

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

**JANUARY 8, 2024 - 2:00 P.M.**

Directors having been duly notified; Madam Chair Russo Baca called the special meeting to order at 2:04 pm. The following Directors and Staff were present:

<b>DIRECTORS</b>		<b>STAFF</b>	
Stephanie Russo Baca, Madam Chair	Present	Jason Casuga	Chief Engineer/CEO
Karen Dunning, Vice Chair	Present	Lorna Wiggins	General Counsel
Brian Jiron, Director	Present	Dr. Charles DuMars	Chief Water Counsel
John P. Kelly, Director	Absent	Pamela Fanelli	Secretary-Treasurer/CFO
Glen Duggins, Director	Absent	Eric Zamora	Chief Operating Officer
Michael T. Sandoval, Director	Present	Anne Marken	Water Distribution Division Mgr.

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

Rin Tara	Jerry Montano	Josh Hind, MRGCD
Danny Orris	John Fleck, UNM	Judith McSweeney, MRGCD
Josh Gamboa, MRGCD		

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

Rin Tara 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 additions to the agenda.

Vice Chair Dunning made the **MOTION TO APPROVE THE MEETING AGENDA**.  
Seconded by Madam Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY**.

**AGENDA ITEM NO. 3 - WATER AVAILABILITY REPORT** - Anne Marken, Water Operations  
Division Manager

Jason Casuga stated they still had an outlook for a decent snowpack, which was a good thing from a spring runoff standpoint but not for storage. He said the expectation would be to have agreements in place for some level of storage available to MRGCD. He noted that the Compact debt was 115,000 to 120,000 acre feet range, which was higher than anticipated.

Anne Marken said January usually meant snowpack conditions in the mountains and most of the basin were below median. She displayed SNOTEL graphs that represented the average snowpack conditions in both basins and individual sites. The graphs showed the Rio Grande Headwaters in Colorado at 62% of median, the Upper Rio Grande in New Mexico, including the Rio Chama Basin, at 84% of median, Rio Grande Elephant Butte site, including Otowi Gauge south drainage and Jemez, at 131% of median, and Upper San Juan Basin, at 72% of median. Ms. Marken said she was optimistic the conditions could still change due to El Nino conditions that were expected to persist through April. She stated the National Weather Service's three month outlook forecasted equal chances for above or below average temperatures and

likeliness of above average precipitation going through March. She expressed that MRGCD committed to begin charging its irrigation network on February 26th, but no specifics to give on the charge plan because it is condition contingent. She stated the Compact official number would not be reported until later in the spring at the Rio Grande Compact Commission. Ms. Marken explained that it was expected to grow the Compact debt in a year like 2023, where they had high spring runoff and low in-flows. She said that it would most likely preclude MRGCD from storing any native Rio Grande water upstream in 2024 so they would only have their San Juan Chama water available for storage.

Mr. Casuga stressed there was a lot of winter left for things to change but they wanted to give the details as they sat right now. He reminded that they did expect a spot for storage. He said it was a large portion of his efforts to go throughout the state and attend water leader conferences and decision making conference to express to leaders and legislators the impact of Compact debt and violation of the Compact.

#### **AGENDA ITEM NO.4 - MRGCD IRRIGATION/WATER BANK COMMITTEE REPORT & RECOMMENDATIONS ON WATER BANK LEASE RATES & FEES**

Director Jiron said they talked about increasing the water service charge per acre and stated there had not been an increase since 2020 due to COVID, but now they needed to catch up and to raise the service cost from \$43.82 to \$51.25 per acre in the Irrigation Committee Meeting.

Director Sandoval stated they discussed in length the justification for raising the price and said they did need to catch up. He added they were making that recommendation to the full board to implement it for the 2024 season.

Vice Chair Dunning said they also discussed the increase in the Finance Committee, and it boiled down to an equity issue. She said there were many complaints about raising the mill rate for people who did not irrigate, so raising the service cost seemed to be more equitable and benefited people who actually needed the infrastructure.

Madam Chair Russo Baca added that they also discussed it was in parity to other irrigation Districts. She agreed that irrigators paying the water service charge were not actually seeing much of an increase on the mill levy for only ag exempt property. She said Elephant Butte Irrigation District paid \$90 an acre plus additional fees and Carlsbad Irrigation District paid \$96 an acre.

Mr. Casuga reminded that they were not an irrigation District, but a conservancy District and they provided other benefits to the public beyond the benefit they provided to irrigators. He explained that people in Albuquerque paid an ad valorem who did not irrigate, but lived in a historical flood plain of the Rio Grande and were protected by MRGCD infrastructure and levees and divert water from the river and deliver it to ag property. He said the District still offered water at a price substantially less than other irrigation Districts who were essentially doing the same thing when delivering irrigation water. Mr. Casuga expressed it was important to advertise that they had more missions than just delivering irrigation water, so charging the ad valorem on top of the water service charge made sense for the value the District and infrastructure brings. He also noted the District would not be accepting leases to lease water as was done in years past because the water bank would not be open due to conditions currently not being met from a storage and compact standpoint. He explained they could do an alternate curtailment which would allow a landowner to choose to dry a portion of their property and allow that water to be used on a different portion or piece of property they owned. Mr. Casuga stated

only the alternate curtailment process, or ACL, would be available. He also added the water service charge bill would not actually be seen until December 2024.

**AGENDA ITEM NO.5 - ITEMS FROM THE FLOOR (Comments are limited to six (6) minutes)**

There were no comments from the public.

**AGENDA ITEM NO. 6 - CONSIDERATION/APPROVAL OF RESOLUTION M-01-08-24-205 FOR THE ADOPTION OF WATER BANK RATES & FEES FOR 2024 IRRIGATION SEASON**

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

ADOPTION OF WATER BANK RATES & FEES FOR 2024 IRRIGATION SEASON

M-01-08-24-205

WHEREAS, the Board of Directors (Board) of the Middle Rio Grande Conservancy District (District), has reviewed a recommendation from the Board's Water Bank Committee for the fees for the 2024 irrigation season; and

WHEREAS, at a Special Meeting of the Board held January 8, 2024, called for the purpose of establishing Water Bank Rates and Fees, the Board approved the following for the 2024 irrigation season:

**Administration Fee**

\$100.00/per lease

(for 5 years subject to "NO" changes to Water Bank Contract)

**Water Service Charge (per acre)**

\$51.25 per acre / per year

**Lease Rate (per acre)**

\$50.00 per acre / per year

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

RESOLVED: in session this 8<sup>th</sup> day of January 2024.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Vice Chair Dunning made the **MOTION TO APPROVE RESOLUTION M-01-08-24-205 FOR THE ADOPTION OF WATER BANK RATES & FEES FOR 2024 IRRIGATION SEASON.** Seconded by Director Sandoval. The **MOTION CARRIED UNANIMOUSLY.**

**AGENDA ITEM NO. 7 - ADJOURN**

With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the meeting at 2:27 pm.

Approved to be the correct Minutes of the Board of Directors of January 8, 2024.

**ATTESTED:**

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Pamela Fanelli, CMA, CGFM  
Secretary/Treasurer

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Stephanie Russo Baca, Madam Chair  
MRGCD Board of Directors