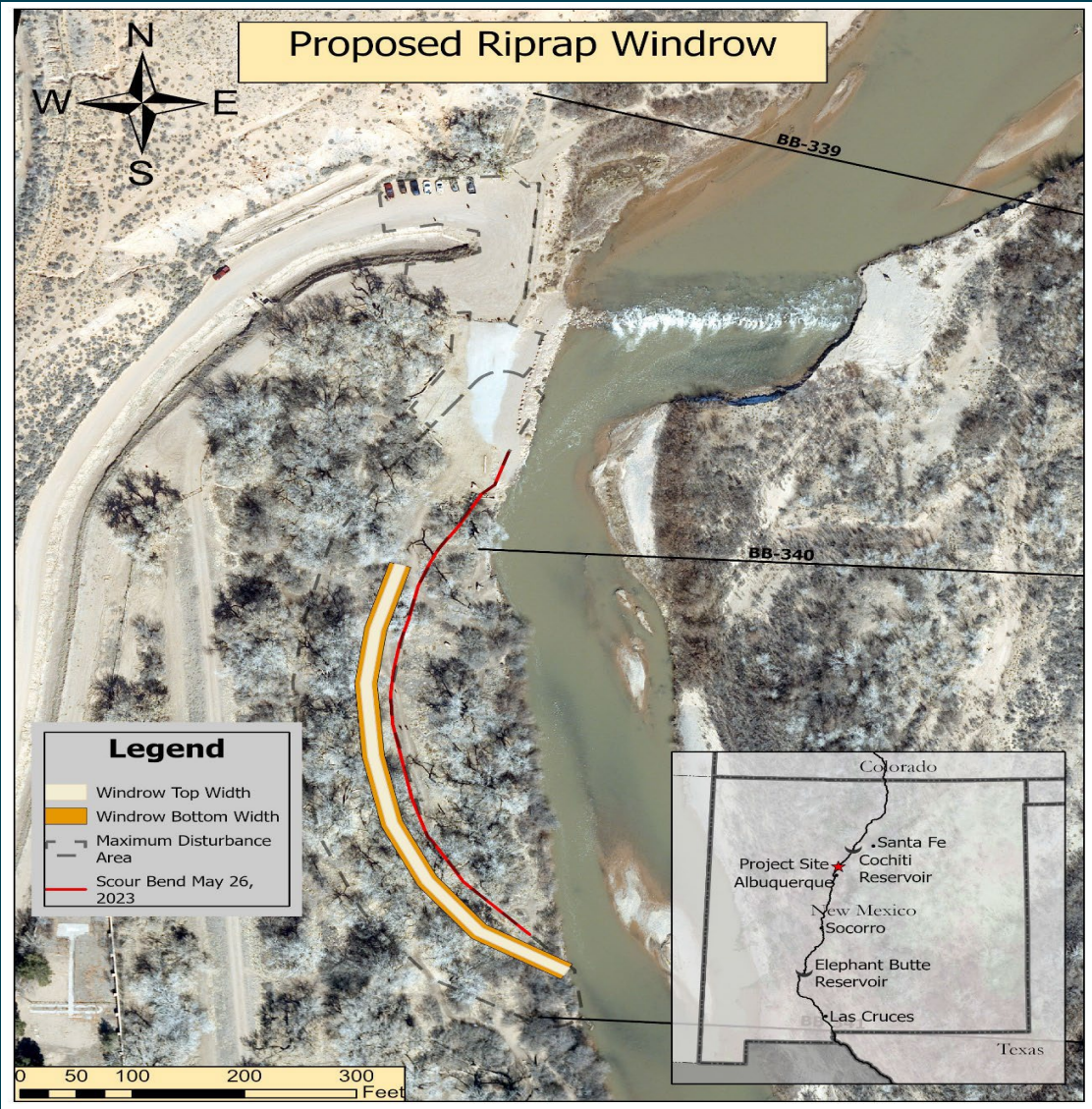
- Observed significant bend development, bank erosion, and channel migration downstream of the siphon crossing
 - Approximately 140 feet of lateral migration with about 150 feet of buffer to the western levee system
- River bed in this reach is:
 - Incising (eroding and lowering in elevation) and;
 - Coarsening (sands/fine gravel to gravels/cobbles) due changes in the upstream sediment supply
 - Banks and terrace are comprised of finer material, river bed is below vegetation root zone so minimal erosion resistance.
- River planform is changing from a relatively straight/braided/shallow channel to sinuous/narrow/deep channel with point bars and meander bends



Reach Trends – Corrales Siphon Crossing downstream to Harvey Jones Outfall



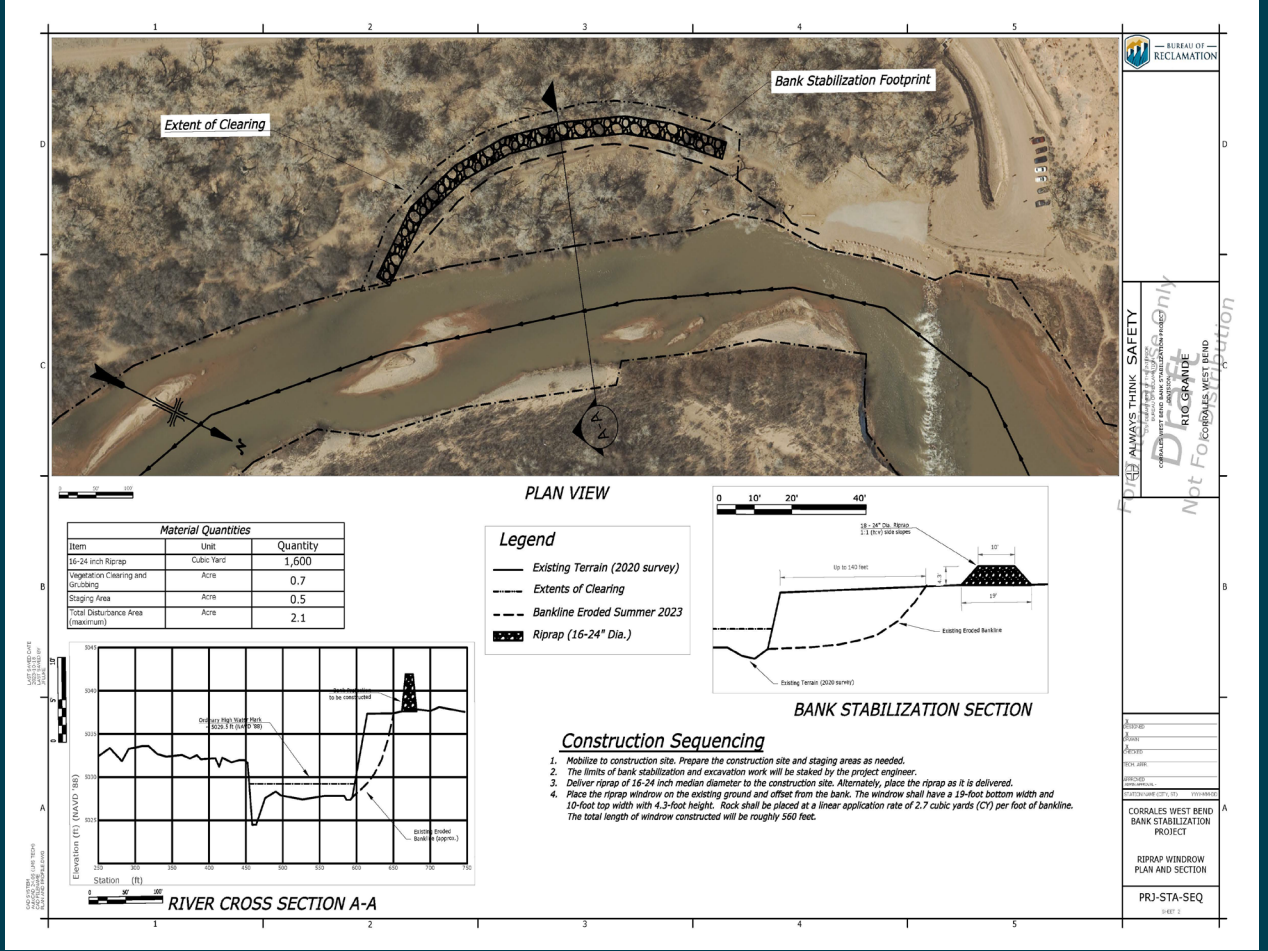
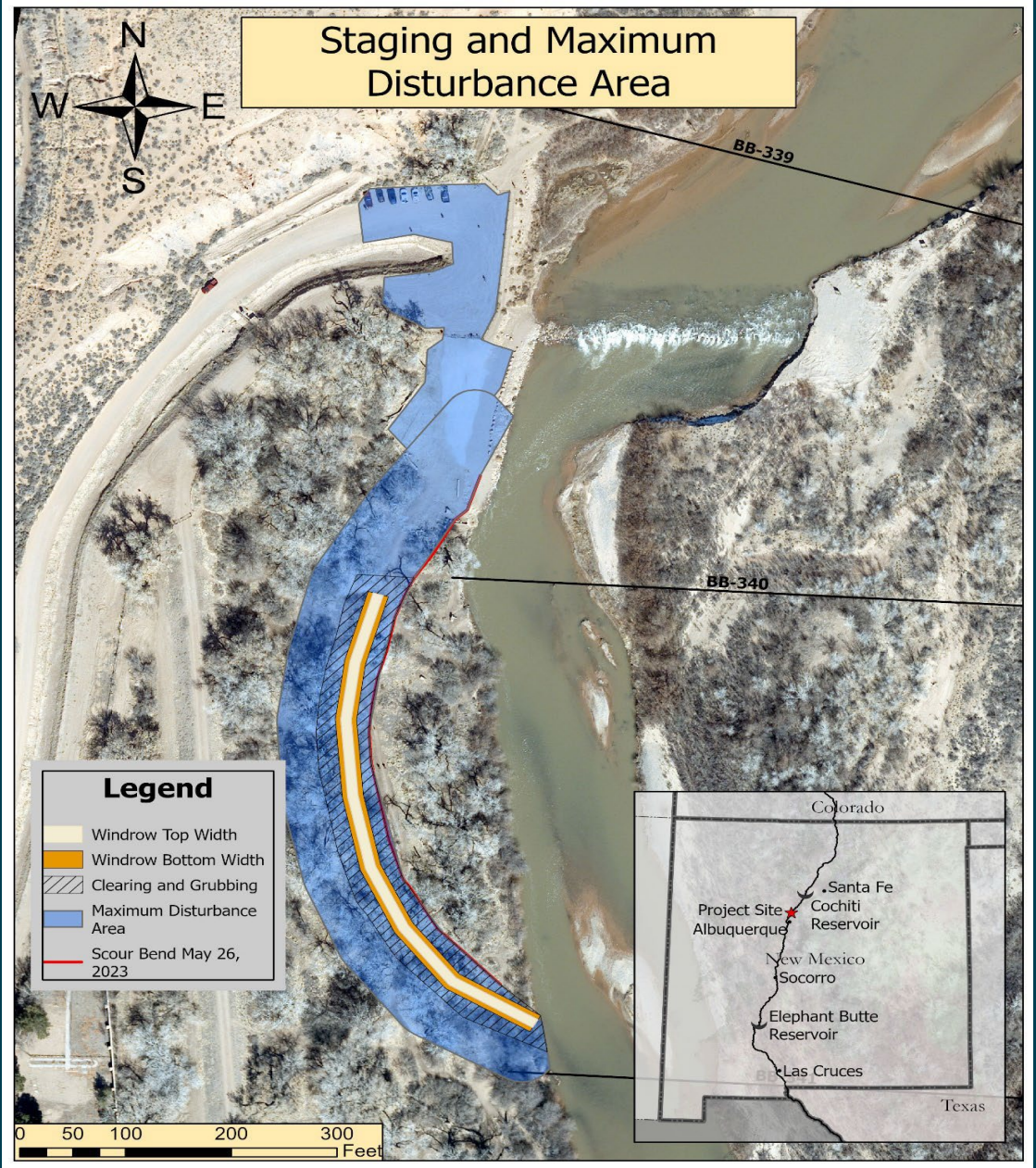
Project Components – Riprap Windrow and top of bank clearing



Project Components – Riprap Windrow and top of bank clearing

- Windrow is “self-launching” or future bank erosion at the site will cause the material to fall along the advancing bankline limiting future erosion/migration to the west.
- Material quantity is sufficient to line the bankline to the top an adequate thickness for protection and include material to fill in a 4 ft. scour hole at the toe of the bank.
- Windrow will be comprised of rip rap rock material placed along 560-ft of bankline, trapezoidal in shape.
- Rock material is comprised of 18-24 inch materials and involving approximately 1500 cubic yards of material or will be approximately 2.7 cubic yards per linear foot of bankline when launched.
- The alignment of the windrow will be staked in the field by a project engineer prior to construction, alignment considers future trajectory of the bend development.
- Prior to placement of the rock material the top of the bank will be cleared of vegetation back to the west for about 50 feet for equipment access.

Project Components – Staging Area and Maximum Disturbance Area



Project Components – Design and Construction Information

Project Components – Equipment and Hauling Access Routes



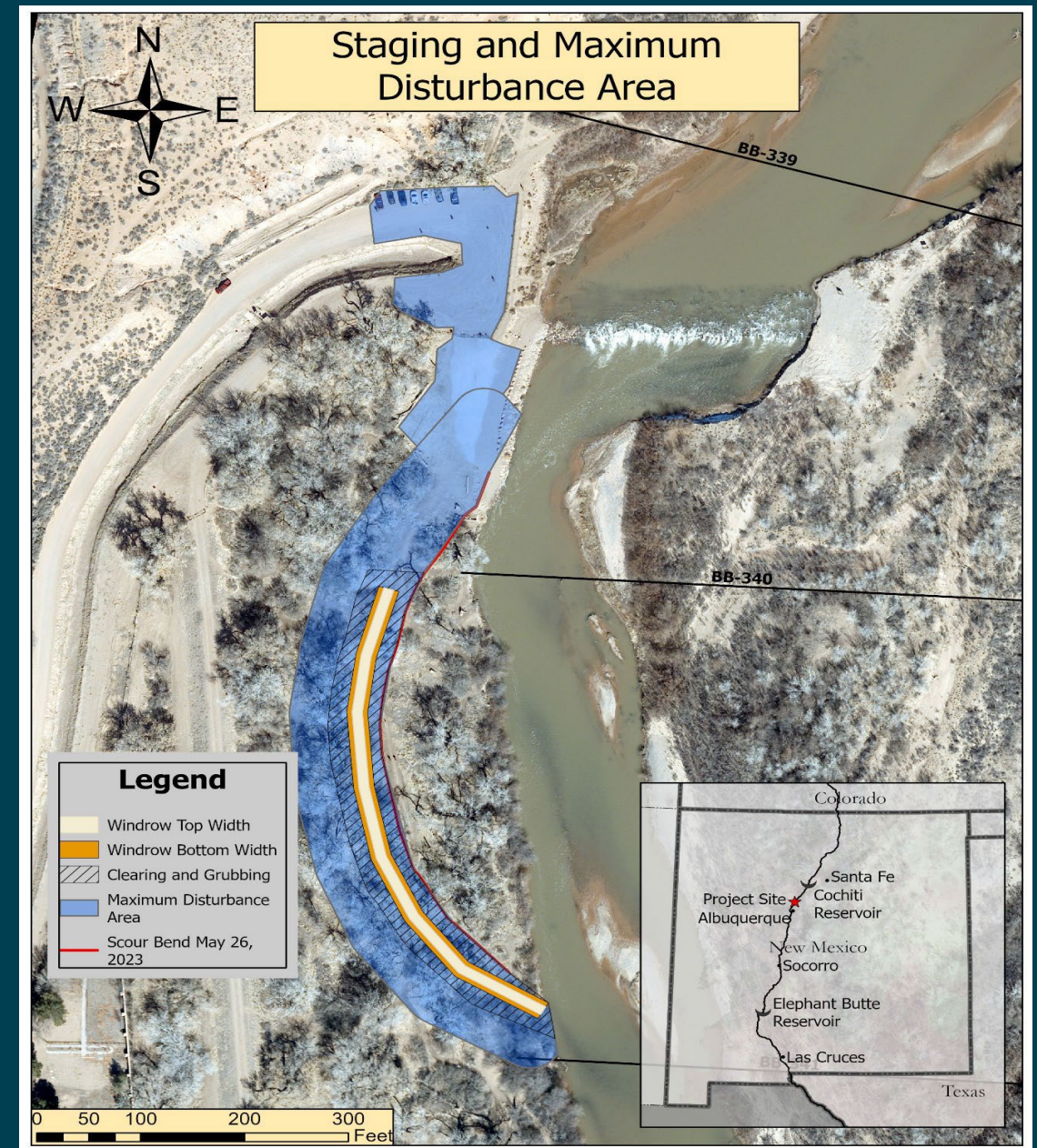
Site access via Corrales road from NM 528. Use Siphon Road.



Riprap haul route: 13.6 mi

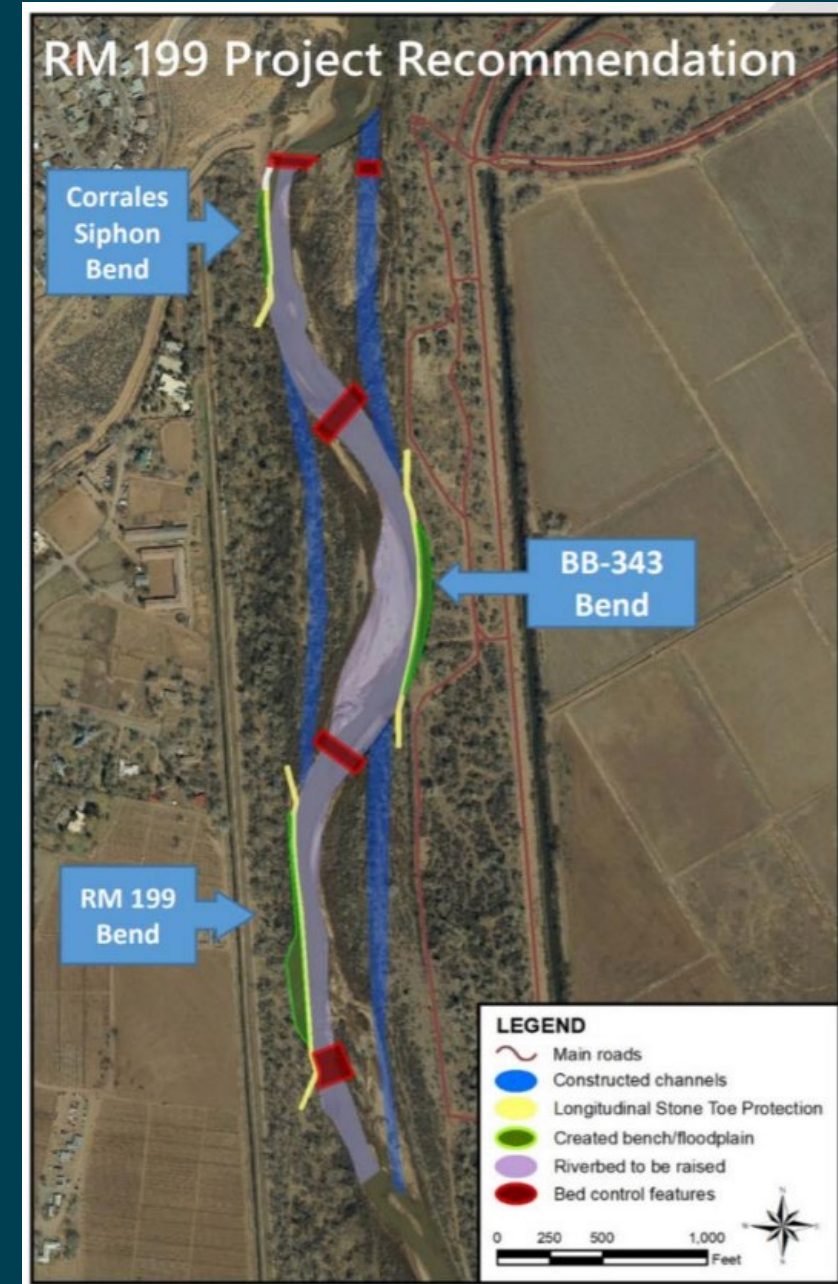
Project Components – Planned Project Construction Timeframe

- Reclamation Crews plan to start Construction in November 2023 and until thru December 2023.
- The areas denoted in blue will need to be closed to Public During Construction.
- Reclamation plans to advertise the proposed closure in the local news media prior to the start of the construction work and will release a press statement.
- The rock window will present a walking hazard so we would like to discourage people from standing on or around it after the work is done.
- Reclamation plans to salvage the rock windrow material later when the long-term River Mile 199 Project is built at this location and the corresponding bends downstream to Harvey Jones Outfall



Future Long Term Project – Corrales Siphon Crossing downstream to Harvey Jones Outfall

- Current trends of river incision and narrowing have locked in the current channel and lead to bend erosion as the root zone is undercut.
- Riparian and aquatic habitat is compromised disconnected floodplains and narrow channel conditions.
- Project currently under design with goals to stop erosion toward the levees, alleviate river incision, and provide additional width for river flows.
- Consists of longitudinal stone toe protection, river grade control features, and constructed side channels.
- Reclamation to develop Project Description and construction drawings 2023/2024.



Questions?

Santa Ana RM 205.8
3 May 2023



Contact Information

Robert Padilla, P.E., D.WRE
Supervisory Civil Engineer
rpadilla@usbr.gov
505-615-4586 Mobile



F.Y.I.

TO: Jason M. Casuga, PE – CEO & Chief Engineer

THRU: Eric Zamora, PE – COO

FROM: Rhett Sanders-Spencer – Right-of-Way Specialist

DATE: November 7, 2023

RE: Encroachment of structures into the Harwood Lateral right-of-way; newly constructed home and perimeter block wall; Krupiak; **report of findings and proposed next steps**

FACILITY Harwood Lateral
LOCATION Station 7+70± to 9+10±; between Grecian Ave NW and Guadalupe Trl NW
MRGCD PROPERTY INTEREST Fee simple estate
USBR PROPERTY INTEREST None

On April 19, 2023, MRGCD General Office Staff (GO staff) were notified – by MRGCD field staff (field staff) – of a significant cut into and removal of dirt from the outer easterly portion of the eastern maintenance bank of the Harwood Lateral, station 7+70± to 9+10±. Adjacent to the damage to the maintenance bank is a newly developed residential home for sale, built by Krupiak Homes, the business and development being owned by Dan and Christine Krupiak. Mr. Krupiak revealed that he had made the cut and removed the dirt from what he believed to be their property, to allow room for the installation of a perimeter block wall. The legal description of their property is Tract 16C, MRGCD Map 32 (Tract 16C).

MRGCD holds fee simple estate interest for a strip of land 60' wide and measuring 30' on each side of a centerline for the right of way of the Harwood Lateral (ROW) at this location, conveyed to MRGCD in 1934 from Luis Gallegos per Receipts and Conveyances 4831, 4832, and 4833 (attached). On April 20, 2023, GO staff notified Mr. Krupiak that they believed there to be a dispute in the property boundary between the eastern boundary of the ROW and the western boundary line of Tract 16C. To clarify the property boundary and next steps, GO staff requested the documents upon which Mr. Krupiak based his site plan for the home build, e.g., a boundary survey for Tract 16C. GO staff also recommended that he refrain from further construction until resolution of the boundary dispute. To prevent the passing of the unresolved issue onto a potential purchaser, GO staff requested that the issuer of the building permit #BRBP2022-0276, Bernalillo County, place a lock on the permit preventing final inspections until the issue is resolved, which Bernalillo County granted on April 25, 2023. The lock on this permit is still in place.

Construction of the block wall was first observed by field staff on June 27, 2023, and GO staff contacted Mr. Krupiak at that time again requesting documentation to support his claim that he was working within his own property and notifying him of the lock placed on his building permit. After continued construction of the block wall, GO staff sent a notice to cease and desist (attached) his unauthorized construction within the ROW by certified mail and posted a copy on-site on July 19, 2023. This letter was refused on July 22, 2023, and returned on August 2, 2023. Construction of the block wall has since been completed.

GO staff received a boundary survey from Mr. Krupiak on July 11, 2023 (attached). GO staff reviewed the document and determined that it appeared to be a retracing of a legal description of Tract 16C, rather than a boundary survey as titled, and it did not appear to reference any information related to the adjoining ROW, including the width of that ROW. GO staff contacted the surveyor that produced the document, Andrew Medina, and requested that he evaluate the width of the Harwood Lateral ROW in his professional capacity given the aforementioned ownership documents and anything else he might produce. On August 7, 2023, Mr. Medina claimed via email that the ROW width in this area was between 52.2' and 53' wide. GO staff requested a meeting with Mr. Medina to review his findings, which occurred on September 11, 2023. At this meeting, Mr. Medina did not produce any documentation to suggest that MRGCD released any of the 60' wide ROW to substantiate his claim.

On September 28, 2023, GO staff procured professional surveying services with Precision Surveys, Inc. (Precision) to confirm the extent of the MRGCD ROW for the Harwood Lateral in this area. On November 2, 2023, Precision shared results with GO staff, as shown on their attached preliminary boundary survey plat draft.

Their findings are summarized below:

- The unrecorded boundary survey plat of Tract 16-C, MRGCD Map No. 32 produced by Mr. Medina does not appear to meet several of the minimum standards for surveying in New Mexico as adopted by the NM Board of Licensure for Registered Engineers and Registered Surveyors.
- An extensive review of all documents provided by MRGCD, their online research, and their research at the office of the Bernalillo County Clerk produced no evidence to suggest that MRGCD released any of its 60' wide ROW¹; the ROW width is 60'.
- Portions of the newly constructed building, a portion of the covered patio, and the block wall are all encroaching into the easterly ten feet (10') of the ROW, for a total encroachment of 1301 net square feet.

Settlement of these confirmed encroachments from Tract 16C into the ROW will need to be discussed with Mr. Krupiak. As mentioned above, MRGCD maintains a fee simple estate interest in the ROW at this location. Staff have researched whether there is a United States Bureau of Reclamation (USBR) property interest here as well, and have determined that there is not one; there is no record of assignment or a grant of easement from MRGCD to USBR for the Harwood Lateral, nor does the Harwood Lateral appear in the USBR Plat Book provided to MRGCD in 2018 as a record of MRGCD facilities in which USBR claims a property interest (see documents attached). Field staff have communicated that should it be necessary, operation and maintenance of this portion of the ROW can be achieved with the encroachments remaining where they are. Given these determinations, staff propose that the options available² to Mr. Krupiak for settlement of these encroachments are to either remove all the encroaching infrastructure, or to purchase the portion of the ROW onto which they occur, per the process outlined in MRGCD Rule No. 21 "Land Sales Policy".

The steps of this process are briefly outlined below:

- Submittal of an application by constituent to purchase the property.
- Board approval to dispose of the property.
- Surveying the property to be sold (complete), at cost to the applicant.
- Appraisal of the property to be sold, at cost to the applicant.
- Notification of appraised value to applicant, notice to MRGCD from applicant of their wish to proceed with the sale.
- Final Board approval of the sale.
- Upon full payment of all amounts due, property sold is conveyed by quitclaim deed to purchaser. Purchaser may request the use of a title company, at their expense.
- MRGCD has the right to reserve any easements or any other rights, including water rights appurtenant if they exist, to use the property for the benefit of the MRGCD and other appropriate entities.

Should Mr. Krupiak choose to pursue the purchase of the property, MRGCD will expect the submission of a land sale application from him. GO staff have already determined that the property is subject to sale pursuant to the Land Sales Policy. For the sake of timeliness in the proposed land sales process, staff recommend seeking Board approval at this time for disposition of the outer easterly ten feet (10') of the Harwood Lateral ROW between Grecian Avenue and Guadalupe Trail, N.W., 1301 net square feet in total.

Rhett Sanders-Spencer
Right-of-Way Specialist

Enclosed: Exhibit Map; Preliminary draft of Boundary Survey Plat for the MRGCD, The Portion of the Harwood Lateral between Grecian Avenue and Guadalupe Trail, NW; Photo Figures; Text Messages; Receipt and Conveyances 4831, 4832, and 4833; Quitclaim Deed to Willard Lewis; Notice to Cease and Desist; Boundary Survey Tract 16-C (Medina, License No. 12649); 1986 Correspondence between USBR and MRGCD re: USBR property interest in Harwood Lateral ROW; 2018 USBR Plat Book index and pg. 18U.

¹ The attached 1940 quitclaim deed to Willard Lewis releases a portion of the ROW acquired by Receipt and Conveyance 4832 to what is now Tract 16C. Precision worked this deed and determined that the ROW released by this document does not reduce the width of the remaining ROW to below 60'.

² In the past, MRGCD has licensed permanent infrastructure encroaching into MRGCD ROW, such as portions of buildings. However, in these instances this settlement option for encroachments was chosen against removing the encroachment or doing nothing; sale of MRGCD ROW to the encroacher was not an option in those cases.



DISPUTED PROPERTY BOUNDARY
 HARWOOD LATERAL
 STA. 7+70± TO 9+10±

JESUS
 VICIA
 NEZ

2

16C

Map 32

0.07 ac

27A

10.55 ac

Esri Community Maps Contributors, New Mexico State University, City of Albuquerque, Bernalillo County, NM, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, MRCOG-NM, Bohannon Huston, Maxar, Microsoft

MIDDLE
 RIO GRANDE



CONSERVANCY
 DISTRICT

Date: 7/18/2023

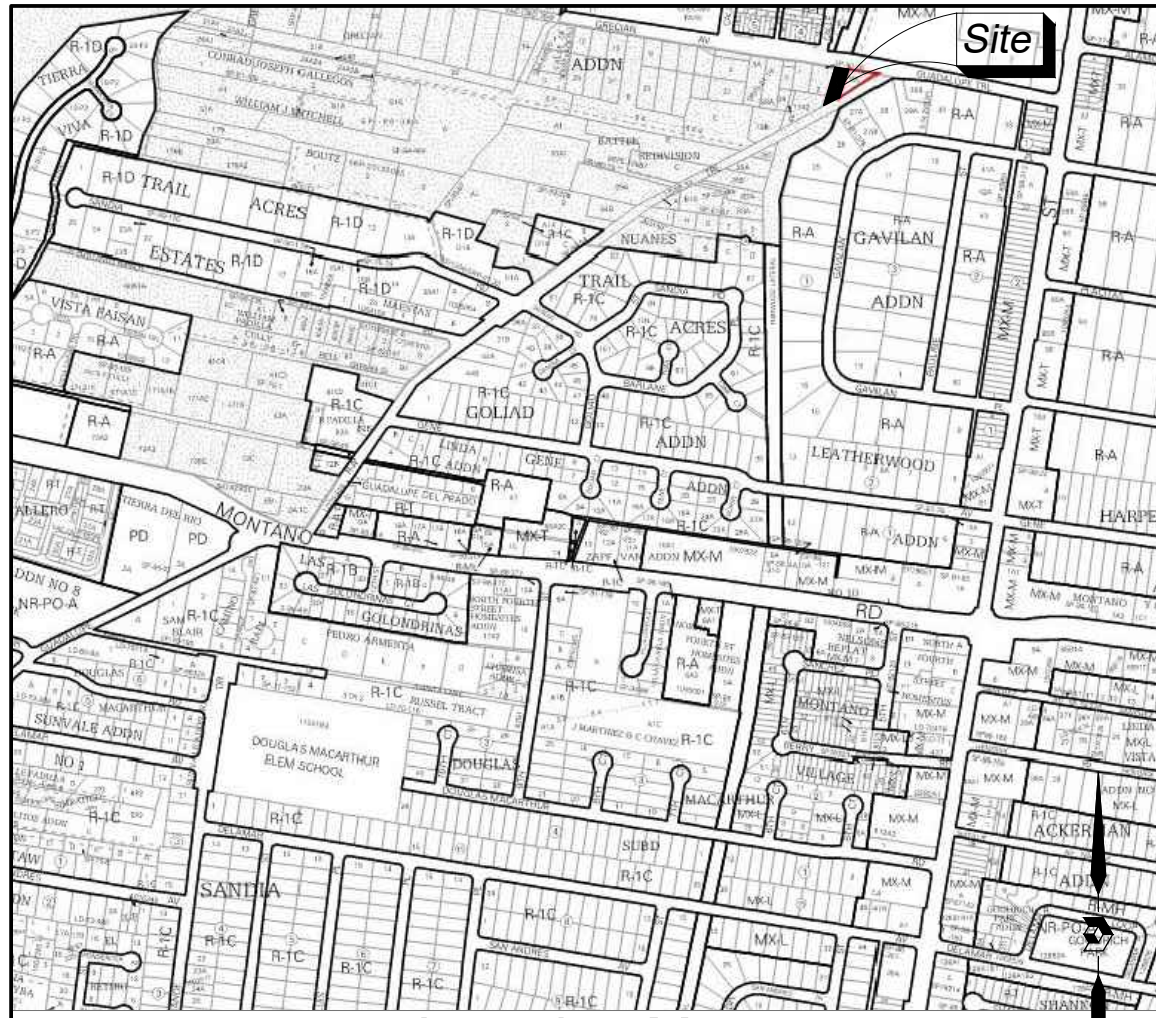
EXHIBIT A



1 inch = 47 feet

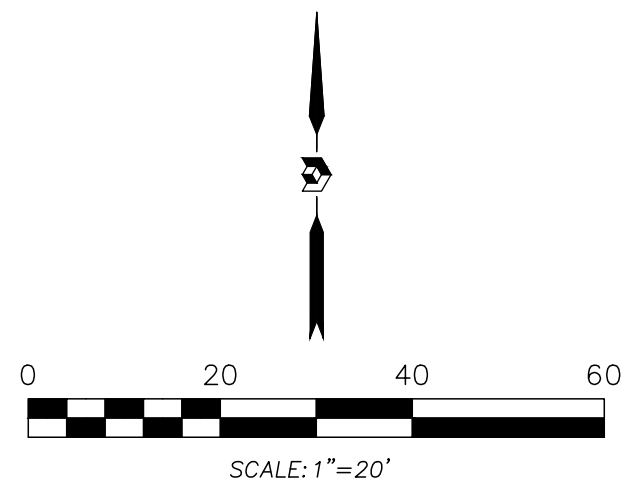
This map is for reference purposes only.

MRGCD Cadastre Lines	Facility Network	MRGCD Map Index
— Lot Lines	— Drain	□ MRGCD Map Index
- - - Combined Lots	— Other	
— MRGCD ROW		
— Public ROW		



Location Map
Zone Atlas Map No. F-14-Z

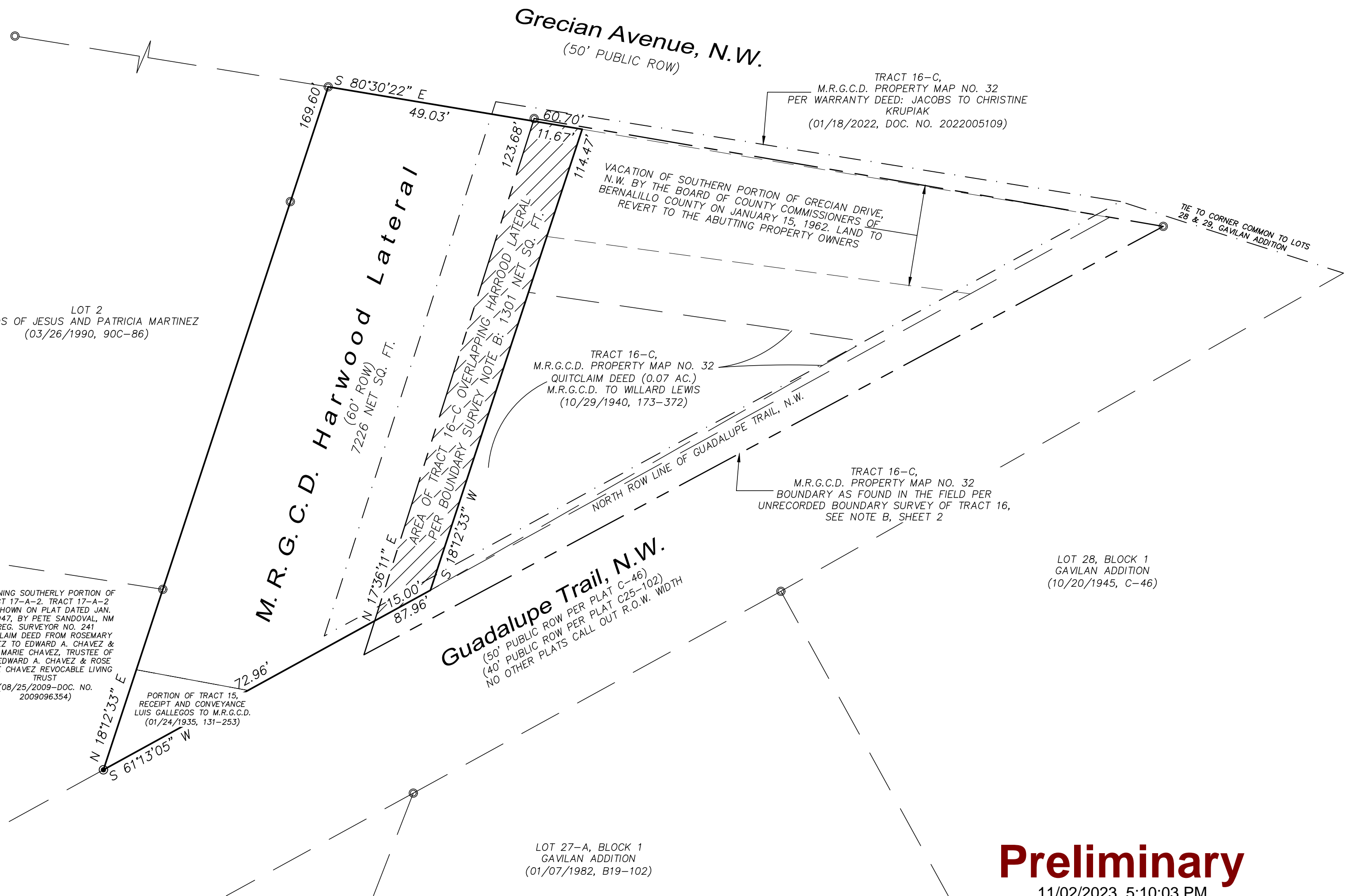
N.T.S.



Boundary Survey Plat for the
M.R.G.C.D.
The Portion of the Harwood Lateral between Grecian
Avenue and Guadalupe Trail, N.W.
Bernalillo County, New Mexico
November 2023

Simplified Diagram

FOR COMPLETE BOUNDARY INFORMATION SEE SHEET 2



Notes

THE PURPOSE OF THIS PLAT IS TO SHOW THE BOUNDARIES OF THE M.R.G.C.D. HARWOOD LATERAL BETWEEN GRECIAN AVENUE, N.W. AND GUADALUPE TRAIL, N.W.

AN EXTENSIVE REVIEW OF DOCUMENTS PROVIDED BY M.R.G.C.D., OUR ONLINE RESEARCH AND OUR RESEARCH AT THE OFFICE OF THE BERNALILLO COUNTY CLERK WAS COMPLETED. THE R.O.W. WIDTH IS SIXTY FEET (60') BASED ON THE DOCUMENTS NOTED FOR TRACTS 15, 16 AND 17, MAP 23. ONLY ONE CONVEYANCE DOCUMENT OUT OF M.R.G.C.D. WAS FOUND FOR A TRIANGULAR PIECE OF TRACT 16 LYING EAST OF THE LATERAL. NO DEEDS CONVEYING ANYTHING ELSE BACK TO A PRIVATE PROPERTY OWNER WERE FOUND.

BASED ON FOUND PROPERTY CORNERS, IT WAS DETERMINED THAT THE WEST R.O.W. OF THE LATERAL IS COINCIDENT WITH THE EAST BOUNDARY OF THE LANDS OF JESUS & PATRICIA MARTINEZ (03/26/1990) 90C-86. FOUND CORNERS TO THE WEST FIT THE RECORD.

THERE IS AN UNRECORDED BOUNDARY SURVEY PLAT OF TRACT 16-C, M.R.G.C.D. MAP NO. 32, DATED NOVEMBER 19, 2021, BY ANDREW S. MEDINA. THIS SURVEY DOES NOT APPEAR TO MEET SEVERAL ITEMS OF THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR REGISTERED ENGINEERS AND REGISTERED SURVEYORS. NO FOUND MONUMENTS ARE CALLED OUT. THE SURVEY REFERENCES AN "ATTACHED LEGAL". THE ATTACHED LEGAL DOES NOT MATCH THE SURVEY AND IT HAS A MISSING DISTANCE ON THE WEST SIDE. NO R.O.W. WIDTH IS CALLED OUT FOR THE M.R.G.C.D. HARWOOD LATERAL OR GUADALUPE TRAIL, N.W.

BASED ON MY FINDINGS AND ANALYSIS, A PORTION OF THE BLOCK WALL, RESIDENCE AND COVERED AREAS ON TRACT 16-C, MAP 32 ARE ENCRANCHING IN THE EASTERLY TEN FEET (10') OF THE M.R.G.C.D. HARWOOD LATERAL.

ON THE RIGHT-OF-WAY WIDTH OF GUADALUPE TRAIL, N.W. THE PLAT OF GAVILAN ADDITION ONLY GIVES A WIDTH AT THE FAR EAST END NEAR CURRENT DAY 4TH STREET. THE RIGHT-OF-WAY MAY HAVE NARROWED WHEN THE ROAD TURNED TO THE SOUTHWEST. THE REPLAT OF LOT 27 MAY HAVE GOTTEN THE WIDTH OFF THE PREVIOUSLY MENTIONED PLAT. OLDER MAPS APPEARED TO SHOW GUADALUPE TRAIL, N.W. HAVING A NARROWER WIDTH THAN MONTANO ROAD, N.W.

Surveyor's Certificate

I, LARRY W. MEDRANO, NEW MEXICO PROFESSIONAL SURVEYOR NO. 11993, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PLAT AND THE ACTUAL ON THE GROUND SURVEY UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT AND THAT THIS INSTRUMENT IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS.



LARRY W. MEDRANO DATE
N.M.P.S. No. 11993
DIGITAL SIGNATURE IS INVALID WITHOUT DIGITAL CERTIFICATION

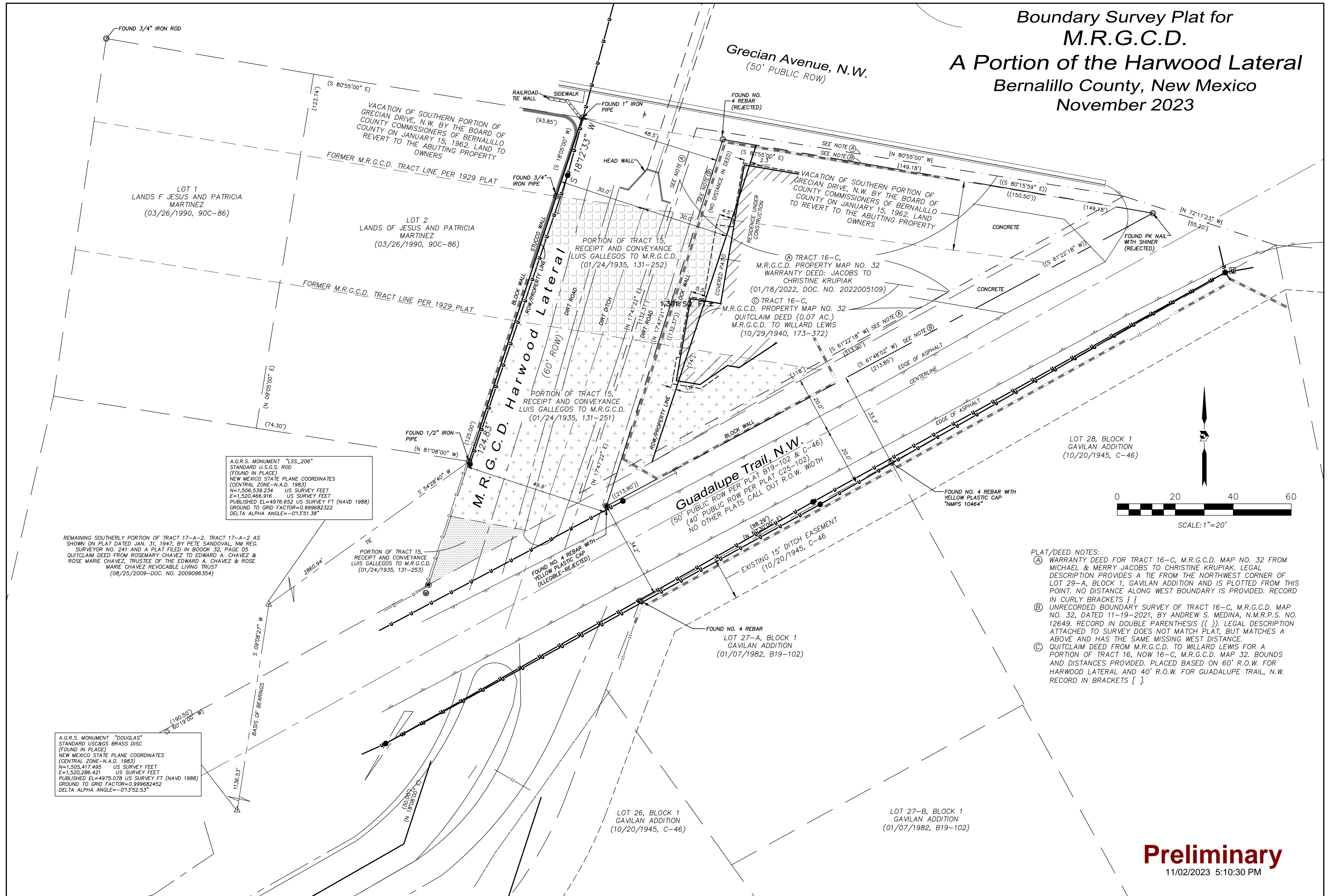
REVISIONS		COORDINATE AND DIMENSION INFORMATION			PLSS INFORMATION				PROPERTY INFORMATION		PROJECT INFORMATION		
NO.	DATE	BY	DESCRIPTION	STATE PLANE ZONE	GRID / GROUND COORDINATES	GEIOD	LAND GRANT	TOWNSHIP	RANGE	MERIDIAN	PROPERTY OWNER	CREW/TECH:	DATE OF SURVEY
				NM-C	GRID	ABQ GEIOD	ELENA GALLEGOS	11 NORTH	03 EAST	NMPM	MIDDLE RIO GRANDE CONSERVANCY DISTRICT	MC/OT	10/05/2023
				HORIZONTAL DATUM:	VERTICAL DATUM:		SECTION				SUBDIVISION NAME	DRAWN BY:	CHECKED BY:
				NAD83	NAVD88		32				N/A	KM/JK	LM
				CONTROL USED:			CITY	COUNTY	STATE	UPC	ADDRESS	PSI JOB NO.	SHEET NUMBER
				ALBUQUERQUE GEODETIC REFERENCE SYSTEM			N/A	BERNALILLO	NM	N/A	N/A	232435P	1 OF 2
				COMBINED SCALE FACTOR:		DISTANCE ANNOTATION:					SECOND ADDRESS		
				GRID TO GROUND: 1.000317714		GROUND					N/A		
				GROUND TO GRID: 0.999682387		BEARING ANNOTATION:							
						GRID							



OFFICE LOCATION:
9200 San Mateo Boulevard, NE
Albuquerque, NM 87113
505.856.5700 PHONE
505.856.7900 FAX

Preliminary
11/02/2023 5:10:03 PM

**Boundary Survey Plat for
M.R.G.C.D.
A Portion of the Harwood Lateral
Bernalillo County, New Mexico
November 2023**



A.G.R.S. MONUMENT "LSS_206"
STANDARD U.S.G.S. ROD
(FOUND IN PLACE)
NEW MEXICO STATE PLANE COORDINATES
(CENTRAL ZONE-N.A.D. 1983)
N=1,506,639.234 US SURVEY FEET
E=1,520,466.916 US SURVEY FEET
PUBLISHED EL=4976.652 US SURVEY FT (NAVD 1988)
GROUND TO GRID FACTOR=0.999682322
DELTA ALPHA ANGLE=-01°3'51.38"

REMAINING SOUTHERLY PORTION OF TRACT 17-A-2, TRACT 17-A-2 AS SHOWN ON PLAT DATED JAN. 31, 1947, BY PETE SANDOVAL, NM REG. SURVEYOR NO. 241 AND A PLAT FILED IN BOOK 32, PAGE 05 QUITCLAIM DEED FROM ROSEMARY CHAVEZ TO EDWARD A. CHAVEZ & ROSE MARIE CHAVEZ, TRUSTEE OF THE EDWARD A. CHAVEZ & ROSE MARIE CHAVEZ REVOCABLE LIVING TRUST (08/25/2009-DOC. NO. 2009096354)

A.G.R.S. MONUMENT "DOUGLAS"
STANDARD USC&GS BRASS DISC
(FOUND IN PLACE)
NEW MEXICO STATE PLANE COORDINATES
(CENTRAL ZONE-N.A.D. 1983)
N=1,505,417.495 US SURVEY FEET
E=1,520,286.421 US SURVEY FEET
PUBLISHED EL=4975.078 US SURVEY FT (NAVD 1988)
GROUND TO GRID FACTOR=0.999682452
DELTA ALPHA ANGLE=-01°3'52.53"

- PLAT/DEED NOTES:**
- (A) WARRANTY DEED FOR TRACT 16-C, M.R.G.C.D. MAP NO. 32 FROM MICHAEL & MERRY JACOBS TO CHRISTINE KRUPIAK. LEGAL DESCRIPTION PROVIDES A TIE FROM THE NORTHWEST CORNER OF LOT 29-A, BLOCK 1, GAVILAN ADDITION AND IS PLOTTED FROM THIS POINT. NO DISTANCE ALONG WEST BOUNDARY IS PROVIDED. RECORD IN CURLY BRACKETS { }
 - (B) UNRECORDED BOUNDARY SURVEY OF TRACT 16-C, M.R.G.C.D. MAP NO. 32, DATED 11-19-2021, BY ANDREW S. MEDINA, N.M.R.P.S. NO. 12649. RECORD IN DOUBLE PARENTHESIS (()). LEGAL DESCRIPTION ATTACHED TO SURVEY DOES NOT MATCH PLAT, BUT MATCHES ABOVE AND HAS THE SAME MISSING WEST DISTANCE.
 - (C) QUITCLAIM DEED FROM M.R.G.C.D. TO WILLARD LEWIS FOR A PORTION OF TRACT 16, NOW 16-C, M.R.G.C.D. MAP 32. BOUNDS AND DISTANCES PROVIDED. PLACED BASED ON 60' R.O.W. FOR HARWOOD LATERAL AND 40' R.O.W. FOR GUADALUPE TRAIL, N.W. RECORD IN BRACKETS [] .

Preliminary
11/02/2023 5:10:30 PM

REVISIONS		COORDINATE AND DIMENSION INFORMATION			PLSS INFORMATION				PROPERTY INFORMATION		PROJECT INFORMATION	
NO.	DATE	BY	DESCRIPTION	STATE PLANE ZONE	GRID / GROUND COORDINATES	GEIOD:	SECTION	TOWNSHIP	RANGE	MERIDIAN	PROPERTY OWNER	CREW/TECH:
				NM-C	GRID	ABQ GEIOD	32	11 NORTH	03 EAST	NMPM	MIDDLE RIO GRANDE CONSERVANCY DISTRICT	MC/OT
				HORIZONTAL DATUM:	VERTICAL DATUM:							DATE OF SURVEY
				NAD83	NAVD88							10/05/2023
				CONTROL USED:							ADDRESS	CHECKED BY:
				ALBUQUERQUE GEODETIC REFERENCE SYSTEM							N/A	LM
				COMBINED SCALE FACTOR:		DISTANCE ANNOTATION:					SUBDIVISION NAME	PSI JOB NO.
				GRID TO GROUND: 1.000317714		GROUND					N/A	232435P
				GROUND TO GRID: 0.999682387		BEARING ANNOTATION:					UPC	SHEET NUMBER
						GRID					N/A	2 OF 2



OFFICE LOCATION:
9200 San Mateo Boulevard, NE
Albuquerque, NM 87113
505.856.5700 PHONE
505.856.7900 FAX

PHOTO FIGURES



Photo 1. View of cut into eastern maintenance bank of Harwood Lateral from Tract 16C, looking south from Grecian Ave NW. Note the narrow distance between the concrete wingwall for the outlet structure and the new outer edge of the bank.



Photo 2. View of footing for block wall dug in late June, looking south from Grecian Ave NW.

North West Elevation

☀ 131°SE (T) ● 35°8'42"N, 106°38'35"W ±111ft ▲ 4982ft



Photo 3. View of progressed stage of wall construction.



☀ 274°W (T) ● 35°8'41"N, 106°38'33"W ±236ft ▲ 5855ft



Photo 4. View of Notice to Cease and Desist posted at property. Copies of this notice were also sent by certified mail to Mr. Krupiak.



Photo 5. View of completed wall. Notice dirt returned to ditch bank resting high on wall.

STATE OF NEW MEXICO
MIDDLE RIO GRANDE CONSERVANCY DISTRICT

RECEIPT AND CONVEYANCE

Received of MIDDLE RIO GRANDE CONSERVANCY DISTRICT, this 13th day of July, 1934,
the sum of Eighteen and no/100ths ----- Dollars (\$ 18.00),
in consideration of which Luis Gallegos (Single) -----
----- does -----

hereby grant -----, transfer -----, and convey ----- to the Middle Rio Grande Conservancy District, its
successors and assigns fee simple estate in and to the following land and real estate situate in the County of
Bernalillo -----, State of New Mexico, to-wit:

All of that part of tract No. 15-B on the Middle Rio Grande
Conservancy District Property Map No. 32 required for right of way for
the Harwood Lateral, being a strip of land 60 feet wide and measuring
30 feet on each side of a center line beginning at a point on the north
boundary of said tract a distance of 161 feet, more or less, westerly
from the northeast corner and running thence south 18 degrees 08 minutes
west to a point on the south boundary of said tract a distance of 85
feet, more or less, westerly from the southeast corner and containing
0.09 acre, more or less.

The above described parcel of land includes that part of said
tract lying within a strip of land 60 feet wide as now surveyed and
located as the right of way for the Harwood Lateral.

The same being acquired hereunder by said District for right-of-way for the Harwood Lateral
-----, together with all rights incident to the interest transferred hereunder, to
have and to hold the same unto the said District, its successors and assigns forever.

Prior to procuring payment herefor, the undersigned represent s. as owner ----- to be entitled to above
amount as compensation for rights in said realty herein transferred.

IN WITNESS WHEREOF, the undersigned ha.s. set his hand ----- and seal ----- the day and
year first herein written.

Signed, Sealed and Delivered in the Presence of

Luis Gallegos [Seal]

----- [Seal]

----- [Seal]

----- [Seal]

STATE OF NEW MEXICO
COUNTY OF BERNALILLO } ss.

On this 13th day of July, 1934, before me personally appeared

Luis Gallegos (Single)

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate last above written.

My Commission Expires:

April 8, 1938

Joseph H. Mayo
Notary Public.

STATE OF NEW MEXICO,
County of _____ } ss.

On this _____ day of _____, 193____, before me personally appeared

_____ to me personally known,

who being by me duly sworn, did say that he is _____ of

_____ a corporation organized under the laws of the

State of _____ and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its board of directors, and said

_____ acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and seal on this the day and year last above written.

_____ Notary Public.

My Commission expires _____

A
71716

RECEIPT AND CONVEYANCE

Covers _____

For _____

Map _____ Tract _____

Luis Gallegos (Single)

To

Middle Rio Grande Conservancy District

STATE OF NEW MEXICO,

County of Bernalillo } ss.

I hereby certify that this instrument was

filed for record on the 24th day of

January A. D. 1935 at

8:01 o'clock A.M., and was duly

recorded in Book 131 of Records of

Deeds and Conveyances, page 252

on this 24th day of January,

A. D. 1935.

[Signature]
Clerk and Ex-Office Recorder.

By _____ Deputy.

[Handwritten Signature]

STATE OF NEW MEXICO
MIDDLE RIO GRANDE CONSERVANCY DISTRICT

RECEIPT AND CONVEYANCE

Received of MIDDLE RIO GRANDE CONSERVANCY DISTRICT, this 13th day of July, 1934,
the sum of Twenty-eight and no/100ths Dollars (\$28.00),
in consideration of which Luis Gallegos (Single)
does

hereby grant, transfer, and convey to the Middle Rio Grande Conservancy District, its
successors and assigns fee simple estate in and to the following land and real estate situate in the County of

Bernalille, State of New Mexico, to-wit:

All of that part of Tract No. 16-B on the Middle Rio Grande
Conservancy District property Map No. 32 required for right of way for
the Harwood Lateral, being all of said tract lying east of a line
beginning at a point on the north boundary of said tract a distance
of 116 feet, more or less, westerly from the northeast corner and
running thence south 18 degrees 08 minutes west to a point on the south
boundary of said tract a distance of 23 feet, more or less, westerly
from the southeast corner and containing 0.14 acre, more or less.

The above described parcel of land includes that part of said
tract lying east of a line located 30 feet westerly from and parallel
to the center line of the Harwood Lateral, as the same is now surveyed
and located.

The same being acquired hereunder by said District for right-of-way for the Harwood Lateral
together with all rights incident to the interest transferred hereunder, to
have and to hold the same unto the said District, its successors and assigns forever.

Prior to procuring payment herefor, the undersigned represent s as owner to be entitled to above
amount as compensation for rights in said realty herein transferred.

IN WITNESS WHEREOF, the undersigned has set his hand and seal the day and
year first herein written.

Signed, Sealed and Delivered in the Presence of

Luis Gallegos [Seal]

----- [Seal]

----- [Seal]

----- [Seal]

STATE OF NEW MEXICO
COUNTY OF BERNALILLO } ss.

On this 13th day of July, 1934, before me personally appeared _____

Luis Gallegos (Single)

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate last above written.

My Commission Expires:

April 8, 1938

Joseph H. Mayo
Notary Public.

STATE OF NEW MEXICO,
County of _____ } ss.

On this _____ day of _____, 193____, before me personally appeared _____

_____ to me personally known, who being by me duly sworn, did say that he is _____ of _____

_____ a corporation organized under the laws of the State of _____ and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its board of directors, and said _____

acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and seal on this the day and year last above written.

My Commission expires _____ Notary Public.

71715

A

RECEIPT AND CONVEYANCE

Covers _____

For _____

Map _____ Tract _____

Luis Gallegos, (single)

To

Middle Rio Grande Conservancy District

STATE OF NEW MEXICO,
County of Bernalillo } ss.

I hereby certify that this instrument was filed for record on the 24th day of January, A. D. 1935, at 8:00 o'clock A-M., and was duly recorded in Book 131 of Records of Deeds and Conveyances, page 251 on this 24th day of January, A. D. 1935.

Gene Thompson
Clerk and Ex-Officio Recorder.

By _____ Deputy.

RL *EL*

STATE OF NEW MEXICO
MIDDLE RIO GRANDE CONSERVANCY DISTRICT

RECEIPT AND CONVEYANCE

Received of MIDDLE RIO GRANDE CONSERVANCY DISTRICT, this 13th day of July, 1934,
the sum of Two and no/100ths - - - - - Dollars (\$ 2.00),
in consideration of which Luis Gallegos (Single)

----- does -----

hereby grant -----, transfer -----, and convey ----- to the Middle Rio Grande Conservancy District, its
successors and assigns fee simple estate in and to the following land and real estate situate in the County of
Bernalillo, State of New Mexico, to-wit:

All of that part of Tract No. 17 on the Middle Rio Grande
Conservancy District property Map No. 32 required for right of way for
the Harwood Lateral, being all of said tract lying east of a line
beginning at a point on the north boundary of said tract a distance of
23 feet, more or less, westerly from the northeast corner and running
thence south 18 degrees 08 minutes west to a point on the east boundary
of said tract a distance of 36 feet, more or less, southerly from the
said northeast corner and containing 0.01 acre, more or less.

The above described parcel of land includes that part of said
tract lying east of a line located 30 feet westerly from and parallel
to the center line of the Harwood Lateral as the same is now surveyed
and located.

The same being acquired hereunder by said District for right-of-way for the Harwood Lateral

----- together with all rights incident to the interest transferred hereunder, to
have and to hold the same unto the said District, its successors and assigns forever.

Prior to procuring payment herefor, the undersigned represent s as owner ----- to be entitled to above
amount as compensation for rights in said realty herein transferred.

IN WITNESS WHEREOF, the undersigned has set his hand and seal ----- the day and
year first herein written.

Signed, Sealed and Delivered in the Presence of Luis Gallegos [Seal]
----- [Seal]
----- [Seal]
----- [Seal]

STATE OF NEW MEXICO }
COUNTY OF BERNALILLO } ss.

On this 13th day of July, 1934, before me personally appeared
Luis Gallegos (Single)

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate last above written.

My Commission Expires:
April 8 1938

Joseph G. Mayo
Notary Public.

STATE OF NEW MEXICO }
County of _____ } ss.

On this _____ day of _____ 193____, before me personally appeared _____ to me personally known, who being by me duly sworn, did say that he is _____ of _____ a corporation organized under the laws of the State of _____ and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its board of directors, and said _____ acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and seal on this the day and year last above written.

My Commission expires _____ Notary Public.

A 71717 1933

RECEIPT AND CONVEYANCE

Covers _____
For _____
Map _____ Tract _____

Luis Gallegos, (single)

To

Middle Rio Grande Conservancy District

STATE OF NEW MEXICO }
County of BERNALILLO } ss.

I hereby certify that this instrument was filed for record on the 24th day of January, A. D. 1935, at 8:20 o'clock P.M., and was duly recorded in Book 131 of Records of Deeds and Conveyances, page 253 on this 24th day of January

A. D. 1935.
Clerk and Ex-Officio Recorder.

By _____ Deputy.

FORM 6242M-7-33 BARNER PRINTING CO., ALBUQUERQUE, N.M.

This Indenture, Made the 19th day of OCTOBER
 in the Year of Our Lord One Thousand Nine Hundred and Forty, between
MIDDLE RIO GRANDE CONSERVANCY DISTRICT, a corporation
Albuquerque, New Mexico, part y of
 the first part, and Willard Lewis

the part y of the second part.

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of
Twenty Five and No/100 (\$25.00) - - - - - DOLLARS,
 lawful money of the United States of America, to it in hand paid by the said part y
 of the second part, the receipt whereof is hereby acknowledged, do by these presents, demise, release
 and forever quitclaim, unto the said part of the second part and to heirs and
 assigns all the certain lot, piece, or
 parcel of land situated in the County of Bernalillo, and State of
New Mexico, and bounded and particularly described as follows, to-wit:

A parcel of land in School District 22, Bernalillo County, further
described as follows:

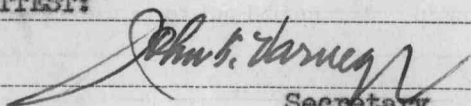
A triangular tract of land measuring 80 feet on the north side,
74 feet on the west side and 118 feet on the southeast side and bounded on
the north by land of Luis Gallegos, on the west by the Harwood Lateral and on
the southeast by Guadalupe Trail and being a part of the land deeded to the
District on July 13, 1934 by Luis Gallegos as right of way for the Harwood
Lateral out of Tract 16, Map 32. The above described tract contains
0.07 acre more or less. Subject to Middle Rio Grande Conservancy
District assessments. The tract shall be described as Tract 16-C on Map 32.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in
 any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits
 thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the
 said part y of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said part y of the first part ha s hereunto set its hand
 and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of MIDDLE RIO GRANDE CONSERVANCY DISTRICT (SEAL)

ATTEST:

 Secretary

Signed: Frank Butt (SEAL)
 President
 (SEAL)

Quitclaim Deed

TO

STATE OF NEW MEXICO,
County of _____ } ss.

I hereby certify that this instrument was
filed for record on the _____ day of

_____, A. D. 19____ at

_____ o'clock _____ M., and was duly recorded

in Book _____ of Records of Deeds and

Conveyances, Page _____, on this

_____ day of _____

A. D. 19_____.

Probate Clerk and Ex-Officio Recorder.

Deputy.

PRINTED AND FOR SALE BY VALLIANT PRINTING CO., ALBUQUERQUE

My commission expires _____ JUNE 1, 1911 _____ BERNALILLO County, New Mexico
(Signed) _____ Virginia Chavez _____ Notary Public.

Witness my hand and seal on this the day and year first above written.
said instrument to be the free act and deed of said corporation.
its board of directors, and said _____ FRANK BUTT _____ acknowledged
of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of
State of _____ NEW MEXICO _____, and that the seal affixed to said instrument is the corporate seal
MIDDLE RIO GRANDE CONSERVANCY DISTRICT _____, a corporation organized under the laws of the
who being by me duly sworn, did say that he is _____ PRESIDENT _____ of
_____ FRANK BUTT _____, to me personally known,
On this _____ 19th _____ day of _____ OCTOBER _____, 1910, before me personally appeared

ACKNOWLEDGMENT

CORPORATION

STATE OF NEW MEXICO,

County of _____ BERNALILLO } ss.

My commission expires _____
Witness my hand and seal the day and year last above written.

that _____ executed the same as _____ free act and deed.
to me known to be the person _____ described in and who executed the foregoing instrument and acknowledged

On this _____ day of _____, 19____, before me personally appeared
County of _____ } ss.
STATE OF NEW MEXICO,



P.O. Box 581 • 87103-01
1931 2nd ST SW
Albuquerque, NM • 87114

USPS CERTIFIED MAIL



9214 8901 9403 8323 2628 42

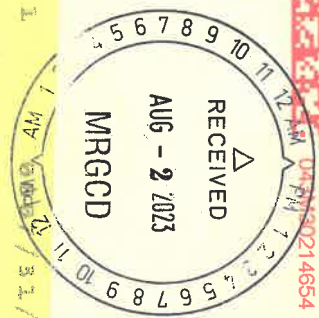
*LN Refused
PTS*

DAN & CHRISTINE KRUPIAK
8219 GR
ALBUQU

9272920041888888

87102-4313
87122-1001

RETURN TO SENDER
REFUSED
UNABLE TO FORWARD



quodient
FIRST-CLASS MAIL
\$007.18⁹
07/20/2023 ZIP 87102
04 PM 0214654

US POSTAGE

DAN & CHRISTINE KRUIPAK 8219 GRAPE VIEW COURT NE ALBUQUERQUE, NM 87122

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®

about the environment:



made of recycled paper.

KEEPING THE VALLEY GREEN





July 19, 2023

Dan and Christine Krupiak
8219 Grape View Court NE
Albuquerque, NM 87122

REFERENCE: NOTICE TO CEASE AND DESIST

Dear Mr. and Mrs. Krupiak,

The Middle Rio Grande Conservancy District (MRGCD) is writing to inform you that you must immediately cease your unauthorized activity within the Harwood Lateral right-of-way (ROW) by discontinuing construction of the block wall along the disputed boundary of your private property (Tract 16C, MRGCD Map 32) with the MRGCD ROW, shown on Exhibit A attached hereto.

MRGCD staff understand that you have damaged the ditch bank through unauthorized removal of earthen material from the easterly edge of the bank (Photo Figure A, attached hereto). MRGCD staff also understand that you intend to complete construction of a block wall along the disputed boundary between your private property and MRGCD ROW (Photo Figures B and C). Please be advised that MRGCD will seek damages incurred to restore the area of the ROW impacted by unauthorized removal of earthen material from the ditch bank. MRGCD will also require that you remove any portion of the block wall determined to be encroaching within MRGCD ROW by a licensed surveyor. Once the boundary between MRGCD ROW and your private property is clarified, and any infrastructure determined at that time to be encroaching from your property into MRGCD ROW are removed, the MRGCD will notify Bernalillo County to lift the lock placed on your building permit, Permit No. BRBP2022-0276.

Should you have any questions, please contact me at ezamora@mrgcd.us or by calling (505) 247-0234. We are happy to meet with you to discuss this matter further.

Sincerely,


Eric Zamora, P.E.
Chief Operations Officer
Middle Rio Grande Conservancy District

P.O. Box 581

87103-0581

1931 Second St. SW

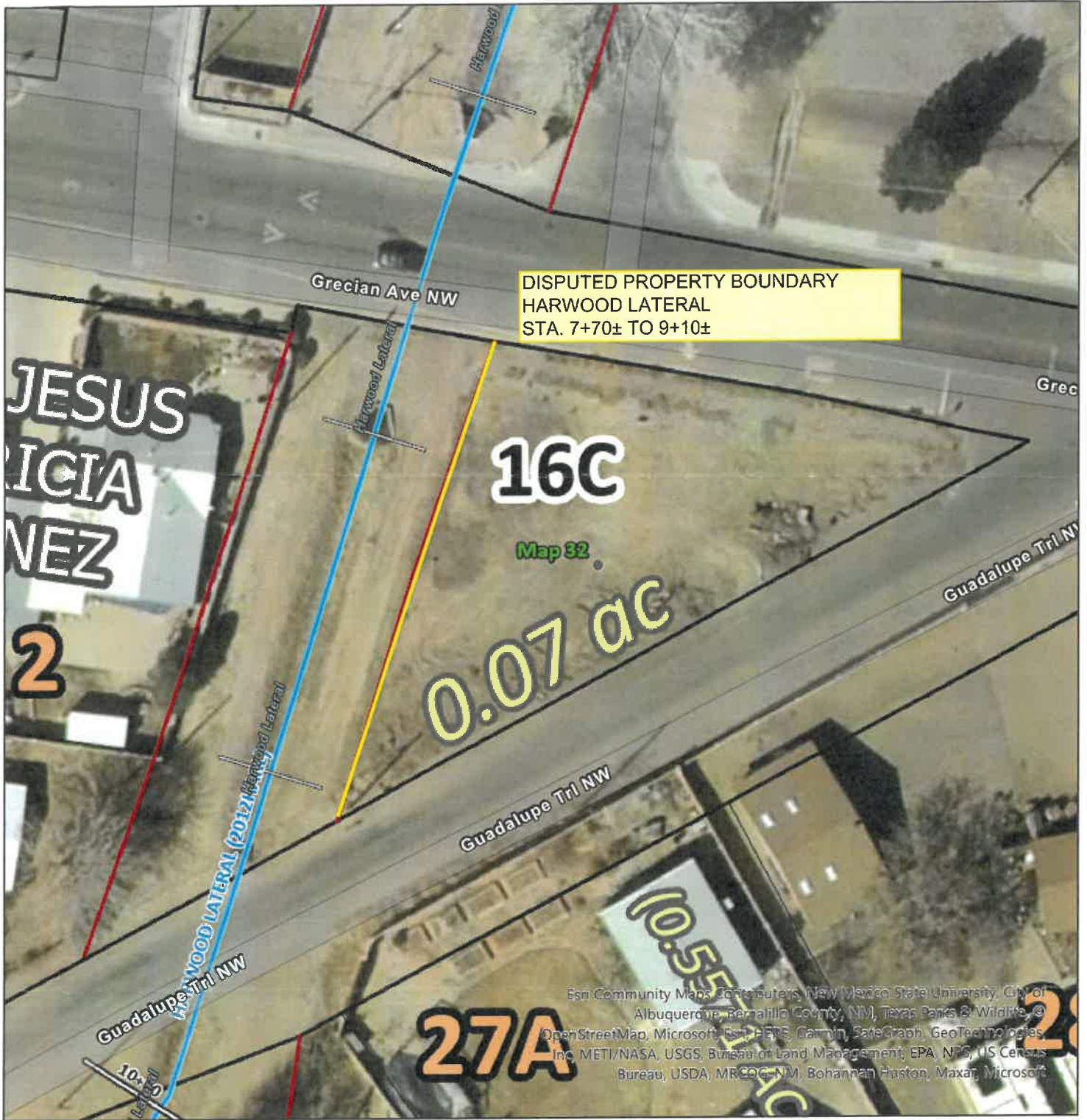
Albuquerque, NM

87102-4515

505.247.0234

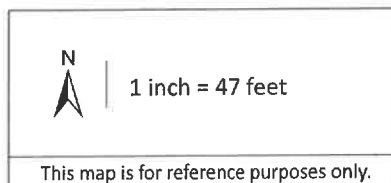
Fax # 505.243.7308

Enclosed: Exhibit Map, Photo Figures



Date: 7/18/2023

EXHIBIT A



MRGCD Cadastre Lines	Facility Network	MRGCD Map Index
— Lot Lines	— Drain	□ MRGCD Map Index
- - - Combined Lots	— Other	
— MRGCD ROW		
— Public ROW		

PHOTO FIGURES



Figure A.
Outer easterly edge of the ditch bank has been removed.

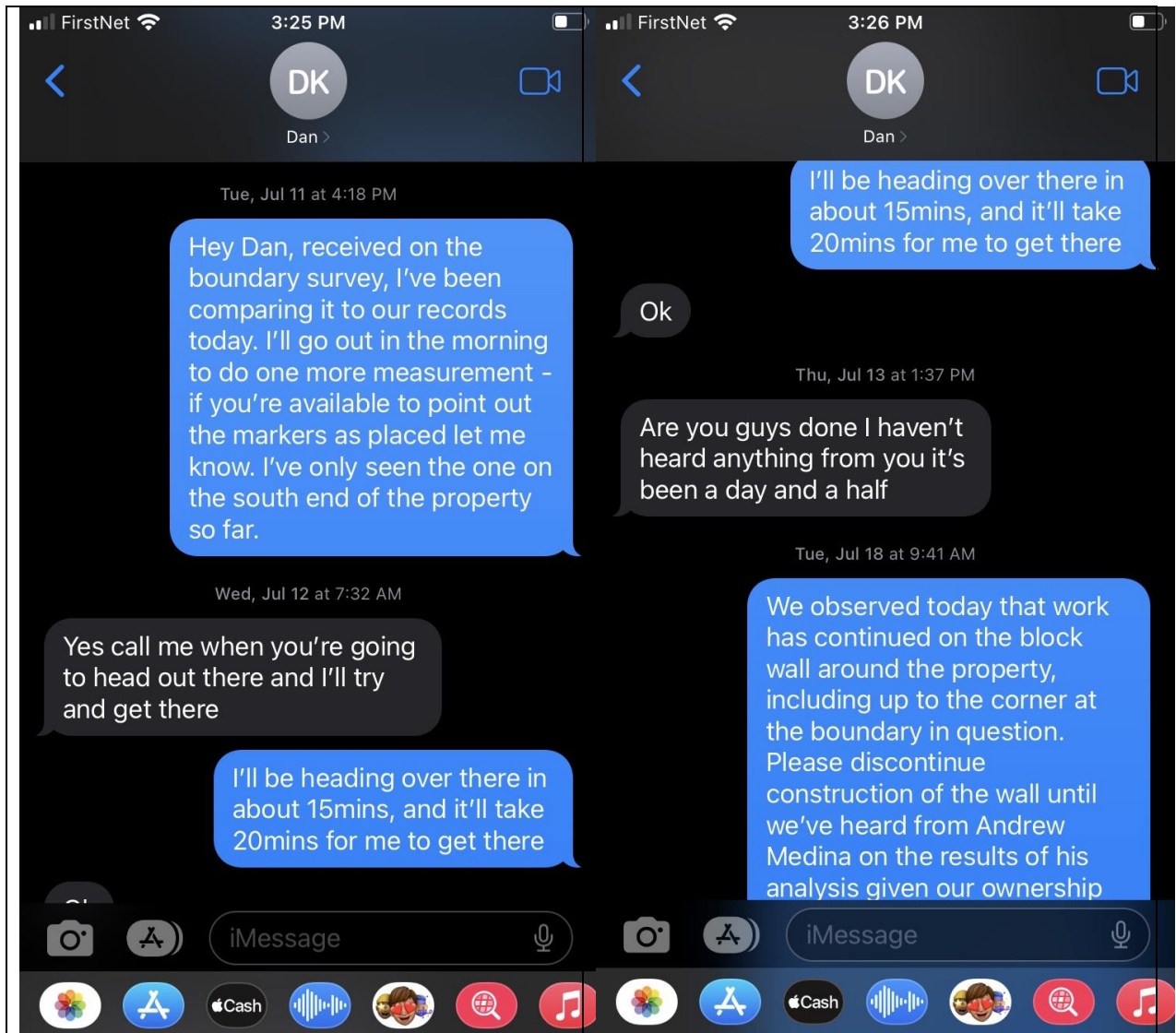


Figure B.
Extent of block wall constructed as of July 18, 2023.



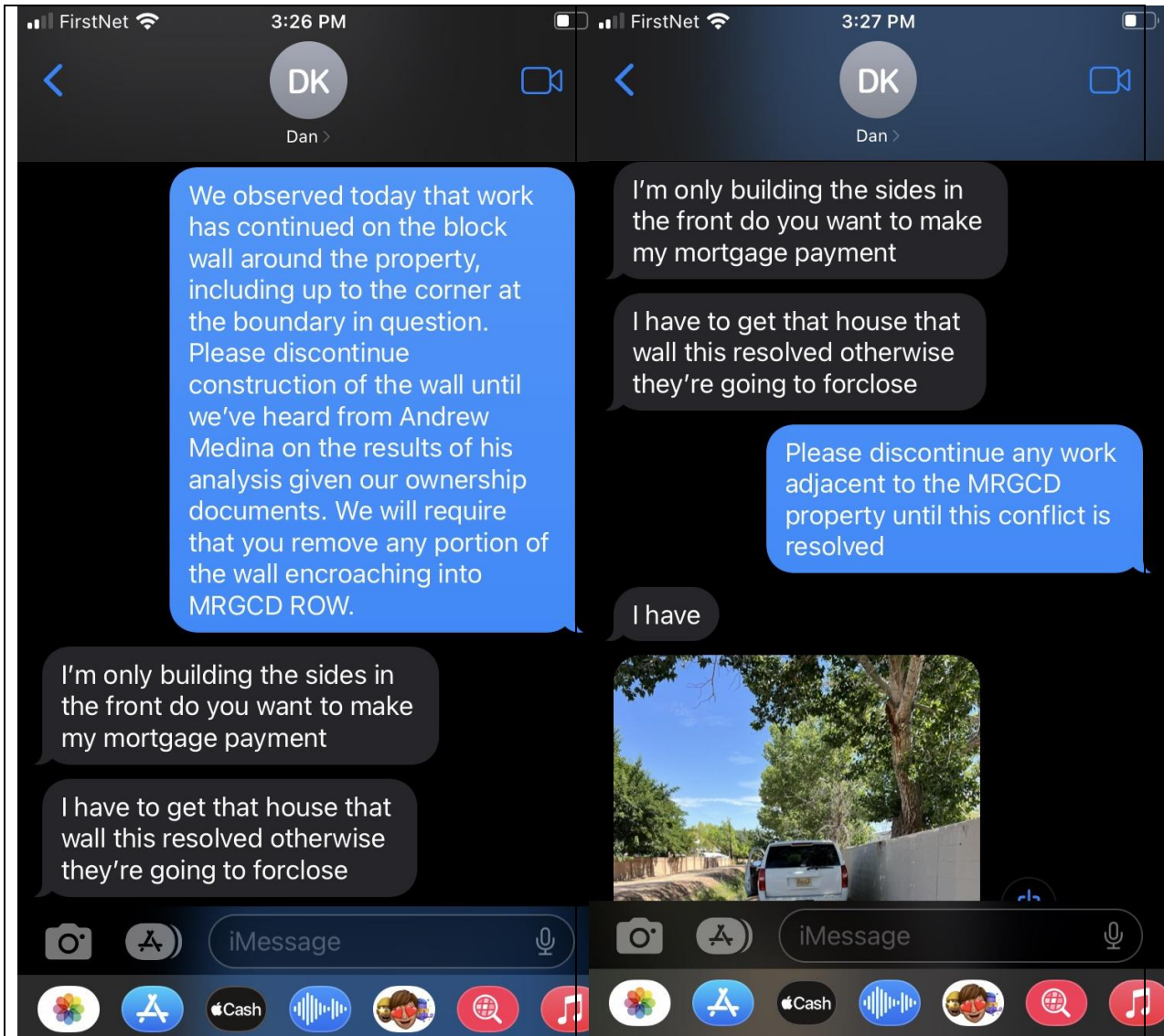
Figure C.
Extent of block wall
constructed as of July 18,
2023, showing portion of wall
to be constructed along
disputed boundary of MRGCD
right-of-way and private
property.

TEXT MESSAGES



Messages 1/4. Reached out to Mr. Krupiak to acquire the boundary survey used for the development after the footing cut for the block wall was first observed. Survey was received by email from Mr. Krupiak on 7.11.23.

Messages 2/4. Observed further construction of block wall on 7.18.23.



Messages 3/4. Continuation of 7.18.23 conversation.

Messages 4/4. Continuation of 7.18.23 conversation.

SANDIA LAND SURVEYING LLC

15 CASA TERRENOS
PLACITAS, N.M. 87043
(505)867-1241

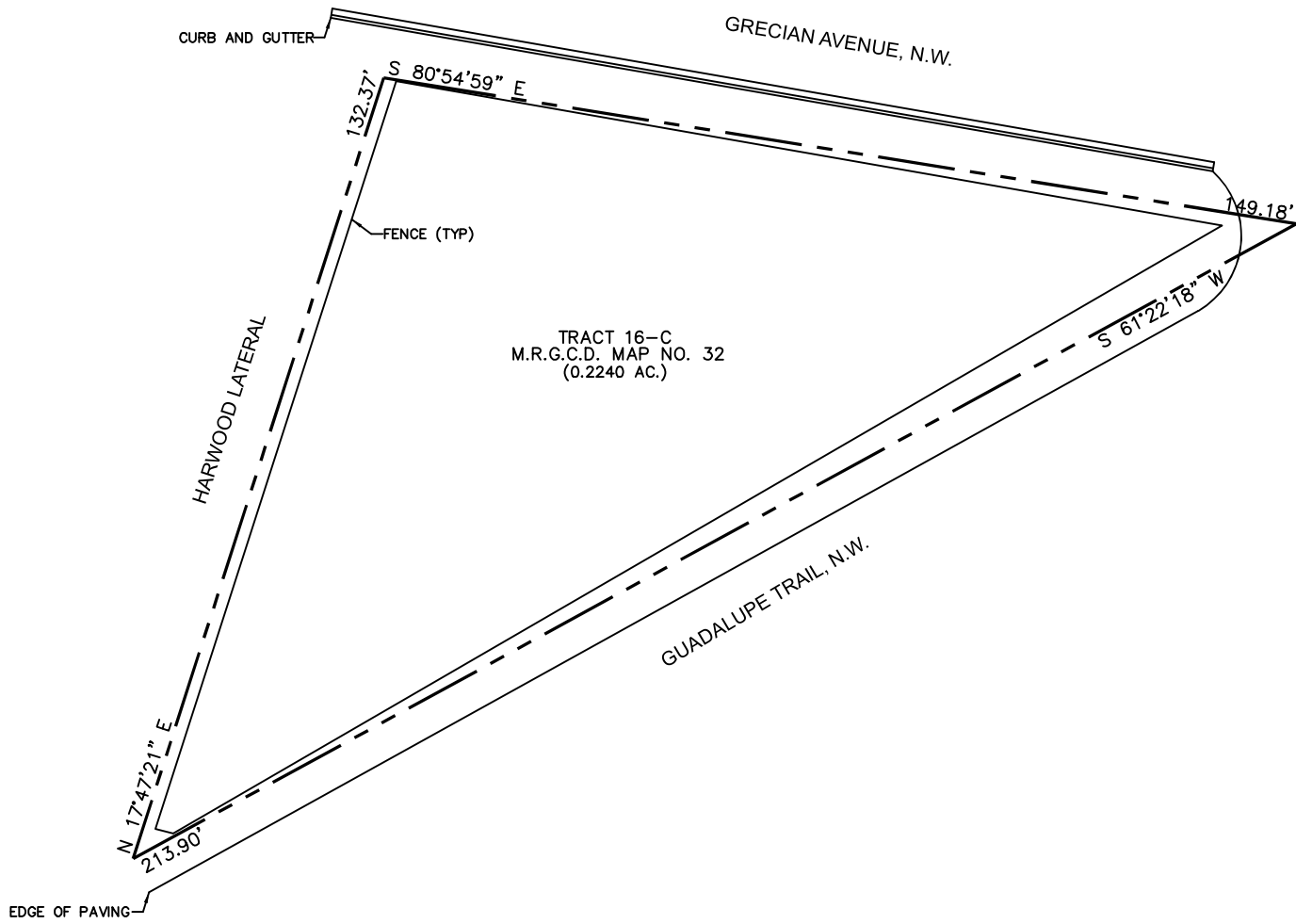
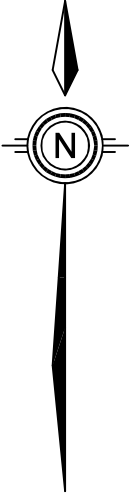
BOUNDARY SURVEY
TRACT 16-C
M.R.G.C.D. MAP NO. 32
BERNALILLO COUNTY
BERNALILLO COUNTY, NEW MEXICO

JOB NO.:
627-21

DATE:
11-19-2021

SCALE:
1"=30'

- NOTE: 1) BEARING BASE FOR THIS SURVEY IS LEGAL DESCRIPTION OF RECORD.
- 2) UNLESS OTHERWISE NOTED CORNERS ARE SET PK NAIL W/TAG "SLS 12649".



TRACT 16-C
M.R.G.C.D. MAP NO. 32
(0.2240 AC.)

LEGAL DESCRIPTION
SEE ATTACHED LEGAL

FLOOD CERTIFICATE:
IT IS HEREBY CERTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD HAZARD BOUNDARY IN ACCORDANCE WITH HUD FEDERAL ADMINISTRATION FLOOD HAZARD BOUNDARY MAP DATED AUGUST 16, 2012. ZONE "X", COMMUNITY PANEL NO. 350001 0142 H.

I, ANDREW S. MEDINA, NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR NUMBER 12649, DO HEREBY CERTIFY THAT THE SURVEY AND PLAT SHOWN HEREON WERE PREFORMED AND EXECUTED UNDER MY SUPERVISION AND MEETS THE "MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO" AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN, WITNESS WHEREOF, this certificate is executed at Albuquerque, New Mexico on this ...19TH..... day of ...NOVEMBER 20 21..



Andrew S. Medina
Surveyor, Andrew S. Medina
SANDIA LAND SURVEYING

N.M.P.S. No. 12649

A CERTAIN TRACT OF LAND SITUATE WITHIN SECTION 32, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING IDENTIFIED AS TRACT 16-C AS SHOWN ON THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT MAP NO. 32 TOGETHER WITH A PORTION OF VACATED GRECIAN DRIVE ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING A POINT OF THE INTERSECTION OF THE SOUTHERLY LINE OF GRECIAN DRIVE AND THE WESTERLY LINE OF GUADALUPE TRAIL, WHENCE THE NORTHWEST CORNER OF LOT 29-A IN BLOCK NUMBERED 1 OF THE GAVILAN ADDITION, ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON OCTOBER 20, 1945 IN VOLUME C, FOLIO 45 BEARS S 72° 11' 23" E, A DISTANCE OF 55.20 FEET RUNNING THENCE S 61° 22' 18" W, ALONG THE WESTERLY LINE OF GUADALUPE TRAIL, A DISTANCE OF 213.90 FEET TO THE MOST SOUTHERLY CORNER, BEING A POINT ON THE EASTERLY LINE OF THE HARWOOD LATERAL; THENCE N 17° 47' 22" E, ALONG THE EASTERLY LINE TO THE NORTHWEST CORNER, BEING A POINT ON THE SOUTHERLY LINE OF GRECIAN DRIVE, THENCE S 80° 55' 00" E, ALONG THE SOUTHERLY LINE OF GRECIAN DRIVE, A DISTANCE OF 149.18 FEET TO THE NORTHEAST CORNER AND PLACE OF BEGINNING;

MEMORANDUM

TO: Ray Shollengrger, Attorney
FROM: Joseph W. Griego, Property Engineer
DATE: November 17, 1986
SUBJECT: Abandoned portion Harwood Lateral

The Board of Directors at the regularly scheduled meeting of August 12, 1986 abandoned that portion of the Harwood Lateral from San Lorenzo Drive south to its termination just north of Candelaria Road.

The Harwood Lateral is a part of the official plan of the District and therefore, abandonment through the Conservancy Court is required. Please prepare the necessary documents to accomplish this requirement.

The following is pertinent information concerning that portion of the abandoned lateral:

1. Harwood Lateral is abandoned from Station 76+22+, south to its termination at Station 95+27.73+, also (may be) described as the lower portion of the Harwood Lateral from San Lorenzo Drive south to its southerly boundary (as per minutes).
2. All right-of-way acquired by District through the abandoned portion was in fee, refer to Receipt and Conveyances 5505, 4885, 5969, 5109, 6029, 5110, 6028 and 5029 attached.
3. Right-of-way of Harwood Lateral was not assigned to, nor is is a release required from the U.S. Government (BOR). (see letter dated Nov. 14, 1986)
4. Refer to the attached copies for additional information.
 - A. Memorandum dated
 - B. Minutes Meeting of August 12, 1986
 - C. Portion of P & P Sheet #A-106

Should you require additional information please let me know.



United States Department of the Interior

BUREAU OF RECLAMATION
UPPER RIO GRANDE BASIN PROJECTS OFFICE
P.O. BOX 252
ALBUQUERQUE, NEW MEXICO 87103

IN REPLY
REFER TO:

NOV 14 1986



Mr. Charles R. Martinez
General Manager
Middle Rio Grande Conservancy
District
P. O. Box 581
Albuquerque, New Mexico 87103

Dear Mr. Martinez:

This acknowledges your letter of September 12, 1986, concerning action to abandon a portion of the Harwood Lateral from San Lorenzo, south to its southerly boundary.

Our records show no assignment of that portion of Harwood Lateral right-of-way from MRGCD to the United States. Accordingly, no release of assignment is required.

Sincerely yours,

for Charles A. Calhoun
Projects Superintendent

MIDDLE RIO GRANDE CONSERVANCY DISTRICT ROUTING STAMP			
Office	Date	Initial	To
✓ S/MGR.	11/17	llm	✓
S/TREAS.			
✓ C/ENG.			
Grego			

September 12, 1986

Charles R. Calhoun
Projects Superintendent
Bureau of Reclamation
P.O. Box 252
Albuquerque, New Mexico 87102

Dear Mr. Calhoun:

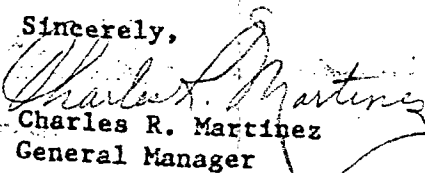
The District Board of Directors at the regularly scheduled meeting of August 12, 1986 took action to abandon a portion of the Harwood Lateral described as being that portion from San Lorenzo, south to its southerly boundary. The abandoned portion of the Lateral can also be identified as, from centerline Station 76+22+ to centerline Station 95+27.73+, located on MRGCD Property Map Number 33.

Our staff has researched the status of the Lateral and cannot confirm the Harwood Lateral was assigned over to the U.S. Government. Would you please research your records to reconfirm our findings. Should your findings conclude otherwise, please consider this a request for release of right-of-way in favor of the District.

Enclosed you will find information relating to the abandoned portion of the lateral to aid in your research.

Should you require additional information concerning this matter please contact Mr. Joe Griego of my staff.

Sincerely,


Charles R. Martinez
General Manager

Encl.

CRM/amt

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

MIDDLE RIO GRANDE PROJECT

GRANT OF RIGHT OF WAY EASEMENT

THIS EASEMENT, made this 23 day of October, 1962, between the Middle Rio Grande Conservancy District, a conservancy district duly organized and existing pursuant to the laws of the State of New Mexico, hereinafter referred to as Grantor and the United States of America, hereinafter referred to as the United States, in pursuance of the provisions of the Act of June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, and Article 26 of contract dated September 24, 1951, between the Grantor and the United States of America.

WITNESSETH:

1. For and in consideration of the sum of \$1.00, the receipt whereof is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer, assign and convey to the United States and its assigns, an easement to all the works and structures of the Middle Rio Grande Conservancy District together with an exclusive right, privilege and easement to construct, reconstruct, replace, enlarge, operate and maintain ditches, canals, laterals, drains, adeducts, water conduits, fences, bridges, roads, telephone and telegraph lines, and any other structures or facilities the United States may deem necessary or desirable for the construction, operation and maintenance of the Middle Rio Grande Conservancy District, and the exclusive right, privilege and easement to remove from or place on earth and rock, with the right of ingress and egress for the purposes of carrying out the easement hereby granted, in and upon the lands of the Middle Rio Grande Conservancy District situated in the County of Bernalillo, State of New Mexico, more particularly described in the following instruments, to-wit:

CITY OF Bernalillo, N. M.

Nov. 21, 1962 - 1:07 P.M.

IN WITNESS WHEREOF, 669

Records of said Co. page Folio 9

2. This grant and assignment of easement is subject to existing rights-of-way, or easements of record for canals, ditches, flumes, pipe lines, railroads, highways, roads, telephone, telegraph and power transmission lines created in favor of the public or public utilities and to such other rights-of-way or reservations as the United States determines are not objectionable.

3. The Grantor for itself, its successors and assigns, does hereby covenant that at this delivery and assignment of easement, it is lawfully seized in its own right of an estate in all and singular the said tracts of land sufficient to grant, bargain, sell, transfer, assign, and convey the right, privilege and easement described in Article 1 hereof, and that Grantor will warrant and forever defend the same unto the United States and its assigns forever against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the Grantor has caused this agreement to be executed the day and year first above written.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

By L. G. Zartman
Vice President

ATTEST:

Lore W. Schubert
Secretary

STATE OF NEW MEXICO)
 : SS
County of Bernalillo)

On this 23rd day of October, 1962, before me personally appeared L. G. Zartman to me personally known, who being by me duly sworn, did say that he is Vice-President of the Middle Rio Grande Conservancy District, a conservancy district duly organized and existing under the laws of the State of New Mexico, and the seal affixed to said instrument is the district seal of said conservancy district and that said instrument was signed and sealed in behalf of said conservancy district, by authority of its Board of Directors and said L. G. Zartman acknowledged said instrument to be the free act and deed of said conservancy district.

Witness my hand and seal this the day and year first above written.

William H. Jones Notary Public

My Commission Expires:

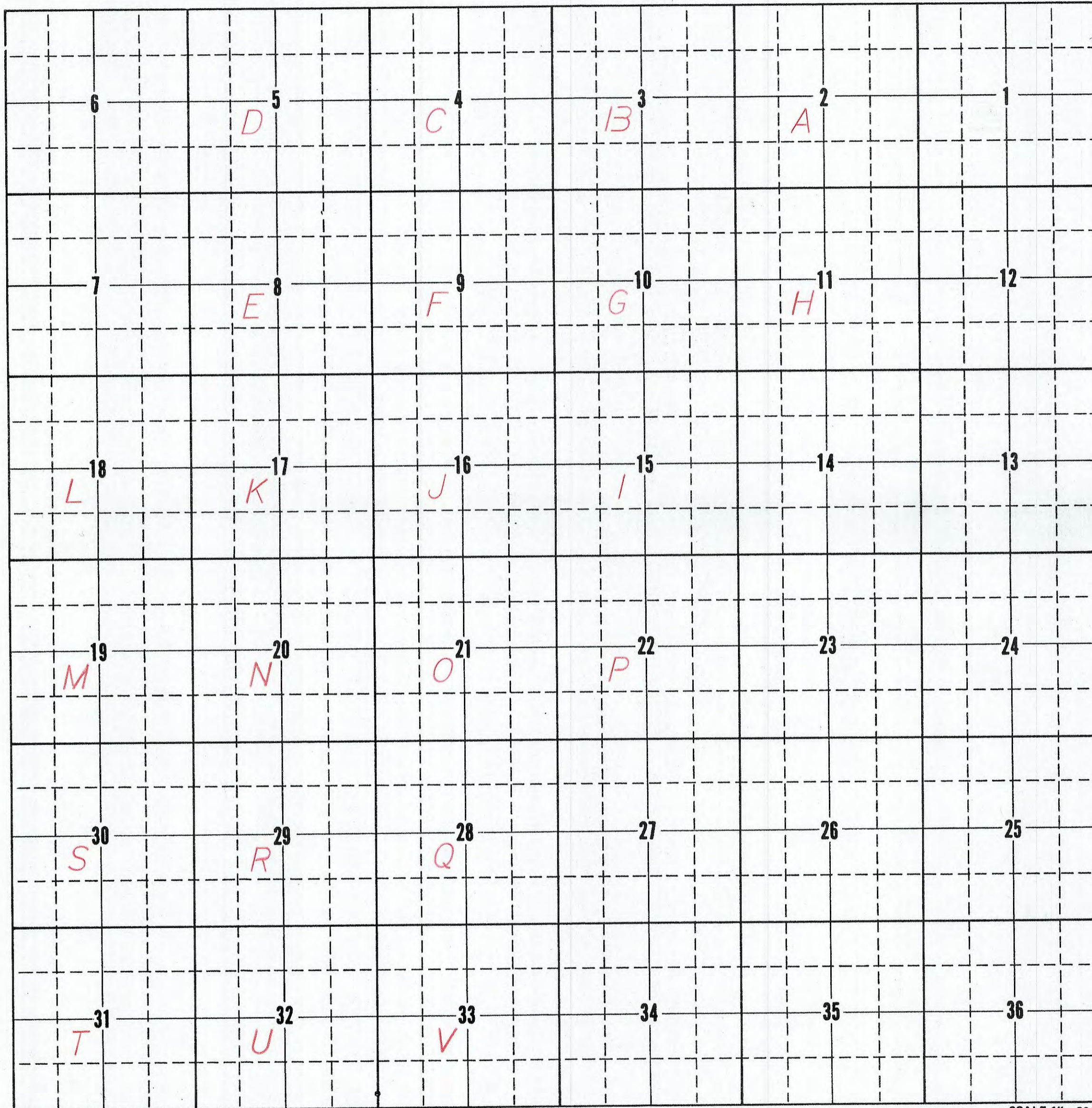
Bernalillo County, New Mexico

July 16, 1965

7-1510 (2-81)
Bureau of Reclamation

ACQUIRED AND WITHDRAWN LANDS

WITHDRAWAL AND RESTORATION ORDERS



INDEX NO.	WITHDRAWAL OR RESTORATION NO.	DATE OF ORDER	ACREAGE	PURPOSE FOR LAND AND IDENTIFIED PROPERTY NO.	PILT CODE

T11N R3E MIDDLE RIO GRANDE PROJECT PAGE 18

INDEX NO.	F,E,S	CONTRACT NO.	VENDOR OR VENDEE	DATE OF CONVEYANCE	COST	ACREAGE	SUPPLEMENT PAGE	PILT CODE
0018-001	E	assignment	MRGCD: alameda drain	11/24/1953	\$0.00	93.99	18-B, 18-G, 18-I, 18-J, 18-O, 18-Q, 18-U, 18-V	
0018-002	E	assignment	MRGCD: alameda lateral	11/24/1953	\$0.00	58.33	18-A, 18-G, 18-H, 18-I, 18-P, 18-Q, 18-V	
0018-003	E	assignment	MRGCD: albuquerque main canal	11/24/1953	\$0.00	66.33	18-A, 18-B, 18-C, 18-F, 18-J, 18-K	
0018-004	E	assignment	MRGCD: albuquerque riverside drain (atrisco feeder canal)	11/24/1953	\$0.00	120.59	18-A, 18-B, 18-C, 18-E, 18-F, 18-K, 18-M, 18-N, 18-S, 18-T	
0018-005	E	assignment	MRGCD: albuquerque riverside drain	12/23/1958	\$0.00	0.65	18-M, 18-N	
0018-006	E	assignment	MRGCD: albuquerque riverside drain	12/23/1954	\$60.00	0.20	18-S	
0018-007	E	assignment	MRGCD: allison lateral	11/24/1953	\$0.00	5.48	18-N, 18-R	
0018-008	E	assignment	MRGCD: chamisal lateral	11/4/1960	\$9,468.94	19.83	18-B, 18-G, 18-F, 18-J, 18-O	
0018-009	E	assignment	MRGCD: corrales acequia	9/21/1961	\$4,485.31	4.97	18-C, 18-D, 18-E	
0018-010	E	assignment	MRGCD: corrales acequia	3/6/1962	\$5,053.90	7.63	18-C, 18-D, 18-E	
0018-011	E	assignment	MRGCD: corrales interior drain	11/24/1953	\$0.00	2.61	18-B	
0018-012	E	assignment	MRGCD: corrales main canal	11/24/1953	\$0.00	58.18	19-D, 18-E, 18-K, 18-L, 18-M	
0018-013	E	assignment	MRGCD: corrales riverside drain	11/24/1953	\$0.00	129.08	18-B, 18-C, 18-E, 18-K, 18-L, 18-M	
0018-014	F	assignment	MRGCD	9/22/1981	\$0.00	1.50	18-A, 18-H	
0018-015	E	assignment	MRGCD: duranes lateral	11/24/1953	\$0.00	5.00	18-T	
0018-016	E	assignment	MRGCD: gallegos lateral	11/24/1953	\$0.00	40.98	18-M, 18-N, 18-Q, 18-R, 18-S	
0018-017	E	assignment	MRGCD: gonzales drain	11/24/1953	\$0.00	7.27	18-E, 18-F	
0018-018	E	assignment	MRGCD: griegos drain	11/24/1953	\$0.00	39.72	18-N, 18-R, 18-S, 18-T	
0018-019	E	assignment	MRGCD: griegos lateral	11/24/1953	\$0.00	20.66	18-K, 18-N, 18-S, 18-T	
0018-020	E	assignment	MRGCD: nicholls drain	11/24/1953	\$0.00	4.02	18-C	

LEGEND:
 Blue Outline = Withdrawn Land
 Red Outline = Restored Land
 Yellow Outline = Fee Acquisition
 Brown Outline = Easement Acquisition
 Purple Outline = Land Sold

ACREAGE TOTALS FOR TOWNSHIP
 Withdrawn _____
 Acquired _____
 Easement _____

SCALE 1" = 2640'

Harwood Lateral

Right-of-way boundary with Tract 16C, MRGCD Map No. 32
Station 7+65± to 9+30±

Between Grecian Ave. NW and Guadalupe Trl. NW



Presentation prepared by:
Rhett Sanders-Spencer, Right-of-Way Specialist

November 13, 2023

Initial Contact: April 2023



Wall Construction: June – August 2023

North Elevation

📍 194°S (T) 📍 35°8'42"N, 106°38'35"W ±42ft ▲ 4971ft



North West Elevation

📍 131°SE (T) 📍 35°8'42"N, 106°38'35"W ±111ft ▲ 4982ft



Wall Construction: June – August 2023



July 19, 2023

Dan and Christine Krupiak
8219 Grape View Court NE
Albuquerque, NM 87122

REFERENCE: NOTICE TO CEASE AND DESIST

Dear Mr. and Mrs. Krupiak,

The Middle Rio Grande Conservancy District (MRGCD) is writing to inform you that you must immediately cease your unauthorized activity within the Harwood Lateral right-of-way (ROW) by discontinuing construction of the block wall along the disputed boundary of your private property (Tract 16C, MRGCD Map 32) with the MRGCD ROW, shown on Exhibit A attached hereto.

MRGCD staff understand that you have damaged the ditch bank through unauthorized removal of earthen material from the easterly edge of the bank (Photo Figure A, attached hereto). MRGCD staff also understand that you intend to complete construction of a block wall along the disputed boundary between your private property and MRGCD ROW (Photo Figures B and C). Please be advised that MRGCD will seek damages incurred to restore the area of the ROW impacted by unauthorized removal of earthen material from the ditch bank. MRGCD will also require that you remove any portion of the block wall determined to be encroaching within MRGCD ROW by a licensed surveyor. Once the boundary between MRGCD ROW and your private property is clarified, and any infrastructure determined at that time to be encroaching from your property into MRGCD ROW are removed, the MRGCD will notify Bernalillo County to lift the lock placed on your building permit, Permit No. BRBP2022-0276.

Should you have any questions, please contact me at ezamora@mrgcd.us or by calling (505) 247-0234. We are happy to meet with you to discuss this matter further.

Sincerely,

Eric Zamora, P.E.
Chief Operations Officer
Middle Rio Grande Conservancy District

P.O. Box 581
87103-0581
1931 Second St. SW
Albuquerque, NM
87102-4815
505.247.0234
Fax # 805.243.7308

Enclosed: Exhibit Map, Photo Figures

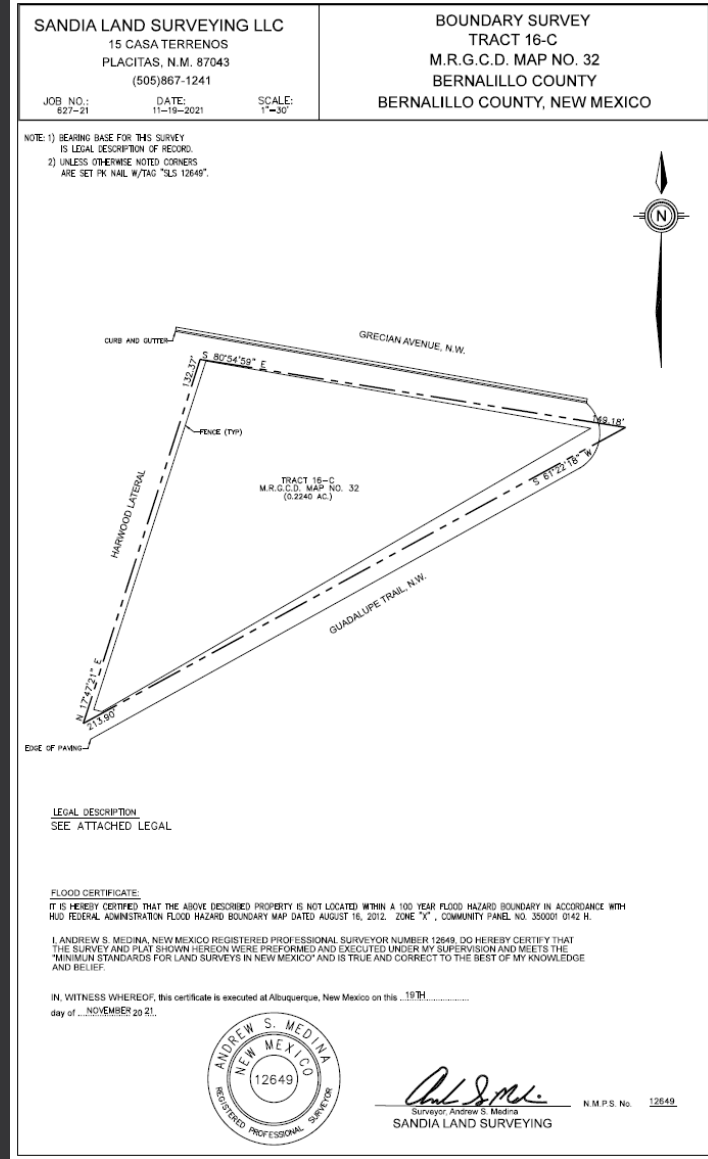


Wall Construction: June – August 2023

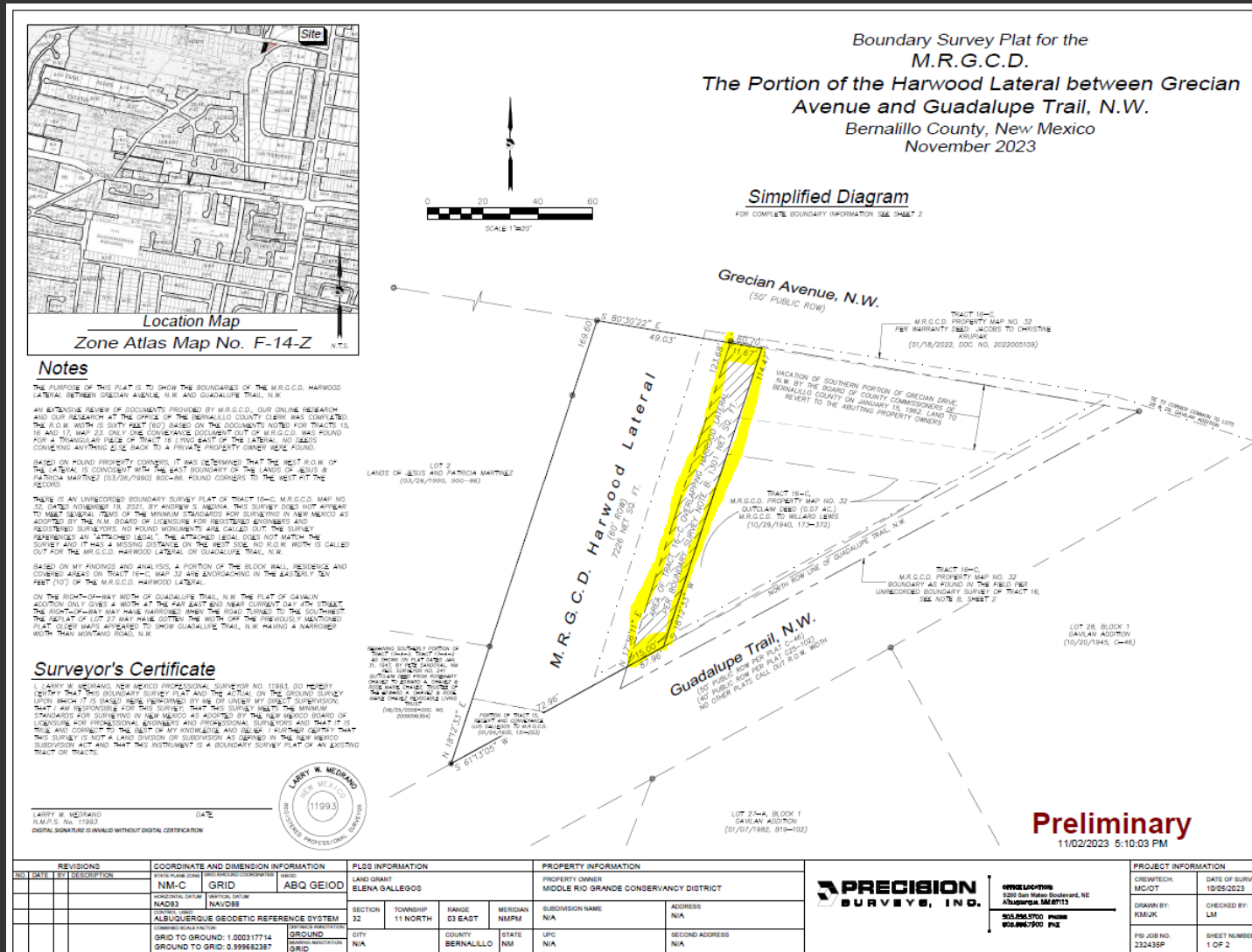


Medina Survey Review: July – September 2023

A CERTAIN TRACT OF LAND SITUATE WITHIN SECTION 32, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING IDENTIFIED AS TRACT 16-C AS SHOWN ON THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT MAP NO. 32 TOGETHER WITH A PORTION OF VACATED GRECIAN DRIVE ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING A POINT OF THE INTERSECTION OF THE SOUTHERLY LINE OF GRECIAN DRIVE AND THE WESTERLY LINE OF GUADALUPE TRAIL, WHENCE THE NORTHWEST CORNER OF LOT 29-A IN BLOCK NUMBERED 1 OF THE GAVILAN ADDITION, ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON OCTOBER 20, 1945 IN VOLUME C, FOLIO 45 BEARS S 72° 11' 23" E, A DISTANCE OF 55.20 FEET RUNNING THENCE S 61° 22' 18" W, ALONG THE WESTERLY LINE OF GUADALUPE TRAIL, A DISTANCE OF 213.90 FEET TO THE MOST SOUTHERLY CORNER, BEING A POINT ON THE EASTERLY LINE OF THE HARWOOD LATERAL; THENCE N 17° 47' 22" E, ALONG THE EASTERLY LINE TO THE NORTHWEST CORNER, BEING A POINT ON THE SOUTHERLY LINE OF GRECIAN DRIVE, THENCE S 80° 55' 00" E, ALONG THE SOUTHERLY LINE OF GRECIAN DRIVE, A DISTANCE OF 149.18 FEET TO THE NORTHEAST CORNER AND PLACE OF BEGINNING;



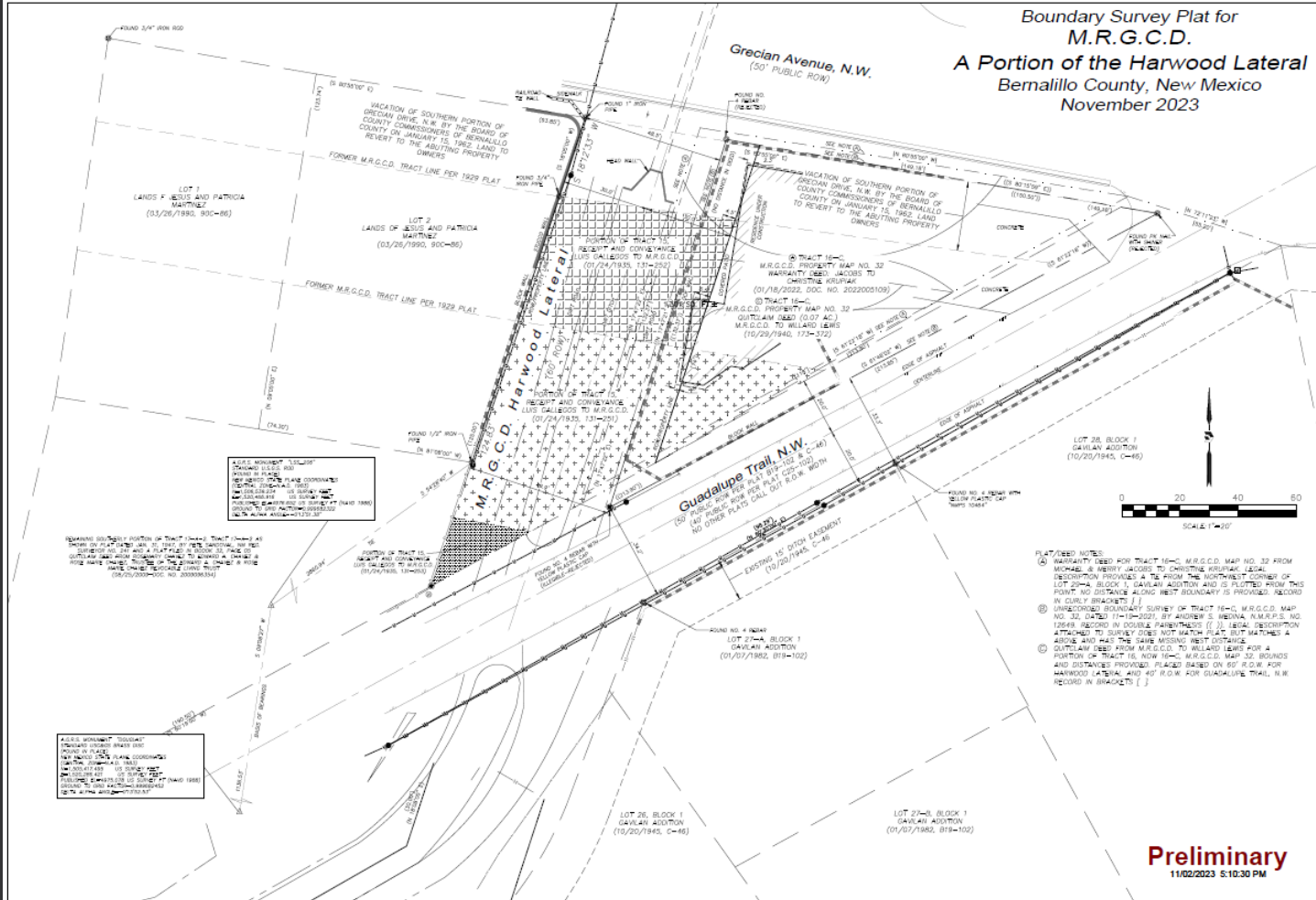
Precision Surveys, Inc. contracted: September – November 2023, p. 1



- The unrecorded boundary survey plat of Tract 16-C, MRGCD Map No. 32 used by Mr. Krupiak does not appear to meet several of the minimum standards for surveying in New Mexico as adopted by the NM Board of Licensure for Registered Engineers and Registered Surveyors.
- An extensive review of all documents provided by MRGCD, their online research, and their research at the office of the Bernalillo County Clerk produced no evidence to suggest that MRGCD released any of its 60' wide ROW; the ROW width is 60'.
- Portions of the newly constructed building, a portion of the covered patio, and the block wall are all encroaching into the easterly ten feet (10') of the ROW, for a total encroachment of 1301± net square feet.

Precision Surveys, Inc. contracted: September – November 2023, p. 2

Boundary Survey Plat for M.R.G.C.D. A Portion of the Harwood Lateral Bernalillo County, New Mexico November 2023



Preliminary
11/02/2023 5:10:30 PM

REVISIONS		COORDINATE AND DIMENSION INFORMATION		PLSD INFORMATION		PROPERTY INFORMATION		PROJECT INFORMATION	
NO.	DATE	BY	DESCRIPTION	DATA SOURCE SYSTEM	PROJECTION/COORDINATE SYSTEM	LAND GRANT	PROPERTY OWNER	CREW/TECH	DATE OF SURVEY
				NM-C	GRID	ELENA GALLEGOS	MIDDLE RIO GRANDE CONSERVANCY DISTRICT	KM/JRK	10/05/2023
				NAD83	NAVD83				
				ALBUQUERQUE GEODETIC REFERENCE SYSTEM		SECTION	TOWNSHIP	RANGE	MERIDIAN
				COORDINATE SYSTEM		32	11 NORTH	03 EAST	NMPM
				GRID TO GROUND: 1.000317714	GROUND TO GRID: 0.999682287	CITY	COUNTY	STATE	UPC
						N/A	BERNALILLO	NM	N/A
									SECOND ADDRESS
									N/A
									PROJECT INFORMATION
									CREW/TECH
									DATE OF SURVEY
									10/05/2023
									DRAWN BY:
									KM/JRK
									CHECKED BY:
									LM
									PS JOB NO.
									232436P
									SHEET NUMBER
									2 OF 2



4994 Locust Ave
3200 San Mateo Boulevard, NE
Albuquerque, NM 87113
505.263.9700 phone
505.263.9700 fax

Staff Recommendation

Land Sale Process Outline & Notes:

- Submittal of an application by constituent to purchase the property.
- Board approval to dispose of the property.
- Surveying the property to be sold (complete), at cost to the applicant.
- Appraisal of the property to be sold, at cost to the applicant.
- Notification of appraised value to applicant, notice to MRGCD from applicant of their wish to proceed with the sale.
- Final Board approval of the sale.
- Upon full payment of all amounts due, property sold is conveyed by quitclaim deed to purchaser. Purchaser may request the use of a title company, at their expense.

MRGCD has the right to reserve any easements or any other rights, including water rights appurtenant if they exist, to use the property for the benefit of the MRGCD and other appropriate entities.

The background of the slide is a photograph of a riverbank. On the left, there are lush green trees and bushes. The river flows from the bottom left towards the center. On the right, there is a dirt path or road, a utility pole with power lines, and more trees. The sky is clear and blue. A large, semi-transparent teal circle is overlaid in the center of the image, containing the text.

MRGCD Board

**ATRISCO
ACEQUIA MADRE
PLAN**

November 13, 2023

PROJECT PARTNERS



MIDDLE
RIO GRANDE

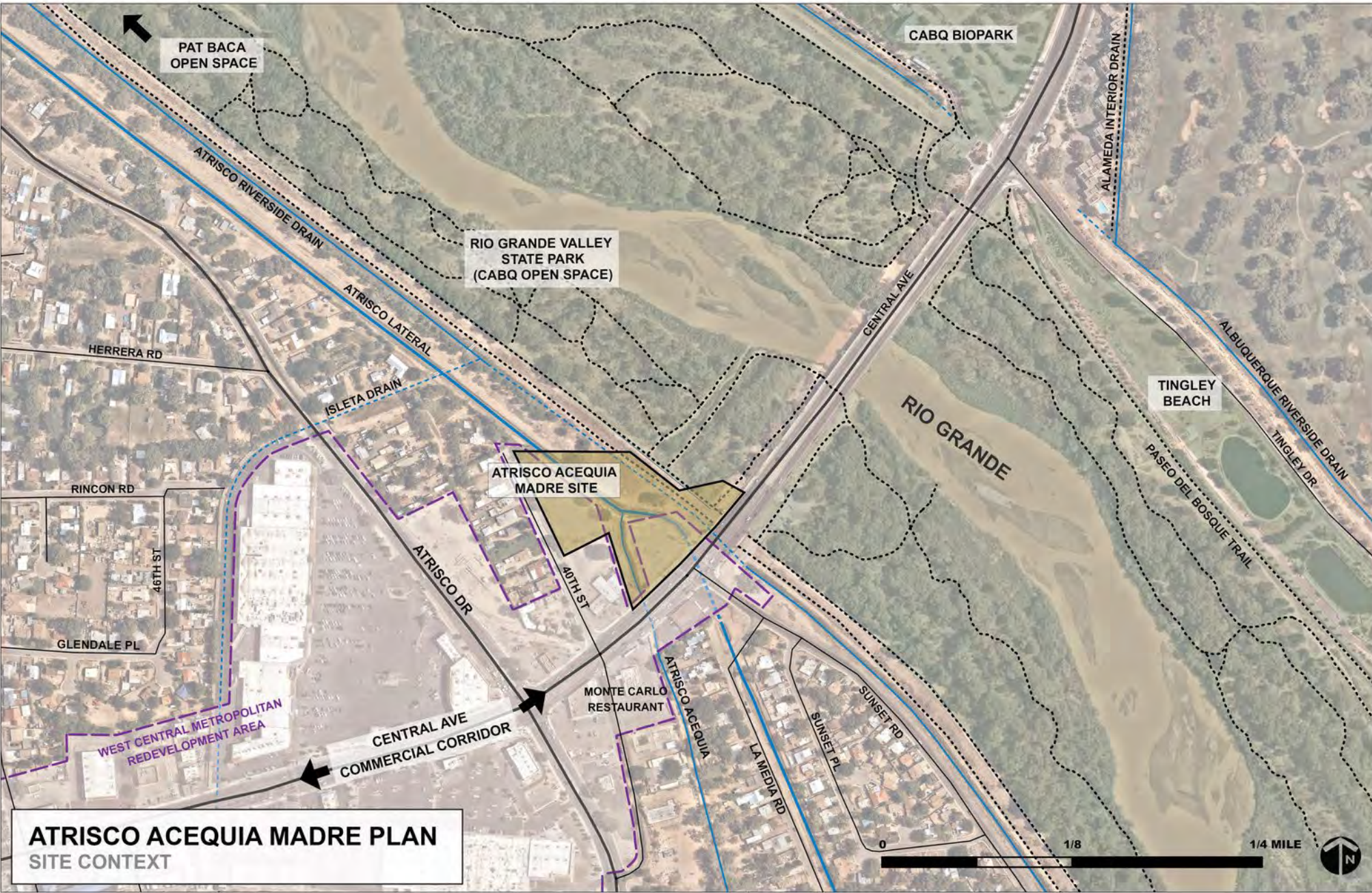


CONSERVANCY
DISTRICT



South Valley Regional
Association of Acequias





PAT BACA
OPEN SPACE

CABQ BIOPARK

ALAMEDA INTERIOR DRAIN

ATRISCO RIVERSIDE DRAIN

RIO GRANDE VALLEY
STATE PARK
(CABQ OPEN SPACE)

CENTRAL AVE

TINGLEY
BEACH

HERRERA RD

ATRISCO LATERAL

ALBUQUERQUE RIVERSIDE DRAIN

ISLETA DRAIN

RIO GRANDE

PASEO DEL BOSQUE TRAIL

RINCON RD

ATRISCO ACEQUIA
MADRE SITE

40TH ST

ATRISCO DR

GLENDALE PL

MONTE CARLO
RESTAURANT

ATRISCO ACEQUIA

LA MEDIA RD

SUNSET PL

SUNSET RD

WEST CENTRAL METROPOLITAN
REDEVELOPMENT AREA

CENTRAL AVE
COMMERCIAL CORRIDOR

ATRISCO ACEQUIA MADRE PLAN SITE CONTEXT





PROJECT PRIORITIES

- Improve connections to trails, open space and amenities along the bosque and on both sides of the Rio Grande
- Celebrate the history and culture of the acequias in the South Valley
- Educate the public about this history and the connection between water and community
- Cultivate a sense of stewardship for our shared water systems
- Foster a relationship between culture, open space, and the economic vitality of Central Ave.



PROJECT TIMELINE

September 2021 -
April 2022



Interviews
Pop-up Events
Presentations
Community Charrette

April 2022 -
March 2023



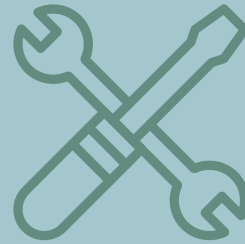
Follow-up Interviews
Community Events

April 2023 -
December 2023



Presentations
Internal Review
Public Review

ENGAGEMENT INSIGHTS



1 Community Design
Workshop



45 Community Surveys
completed (Jan. - April
2022)



4 Neighborhood Association
Meetings + 5 Stakeholder
Interviews



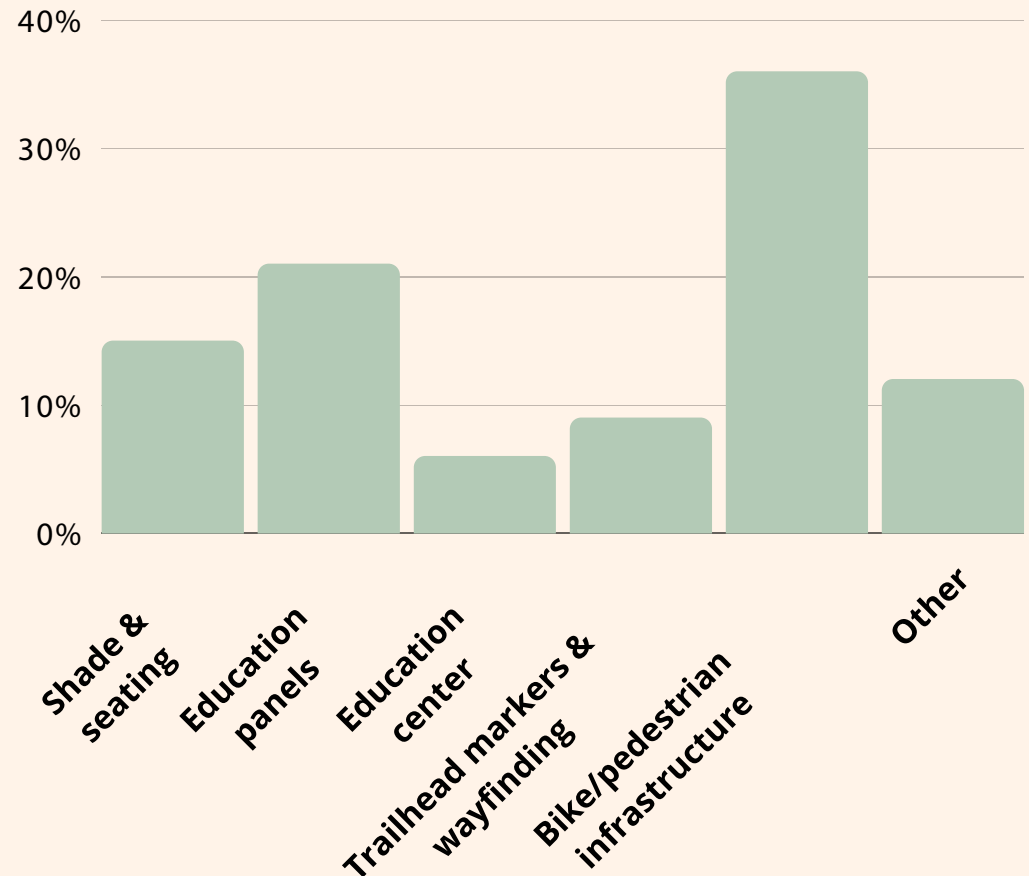
2 Community Events + 3
Pop-ups at Community
Markets

CHALLENGES & OPPORTUNITIES

BIGGEST ISSUES

- Trail accessibility - surface, connection, wayfinding
- Vehicle vandalism
- Personal safety
- Traffic safety
- Trash, dumping
- More/better parking
- Concerns about encampments

WHAT WOULD INCREASE YOUR LIKELIHOOD TO VISIT?



CHALLENGES & OPPORTUNITIES

PRIORITIES

- Preserve and increase accessibility for visitors of all abilities
- Increase connections to and from adjacent neighborhoods and amenities
- Collaborate with local schools
- Promote acequia and habitat stewardship and education

AMENITIES TO INCLUDE:



Bike repair station



Native/edible landscape



Interpretive signs



Restrooms/water
(future amenity)



Educational elements



Shade structure

SITE CONTEXT

- Cultural and Historic
- Environmental
- Current Management and Planning
- Property Ownership
- Water Network
- Access and Connectivity
- Zoning
- Utilities
- Economic Planning



COMMUNITY VISIONING



RECREATION



HISTORY



ECONOMIC



CULTIVATION



COMMUNITY



HABITAT

PREFERRED CONCEPTUAL DESIGN



INITIAL IMPROVEMENTS

PLACEMAKING &
GATEWAY
FEATURES



LANDSCAPING &
ENVIRONMENTAL
IMPROVEMENTS



ACCESS,
CONNECTIONS &
WAYFINDING



ACEQUIA &
LATERAL
IMPROVEMENTS



PROJECT PHASING

PHASE 1A

FALL 23 - FALL 24

- Engineering and Design
- Mobilization, Testing, Permitting
- Debris Removal
- Parking Area Improvement
- Initial Signage and Wayfinding

\$273,000

PHASE 1B

WINTER 24 - FALL 25

- Finish Parking Area
- Trail Connections and Surfacing
- Landscaping & Irrigation
- Native Seeding and Habitat Restoration
- Site Furnishings

\$325,000

PHASE 1C

WINTER 25 - FALL 26

- Water Harvesting Features
- Additional Landscaping
- Interpretive signage and art
- Shade Structure
- Additional Site Furnishings
- Lighting

\$327,000



THANK YOU

www.AcequiaMadrePlan.org

Celebrating the Middle Rio Grande Valley

ATRISCO ACEQUIA MADRE MASTER PLAN

DRAFT: OCTOBER · 2023



PARTNERS



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EXECUTIVE SUMMARY

Introduction

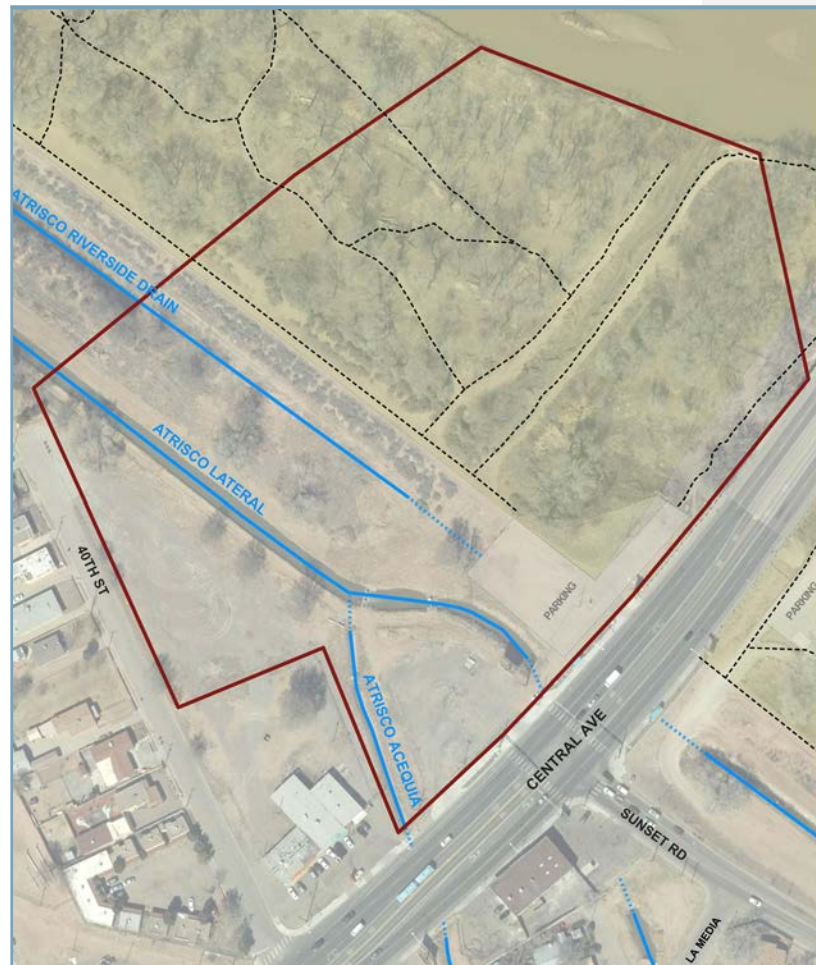
The goal of the Atrisco Acequia Madre project is to develop an outdoor education site near Central Avenue and the Rio Grande to celebrate acequia culture and to protect and preserve the agricultural traditions of the Rio Grande Valley, while creating a destination that grows the economic vibrancy of the Central Avenue corridor. This project is a collaboration between Bernalillo County, the Middle Rio Grande Conservancy District (MRGCD), the City of Albuquerque, the Albuquerque Bernalillo County Water Utility Authority (ABCWUA), with guidance and direction from the South Valley Regional Association of Acequias (SVRAA) and the Center for Social Sustainable Systems (CESOSS).

On the west side of the river, across from the Albuquerque BioPark, is the heading of the Atrisco Acequia, originating from one of the oldest irrigation canals in the United States, Acequia Madre de Atrisco. In order to share the history of acequia culture and the role the acequias have played in the valley through the years, these four agencies have formed a partnership to fund a planning effort to document the history of this place, learn about what the community hopes to see here and create a conceptual site plan that captures that vision. This planning effort will provide recommendations for connections from the west side of the river to the east as well as connections from the north side of Central Avenue to the South Valley. Recommended improvements include educational and recreational use of the educational site through improved connections to trails, open space and amenities near the bosque and interpretive sites which will incorporate a commemorative sign noting the historical and environmental significance of the site.

Project Location

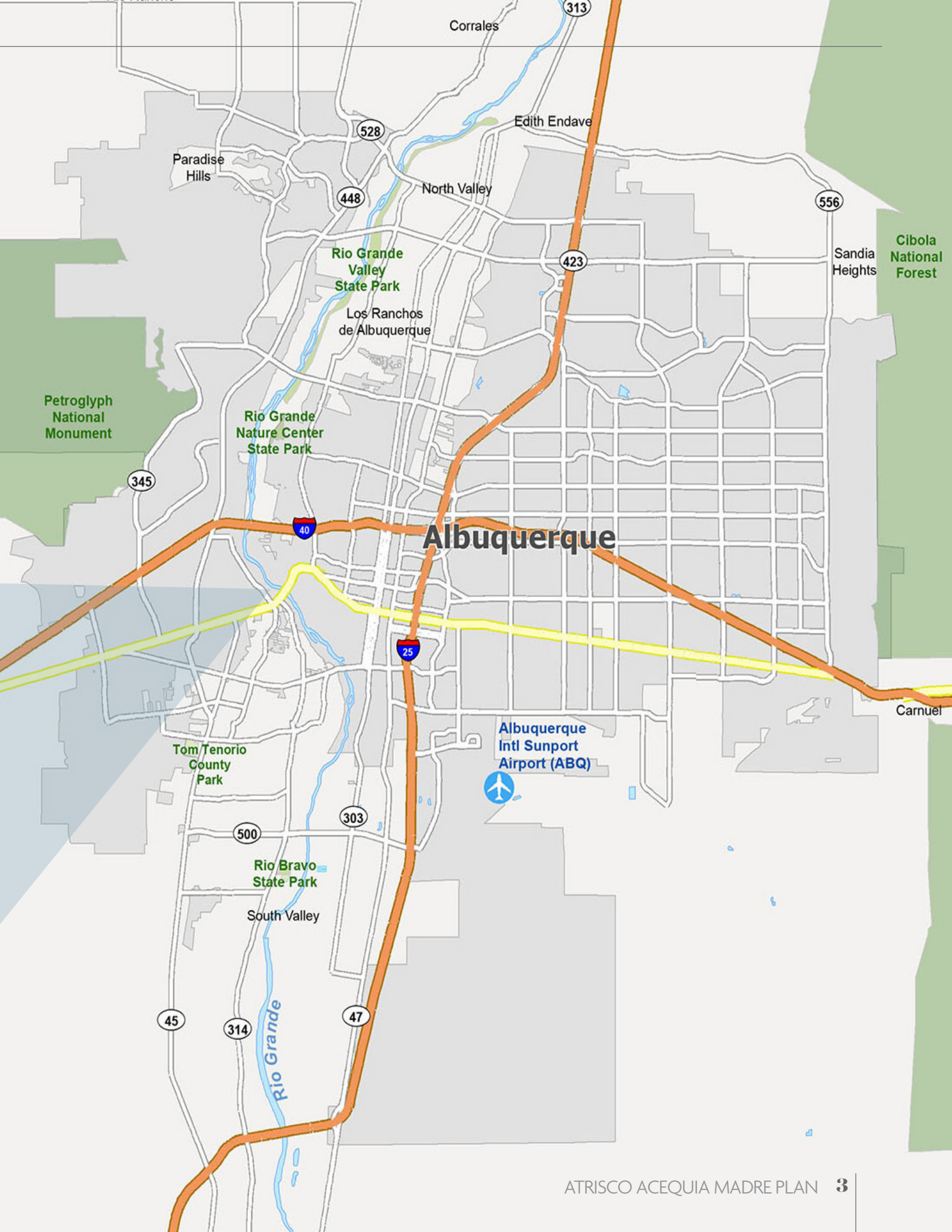
The Atrisco Acequia Madre project site is located on the west side of Albuquerque. This location is adjacent to the historic Central Avenue, and has direct access to the bosque and Rio Grande. There are several neighborhoods that are close enough to walk to this site, including: Pat Hurley, Atrisco Viejo, Vecinos del Bosque and Huning Castle.

General Project Boundaries for the Atrisco Acequia Madre Plan



Pajarito Mesa





Project Vision & Goals



Educate & Celebrate Our Acequia

Celebrate and educate the public about acequia history, acequia culture, and irrigated agriculture in the South Valley



Improve Connections

Improve connections to trails, open space, and amenities along the bosque and on both sides of the Rio Grande



Cultivate Stewardship

Cultivate a sense of stewardship for our shared water systems and promote the Acequia governance systems ingrained in Acequia culture, history and laws



Integrate Environmental, Social and Economic Uses

Foster a relationship between culture, open space, and the economic vitality of Central Avenue



Quality of Life Triangle

Source: Bernalillo County Parks, Recreation and Open Space Master Plan 2015-2030

The diagram to the left depicts the connections between community health, cultural heritage and economic development in growing the overall quality of life of our community. This is what we envision the Atrisco Acequia Madre project can be in the future: a catalytic site that stewards, preserves and provides access to the nature that sustains us as a people. Improving amenities here will make this a destination for residents and visitors, alike, contributing to the economic and social vibrancy of this connective space between the City and South Valley.

Project Partners

In 2020, Bernalillo County, the Middle Rio Grande Conservancy District, the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority signed an agreement for the “Planning, Study and Design Services for the Atrisco Acequia Project”. Given the multi-jurisdictional nature of the Atrisco Acequia and the lands that surround it, each agency partner was included to ensure that the study and conceptual plan reflected the needs and vision of each of these agencies. Throughout the planning process, this group met regularly to provide invaluable direction and guidance for methods of engagement and concept development.

In addition to these funding partners, the South Valley Association of Acequias and the Center for Social Sustainable Systems were included as community partners with a vested interest in preserving the continued use of and education about the importance of acequias in the South Valley and communities around New Mexico. Alongside the West Central Alliance of Neighborhoods, the South Valley Coalition of Neighborhood Associations, the Atrisco Viejo and Vecinos del Bosque Neighborhood Associations and other community members, these groups supported community outreach efforts and made sure that the interests of those closest to and most affected by the project site would be involved in its visioning.





Presentation at the Kickoff Celebration at the Atrisco Acequia Madre headwaters
Source: Bernalillo County

Community Engagement

Community partnerships are key to understanding what will be successful and make sense at the headwaters site.



Stakeholder Interviews & Community Events

Through the summer and fall of 2021 the team initiated several stakeholder interviews with agency and community leaders, as well as other stakeholders. These initial insights helped inform subsequent engagement activities, provided history for the area and previous planning efforts, and gave a firsthand understanding for maintenance needs of the water facilities on and near the project site.

The South Valley Coalition of Neighborhood Associations, along with the Atrisco Viejo and Vecinos del Bosque Neighborhood Associations also invited the team to present and share the project at regular meetings.

In addition to the stakeholder interviews and community meetings, the team hosted project pop-up tables at different community events, including the South Valley Growers Market, the Rail Yards Market and the Primera Agua Celebration.

Finally, a Kickoff Celebration was held on September 18, 2021 to invite neighbors, community leaders, and project partners to learn about the importance of the project site and share their ideas for its future.

Each of these engagement methods offered a way to solicit feedback from interested community members on what they wanted to see most at the Atrisco Acequia Madre site while accounting for challenges and barriers they currently experience in accessing the site.

Community Design Workshop

On January 26, 2022, neighbors and interested stakeholders were invited to a community design workshop that was held at the South Valley Senior Multipurpose Center. Nearly 20 participants shared their vision for what this project site could be for the community and worked together to provide design direction to achieve that vision.

Key ideas that were shared at this workshop included:

- Develop a community education and site development project that could be conducive to an Acequia Education Office
- The headwaters site should celebrate and further land/water/food sovereignty
- Neighbors want to grow and uplift the agriculture in the South Valley that is still present
- Build connections to land and recreation while enhancing the Route 66 corridor; create a destination for neighbors and visitors
- Need to include a space for people to gather outside
- Include technology in educational/storytelling elements

- Improve bike route connections (east-west and north-south) holistically

Participants were also provided maps of the project site with small paper cutouts of potential site amenities. Using these and additional tools (markers, pens, dots, sticky notes), they were asked to begin placing the amenities that were most important to them and draw connections between these areas within the site and to other destinations within the site vicinity. The image below show some imagined site designs by these groups.

“““

I am very excited about educational materials, as well as improved pedestrian infrastructure that connects the east and west sides of the river.

- Workshop Participant



Participants at the Community Design Workshop
Source: Sites Southwest



Join Us!

ATRISCO ACEQUIA MADRE PLAN

Community Design Workshop
Taller de Diseño Comunitario

WEDNESDAY, JANUARY 26
5:00 - 7:00 PM
South Valley Senior Multipurpose
Center
2008 Larrazolo Rd
Albuquerque, NM 87105

Survey & Project Website

A project website, www.acequiamadreplan.org, was created as a space to keep the community informed about updates and progress on the plan elements, and to share opportunities for community members to provide their feedback.

The website included a homepage, a section about the project background and history, a page that is updated with plan documents and maps, as well as a participation page (includes links to and information about upcoming and past meetings, survey link and comments form) and contact page.

The Community Survey launched in the fall of 2021. 44 community members responded to questions related to their knowledge of the history of the area, how they presently use the site and nearby amenities, what they hoped would be included here in the future, and identified barriers to achieving that vision.

The results revealed several important trends and themes including the fact that most respondents (56 percent) said that they would walk or bike to the site if it were to be developed with more public amenities. This may be a correlation with the fact that the majority of respondents identified as being a resident of the South Valley or nearby westside neighborhoods.

Some of the biggest challenges and barriers to using this space were:

- Trail accessibility -surface, connection, wayfinding
- Vehicle vandalism
- Personal safety
- Traffic safety
- Trash, dumping
- More/better parking
- Concerns about encampments

Key amenities that people wanted to see included: better bike/pedestrian infrastructure, educational/interpretive signage and seating with shade.





EXISTING CONDITIONS

The term acequia, derives from the arabic term as-saqiya, meaning “that which gives water”.

The Atrisco Acequia Madre site is located in a historically and presently significant part of Albuquerque. As such, there are several opportunities to build on this rich history with plans for its future. There are also notable constraints on the site that provide guidelines for the planning team, as well.

This section of the plan explores these conditions, along with their assets and challenges. First, a brief history of the place is provided, followed by an inventory of the many plans initiated by the City, County, community and regional planning groups that provide guidance on potential future land use and visioning for this area, recommended connections and multi-modal transportation opportunities and economic redevelopment opportunities.

Finally, this section provides a summary of findings for opportunities, constraints, and recommendations for preliminary design concepts and future development. These will be explored more in the Preferred Scenario chapter.

Cultural and Historic Context

History of South Valley Acequias

Acequias are the age-old, hand dug, gravity-fed irrigation ditches in northern New Mexico that make possible the cultivation of locally grown food. But, they represent much more than that. As a social system implanted into the hydrological cycle for community subsistence, acequias constitute a place-based knowledge of watersheds, intertwined with food traditions, community, and culture. They are an instructive example of democratic self-governance, stewardship and sharing of resources. They are also the defining structure of their ecosystem. The unlined ditches allow water to seep into and recharge local aquifers, providing a rich riparian zone for wildlife, shade trees, and native plants.

Source: Jorge Garcia, "The Genesis of Acequias in Atrisco", Green Fire Times, 2015



The Atrisco Acequia is one of the oldest surviving man-made features in the community. Pueblo peoples of Tiwa descent inhabited the area from the 12th century to the mid-16th century and most likely created an irrigation system in the area. Records indicate that in the late 17th century, Spanish colonists were the originators of the Atrisco Acequia and other area acequias that were

used to irrigate their fields. After assuming operations and maintenance of the acequias in the 1930s, the Middle Rio Grande Conservancy District (MRGCD) began a number of infrastructure projects throughout the valley to reduce the threat of flooding and high water tables. Over the next several decades, this led to a transition from primarily agricultural land to residential development in the community.

Today, the Atrisco Acequia continues to be used by a number of local growers and irrigators. Moreover, community members utilize the land adjacent to these waterways as informal paths through the community. The water from the ditches support a habitat with a variety of flora and fauna and creates a quiet environment for recreation and retreat.

One of the primary goals of the Atrisco Acequia Madre Plan is to center the unique history



Historic New Mexico Acequia Madre
Source: New Mexico History Museum

of this acequia, as part of the Atrisco Land Grant founded in 1692, and to recognize the many ways that it supports the semi-rural foundation of life in the South Valley and Albuquerque, as a whole.

Our community would not exist without this life sustaining water. Moreover, the cultural practices surrounding these acequias have shaped cooperative social systems and decision-making/governing models that were not just important to the community historically, but offer lessons that we can carry into the future of how we can organize ourselves to support the preservation and stewardship of land and water in the Middle Rio Grande Valley. The continued presence and use of area acequias maintain the cultural landscape and provide a unique sense of place.



Historic view of the Rio Grande near the headwaters of the Atrisco Acequia (1930)
Source: Middle Rio Grande Conservancy District

History of the Atrisco Acequia Madre

The site of the headwaters of the Atrisco Acequia bridges the transition between the city of Albuquerque and the unincorporated South Valley. The original headwaters was located about a mile north of where the acequia is diverted today. It was moved and consolidated three acequia headings into the present day Atrisco heading as part of the MRGCD's work to mitigate high water tables and provide more efficient water delivery.

The origins of the Atrisco Acequia date back to the late 17th century. The acequia has been managed and maintained by inhabitants of the original Atrisco Land Grant for hundreds of years, cultivating

a local food system that enabled the community and culture to grow around it. In the 1930s an agreement was created which entrusted the MRGCD with operations and maintenance of the Atrisco Acequia which continues to the present day.

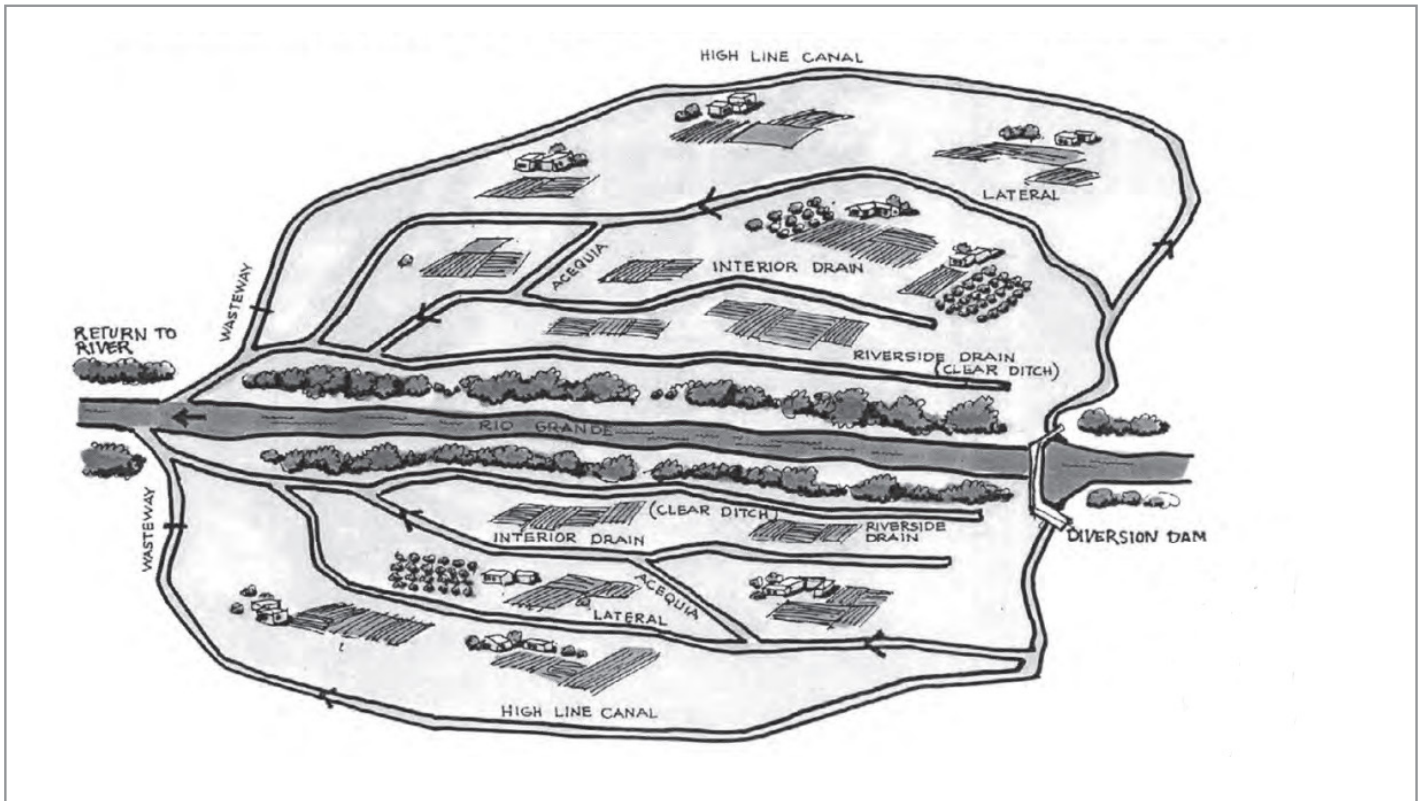
Today, the MRGCD continues to provide maintenance to flood control, drainage, and irrigation facilities. In the mid-2000s, the South Valley acequia associations, including the Atrisco Community Acequia Association, began to reorganize to assert the original connection between inhabitants and their right to the water and to participate in decisions related to water infrastructure.

The Board of Directors of the Middle Rio Grande Conservancy District adopted a resolution in December of 2019 to create a cooperative planning initiative for the Acequia Madre de Atrisco partnership to include the MRGCD, Bernalillo County, City of Albuquerque and the ABCWUA to develop a community education and site development project. (Resolution M-12-09-19-163)

The importance of this multiagency partnership and cooperative community planning rests on the fact that the acequias connect our communities across jurisdictional boundaries and run through a wide variety of neighborhoods, including urban

EXISTING CONDITIONS

and rural properties, working farms and developed communities. The Acequia Madre de Atrisco and surrounding public properties are envisioned to be used as a demonstration project to celebrate the Middle Rio Grande Valley and the unique cultural landscape of the acequia system and to provide educational opportunities to the community, particularly our youth, about the importance of responsible water management and the many benefits of acequias. There is a need to protect not only the conveyance of water for irrigation, but the ecology, history, culture and natural beauty of our valley and our acequias.



Schematic of MRGCD Water Network

Source: Middle Rio Grande Conservancy District

Acequia Culture Past and Present

Acequias have helped to shape religious, cultural and political practices among those who understand how foundational these facilities are to community life. San Ysidro and Santa Maria de la Cabeza, understood in the Catholic religion as patron saints of farmers, are celebrated with a blessing day that traditionally occurs each spring to bless the water, which supports food production in the community.

The acequias also represent a unique type of democracy, as the caretaking and stewardship of these water systems requires coordination of all the farmers who benefit from water provided by the acequias. Historically in the Middle Rio Grande, these decisions about acequias were made by a group of elected Comisionados, led by the elected Mayordomo, on behalf of parciantes (irrigators with water rights). These elected bodies made decisions about seasonal release and distribution of water and also coordinated spring acequia maintenance, also known as La Limpia.



San Ysidro Day

Acequia associations in the North and South Valleys have revived some of these traditions, including making decisions about recommended water transfers, in cooperation with the MRGCD.

““

Acequia culture includes intangible aspects, such as the knowledge that is passed down concerning skills such as how you move water through the field once it arrives on your land, and how to efficiently and collectively clean the acequia ditches of accumulated debris each spring

Source: Jose Rivera, “Acequia Culture”, Southwest Water: An Artistic Approach to Preserving Water Quality and Quantity in the American Southwest



La Limpia, 1984

Environmental Context

The site of the Atrisco Acequia Madre exists within the larger environment of the Rio Grande Valley. The riparian land encompassing the Rio Grande is critical to supporting life in the arid landscape of the Southwest. These river valley lands are one of the original places of settlement in the region. Though our human patterns of development have shifted over the centuries, the river and its surroundings remain critical features that provide life-sustaining water and irrigation, as well as an environment for recreation and respite in the middle of a relatively urban landscape today.

The Rio Grande bosque, along with the water corridors of the South Valley, support a unique habitat for local flora as well as native fauna and migratory species.

As noted by South Valley Association of Acequias Commissioner Sanchez, “[Acequias] are the defining structure of their ecosystem. The unlined ditches allow water to seep into and recharge local aquifers. This provides a rich riparian zone for wildlife, shade trees and native plants. The acequias are like arteries to mother nature, they sustain life. When I walk my dog down the ditch, I see lots of wildlife. I sometimes witness coyotes, raccoons, skunks, ground squirrels and

lots of different birds. We even have egrets, robins, crows, ducks, geese, hummingbirds and doves.”

Within the bosque, large stands of native plants such as cottonwood and willow are common, along with wetlands of sedges and rushes that provide shelter for vegetation and wildlife. Native currents, wolfberries, mulberries, as well as Yerba Mansa, are also found and gathered by community members here. This area also hosts habitat that is vitally important for the endangered silvery minnow. Unfortunately, the bosque also has many non-native and invasive species.

The City Open Space Division has done a lot of restoration work in this area over the years including pole plantings, habitat improvements, planned wildfire mitigation and forest health initiatives. They have also led volunteer cleanups and stewardship efforts. The City’s Department of Municipal Development manages the stormwater outfall just north of Central Avenue. This area is also a part of the Route 66 restoration project, completed in 2010, which was a partnership between the Army Corps of Engineers and the MRGCD. This included ecosystem restoration and recreation amenity improvements north and south of Central Avenue in the project area.



The Atrisco Lateral (left) and partners during a site visit entering the bosque (right)
Source: Sites Southwest



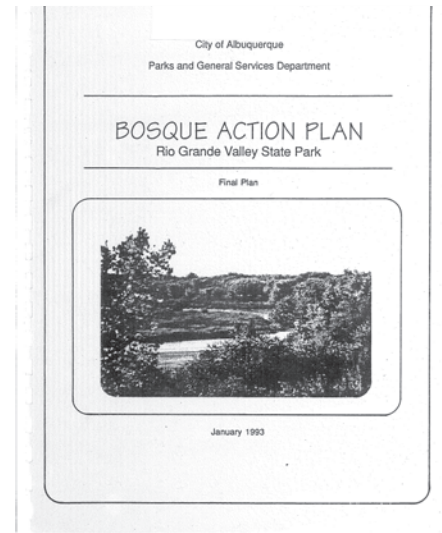
Plans and Regulations



SOUTHWEST AREA PLAN, 1988

This plan provides a framework for growth and development in the southwest quadrant of Bernalillo County. It covers 115 square miles, 15.5 of which are within Albuquerque municipal limits. This plan notes key themes and priorities for the community, which include preservation of the rural character of the South Valley. It also highlights constraints to development, notably, erodible soils on the mesa slopes and concerns about water contamination.

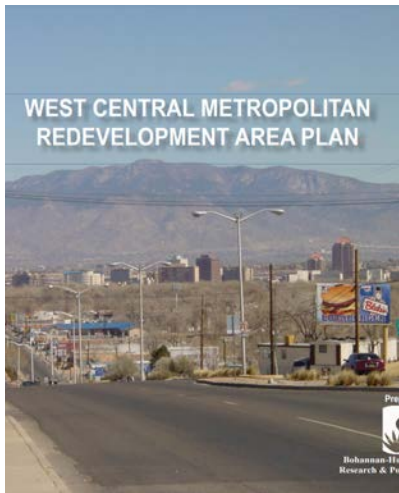
The plan, in alignment with the 1975 Comprehensive Plan, recommends that “right-of-way along arroyos, canals, drains, ditches and portions thereof needed as part of the trail network proposed in the Southwest Area Plan”. This includes the creation of a north-south trail network along the Atrisco Riverside Canal which extends to the Atrisco Acequia Madre Plan area.



RIO GRANDE VALLEY STATE PARK & BOSQUE ACTION PLAN, 1993

While state legislation and a joint powers agreement with the MRGCD gives management oversight to the City Open Space Division, the Bosque Action Plan clarified agency roles. MRGCD would conduct and monitor operations in areas of flood control, irrigation and drainage in the Rio Grande Valley State Park. The City of Albuquerque agreed to submit any new plans or policies for the area to MRGCD for review and approval. A goal of this is to ensure that recreational opportunities are maintained to the greatest extent possible, so long as they do not interfere with MRGCD duties. The purpose of the Bosque Action Plan was to identify specific environmental and recreational improvements for RGVSP, creating policies that are designed to “minimize impacts on the bosque environment and ensure the continued survival of the plants and animals of the bosque habitat.” (BAP)

This document set an early vision for multi-agency cooperation in the valuable lands around the bosque and water networks that surround it. The Division recently developed a Bosque Update Assessment and Prioritization based on the Bosque Action Plan that recognizes the study area as a priority over the next five years.

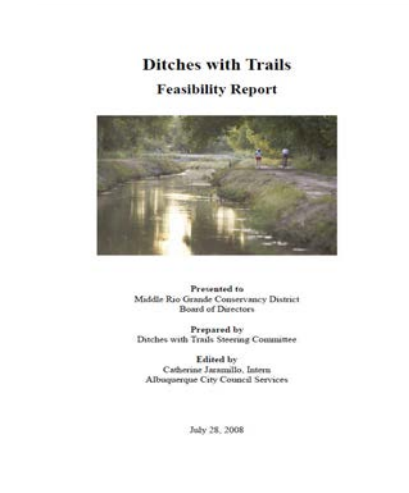


WEST CENTRAL METROPOLITAN REDEVELOPMENT AREA PLAN, 2004

The West Central Metropolitan Redevelopment Area (MRA) was established in May 2001 by the Albuquerque City Council. The Plan was subsequently adopted in 2004. This designation and plan provide the City with a number of tools for implementing project and contributing to area redevelopment.

The plan envisions this area - focused on Central Avenue from the Rio Grande to Unser Boulevard - drawing on the history of the Atrisco Land Grant and its proximity to the Rio Grande, as a destination for a mix of commercial, entertainment and recreational opportunities.

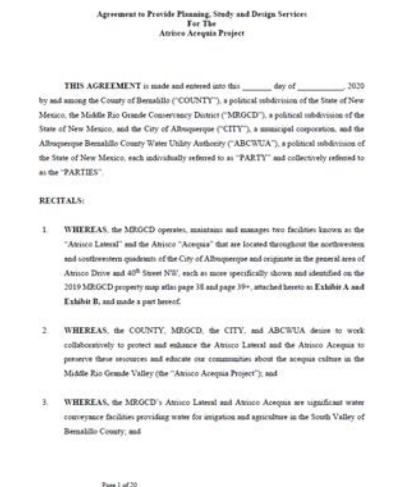
This first phase will create the distinctive sense of place, interpretation of local history and culture, recreational opportunities, and ties to the river envisioned in the West Central Metropolitan Redevelopment Plan.



DITCHES WITH TRAILS REPORT, 2008 NOT ADOPTED

This report, though never adopted by MRGCD, was created by the Ditches with Trail Steering Committee with the purpose of presenting possibilities to enhance the MRGCD-managed ditch network in Bernalillo County as a “continuously and interconnected system of waterways and trails”.

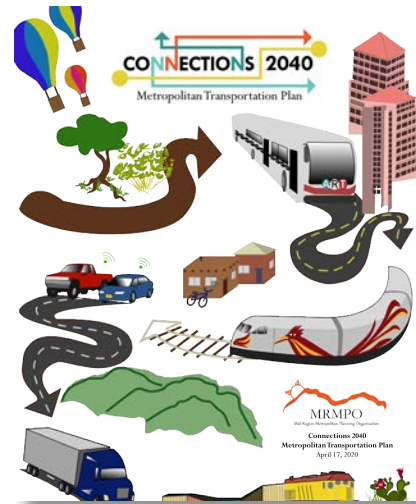
Again, though this plan was ultimately not adopted, it offers important insights into a community vision for enhancing and celebrating the waterways that make the middle Rio Grande valley special. It uplifts the intrinsic value of these spaces near the water and the benefits they offer: recreation and exercise, enjoyment of wildlife and nature, a sense of place, and cultural heritage activities. The Atrisco Acequia Madre site is one such place that could provide amenities that further allow community members to access these benefits.



MRGCD RESOLUTION M-12-09-29-163, 2019

This Resolution authorized the cooperative planning initiative for the Atrisco Acequia Madre project between the Middle Rio Grande Conservancy District, Bernalillo County, City of Albuquerque, Albuquerque Bernalillo County Water Utility Authority. It outlines the importance of the acequias in the South Valley and the history and culture they've created. The Resolution calls upon the partners to use this project as an opportunity to celebrate this shared history at the site of the Atrisco Acequia headwaters.

This Resolution is the guiding document for the Atrisco Acequia Madre Plan. It outlines what is to be included in the following pages and sets the bar for what the team aspires to do through this work.



CONNECTIONS 2040 MTP MPO LONG RANGE BIKEWAY SYSTEM, 2020

This long range plan, created by the Mid-Region Metropolitan Planning Organization, aims to provide a guide for a multimodal transportation network that provides optimized mobility, economic linkages, active transportation and environmental resiliency, all goals that are aligned with goals of the Atrisco Acequia Madre plan.

This plan identifies multi-modal routes connecting to the Atrisco Acequia Madre site along Central Avenue, Sunset Road and Atrisco Road. Creating a destination at this site would fulfill several Connections 2040 goals, including promotion of transit-oriented development, improving the health and safety of the public, and encouraging low-impact and sustainable development in natural or culturally sensitive areas.

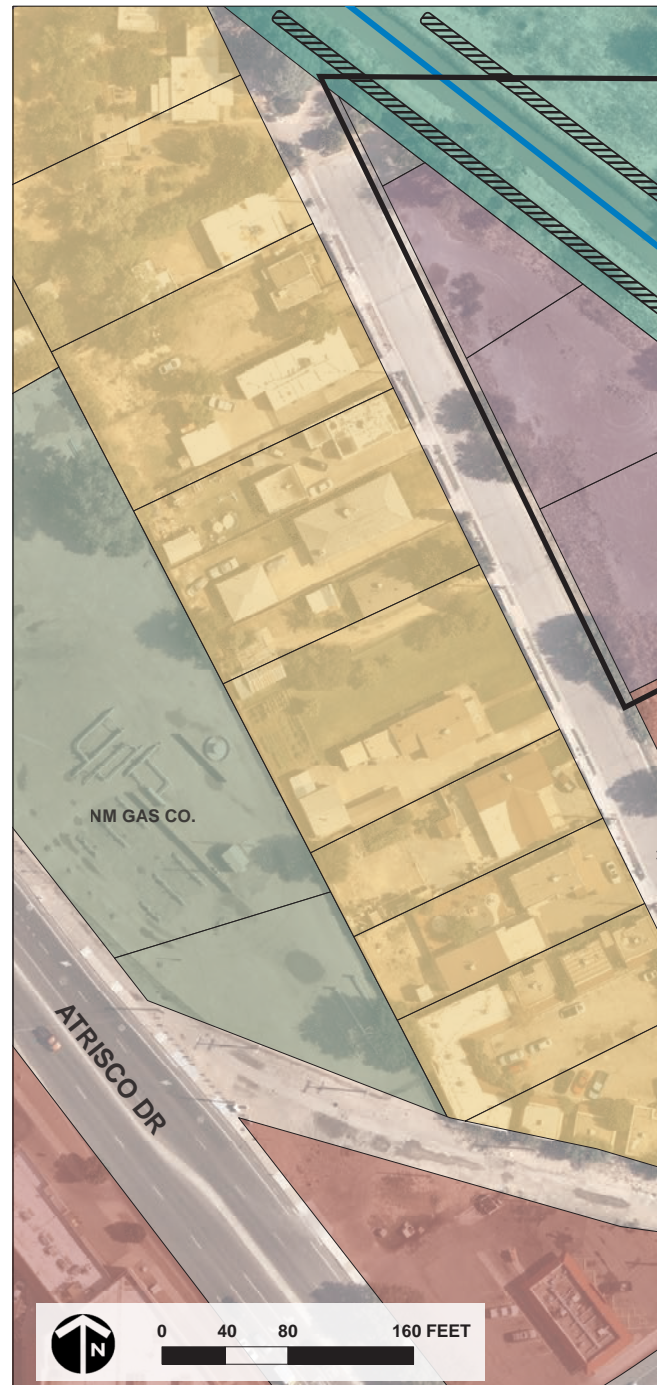
Physical Opportunities and Constraints

Property Ownership & Maintenance

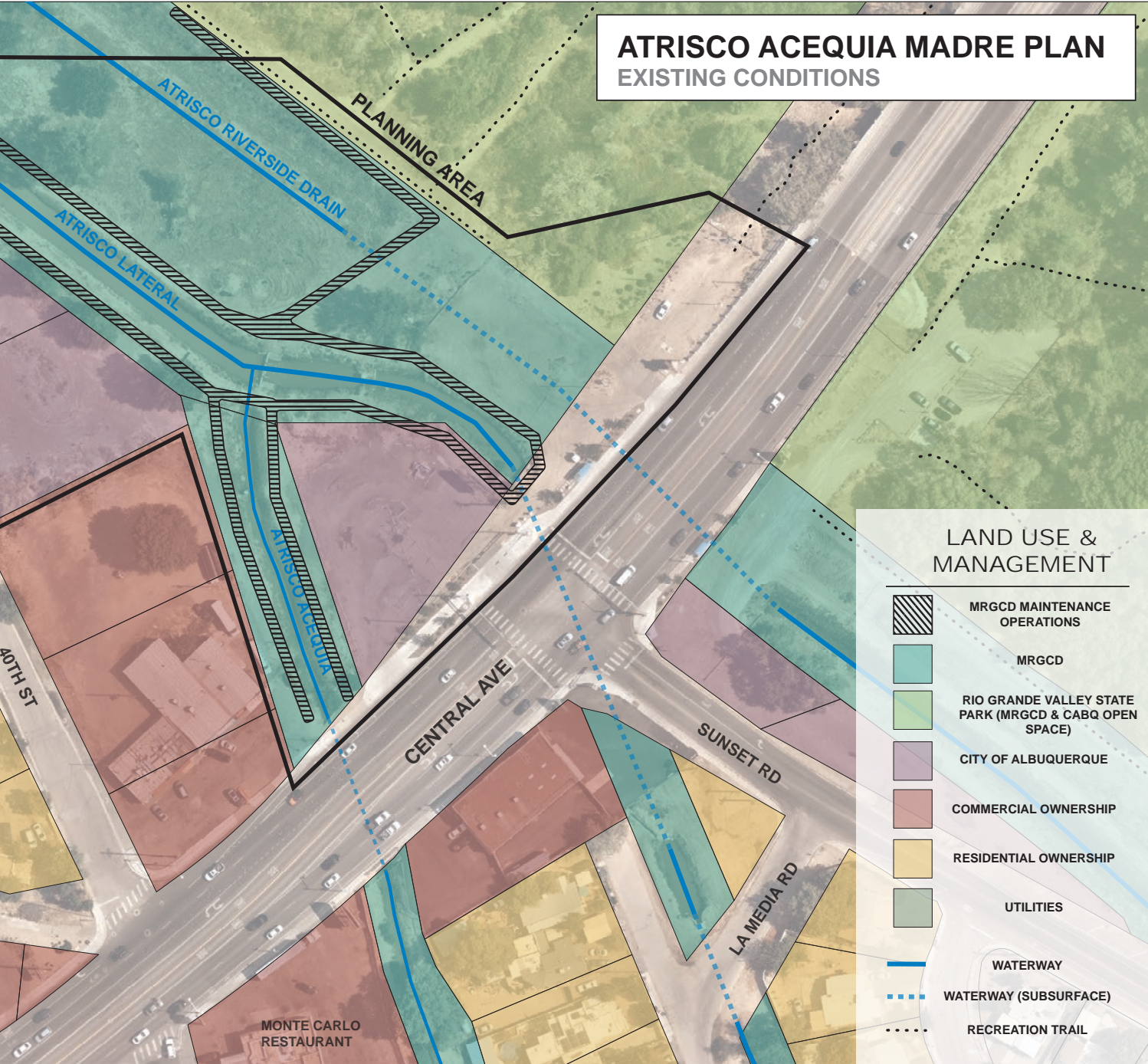
The land that is being considered for the Atrisco Acequia Madre Plan is under the jurisdiction of several public agencies. The lots shown in purple to the right are owned by the City of Albuquerque Metropolitan Redevelopment Agency and are a part of the West Central Metropolitan Redevelopment Area. The MRGCD owns and manages the land shown in blue. While the land adjacent to the river is Rio Grande Valley State Park land, it is owned by the MRGCD and managed and maintained by the City of Albuquerque Parks, Recreation and Open Space. The City Department of Municipal Development manages a stormwater outfall in this area just north of Central Avenue that extends from the levee to the Rio Grande.

The hatched areas show the approximate right-of-way (approximately 40 feet) required by the MRGCD for maintenance purposes and for operation of the irrigation system that feeds the entire South Valley west of the river. The lateral and acequia undergo regular dredging and the removal of debris to ensure proper functioning. This occurs generally between November and early March each year when water is not present. Given these requirements, the team should not consider any trails, seating or other amenities within this right-of-way.











There is a water check where the Atrisco Acequia heading is diverted from the lateral and continues to the southwest, while the lateral flows to the southeast.



ATRISCO ACEQUIA MADRE PLAN EXISTING CONDITIONS



LAND USE & MANAGEMENT

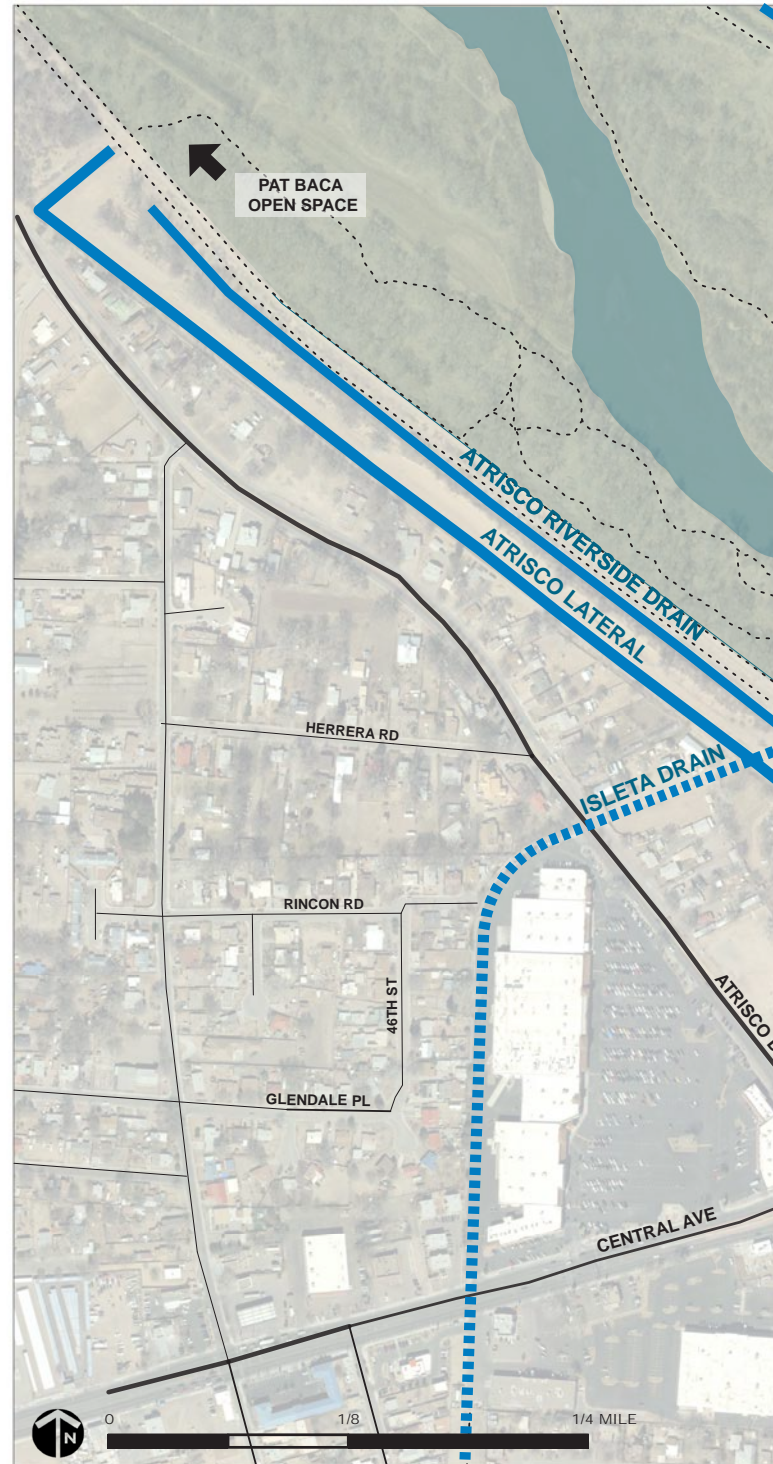
-  MRGCD MAINTENANCE OPERATIONS
-  MRGCD
-  RIO GRANDE VALLEY STATE PARK (MRGCD & CABQ OPEN SPACE)
-  CITY OF ALBUQUERQUE
-  COMMERCIAL OWNERSHIP
-  RESIDENTIAL OWNERSHIP
-  UTILITIES
-  WATERWAY
-  WATERWAY (SUBSURFACE)
-  RECREATION TRAIL

Water Network

The Atrisco Acequia Madre is part of a much larger and interconnected water network formed around the Rio Grande. The Atrisco Acequia once drew directly from the Rio Grande, but was rerouted and consolidated with two other acequia headings and now diverts water from the Atrisco Lateral. This lateral originates northwest of the project site near the intersection of Atrisco Drive and 49th Street. The Atrisco Riverside Drain also daylights on the north side of the project site, going underground for the crossing of Central Avenue and re-emerging on the southside of the road.

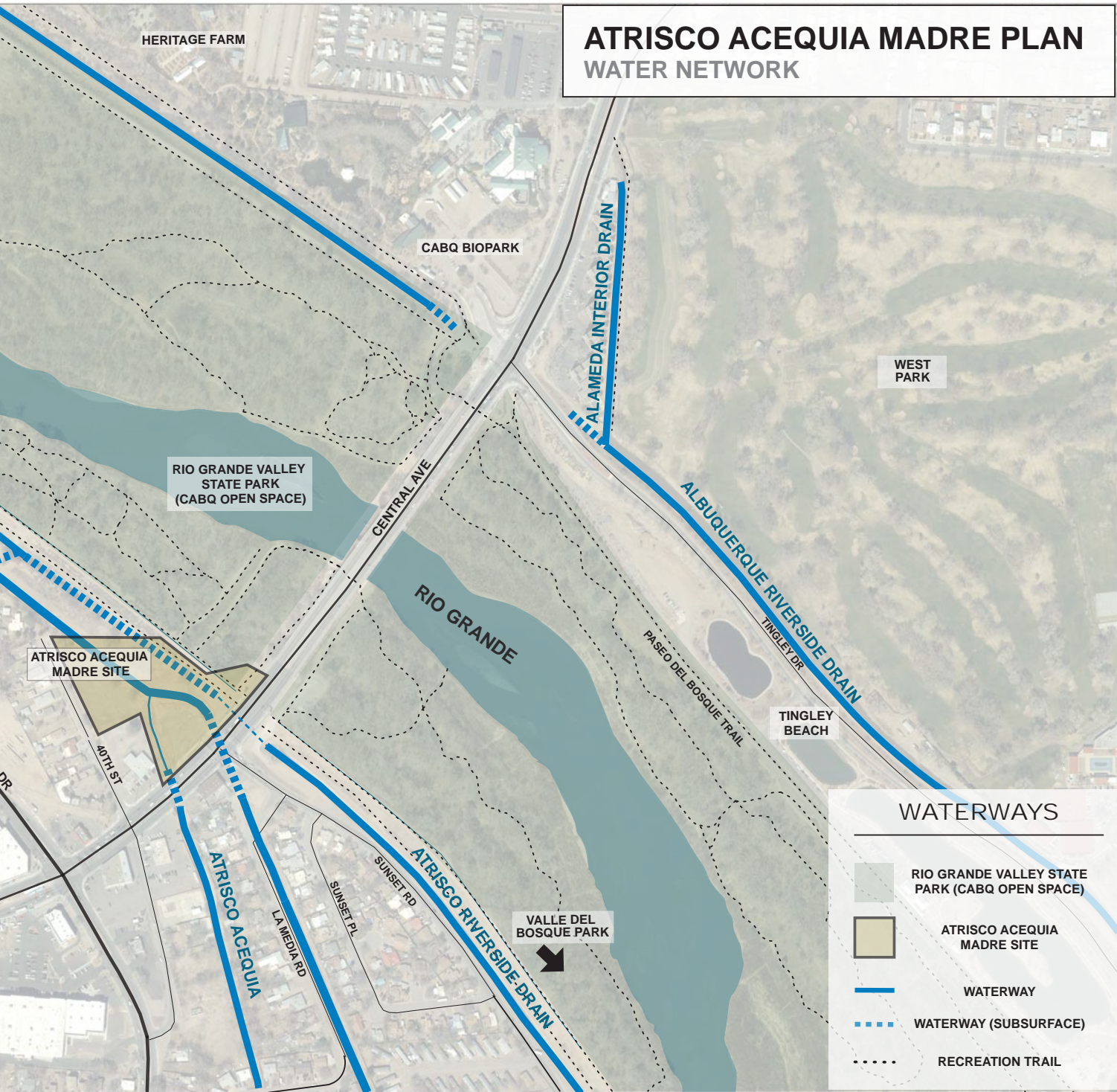
The Isleta Drain also originates just north of the project area; however, it is piped underground as it moves south, daylighting south of the Atrisco Park and Little League near Cypress Drive.

Each of these water facilities offer a rich set of natural corridors with the potential to connect users to other nearby community destinations.



ATRISCO ACEQUIA MADRE PLAN

WATER NETWORK



WATERWAYS

- RIO GRANDE VALLEY STATE PARK (CABQ OPEN SPACE)
- ATRISCO ACEQUIA MADRE SITE
- WATERWAY
- WATERWAY (SUBSURFACE)
- RECREATION TRAIL

Access and Connectivity

The location of the Atrisco Acequia headwaters is an ideal site within the City of Albuquerque. Located directly on Central Avenue, historic Route 66, this location has high visibility for residents and visitors alike. There are three vehicular access points to the site from Central Avenue: one at the intersection of Sunset Road, a second just east of this entrance on the MRGCD’s levee maintenance access, and a third just west of the intersection near the Atrisco Acequia. There is a secondary vehicular access point on 40th Street to the northwest side of the site.

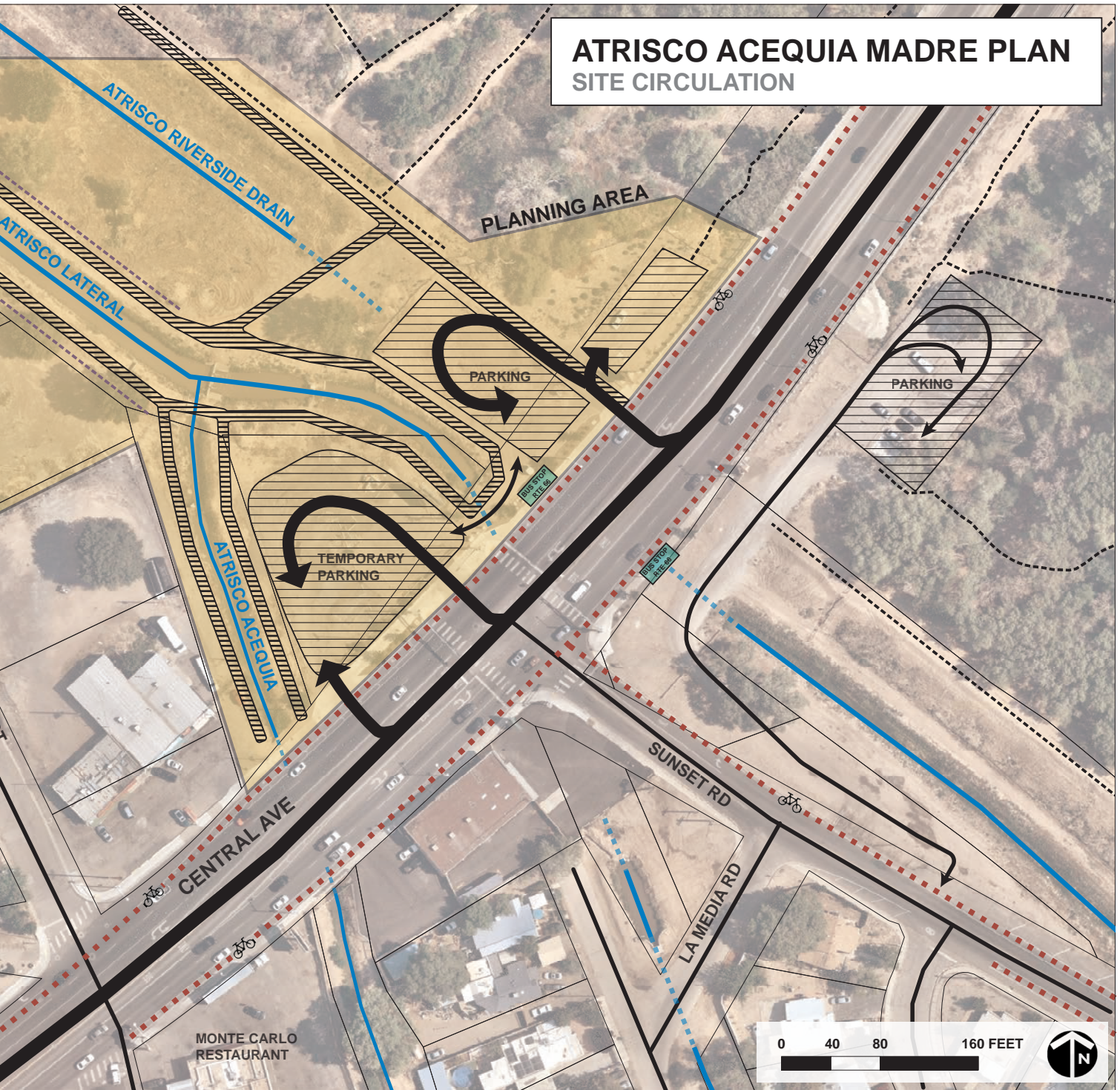
There is a bus stop on both sides of Central Avenue, east of the Sunset Road intersection. Additionally, there are designated bike lanes along both Central Avenue and Sunset Road; however, throughout the planning process, community members expressed feeling unsafe biking along Central Avenue due to the narrowness of these bike lanes and the relatively high speed of traffic crossing the bridge.

There is an extensive network of formal and social trails (natural surface) that weave throughout the bosque adjacent to the project site. These trails offer connections by foot for miles along the Rio Grande. Notably, the Pat Baca Open Space lies about 1 mile north of the site via bosque trails and the Valle del Bosque Park is about 1 mile to the south. One of the goals for this plan is to better establish formal trails, creating better access to nearby destinations. Additionally, while there are ADA accessible trails within the bosque, there is no ADA trail connecting the parking areas to these trails.

Finally, the Central Avenue bridge over the Rio Grande offers a valuable connection to the many destinations and public amenities on the east side of the Rio Grande, including Tingley Beach and the Albuquerque BioPark, which includes the Zoo, Aquarium, and Botanic Garden.



ATRISCO ACEQUIA MADRE PLAN SITE CIRCULATION



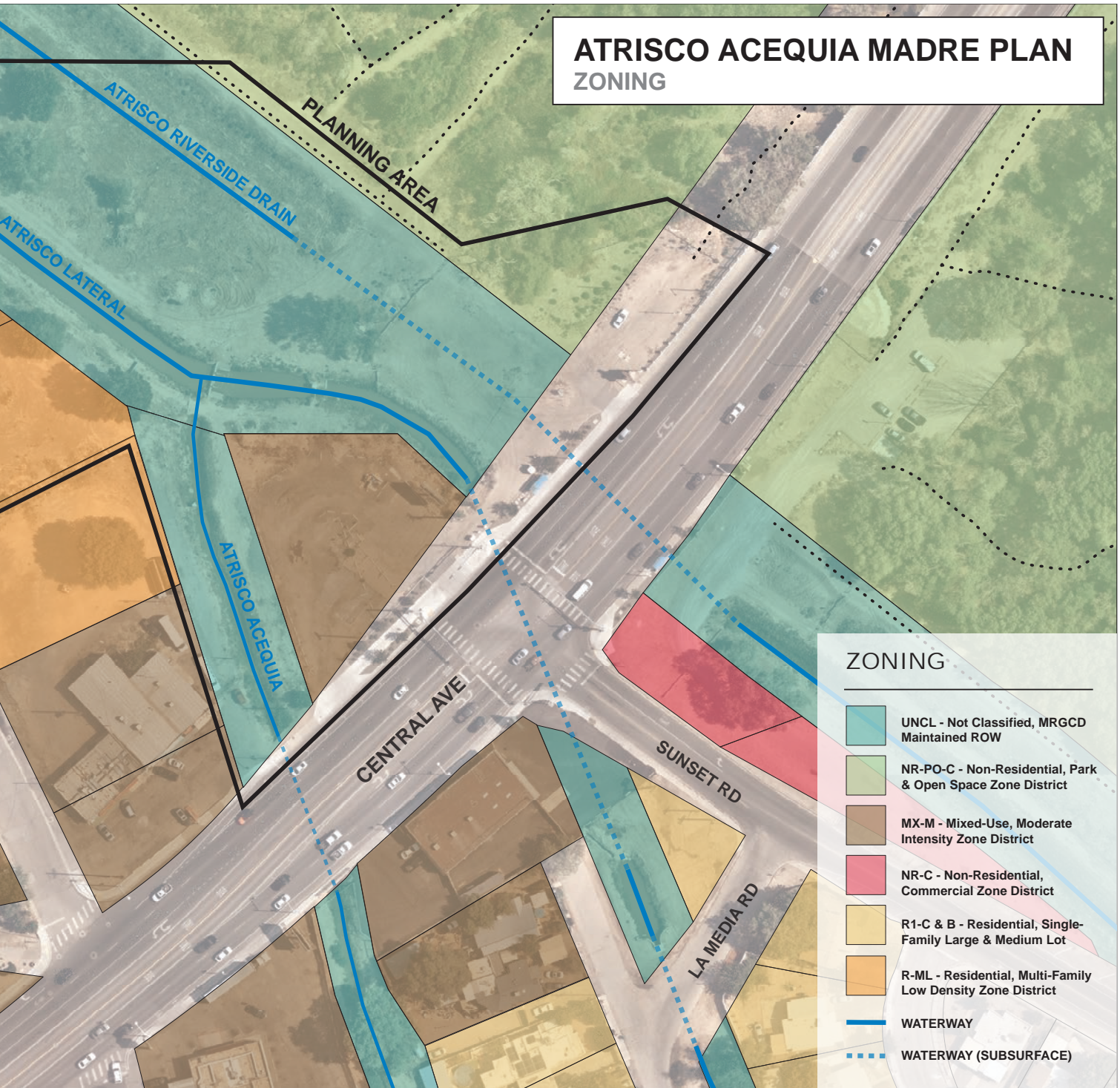
Zoning

The project includes several different zoning types. The area shown in green is classified as Non-Residential, Park and Open Space and primarily encompasses the land that is Rio Grande Valley State Park. Adjacent to this land is the blue area encompassing the Atrisco Riverside Drain, the Atrisco Lateral and the Atrisco Acequia. This is Not Classified as it is MRGCD maintained right-of-way.

Moving away from the river to the west, there is a section of the property that abuts Central Avenue that is zoned Mixed-Use, Moderate Intensity Zone District (shown in brown). Finally, the area shown in orange is classified as Residential, Multi-Family Low Density. This zoning is indicative of a transitional zone moving away from the primarily commercial corridor and into a more residential area.



ATRISCO ACEQUIA MADRE PLAN ZONING



ZONING

- UNCL - Not Classified, MRGCD Maintained ROW
- NR-PO-C - Non-Residential, Park & Open Space Zone District
- MX-M - Mixed-Use, Moderate Intensity Zone District
- NR-C - Non-Residential, Commercial Zone District
- R1-C & B - Residential, Single-Family Large & Medium Lot
- R-ML - Residential, Multi-Family Low Density Zone District
- WATERWAY
- WATERWAY (SUBSURFACE)

Utilities & Existing Elements

There are a few existing utility elements and other features of note around the project site. There are several regularly spaced street lights along Central Avenue. There are above ground power lines that also extend mainly along Central Avenue with poles placed close to the sidewalk. There are clustered utility boxes on the site, as well: one near the sidewalk on the east side of the intersection with Sunset Road and another located further into the interior of the site, near the easternmost vehicular access approach.

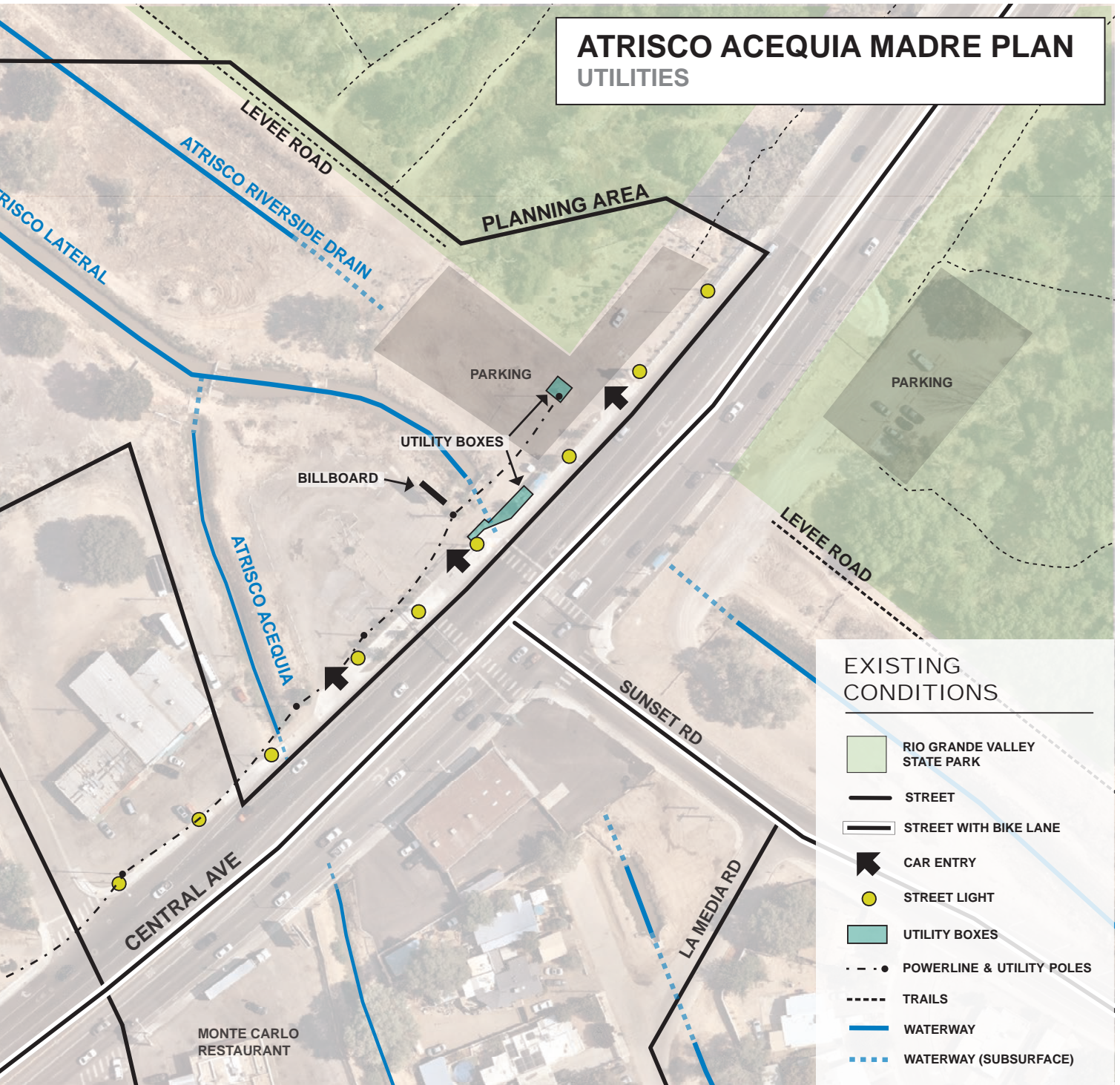
Lastly, there is a billboard currently on the site positioned on the west side of the Atrisco Lateral about 30 feet from the sidewalk.

PHASE I ENVIRONMENTAL SITE ASSESSMENT

The parcel with the address 3901 Central Avenue (bound by the Atrisco Lateral and Acequia) once had a gas station on site. Consequently, an environmental site assessment was initiated in 2003 by the property owner of adjacent sites 3911, 3913 and 3915 Central Avenue. This assessment indicated that though 3901 Central Avenue once had a registered underground storage tank (USG) site, no tanks are currently present and there were no indications of groundwater contamination on the subject property.



ATRISCO ACEQUIA MADRE PLAN UTILITIES



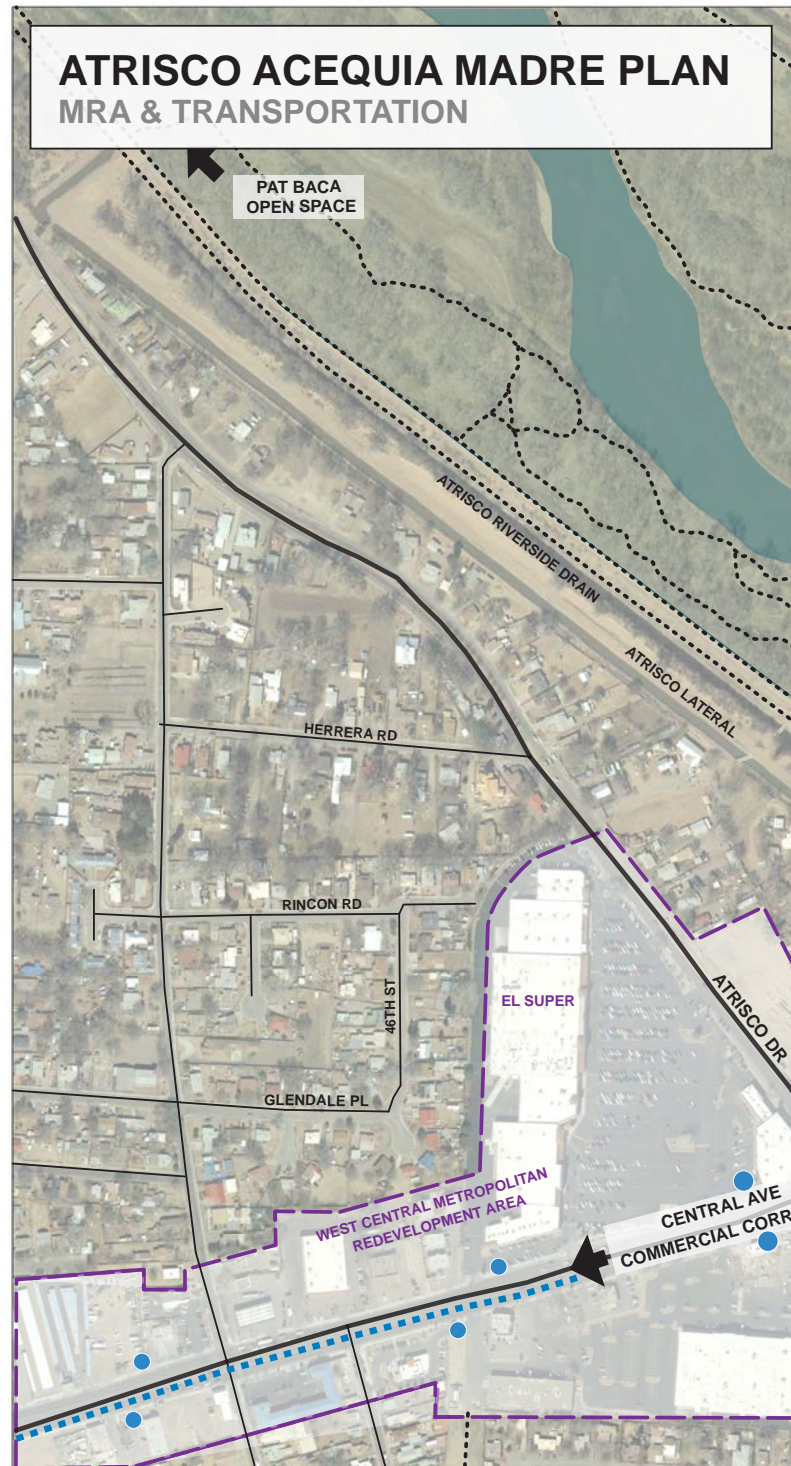
Economic & Transportation Connections

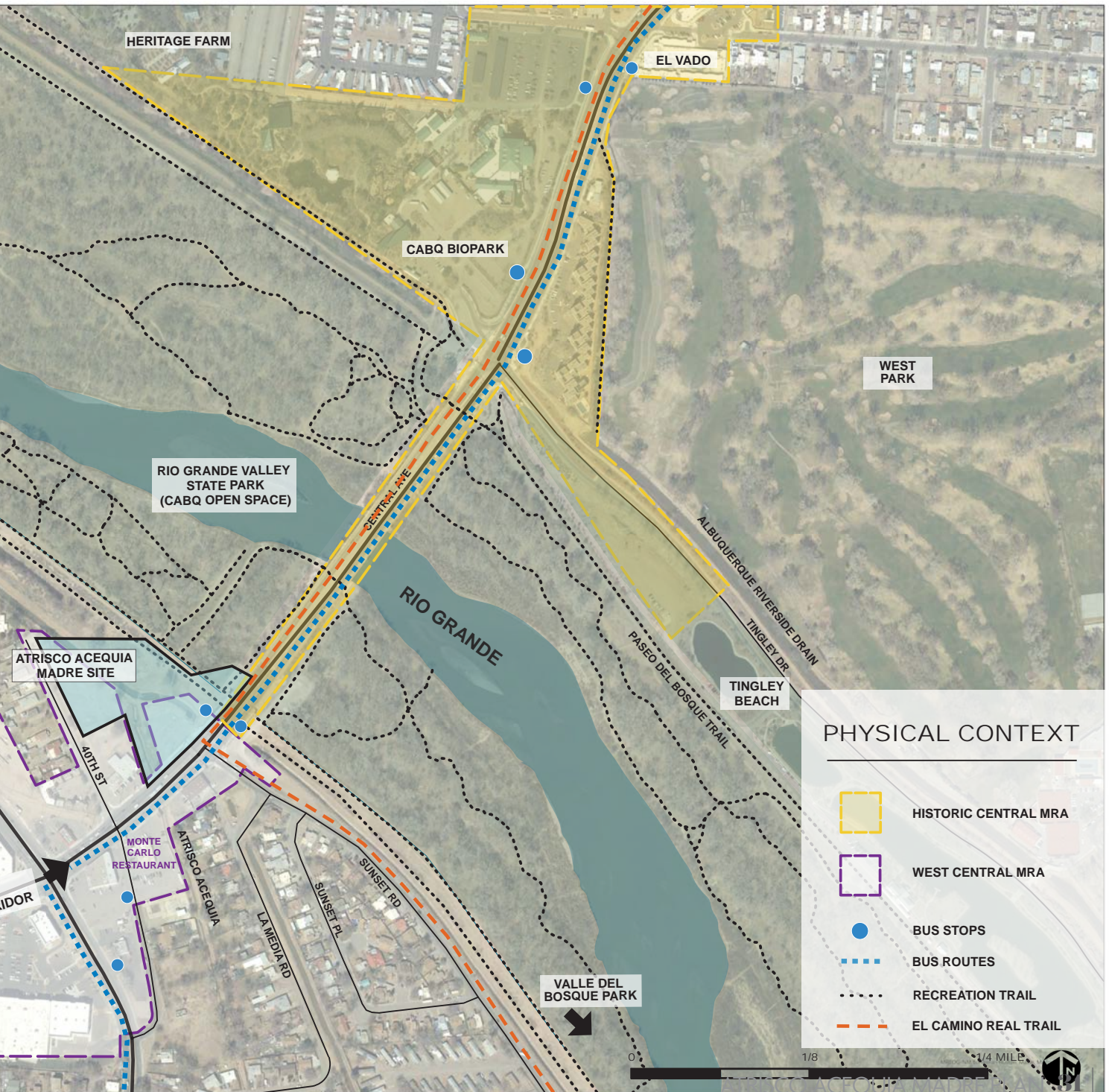
The project site is located within the West Central Metropolitan Redevelopment Area. As mentioned previously, the Central Avenue corridor is home to businesses and commercial districts that front the thoroughfare, with residential areas behind. The El Camino Real de Tierra Adentro National Historic Trail also runs adjacent to the project site, following Central Avenue and Sunset Road. The site is also within a Main Street Corridor as designated by the ABC (Albuquerque and Bernalillo County's) Comprehensive Plan. The Plan defines a "Main Street Corridor" as follows:

"Main Streets are intended to be lively, highly walkable streets lined with local-serving businesses, modeled after the American tradition of Main Street as a place for living, working, and shopping."

There are several bus routes that navigate Central Avenue and Atrisco Drive. The Albuquerque Rapid Transit (ART) line has a stop just west of the project site near the intersection of Atrisco Drive and Central Avenue. There are also several local bus routes that frequent these corridors, including 92, 94, 66, and 51. Finally, there are bike lanes on both Central Avenue and Sunset Road, offering an additional mode of transportation for visitors. The ABC Comprehensive Plan also designates this area on Central Avenue as both a Premium Transit Corridor and a Major Transit Corridor. These overlays provide further direction for future development and design, envisioning these areas as planned for mixed-use and transit-oriented development within walking distance to transit stations.

The Atrisco Acequia Madre site offers an opportunity to create a destination here, honoring and enhancing the natural amenities, while creating a bridge to future potential mixed-use space and/or a community facility.









CONCEPTUAL SCENARIO DESIGN

Using community feedback and direction from partners, the team developed three conceptual design scenarios that incorporated the shared goals and vision. Common themes for this vision included space for recreation, a celebration of shared history and community, space for cultivation and sharing of practices, and stewardship of the land and habitat. Each of the scenarios illustrated these ideas along a spectrum of possible development, but all incorporated the most desired amenities and programmatic elements. Another way to think about the scenarios is as possible phases of design in the future, progressively adding to the site as resources become available. Below is a brief description of the three scenarios with illustrative drawings on the following pages.

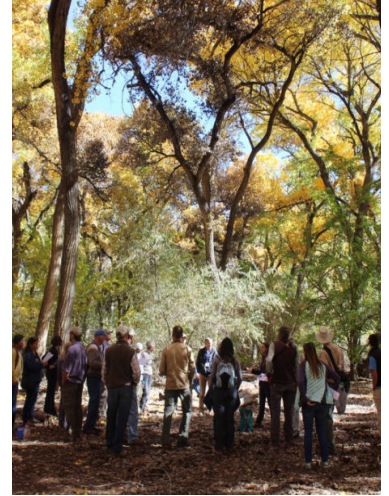
Scenario 1: Enhanced Open Space | This concept offers the least amount of physical development, focusing instead on formalizing trails and supporting pockets of areas to rest and enjoying the solitude of the natural areas or gather with family, friends or neighbors. This concept also features a potential demonstration garden that could be tied to historic and present cultivation of land in the South Valley, as well as offerings at the Heritage Farm.

Scenario 2: Outdoor Plaza | The Outdoor Plaza features a primary focus on the land near the headwaters of the Atrisco Acequia, enhancing this space with a plaza that could be used for community events, outdoor markets and the like. This space would orient visitor to the moment of the headwaters with educational signage and public art.

Scenario 3: Mixed-Use Facility | This scenario provides the most developed concept, with a mixed-use commercial and community facility on-site that would serve both educational and economic development purposes. This facility would be placed proximate to Central Avenue and provide framed views into the bosque to the northeast for the enjoyment of visitors. The educational component of this facility will focus on supporting water right owners with information and education.

Visioning & Programming

Recreation



History



Economic Development



Beginning with the Community Design Workshop and continuing through the spring and summer of 2022, the design team worked to illustrate design scenarios based on the vision and ideas of the partners and community. While these scenarios have evolved since 2022, their programming ideas, connections and articulation of vision remain relevant to the planning process and the story of how the team arrived at a preferred conceptual plan. The images below illustrate these core concepts and vision that would guide future programming and amenity decisions.

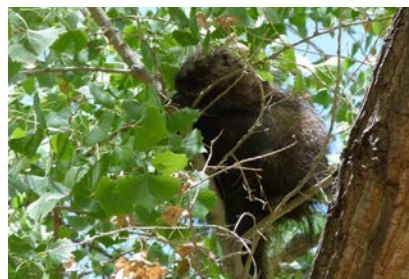
Cultivation



Community



Habitat



Design Scenarios

Scenario 1 | Enhanced Open Space



- ① Potential Community Garden/Edible Landscape
- ② Nature Play Area
- ③ Fishing Pier
- ④ Shade Structures
- ⑤ Educational Panels & Framing of Acequias
- ⑥ Parking
- ⑦ Seating/Gathering Area with Views of Bosque
- ⑧ Wayfinding & Signage Improved Boat Access
- ⑨ Outdoor Plaza/Market/Educational Space

Scenario 2 | Outdoor Plaza



Scenario 3 | Mixed-Use Facility



- ① Potential Community Garden/Edible Landscape
- ② Nature Play Area
- ③ Fishing Pier
- ④ Shade Structures
- ⑤ Educational Panels & Framing of Acequias
- ⑥ Parking & Bike Stations
- ⑦ Flexible, Mixed-use Facility
- ⑧ Wayfinding & Signage
- ⑨ Community Facility

Following the development of the three scenarios, the agency partners agreed to proceed with design of the first phase of development. The first phase of development will be on the land managed by the MRGCD and the City of Albuquerque Open Space Division. The concept for Phase 1 is shown on the following pages.

Future phases will be on property owned by the City of Albuquerque Metropolitan Redevelopment Agency (MRA). The mission of the MRA is to make Albuquerque economically competitive through the redevelopment of the Central Avenue corridor. New development and redevelopment is accomplished through public private partnerships and investments in sustainable infrastructure. Catalytic sites like this one are intended to attract economic investment and create opportunities for local residents and businesses to thrive.

The vision of the Atrisco Acequia Madre Master Plan for this site is development that makes the most of its location through orientation to the open space, maintaining views and direct pedestrian connections.



“The Block” rendering for Rio Rancho; this is an example potential development that could be appropriate next to an enhanced open space and recreation amenity near the Atrisco Acequia Madre site. This would need to be scaled and programmed, as appropriate for this location.

Preferred Conceptual Design



Ultimately, it was decided that the project would take a phased approach to development and creation of amenities at the project site. The initial work will create the distinctive sense of place, interpretation of local history and culture, recreational opportunities, and ties to the river envisioned in the West Central Metropolitan Redevelopment Plan. It will focus on providing recreational and educational amenities on the public lands, which are a combination of the MRGCD owned and maintained properties and Rio Grande Valley State Park - managed by City Open Space Division. Decisions about amenities and improvements will be overseen by City of Albuquerque Open Space Division and coordinated with the City of Albuquerque Department of Municipal Development when concerning the stormdrain outfall.

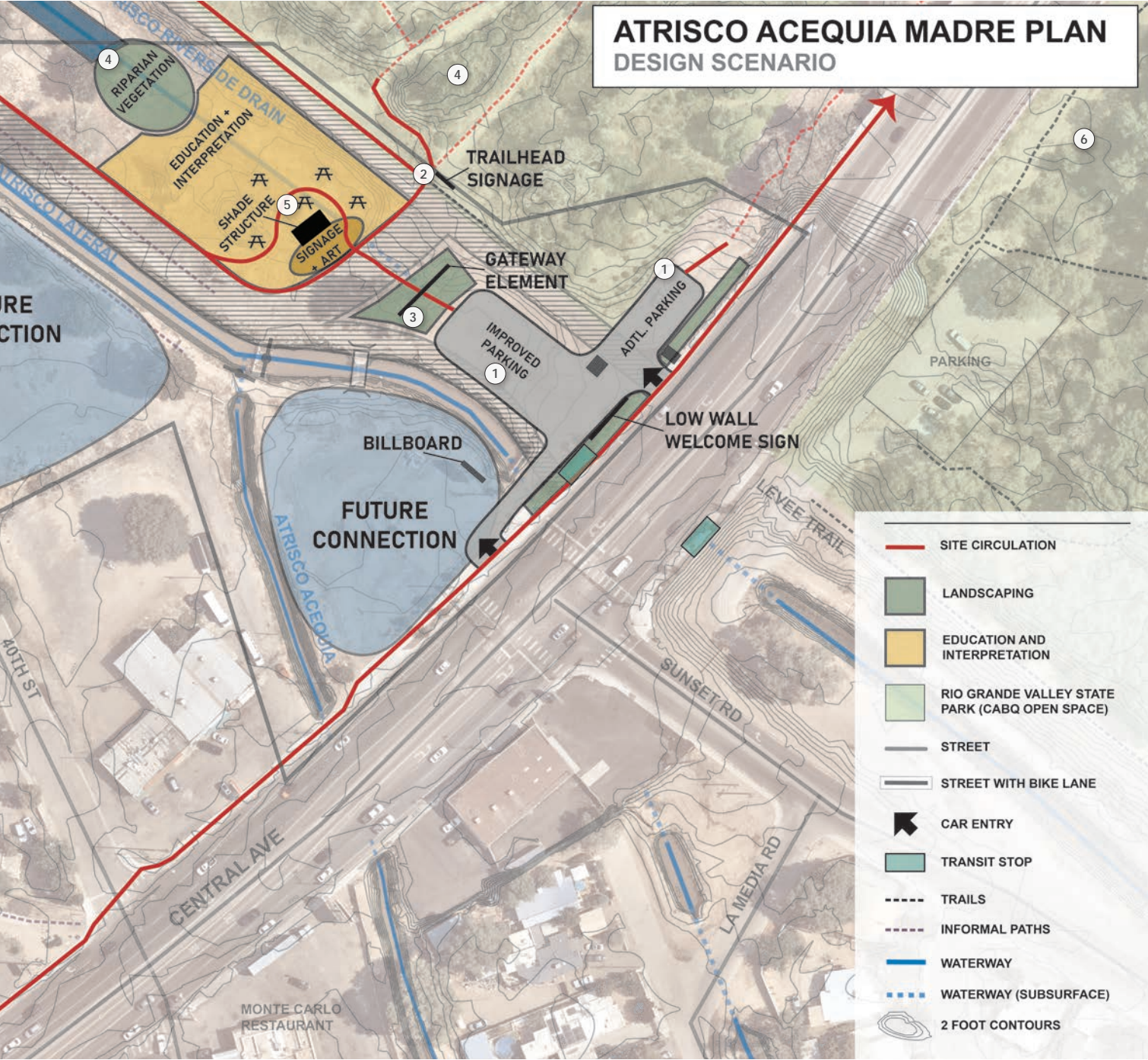
Amenities and programmatic elements include:

- Improved parking facilities
- Clear wayfinding and trail signage, showing connections to the bosque trails and amenities across the river
- Educational signage and public art that begins to tell the story of this place, the importance of the acequias and the deep connections that people have to the land and water
- Connections (pedestrian and vehicular) to existing trails as well as future phases of development (future study needed to determine placement and access)
- Improved and accessible connection to the bosque trails from parking area
- Habitat restoration and use of green stormwater infrastructure elements where appropriate; connect to wildlife viewing opportunities
- Improvements to boat launch south of the Central Avenue bridge in coordination with City of Albuquerque Parks, Recreation and Open Space





ATRISCO ACEQUIA MADRE PLAN DESIGN SCENARIO





SOUTH VALLEY
HIDDEN GEMS

PLEASE STAY ON THE VALLEY!

Do not enter the South Valley Hidden Gems area unless you are a member of the South Valley Hidden Gems Association. This area is reserved for members and their guests. All other vehicles and pedestrians are prohibited from entering this area. For more information, please contact the South Valley Hidden Gems Association at (970) 426-1234 or visit our website at www.southvalleyhiddengems.com.





IMPLEMENTATION

The collaborative momentum for the Atrisco Acequia Madre Plan should be propelled by a set of realistic actions that the partners and community members who support this project can take to begin to realize their collective vision. This section of the plan begins to outline those first steps, along with resources that might enable their implementation. Critically, some funding has already been allocated to begin design and implementation of Phase One following the completion of the planning process.

These steps and guiding documents should be reviewed regularly, as capacity and time may change the circumstances for these actions. Contributing partners should continue to meet to review and guide progress to-date and make decisions for future elements of the project.

Initial Improvements

The following four categories for initial improvements should help guide decisions and priorities about which amenities to design and construct first. These have been selected because they focus on access, connection and overall improvement of the quality of recreational space near the Atrisco Acequia Madre site. Additionally, they draw attention to the importance of this space and begin to tell the story of this community by including educational and interpretive signage as well as public art.



Educational signage example
Source: EDX Seattle

Placemaking and Gateway Features

- Gateway signage from Central Avenue
- Culturally-relevant public art that celebrates the history of this place
- Small gathering plaza with seating and shade



Petroglyph Estates Park
Source: New Mexico ASLA

Landscaping and Environmental Improvements

- Environmentally sensitive landscaping
- Riparian restoration and implementation for green stormwater infrastructure along drainage outfall



Hahn Arroyo improvements and artwork
Source: Dekker Perich Sabatini



Hahn Arroyo improvements and artwork
Source: AMAFCA

Access, Connections and Wayfinding

- Improved trailhead parking
- ADA trail extension from bosque and river to parking
- Interpretive signage around the headwaters
- Wayfinding signage showing connections to nearby trails and open space including the Bio Park, Pat Baca Open Space, Valle del Bosque Park and future Isleta Drain Trail and El Camino Real Trail

Acequia and Lateral Improvements

- Acequia and lateral stabilization and replacement of culvert at Central Avenue
- Replacement of gate
- Pedestrian bridge connecting across the Atrisco Lateral

Project Phasing

The team proposes dividing the initial work into three phases: Phase 1, 2 and 3. This will allow the work to be tackled in implementable pieces as funding is available. What follows is an approximation of the work flow, timeline and associated costs.

Some of the amenities and tasks are noted in multiple phases, due to the fact that these will be necessary in different areas of the project site.

Phase 1

Phase 1 encompasses the following items and tasks:

- Engineering and Design
- Mobilization, Testing and Permitting
- Construction Staking and Surveying
- Clear and Grub, Tree and Debris Removal
- Subgrade Preparation
- Compacted Base Course in Parking Areas
- Updated Wayfinding Signage
- Interpretive Signage
- One Shade Structure

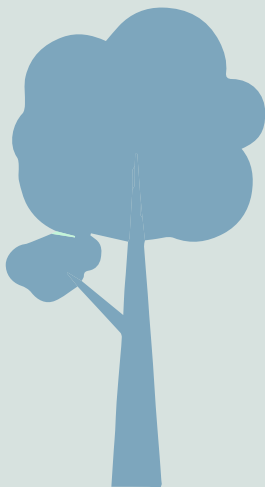


Winter 2023 – Winter 2024

Phase 2

Phase 2 encompasses the following items and tasks:

- Any Additional Mobilization that is needed
- Clear and Grub, Tree and Debris Removal
- Subgrade Preparation
- Finishing Parking Lot Surfacing
- Trail Surfacing
- Railings, Gates, Access Control, as needed
- Water Harvesting Features
- Landscape Plantings
- Landscape Irrigation
- Native Seeding
- Additional Signage
- Site Furnishings
- Lighting

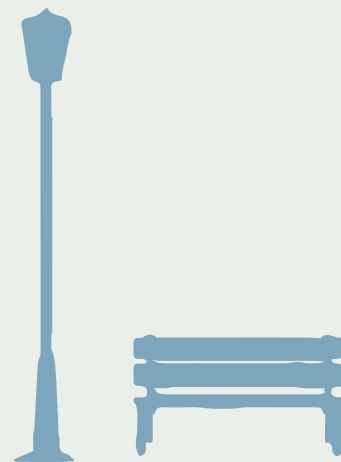


Spring 2024 – Spring 2025

Phase 3

Phase 3 encompasses the following items and tasks:

- Clear and Grub, Tree and Debris Removal
- Subgrade Preparation
- Water Harvesting Features
- Landscape Plantings
- Landscape Irrigation
- Native Seeding
- Additional Signage
- Gateway Entry Feature/Public Art
- Second Shade Structure
- Site Furnishings
- Lighting
- Pedestrian Bridge



Summer 2025 – Summer 2026

Cost Estimates

ITEM DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL
Phase 1 Engineering & Design	EA	3	\$30,000.00	\$90,000
Mobilization, Permitting, Testing, Misc. Costs	LS	3	\$20,000.00	\$60,000
Construction Staking and Surveying	LS	3	\$7,500.00	\$22,500
Traffic Control/Barricading	LS	3	\$2,000.00	\$6,000
Clear & Grub, Tree and Debris Removal	AC	1.5	\$10,000.00	\$15,000
Subgrade Preparation	SY	4,800	\$7.50	\$36,000
Compacted Base Course, 4" Depth, CIP	SY	2,400	\$10.00	\$24,000
Parking Lot Surfacing - Asphalt	SY	2,400	\$25.00	\$60,000
Trail Surfacing - Crusher Fines	SY	800	\$12.00	\$9,600
Railings, Gates, Access Control	LF	500	\$150.00	\$75,000
Bank Stabilization along the Lateral (by MRGCD)	SF		\$50.00	\$0.00
Bioswales, Water Harvesting Features (modified planting media, cobble, etc.)	SF	800	\$75.00	\$60,000
Landscape Plantings	SF	1000	\$10.00	\$10,000
Landscape Irrigation	AL-LOW	1	\$50,000.00	\$50,000
Native Seeding, Class C	AC	0.6	\$10,000.00	\$6,000
Wayfinding Signage (Design and Fabrication)	LS	3	\$3,000.00	\$9,000
Interpretive Signage (Design and Fabrication)	EA	4	\$7,000.00	\$28,000
Gateway Entry Feature/Artwork	EA	1	\$50,000.00	\$50,000
Shade Structure	EA	3	\$15,000.00	\$45,000
Site Furnishings	AL-LOW	1	\$21,000.00	\$21,000
Lighting	AL-LOW	1	\$30,000.00	\$30,000
Pedestrian Bridge	EA	1	\$80,000.00	\$80,000
			Subtotal	\$759,100
			NMGRT	\$57,880
			10% Contingency	\$75,910
			Phase 1 - TOTAL	\$925,890

	Phase 1		Phase 2		Phase 3	
UNIT	QTY	SUBTOTAL	QTY	SUBTOTAL	QTY	SUBTOTAL
0.00	1.00	\$90,000.00				
0.00	2.00	\$40,000.00	1.00	\$20,000.00		
0.00	1.00	\$7,500.00	1.00	\$7,500.00	1.00	\$7,500.00
0.00	1.00	\$2,000.00	1.00	\$2,000.00	1.00	\$2,000.00
0.00	0.50	\$5,000.00	0.50	\$5,000.00	0.50	\$5,000.00
0.00	2400.00	\$18,000.00	1400.00	\$10,500.00	1000.00	\$7,500.00
0.00	2400.00	\$24,000.00				
0.00			2400.00	\$60,000.00		
0.00			800.00	\$9,600.00		
0.00			500.00	\$75,000.00		
				\$0.00		
0.00			400.00	\$30,000.00	400.00	\$30,000.00
0.00			500.00	\$5,000.00	500.00	\$5,000.00
0.00			0.50	\$25,000.00	0.50	\$25,000.00
0.00			0.20	\$2,000.00	0.40	\$4,000.00
0.00	1.00	\$3,000.00	1.00	\$3,000.00	1.00	\$3,000.00
0.00	4.00	\$28,000.00				
0.00		\$0.00		\$0.00	1.00	\$50,000.00
0.00	1.00	\$15,000.00		\$0.00	2.00	\$30,000.00
0.00			0.33	\$7,000.00	0.67	\$14,070.00
0.00			0.50	\$15,000.00	0.50	\$15,000.00
0.00					1.00	\$80,000.00
00.00		\$232,500.00		\$276,600.00		\$278,070.00
1.38		\$17,728.13		\$21,090.75		\$21,202.84
0.00		\$23,250.00		\$27,660.00		\$27,807.00
26.38	Phase 1 - Subtotal	\$273,478.13	Phase 2 - Subtotal	\$325,350.75	Phase 3 - Subtotal	\$327,079.84

Partner Roles & Responsibilities

Each of the partners who has supported this project so far will continue to play an important role in its realization. They share a desire to work together to collaboratively protect and enhance the water facilities at the Atrisco Acequia Project site and to preserve these resources to educate the community about acequia culture in the Middle Rio Grande Valley. Ultimately, in addition to providing direct public benefit through improved amenities, this project should provide the opportunity to grow economic development along Central Avenue by creating a destination that celebrates the unique nature of this place.

City of Albuquerque Open Space Division

City Open Space Division will continue to manage and maintain the land encompassed by Phase 1 of the project area in conjunction with the MRGCD. As such, they are the entity who will likely lead future design, construction and implementation of plan elements and amenities in Phase 1.

Events and special use of the area should be coordinated with City Open Space Division.

Bernalillo County Open Space

County Open Space is an important coordinating partner for future planning at the Atrisco Acequia Madre site. County Open Space will continue to advise, direct, review and approve future design and construction planning efforts for site.

City of Albuquerque Metropolitan Redevelopment Agency

As the landowner of the redevelopment sites adjacent to public open space, the MRA will be a key partner in the design of open space amenities. The MRA will work with the partners to determine connections between the sites, including pedestrian and vehicular access. As the lead redevelopment agency, the MRA will work with the partners to solicit investment that benefits from and provides benefit to the adjacent open space.

Middle Rio Grande Conservancy District

The MRGCD operates, maintains and manages both the Atrisco Lateral, the Atrisco Acequia and the Atrisco Riverside Drain that run through the project site. The MRGCD will remain a key partner in determining design and placement of future plan amenities so that they enhance the site while allowing for the districts core mission and associated activities. These include operations and maintenance of key facilities, as well as the protection of the environment, wildlife, and endangered species in the bosque in conjunction with the City Open Space Division.

Albuquerque Bernalillo County Water Utility Authority

The ABCWUA is an important partner for informing the development of educational materials for the Atrisco Acequia Madre site. They have the opportunity to build on their collection of water resources educational materials with new amenities at the Atrisco Acequia Madre site, creating a space for teachers, students and the community at-large to learn more about water stewardship, conservation and our bosque ecosystem.

City of Albuquerque BioPark

The BioPark, as a neighbor destination on the east side of the Rio Grande, will continue to provide input on plans for future design and specific elements that would complement current offerings for community members and visitors at the BioPark.

The BioPark will also provide direction specifically for educational and interpretive signage at the Atrisco Acequia Madre site to maintain consistency in design and overall aesthetic, drawing ties and enhancing the relationship between these two destinations.

Center for Social Sustainable Systems & The South Valley Regional Association of Acequias

The Center for Social Sustainable Systems, along with the South Valley Regional Association of Acequias, are integral to future storytelling components that are desired at the Atrisco Acequia Madre site. These educational and interpretive signs, as well as public art, should begin to inform visitors about both the history and present importance of the acequias in our community.

Both organizations also utilize this space for celebrations and community events. They should work with managing agencies (the MRGCD and City Open Space Division) to coordinate special use days and events.

Resources

Capital Outlay

Capital outlay funds are used to plan, build, improve, or equip physical property that will be used by the public. In NM, state capital outlay is authorized by the Legislature and generally is nonrecurring—one-time money. These funds could be used as a match requirement for federal grants.

Land and Water Conservation Funds (ORLP)

This grant is for projects that will provide outdoor recreation opportunities to the public through the acquisition of lands and waters for parks and other outdoor recreation areas, as well as through the development of new, or the renovation of existing, outdoor recreation facilities. There are two grant opportunities offered: LWCF funds are available every two years with grant application usually open through the summer. The Outdoor Recreation Legacy Partnership (ORLP) Program has funding available that is targeted toward urban communities (population greater than 30,000) and populations who have historically been excluded from the benefits of parks and outdoor recreation spaces.

Trails+ (Outdoor Recreation Division)

The Outdoor Recreation Trails+ (formerly known as the Special Projects and Infrastructure Fund) is a grant program that supports projects enhancing community outdoor recreation opportunities. This grant funds shovel-ready projects that directly provide access to parks, rivers, trails, outdoor recreation opportunities, and wildlife viewing opportunities.

NMDOT Active Transportation Programs

There are several programs administered through the State Department of Transportation that focus on funding for trail and alternative transportation projects. These include the Recreational Trails Program, the Transportation Alternatives Program, the Congestion Mitigation and Air Quality Improvement Program and Safe Routes to School Program. Each of these provide a range of possible project funding that could be used for planning, project design, engineering, construction and implementation of trails and related amenities.

Local Economic Development Act (LEDA)

LEDA allows public support of qualified economic development projects for existing expanding companies as well as for newly recruited ones to foster, promote, and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources. LEDA can be used to reimburse eligible expenses for hard assets. The City also can act as the fiscal agent for State funds contributed to a qualified project.

Metropolitan Redevelopment Tax Abatement (RTA)

The Metropolitan Redevelopment Tax Abatement Program provides a 7-year abatement of property taxes on projects in MRAs. The applicant continues to pay taxes on the original taxable property value during this time period; at year 7, the property is reassessed and the applicant will begin paying taxes on the full taxable value. RTA projects must meet criteria to help meet the City's goals for quality design, sustainability, economic development and/or housing.

Impact Fee Waivers

These can apply to any project in a MRA. The City will waive parks, streets, open space, trails, police, fire and drainage impact fees. This does not apply to water and sewer impact fees.

Atrisco Acequia Madre Plan
DRAFT: September 2023



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October 17, 2023

Diane Agnew
Water Rights Program Manager
Albuquerque Bernalillo County Water Utility Authority
Submitted via email: dagnew@abcwua.org

Re: Cultural Resource Field Assessment and Reporting Services for the Abiquiu Reservoir Storage Expansion Project

Dear Ms. Agnew:

SWCA Environmental Consultants (SWCA) is pleased to submit this contract modification request to provide cultural resource field assessment and reporting services to the Albuquerque Bernalillo County Water Utility Authority (Water Authority) for the Abiquiu Reservoir Storage Expansion Project (project).

Our proposed scope of work consists of one new project phase, Cultural Resource Field Assessment and Reporting. This scope has been informed by ongoing discussions with U.S. Army Corps of Engineers, the lead federal agency for National Historic Preservation Act Section 106 compliance.

Thank you for the opportunity to offer our services to the Water Authority for this important project—we look forward to working with you. If you have questions regarding our proposal, please contact me at (505) 254-1115 or kparker@swca.com.

Sincerely,

A handwritten signature in black ink that reads "Kimberly A. Parker". The signature is written in a cursive style.

Kimberly A. Parker
Cultural Resources Program Director, New Mexico–Four Corners

PROJECT UNDERSTANDING

SWCA Environmental Consultants (SWCA) is currently supporting the Albuquerque Bernalillo County Water Utility Authority (Water Authority) with the Abiquiu Reservoir Storage Expansion Project. Our current tasks covered by Purchas Order CE002512, effective June 22, 2023, includes two phases:

- Agency Coordination Meetings
- National Historic Preservation Act (NHPA) Compliance Support.

Since August 2023, SWCA has supported the Water Authority and the U.S. Army Corps of Engineers (USACE) with research and identification of archaeological sites that may occur between reservoir contour elevations 6,220 and 6,230 feet. The research has supported the Water Authority's goal of storing water within Abiquiu Reservoir between contour elevations 6,220 and 6,230 feet., as authorized by the Water Resources Development Act of 2020 (WRDA), as early as March 2024. We now need to mobilize into the field to conduct a cultural resource assessment of up to 110 archaeological sites that occur between reservoir contour elevations 6,220 and 6,230 feet.

These services are expected to occur over a four-month period, between October 9, 2023 and February 9, 2024.

The SWCA Team's technical approach is provided below.

As discussed with the Water Authority, USACE, and Middle Rio Grande Conservancy District (MRGCD) on October 10, this scope of work and budget reflects SWCA's current understanding of the level of effort needed to conduct the field assessment to satisfy requirements of USACE and New Mexico State Historic Preservation Office (SHPO). USACE continues to consult with SHPO to finalize the requirements for the cultural resources field assessment. Due to the time-sensitive nature of this field work, the Water Authority has requested that SWCA present our best estimate of the scope, level of effort, and budget required to conduct the cultural resources field assessment in October and November 2023; possibly now extending into December due to delays seen in consultation between USACE and SHPO. If the level of effort for the field assessment changes (increases) from what is proposed in this letter, due to ongoing consultation between SHPO and USACE, SWCA may need to request additional funding from the Water Authority.

PROPOSED TECHNICAL APPROACH

PHASE 3: CULTURAL RESOURCE FIELD ASSESSMENT AND REPORTING

Ms. Coleman Burnett will continue to serve as Project Manager for the Project, with Adrian Hogel serving as Deputy Project Manager. Under this Phase 3, Kim Parker, Rick Greene and Robin Cordero will support the cultural resource assessment as Task Managers and Principal Investigator, respectively.

TASK 3.1 ACCESS COORDINATION AND WEEKLY STATUS UPDATE MEETINGS

Once SWCA receives the Notice to Proceed (NTP) from the Water Authority, SWCA will schedule re-occurring, weekly meetings with the Water Authority and USACE to provide timely status updates and discuss upcoming tasks associated with the field assessment. These meetings are estimated to last up to 1 hour each and occur over the 4-month duration of the schedule.

If needed, SWCA has also budgeted for up to 5, 1-hour meetings with the Water Authority and USACE to discuss other cultural resource-related topics that may arise during the field assessment, report, or USACE's development of a Memorandum of Agreement (MOA) with SHPO.

This phase will also include monthly status update reports and invoices submitted to the Water Authority.

TASK 3.2 FIELD ASSESSMENT

SWCA will conduct a limited site recording of all eligible, recommended eligible, undetermined and not eligible sites that overlap with the 6,220' to 6,230' elevation contours (area of potential effect [APE]). Table 1 below summarizes the parameters of the cultural resource survey agreed upon by USACE on October 10, 2023.

Table 1. Cultural Resource Assessment Criteria

	USACE (fee land)	Private (Water Authority easement)
Slope	SWCA will document sites on slopes less than 40%, if located	SWCA will document sites on slopes less than 40%, if located
Shovel testing	Not allowed	Not allowed
Limits of survey	Survey within APE to the waterline plus limited site boundary recording above 6230 ft elevation	Survey within APE to the waterline only
Site eligibility	Eligible, undetermined, not eligible sites that overlap APE	Eligible, undetermined, not eligible sites that overlap APE
New sites	Not recording	Not recording
Site recording priority	Focus on documenting integrity and eligibility contributions	

Level of effort for site assessments (at the time of this scope and budget SWCA had proposed a level of effort in consultation with the USACE. The USACE was consulting with SHPO but had not yet received a response; therefore, the current scope and budget is based on the following:

- Relocate up to 110 sites identified in the initial scoping (includes all eligible, undetermined, and not eligible sites estimated to be located within the APE).
 - Sites on the list that are entirely above the 6,230 elevation will not be recorded, but a georeferenced point may be taken and provided to the USACE to aid in future attempts to relocate the site, depending on access and land ownership.
 - If a site is not relocated in the plotted location, SWCA crews will attempt to relocate the site by searching within a 100 m radius or by using the existing site form to identify the appropriate landform.
- Evaluation of the site within the 6,220 to 6,230 elevation, i.e., what is the distribution of features and artifacts within the area of effect?
- If the site is located within the contour range, SWCA will not chase the site boundary to its limit if on Private Land. Instead, follow the boundary to the edge of the APE and state if the site continues beyond those limits. If on federal land, the entire site boundary will be documented, if accessible.
- This is a non-surface disturbing assessment. Only observations from the ground surface will be conducted.
- Cultural features on sites will be documented only between the waterline and 6,230 elevation on both private and USACE fee land.
- No more than 100 artifacts will be georeferenced per site. Point data collected will depend on the artifacts identified within the 6,220 and 6,230 elevations.
- No more than 100 artifacts total will be recorded per site and will be limited to the 6,220 and 6,230 elevations. Crews may extend recording to the waterline if not enough artifacts are available.
- Site overview photos will be focused on the portions of the site below the 6,230 elevation.

- There are two sites located on what is now an island; it is assumed that the USACE will provide a boat and take the SWCA crew to those two locations; if that is not possible, a change order may be needed.

TASK 3.3 REPORT AND ASSOCIATED FORMS

When the fieldwork has been completed, SWCA will prepare a report of the investigations for submittal to the USACE and SHPO. The reports will include Laboratory of Anthropology (LA) and Historic Cultural Property Inventory (HCPI) forms as needed. Effects determinations will be made for all portions of cultural resources identified between the 6,220 to 6,230 contour lines. The report will follow Historic Preservation Division (HPD) reporting guidelines and will satisfy the requirements of Section 106 of the National Historic Preservation Act. This report will serve for SHPO review.

- It is assumed that a positive report will be required.
- No more than 110 cultural resources will be documented.
- Site data, including shapefiles, will be uploaded to NMCRIS.

DELIVERABLES

- Meeting notes and agendas
- Monthly invoice reports
- Report documenting investigations

ASSUMPTIONS

- Weekly coordination meetings with Water Authority, USACE, and SWCA will last no more than one hour in duration.
- Up to 5 monthly, 1-hour in duration, project-related meetings will be scheduled with the Water Authority, USACE, and SWCA, as necessary.
- USACE will manage all consultation activities with SHPO.

COST

Based on thoughtful consideration of the project requirements and a thorough estimate of the required labor and direct costs, SWCA proposes a not-to-exceed budget in the amount of \$331,396, including New Mexico Gross Receipts Tax, to complete the project as presented in the Table 1.

SWCA has used labor categories and labor rates from our General Services Administration (GSA) contract 47QRAA19D004C for our budget estimate (Table 2). This cost estimate is valid for 90 days from the date of the proposal.

Our proposed project budget (Table 1) is based on the assumptions listed in our technical approach (above), as well as those contained in our proposed task and deliverable descriptions. If changes to the project occur after contract award that require an increased level of effort, labor hours, or expenses, revisions to the contract amount will be required.

Table 1. Proposed Project Budget

PHASE/TASK	LABOR (\$)	EXPENSES (\$)	TAX (\$)	TOTAL (\$)
Task 3.1 Access Coordination and Weekly Meetings	27,648	-	2,108	29,756
Task 3.2 Field Assessment	144,950	32,667	13,543	191,161
Task 3.3 Report and Associated Forms	102,652	-	7,827	110,479
PROJECT TOTAL	275,250	32,667	23,478	331,396

* New Mexico Gross Receipts Tax is calculated at 7.625%.

Table 2. GSA Labor Categories and Rate Table

GSA Labor Category	GSA Labor Rate (\$)	Estimated Labor Hours	Labor Total (\$)
Subject Matter Expert	172.80	540	93,312
Subject Matter Expert X	151.13	100	15,113
Subject Matter Expert VIII	125.44	340	42,650
GIS/CADD Specialist V	101.04	306	30,918
Technical Writer Specialist V	96.76	40	3,870
Cultural Resources Specialist V	96.76	520	50,315
Cultural Resources Specialist II	69.87	300	20,961
Cultural Resources Specialist I	60.37	300	18,111
Total	-	2,446	\$275,250

OCT/NOV - PIO Report

MEDIA INTERVIEWS/COVERAGE (SEE CLIPS P.2)

Broadcast

Nov 1: KOB-TV

Nov 3: KRQE-TV

Print

Oct 8: ABQ Journal

Oct. 29: ABQ Journal

WEBSITE UPDATES/PROJECTS

Belen Watershed Study: webpage is live with project status and form for public to submit questions and contact info.

Belen Water Shed Webpage

New Service Request Process: the new process gives MRGCD customers the ability to file service requests directly with their respective field office clerk. The field office clerk will file the request electronically and assign a trackable service number.

New Service Request Webpage

OPPOSITION PIECE & RESPONSE (SEE CLIPS P. 3)

**Oct. 15 - ABQ Journal
Opinion Piece**

**“Rio Grande
mismanagement threatens
New Mexico's outdoor
businesses”**

**Response via 4-page letter;
see P.3**



Rio Grande mismanagement threatens New Mexico's outdoor businesses

By Corey Spoore / MST Adventures
Oct 15, 2023



MST Adventures leads a stand-up paddleboarding tour during the 2019 Albuquerque International Balloon Fiesta.
Courtesy MST Adventures

MEDIA CLIPS

The Rio Grande is managed well, dry spells are normal

BY JASON CASUGA
MIDDLE RIO GRANDE CONSERVANCY DISTRICT

One hundred years ago, the New Mexico state Legislature passed the first Conservancy Act, which provided the legal framework for the formation of conservancy districts throughout the state. Two years later, the Middle Rio Grande Conservancy District was formed with a mission to provide river flood control, manage groundwater, and deliver irrigation water.

The Rio Grande through central New Mexico in the late 1800s and through the mid-1900s was often unpredictable and dangerous, with frequent periods of drying, large flood events that often led to destroyed communities, and uncontrolled water table that prevented agriculture production in

large sections of the valley. Today, we have infrastructure such as dams and levees constructed by the MRGCD, Bureau of Reclamation, and the U.S. Army Corps of Engineers that have made the Rio Grande more reliable from year to year and safer from seasonal flooding. This infrastructure is directly responsible for the current bountiful ecosystem we enjoy along the middle Rio Grande.

Seeing the Rio Grande dry in the Albuquerque area is a sight that is unusual for longtime residents. It is important to know that portions of the Rio Grande go dry in the middle valley annually and have done so for more than 100 years. The fact that Albuquerque has only experienced drying twice in the last 60 years speaks to the success of the infrastructure constructed along the Rio



Fish biologists work to rescue the endangered Rio Grande silvery minnow from pools of water in the dry Rio Grande riverbed in July 2022.

The current challenges we face on the Rio Grande are due to 3 natural factors, such as higher temperatures and a lack of rainfall, and 3 infrastructure challenges, such as the inability to store water in El Vado Reservoir while the Federal government is rehabilitating it. The MRGCD works year-round to provide river flood

control to the Middle Rio Grande Valley, which includes more than 11,900 irrigators whose land and effects can be counted as part of the \$46.25 billion economic impact that the New Mexico agriculture sector is a part of generating, according to the annual Feeding the Economy Report.

Water is not a Middle Rio Grande Valley issue. It is a New Mexico issue. Let us work on the value farmers, agriculture and ecological recreation bring to the state and minimize the noise created by out-of-state city jet groups. A century ago, New Mexico leaders understood the importance of prioritizing our water. Let us hope that in another hundred years, our future generations can say the same for us.

Oct. 8 - ABQ Journal

“Rio Grande is managed well, dry spells are normal”

Opinion piece submitted by MRGCD CEO, Jason Casuga

Oct. 29 - ABQ Journal

“Rio’s low flow due to factors beyond MRGCD’s control”

Opinion piece submitted by MRGCD board member, John Kelly

C4 THE SUNDAY JOURNAL

ALBUQUERQUE, OCTOBER 29, 2023

Rio’s low flow due to factors beyond MRGCD’s control

BY JOHN KELLY
MRGCD

In the Oct. 15 Journal, Mr. Corey Spoores, owner of MST Adventures, criticizes the MRGCD (Middle Rio Grande Conservancy District) on its management of the Rio Grande and makes a request for minimum flows during the Redfish Flows.

I understand Mr. Spoores’ frustration as a business owner serving recreational river paddlers. We had a full river during the runoff, followed by extremely low flows in just a month’s time.

I am writing to assure the MRG Valley community that the extremes we saw were driven by several factors beyond our control: legal constraints of the Rio Grande Compact and the ongoing rehabilitation project at El Vado Dam. These factors resulted in the district’s inability to store water in El Vado, our only reservoir.

Normally, we store excess runoff at El Vado, then later release the water, allowing delivery to farmers and providing late sea-



PHOTO BY ROSALEE JOHNSON/ALBUQUERQUE

Interstate 40 crosses the Rio Grande in Albuquerque.

son flow for paddlers. Due to the Bureau of Reclamation’s \$154 million rehabilitation project and the terms of the compact, we could not store water this year. Unfortunately, this is likely next year also.

We’ve worked with paddlers on many projects: El Vado Dam serves as a key regulating reser-

voir to store and release municipal and irrigation water to create the weekend flow releases that make the Chama available for boaters all summer. We improved boating access at U.S. 200 in Bernalillo, and worked with the NM Paddlers Coalition to build a portage around the riprap armoring of the Carrizos

Siphon. We are currently designing a new and deeper siphon and will modify the riprap for boat passage and perhaps create a wave feature like below Abiquiá on the Chama.

We are also revising our agreement with the city for Rio Grande Valley State Park to include an evaluation of existing and new boating access points. Like any rift trip, the success of these projects is dependent on flows, which the district cannot guarantee, especially when we are in debt under the compact.

Come Nov. 1, when the irrigation season ends, we will see the river flows dramatically increase, with the Corps of Engineers releasing floodwaters stored in Abiquiá downstream to the compact accounting point at Elephant Butte. This water is not available to the district given the compact, but is very much needed to help meet the state’s compact delivery obligations. Per the Corps’ Water Control Manual for Abiquiá, this water cannot be released until Nov. 1. We are currently working with the Corps to update the WCM to

allow district storage at Abiquiá. At the same time, water stored and not used for the six MRG paddles prior and paramount lands will be sent downstream. N.M. water managers strive to move water to Elephant Butte efficiently, which means when temperatures are lower, a part of the river in the San Blas channel is released just once to reduce conveyance losses.

As a lifelong New Mexican outdoorsman, I appreciate the outdoor recreation opportunities that our state offers, and as a longtime water engineer, I know the constraints of working with what Mother Nature provides, as modified by man’s flood control and irrigation works.

Ultimately, we all want the same — a healthy and sustainable river, and successful water-dependent businesses, including those of farmers, and recreationalists that showcase the Rio Grande.

John Kelly is a member of the Middle Rio Grande Conservancy District Board of Directors.

Nov. 1 - KOB TV

“Will El Niño provide relief to the Rio Grande?”

Interview with Jason Casuga and Chris Lopez, Socorro Farmer



Will El Niño provide relief to the Rio Grande?



WATER LEVELS ON THE RIO GRANDE



ALBUQUERQUE, N.M. — When you consider the 60,000 acres the Rio Grande irrigates each year, it’s tough to not worry about its expanding sandbars.

Nov. 3 - KRQE TV

“Water Returns to the Rio Grande”

Interview with Anne Marken



ANNE MARKEN
MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Anne Marken



MST Adventures leads a stand-up paddleboarding tour during the 2019 Albuquerque International Balloon Fiesta. Courtesy MST Adventures

Rio Grande mismanagement threatens New Mexico's outdoor businesses

Opinion piece submitted to ABQ Journal

By Corey Spoores / MST Adventures Oct 15, 2023

In 2023, the Rio Grande, once a cherished watershed, stands as a stark example of mismanagement, casting a long shadow over New Mexico's outdoor recreation industry. As the owner and operator of MST Adventures in Albuquerque, I am compelled to shed light on the predicament facing businesses like ours due to the alarming state of this vital natural resource.

The Rio Grande, a lifeline for countless outdoor enthusiasts and businesses, experienced a roller coaster of mismanagement in 2023. At its peak, the river boasted flows of nearly 6,000 cubic feet per second and 1,000 cubic feet per second for months, only to nosedive abruptly, revealing a concerning lack of resource stewardship.

New Mexico Gov. Michelle Lujan Grisham has expressed her commitment to promoting outdoor recreation in the state. However, reality contradicts these words. The Albuquerque International Balloon Fiesta, a hallmark event attracting over 750,000 people and a pivotal time for businesses like MST Adventures, has become a victim of water mismanagement. Surprisingly, scheduling water during this crucial period costs nothing, leaving us to ponder why this isn't prioritized. Could we consider storing water in Elephant Butte instead of Abiquiú or Cochiti? It is vital to recognize that paddling on the Rio Grande is a non-consumptive use of the watershed.

Former Albuquerque Mayor Richard Berry's office has suggested reaching out to the Middle Rio Grande Conservancy District – MRGCD. Unfortunately, contacting MRGCD has proven futile, as they have failed to respond to our calls. As commercial permit holders with MRGCD, we expected at least the courtesy of a callback, but instead, we find ourselves left out to dry, much like the silvery minnow.

The New Mexico Outdoor Business Alliance, an organization dedicated to nurturing the outdoor recreation economy, faces a daunting challenge when the state's leadership appears to prioritize a "Hey Buddy" system over effective resource management. While the state has commendably created equitable grants for outdoor recreation opportunities, their value diminishes without adequate water resources.

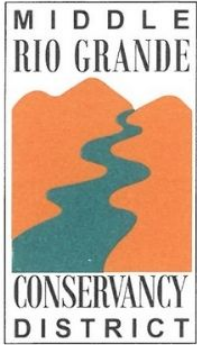
As part of our commitment to showcasing the beauty of New Mexico, MST Adventures has contributed visual assets to Visit ABQ. These visuals have been shared in prominent locations like Las Vegas and Los Angeles, showcasing our state's natural splendor. However, this pride comes at a cost. On behalf of the 5,800 paddling enthusiasts in New Mexico, I beseech our leaders for assistance. Can we work together to ensure that at least 250 cubic feet per second of water, measured at the Alameda Gauge, flows during the nine days of the Balloon Fiesta?

In conclusion, the Rio Grande's mismanagement in 2023 serves as a harsh reminder of the importance of responsible stewardship of our natural resources. As outdoor enthusiasts and business owners, we implore our state's leadership to prioritize effective water management to preserve not only outdoor experiences but also the very essence of New Mexico's natural beauty.

It is high time for a concerted effort to ensure that our outdoor businesses can thrive. Our plea is not just for ourselves but for the entire community of outdoor enthusiasts. Hey Buddy, can you help?

Response to Mr. Spoores' Letter

October 19, 2023



Mountain, Stream & Trail Adventures, LLC
Attn: Corey Spoores
6808 Academy Pkwy E NE B4
Albuquerque, NM 87109

RE: Albuquerque Journal Opinion Piece

Dear Mr. Spoores,

I read your opinion piece in Sunday's Albuquerque Journal titled, "Rio Grande's Mismanagement Threatens New Mexico's Outdoor Businesses." I would like to first apologize that you were not able to reach anyone at the MRGCD when you first attempted to contact us with your questions and concerns. It's of utmost importance that we are available and responsive to our constituents and members of our community. If you have any constructive feedback regarding our current process, I'd gladly listen.

In your opinion piece you state that mismanagement of the Rio Grande is to blame for the paltry river flows through the middle valley for much of the summer and specifically during Balloon Fiesta. While I understand your frustration in a year that had bank-to-bank spring river flows, followed by the river all but drying up only weeks later, I assure you that the two extremes of supply conditions experienced this year has much more to do with legal constraints and infrastructure challenges — that have limited MRGCD's ability to store water in upstream reservoirs — than the mismanagement of water resources.

El Vado Dam is on the Rio Chama in northern New Mexico and is the only reservoir that MRGCD is authorized to store native Rio Grande water (water that is generated in the Rio Grande Basin and is subject to the rules of the Rio Grande Compact). In a year when MRGCD can, excess river flows are stored during spring runoff in El Vado Reservoir, to then be released in the summer months after the high mountain snow has melted and river flows have naturally declined to a level that is not enough to meet the needs of farmers. Without the ability to store water in El Vado, MRGCD is at the mercy of what Mother Nature provides. This means high flows through the river in the spring and low flows through most of the summer and fall unless monsoon rainstorms are significant enough to bolster summer river flows. This annual pattern of high spring flows followed by low summer flows closely resembles a natural hydrograph that was normal prior to the construction of El Vado Dam in 1935.

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Response to Mr. Spoore's Letter - Cont'd

The reason paddlers have been able to enjoy river flows in the Albuquerque section of the river through the summer and fall in past years is because MRGCD was able to store excess spring flows and make releases from storage for delivery to farmers later in the season, when natural river flows are low. When there is no storage upstream, paddlers and farmers alike experience uncertain supply conditions. Our team, like most New Mexicans are concerned and aware how the low natural flows in the river create financial hardships for farmers and recreational businesses, like yours, who rely on water in the river. For the reasons explained in the rest of this letter, the middle Rio Grande will most likely find itself at the mercy of Mother Nature again this time next year.

Infrastructure Challenges

One major reason that MRGCD has been unable to store native Rio Grande water is due to a rehab project under the Bureau of Reclamation's Safety of Dams Program at El Vado Dam. The rehab project has prevented MRGCD from storing any water in El Vado Reservoir for the past two irrigation seasons and will continue to be unavailable for storage until at least 2026. There are three other reservoirs on the Rio Grande and Rio Chama upstream of the middle valley that could have theoretically been used to store native Rio Grande water, however they are currently not authorized to do so unless there is a threat of flooding communities downstream of those dams.

Legal Constraints

Reservoir Authorizations

The water that is currently legally authorized to be stored in Heron, Abiquiu, and Cochiti reservoirs, under normal conditions, is San Juan Chama Project (SJC) water. This is water that is imported from the San Juan Basin through a series of tunnels that are a part of the Bureau of Reclamation's (BOR) San Juan Chama Project. Since it does not originate in the Rio Grande Basin, SJC water is much more flexible in when and where it can be stored as it is not subject to the rules of the Rio Grande Compact.

The BOR owns and operates Heron Dam, which was built as a part of the San Juan Chama Project. Abiquiu and Cochiti are both US Army Corps of Engineers (USACE) dams; they are both authorized to store native Rio Grande water only for flood control purposes. This was done in both Cochiti and Abiquiu this year, as the magnitude of river flows this spring would have resulted in flooding of downstream communities. When the Corps stores water for flood control, it must, by law, release this water from storage as quickly as it safely can. Any spring flood water that is not released by July 1st must remain, by law, in storage until the end of the middle valley irrigation season (typically October 31st), in order to remain in compliance with its original intent of flood prevention, not irrigation supply.

Response to Mr. Spoore's Letter - Cont'd

This year the Corps was unable to release 120,000 acre-feet of the flood water before the July 1st deadline, and that water has remained in storage all summer and will be released for delivery to Elephant Butte starting November 1st. The difference in the magnitude of late June river flows and early July river flows was drastic because the Corps had changed from releasing stored flood water at near-river channel capacity to only moving natural river flows through the dams, which was a significant reduction of river flows over a relatively short period of time.

The Albuquerque Bernalillo County Water Utility Authority (ABCWUA) owns most of the space in Abiquiu, to store its SJC water but other users with SJC water, including MRGCD, have some space there as well. The Corps has received authorizations to allow for some native Rio Grande storage in Abiquiu but must first update their water control manual. The Corps intends to have their manual updated by early 2024, and MRGCD is working with ABCWUA to secure some additional space to store some native Rio Grande water in Abiquiu in the near future. However, Rio Grande Compact restrictions are likely to prevent storage of native Rio Grande water for MRGCD water users in 2024.

Rio Grande Compact Restrictions

Rio Grande Compact (RGC) restrictions can limit the flexibility of water operations on the Rio Grande. The Rio Grande Compact is a water sharing agreement amongst Colorado, New Mexico, Texas, and the country of Mexico. There are two articles, or rules, of the RGC that limit the ability of MRGCD to store native Rio Grande water upstream. The article most people are familiar with is Article VII. Article VII says that no reservoir upstream of Elephant Butte and built after 1929, can store native Rio Grande water when storage in Caballo and Elephant Butte combined is below 400,000 acre-feet. The second and less well-known rule that can restrict upstream storage is Article VI, that says when New Mexico is carrying a RGC debt, but Article VII storage restrictions are not in place, water may be stored in post 1929 reservoirs, but water must first be stored in the amount of the RGC debt and locked up to be delivered to Elephant Butte after MRGCD irrigation season is over in November.

For example, at the end of 2022, New Mexico's RGC debt was 93,000 acre-feet. In 2023, storage in Caballo and Elephant Butte was above 400,000 acre-feet by April, so at that point, Article VII restrictions on upstream storage were lifted. If MRGCD had El Vado available in 2023 and was able to store 120,000 acre-feet, 93,000 acre-feet of that water could not be released for middle Rio Grande use, it would have to stay in storage until the end of irrigation season, when it would be moved to Elephant Butte and help meet New Mexico's RGC delivery obligation. The additional 27,000 acre-feet of water stored could be released to augment irrigation supply and river flows later in the season. New Mexico will likely end 2023 with a Rio Grande Compact debt larger than the space MRGCD is going to have for storage of native Rio Grande water in Abiquiu, and therefore, even if there are no Article VII restrictions in 2024, there is not enough space to store the amount of water needed to satisfy Article VI of the RGC.

Response to Mr. Spoore's Letter - Cont'd

Summary of 2023 Summer Operations

July 2023 turned out to be relentlessly hot and MRGCD had 21,000 acre-feet of SJC available for release but had not planned to release this water from storage until August. River conditions deteriorated much quicker than expected and MRGCD began to release its SJC water on July 17th, at a much higher rate than expected. The summer monsoons did not bring much in the way of rain and MRGCD had exhausted all its SJC by the end of August. Since August, the available supply has not been enough to meet irrigation demand and the MRGCD does not have any storage water available to augment these naturally low river flows. Farmers whose livelihoods depend on the water in the Rio Grande have been waiting long periods between irrigation deliveries because there is just not enough water to go around.

I hope this letter has helped to explain why there is no additional water available to MRGCD to put in the river now, and that this situation will likely arise again next year as MRGCD prepares for another irrigation season without El Vado Dam and RGC restrictions in place. MRGCD is not at liberty to speak for other agencies who have access to stored water and its respective uses. MRGCD is working to advocate for the use of several projects that could help to increase New Mexico's RGC deliveries to help dig New Mexico out of the storage restrictions we currently face. Minimizing New Mexico's RGC debt will loosen up some of the challenges we face in being able to store water upstream, which will bring some more certainty to river flows during October.

Water in the middle Rio Grande valley and New Mexico is a complex issue, with many agencies working together to manage its complexities. At MRGCD, we know that when small businesses — outdoor recreational, agricultural, or otherwise — thrive, it betters our community as a whole. As we move forward, please feel free to reach out to us with questions you have about mid Rio Grande Valley river management. We also have monthly open board meetings that you are more than welcome to attend.

Thank you,

Jason M. Casuga, PE
CEO/Chief Engineer
Midde Rio Grande Conservancy District



IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

CITY OF ALBUQUERQUE,

Petitioner,

v.

No. S-1-SC-40136

THE HONORABLE JOSHUA A. ALLISON,
District Judge for the Second Judicial District,

Respondent,

and

LADELLA WILLIAMS, SCOTT YELTON,
SONJA GARCIA, ALONSO MAGALLANES,
CHRISTINA GARCIA, RICKEY MAUK,
SHERI GIBSON, and LANCE WILSON,

Real Parties in Interest.

Second Judicial District Court, Bernalillo County
Case No. D-202-CV-2022-07652
The Honorable Joshua A. Allison, District Judge

**BRIEF OF MIDDLE RIO GRANDE CONSERVANCY DISTRICT AS
AMICUS CURIAE IN SUPPORT OF PETITIONER**

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INTRODUCTION

Amicus Middle Rio Grande Conservancy District (“MRGCD”) submits this brief in support of Petitioner the City of Albuquerque’s (the “City”) Emergency Petition for Writ of Superintending Control and Request for Stay (“Petition”).¹

The City petitioned this Court for relief from a preliminary injunction entered by the Honorable Joshua A. Allison, District Judge for the Second Judicial District. The preliminary injunction prohibits the City from, among other things, enforcing - except in a very limited subset of potential enforcement scenarios - “any statutes and ordinances against involuntarily unhoused people that prohibit a person’s presence in, or the presence of a person’s belongings on, outdoor public property.” [9-21-23 Mem. Op. and Ord. 1-2, 17- 19, D-202-CV-2022-7562].

For nearly 100 years, the MRGCD has operated, maintained and managed irrigation, drainage and river flood control in the middle Rio Grande valley. MRGCD manages over 1,200 miles of irrigation facilities composed of outdoor irrigation ditches, drains and levees, many of which are situated within Bernalillo County and the Second Judicial District. Joseph L. Burkholder, Middle

¹ Rule 12-320 NMRA disclosure: Counsel for Amicus, Lorna M. Wiggins together with law clerk Alexandria Dabney, authored this brief, neither made any monetary contribution intended to fund preparation of this brief, and is aware of no other party or individual doing so.

Rio Grande Conservancy District Report of the Chief Engineer: The Official Plan (Approved 1928). The MRGCD also promotes efficient and responsible water management and protects the environment, wildlife and endangered species² in cooperation with other local, state and federal agencies. NMSA 1978, § 73-14-2. It provides multi-use recreational opportunities within the middle Rio Grande valley, including the areas within Bernalillo County that are subject to the preliminary injunction. *See Id.*

MRGCD partners with and relies on the City to identify and address homeless encampments and abandoned belongings in public spaces owned and managed by MRGCD so that MRGCD can continue to meet its statutory duties and obligations. MRGCD's interest in this matter arises from its role in managing lands where unhoused individuals often locate, particularly in the bosque in Bernalillo County.

The preliminary injunction from which the City seeks relief in this matter therefore is a matter of great interest and concern to MRGCD because it adversely impacts the performance of MRGCD's statutory duties to ensure that irrigation

² The Middle Rio Grande Endangered Species Collaborative Program supports the recovery of five species that inhabit the Middle Rio Grande and are found in Bernalillo County: the Rio Grande silvery minnow, the southwestern willow flycatcher, the yellow-billed cuckoo, the New Mexico meadow jumping mouse, and the Pecos sunflower.

is delivered to public and private irrigators including Sandia Pueblo irrigators and its duties to ensure everyone in the community may safely enjoy the recreational opportunities in the outdoor public spaces it owns and operates.

SUMMARY OF PROCEEDINGS

Amicus MRGCD offers this brief based on the background and summary of proceedings that the City set forth in its Petition filed with this Court on October 6, 2023 under Rule 12-504 NMRA. **[10-6-23 Petition, at 1-7, S-1-SC-40136].**

ARGUMENT

I. The District Court’s Preliminary Injunction Amounts to an Abuse of Discretion.

A. Standard of Review for Preliminary Injunctions.

A reviewing court reviews a trial court’s decision regarding whether to grant injunctive relief for abuse of discretion. *LaBalbo v. Hymes*, 1993-NMCA-010, ¶ 11, 115 N.M. 314. The New Mexico Court of Appeals held that a “trial court may abuse its discretion by applying the incorrect standard for a preliminary injunction or incorrect substantive law, resting issuance of the injunction on clearly erroneous findings of fact; or applying the standards in a manner that results in an abuse of discretion.” *Id.*

In this case, the district court (1) applied incorrect substantive law, and (2) applied the standard for issuance of an injunctive relief in a clearly erroneous manner, resulting in an abuse of discretion.

B. The Preliminary Injunction Rests on a Clearly Erroneous Interpretation of the Eighth Amendment.

In its Memorandum Opinion and Order, the district court adopted the reasoning of several Ninth Circuit Court of Appeals opinions, including *Martin v. City of Boise*, 920 F.3d 584 (9th Cir. 2019), in determining that “punishing a homeless person’s innocent behavior of merely existing in outdoor public spaces when there is insufficient shelter within the City of Albuquerque violates the Eighth Amendment’s prohibition on cruel and unusual punishment.” [9-21-23 Mem. Op. and Ord. ¶ 8, D-202-CV-2022-7562]. In *Martin*, the Ninth Circuit determined that “the Eighth Amendment prohibits the state from punishing an involuntary act or condition if it is the unavoidable consequence of one’s status or being.” *Martin*, 920 F.3d at 616 (quoting now-vacated *Jones v. City of Los Angeles*, 44 F.3d 1118, 1135, (9th Cir. 2006)). Additionally, the Ninth Circuit relied on *Robinson v. California*, 370 U.S. 660 (1962) and *Powell v. Texas*, 392 U.S. 514 (1968) to support its holding.

The district court in this case failed to acknowledge the criticisms of the Ninth Circuit’s interpretation of the Eighth Amendment, many of which originate from the dissents in *Martin*. In one such dissent, Judge Smith wrote,

The most harmful aspect of the panel’s opinion is its misreading of Eighth Amendment precedent. My colleagues cobble together disparate portions of fragmented Supreme Court opinion to hold that ‘an ordinance violates the Eighth Amendment insofar as it imposes criminal sanctions against homeless individuals for sleeping outdoors, on public property, when no alternative shelter is available to them.’ That holding is legally and practically ill-conceived, and conflicts with every other appellate court that has considered the issue. *Martin*, 920 F.3d at 590 (Smith, J., dissenting from the denial of rehearing en banc).

In his dissent, Judge Smith explained that the panel’s decision in *Martin* conflicted with precedent from the United States Supreme Court as well as multiple United States Circuit Courts of Appeals. *See Id.* Although the Ninth Circuit in *Martin* cited both *Robinson* and *Powell* in support of its interpretation of the Eighth Amendment, Judge Smith in his dissent explained that the two cases do not support such an interpretation. *Martin*, 920 F.3d at 592 (Smith, J., dissenting).

In *Robinson*, the Court addressed a California statute that made it a “criminal offense for a person to ‘be addicted to the use of narcotics.’” *Martin*, 920 F.3d at 590 (Smith, J., dissenting) (quoting Cal. Health & Safety Code § 11721). The Court ultimately struck down the statute under the Eighth Amendment because it allowed individuals to be convicted so long as they were drug addicts, regardless of whether they used or possessed drugs at the time. The Court further reasoned that because

“narcotic addiction is an illness . . . which may be contracted innocently or involuntarily . . . a state law which imprisons a person thus afflicted as criminal, even though he has never touched any narcotic drug’ violates the Eighth Amendment.” *Martin*, 920 F.3d at 591 (Smith, J., dissenting) (citing *Robinson*, 370 U.S. at 667).

In *Powell*, the Court addressed the scope of its holding in *Robinson* in reference to a Texas statute which criminalized public drunkenness. *Powell*, 392 U.S. at 516. Although there was no majority in *Powell*, the plurality determined that the decision in *Robinson* stood for the “limited proposition that the government could not criminalize one’s status.” *Martin*, 920 F.3d at 591 (Smith, J., dissenting) (citing *Powell*, 392 U.S. at 534). The Court upheld the Texas statute as constitutional, reasoning that it “criminalized conduct rather than alcoholism.” *Id.*

In *Martin*, *Powell*, and *Robinson*, the plaintiffs presented challenges to specifically enumerated statutes or ordinances. In this case, the district court’s preliminary injunction fails to identify any specific statute or ordinance that the City should be enjoined from enforcing. Further, *Powell* and *Robinson* stand for the limited proposition that a government cannot criminalize one’s status. The panel in *Martin* interpreted this proposition to extend to involuntary conduct as well, despite the lack of support from Supreme Court precedent. However, Judge Smith himself, in his dissent in *Martin*, recognized that “there is definitely no Supreme Court

holding prohibiting the criminalization of involuntary conduct.” *Martin*, 920 F.3d at 591 (Smith, J., dissenting) (citing *United States v. Moore*, 486 F.2d 1139, 1150 (D.C. Cir. 1973)). The Texas statute at issue in *Powell* was upheld because it “involved the commission of an act. Nothing more, nothing less.” *Id.*

In the present case, the City does not prosecute unhoused individuals for their status, rather the City criminalizes conduct. In its Petition, the City explained that in a recent clearing of one encampment at Coronado Park and First Street & Indian School, not a single person was issued a citation for their presence at the encampment. **[10-6-23 Petition, at 18-19, S-1-SC40136].**

The proposition that the Eighth Amendment prohibits the government from criminalizing involuntary conduct lacks any support in Supreme Court precedent. Further, Supreme Court precedent clearly states that “Eighth Amendment scrutiny is appropriate only after the State has complied with the constitutional guarantees traditionally associated with criminal prosecutions.” *Ingraham v. Wright*, 430 U.S. 651, 671 n.40 (1977). The panel in *Martin* created a circuit split by permitting the plaintiffs to maintain their Eighth Amendment challenge, when *Ingraham* clearly “stands for the proposition that to challenge a criminal statute as violative of the Eight Amendment, the individual must be convicted of that relevant crime.” *Martin*, 920 F.3d at 598 (Smith, J., dissenting). The district court in this case erred by allowing the plaintiffs to maintain their

Eighth Amendment claim despite their failure to “cite a single instance in which any individual has been cited or arrested simply for being homeless.” [10-6-23 **Petition, at 19, S-1-SC40136**].

C. The District Court Erred in Determining that the Requirements for the Issuance of a Preliminary Injunction Were Satisfied.

To obtain a preliminary injunction, a plaintiff must establish that

(1) the plaintiff will suffer irreparable injury unless the injunction is granted; (2) the threatened injury outweighs any damage the injunction might cause the defendant; (3) issuance of the injunction will not be adverse to the public’s interest; and (4) there is a substantial likelihood plaintiff will prevail on the merits. *LaBalbo v. Hymes*, 1993-NMCA-010, ¶ 11, 850 P.2d 1017.

However, courts disfavor some types of preliminary injunctions, and thus require more of the plaintiff who requests them. *Free the Nipple v. City of Ft. Collins*, 916 F.3d 792, 797 (10th Cir. 2019). Specifically, disfavored preliminary injunctions are those that do not “merely preserve the parties’ relative positions pending trial” and alter the status quo. *Id.* To obtain a disfavored injunction, the plaintiff must satisfy a heightened showing “on the likelihood-of-success-on-the-merits and the balance-of-harms factors.” *Id.*

The district court in this case issued a preliminary injunction which alters the status quo, prohibiting the City of Albuquerque, along with MRGCD and many other governmental entities, from performing their statutory duties. However, the district court erroneously failed to assign a heightened standard to the issuance of the

preliminary injunction, resulting in an abuse of discretion. This preliminary injunction will adversely impact MRGCD's ability to ensure the health, safety, and welfare of the public.

1. *The district court erred in determining that the plaintiffs satisfied the balance of harms factors.*

To obtain a preliminary injunction that alters the status quo, the plaintiffs must make a heightened showing on both the balance of harms factors which include, (1) the threatened injury outweighs any damage the injunction might cause the defendant; and (2) issuance of the injunction will not be adverse to the public's interest. *See Id.*

In applying the standard for non-disfavored preliminary injunctions, the district court determined that the interest of unhoused people to "have what they need to survive and live in . . . outdoor spaces" outweighed the City's interest in "maintaining safe, clean, and healthy outdoor spaces." [9-21-23 Mem. Op. and Ord. ¶ 21, D-202-CV-2022-7562]. Not only did the district court apply the incorrect standard for disfavored preliminary injunctions, but it undervalued both the harm that the preliminary injunction would cause the City as well as the City's and the public's interest in maintaining public spaces.

The MRGCD is a political subdivision of the State of New Mexico that distributes irrigation water to farmers in the middle Rio Grande Valley. NMSA 1978, § 73-14-2. It was formed in the 1920's in response to aggradation of the Rio

Grande that was causing flooding of farmland and to provide for a uniform system for distribution of water among thousands of users who hold private waters under state law. NMSA 1978, §§ 73-14-49, 73-14-50.

A plan called the 1928 Official Plan was created to carry out MRGCD's mission in a report by Chief Engineer Joseph L. Burkholder. The 1928 Official Plan is contained in three volumes: (1) Volume I, outlining the need for the creation of the MRGCD, general provisions of the plan, and estimated costs for implementation; (2) Volume II, concerning contract forms and specifications; and (3) Volume III, which outlines the MRGCD's boundaries, property acquisition, property benefitting from the MRGCD Plan and property excluded from the benefits of the MRGCD Plan. Joseph L. Burkholder, Middle Rio Grande Conservancy District Report of the Chief Engineer: The Official Plan (Approved 1928).

The MRCGD is authorized and empowered to act within the scope of authority granted by the Legislature. *See also* NMSA 1978, § 73-14-50 (authorizing MRGCD “to make such proper and necessary distribution and allocation of the waters available for irrigation within such districts as the board of director thereof, in consultation with the chief engineer of such districts, shall determine to be reasonable and proper.”); NMSA 1978, § 73-14-39 (empowering MRGCD “to clean out, straighten, widen, alter, deepen, or change the course or terminal of any ditch, .

. . . acequia, drain, sewer, . . . watercourse, . . . or natural or artificial stream in or out of said district . . .”).

The MRCGD relies on and works alongside the City to identify and address homeless encampments and abandoned belongings in public spaces owned and managed by MRGCD so that MRGCD can continue to meet its statutory duties and obligations, including but not limited to distributing irrigation waters, recreational activities, and protecting endangered species. *See* NMSA 1978, § 73-14-2.

The City has a strong interest in protecting and maintaining public spaces for their intended uses. Similarly, MRGCD has a strong interest in maintaining its public spaces for their intended uses. However, the district court’s preliminary injunction prohibits the City and MRGCD from protecting those interests. The City will be unable to “require . . . encampment occupants to relocate (even temporarily) for landscape maintenance, or to allow others to use the park for an event, or simple recreation.” **[10-6-23 Petition, at 24, S-1-SC40136]**. Further, the City “will be unable to impose any limitations on the amount or type of belongings the occupants of such an encampment are allowed to possess.” **[10-6-23 Petition, at 24, S-1-SC40136]**. If the City cannot even temporarily relocate encampments, MRGCD will be completely unable to act within its authority and power to

provide for the allocation and distribution of irrigation waters, protect endangered species, and provide recreational activities for the public.

CONCLUSION

The preliminary injunction seeks to alter the status quo by prohibiting the City from enforcing its criminal code and renders the City, along with many other governmental entities, powerless to fulfill its statutory obligations and duties. The district court abused its discretion by applying incorrect substantive law, and applying the standard for issuance of a disfavored preliminary injunction in a clearly erroneous manner.

Amicus MRGCD respectfully urges this Court to grant Petitioner City of Albuquerque's Emergency Verified Petition for Writ of Superintending Control and Request for Stay.

Respectfully submitted,

WIGGINS, WILLIAMS & WIGGINS
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Electronically Filed

By /s/ Lorna M. Wiggins

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CERTIFICATE OF SERVICE

I certify that on the 20th day of October, 2023 I filed this document electronically through the Odyssey/E-File & Serve System, and either through that system or by other means, I caused this document to be served upon the following parties at the service addresses indicated below:

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Report on the Rio Grande Agricultural Land Trust (RGALT) Annual Fundraiser Harvest Dinner, October 14, 2023 – Chair Russo Baca, Vice Chair Dunning, Gutierrez Hubbell House

The event was held at the Historic Gutierrez-Hubbell House in Albuquerque’s South Valley on Saturday, October 14, 2023 from 3:00pm to dusk. The community gathered together to celebrate RGALT’s work mission to protect land and water for people and wildlife. Local chefs Daniel Garcia and Sean Staggs brought their inspiring culinary artistry to the table, showcasing fresh harvested, seasonal ingredients sourced from nearby farms.

Report on the Conservation Advisory Committee Meeting, October 19, 2023 – Chair Russo Baca, Virtual.

Current Hydrology Update

Del Norte (San Luis Valley) – 436 cfs (August) – 320 cfs (September) – 232 (October)

Lobatos (NM/CO State Line) – 96 cfs (August) – 126 cfs (September) – 112 (October)

La Puente (Rio Chama)– 62 cfs (August) – 54 cfs (September) – 37 (October)

Below Abiquiu (Rio Chama)– 286 cfs (August) – 1,190 cfs (September) – 985 (October)

Otowi (Rio G & Rio C)– 514 cfs (August) – 1,370 cfs (September) – 1,290 (October)

Below Cochiti– 422 cfs (August) – 304 cfs (September) – 310 (October)

Bosque Farms– 22 cfs (August) – 28 (September) – 43 (October)

Narrows (Just above EB)– 125 cfs (August) – 72 (September) – 37 (October)

To date, there has not been a call for the release of P&P water by the Six MRG Pueblos. River conditions are still limiting MRGCD’s ability to deliver water to non-tribal farmers in parts of the District.

John Fleck gave an updated on the Colorado River.

Agricultural Irrigation Specialist

Introduce Jose Contreras to the CAC

Presentation on OFP5

EWLP Deliveries

- Combined Credit of 3,581 AF in the EWA/SWA as of October 3rd, 2023
- Combined Debit of (2,757) AF in the EWA/SWA as of October 3rd, 2023
- Balance of 824 AF
- Currently delivery target of 15 cfs (split between 3 outfalls) This will potentially be dialed back depending on available water supply in the next few weeks.

Outfall Monitoring Update

Ashley Veihl – Water Resources Specialist

Storey Wasteway OCS Update

Compliance for the project was received last week. Engineering Dept. is working on a bid packet for our on-call contractors. Project is on schedule for construction during the winter.

Harvest Reports

Opportunity to hear from the multiple farmers on the Advisory Committee on how their respective harvests are going for the season.

Report on the Meeting with U.S. Congressman Vasquez Field Representative Annie Quintana-Eddins, October 24, 2023

I currently serve on Congressman Vasquez Agriculture Advisory committee as the chair of the MRGCD Board of Directors. I had a follow up meeting with staff member Annie Quintana-Eddins to further discuss water and ag issues within the MRGCD and MRG valley.

Report on the Latino Farmers & Ranchers International 2023 Congreso, October 26–28, 2023 – Chair Russo Baca, Isleta Resort and Casino Conference Room.

This was a three-day conference on topics related to conservation, agroforestry, the farm bill, local and regional food systems as well as women in farming.

Report on the Irrigation Committee Meeting, November 1, 2023 – Chair Russo Baca and Directors Sandoval and Duggins, MRGCD Main Office

Discussion of the 2023 irrigation season and the upcoming irrigation season as well as potential fallowing opportunities.

Report on the 11th Annual Tribal Water Law Conference, November 6–7, 2023 – Chair Russo Baca and Directors Jiron and Sandoval, Hilton Hacienda, Santa Fe.

This was an extremely informative conference on tribal water law issues in the west. Topics included, the current state of Tribal Water Law, water planning, legislative updates, federal, state, and tribal perspectives. One of the most informative talks was on recent water settlements and what may happen in the MRG.

Report on the NMWRRRI 68th Annual New Mexico Water Conference, November 8-9 2023- Chair Russo Baca, virtual.

This important conference focused on the Colorado River's role in New Mexico's past, present, and future water management. Topics included the San Juan-Chama Project History and Impacts, management and operations of San Juan-Chama Project water, Tribal water use, water quality and riparian issues, the Water Data Act, and Regional water planning.