

One acre minimum charge analysis to ABCWUA charges

		Units equivalent- 1 unit = 738 gallons	Unit Charge	ABCWUA Commodity Charge for Water	MRGCD Charge
AF	Gallons				
1 AF	325,851	435.63	1.82	791.15	51.25
	ADD:	Base Charge, Facility Rehab, Franchise Fee, Tax			
.5 AF	162,926	217.81	1.82	395.57	51.25
	ADD:	Base Charge, Facility Rehab, Franchise Fee, Tax			
.25 AF	81,463	108.91	1.82	197.79	51.25
	ADD:	Base Charge, Facility Rehab, Franchise Fee, Tax			
In order to receive a commodity charge for water from the WUA for \$51.25, the customer could only use 28 units or 20,664 gallons in the entire year.					
	20664	27.63	1.82	50.17	51.25



Agenda

**For Presentation at the
2,218th Regular Meeting of the Board of Directors of the
Middle Rio Grande Conservancy District**



December 9, 2024 – 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**
 - a. Consideration/Approval of Payment Ratification – December 9, 2024
 - b. Consideration/Approval of November 2024 Invoice for Wiggins, Williams & Wiggins
 - c. Consideration/Approval of November 2024 Invoice for Law and Resource Planning Assoc.
 - d. Consideration/Approval of November 2024 Invoices for Spencer Fane LLP
 - e. Consideration/Approval of the Minutes for the Regular Board Meeting – November 13, 2024
 - f. Memo on MRGCD Approved Licenses for November 2024 (For Informational Purposes Only)
- 3:08 4. **Updates from the US Army Corps of Engineer** – Jacob Pauley, USACE Senior Civilian
- 3:30 5. **Report(s) from the Water Operations and Distribution Divisions**
 - a. Report on Water Supply Conditions – Anne Marken, Water Ops Division Manager
 - b. Status Report on Water Distribution – Matt Martinez, Water Distribution Division Manager
- 3:40 6. **Items from the Floor (Comments are limited to three (3) minutes)**
- 3:55 7. **Report(s) from the Department of the Interior**
 - a. Bureau of Reclamation– Jennifer Faler, Area Manager
 - b. Bureau of Indian Affairs – Patrick Taber, Acting Designated Engineer
- 4:05 8. **Report(s) from the Human Resources Department** – Christine L. Nardi, MBA
 - a. Introduction of MRGCD New Hires
 - b. Consideration/Approval of the AI Use in the Workplace Policy
- 4:20 9. **Report(s) from the Legislative Committee** – Directors Russo Baca, Dunning & Baugh
 - a. 2025 MRGCD Legislative Agenda
 - b. Legislative Event to Recognize MRGCD Centennial
- 4:30 10. **Report(s) from the Secretary-Treasurer/CFO** – Pamela Fanelli, CMA, CGFM
 - a. Report from the Finance Committee Meeting, December 2, 2024 – Chairman Kelly, Director Dunning and Russo Baca
 - b. Set Time for Special Meeting to Determine Water Service Charge & Water Bank Lease Rates
- 4:45 11. **Report(s) from the Chief Operations Officer** – Eric Zamora, PE
 - a. Consideration/Approval of Disposal of Land – Portion of the Harwood Lateral

- 4:55 12. **Report(s) from the Chief Engineer/CEO** – Jason M. Casuga, PE
- a. Report from the Public Information Officer, Amanda Molina
 - b. Consideration/Approval of the MRGCD Policy Manual Table of Contents – Jason M. Casuga, CE/CEO
 - c. Report on the 2025 Environmental Water Leasing Program – Casey Ish, Conservation Program Supervisor
 - d. Report on the Latino Farmers & Ranchers Water is Life El Congreso, November 20, 2024 – Jason M. Casuga, CE/CEO, Director Russo Baca and Jiron
 - e. Report on the Valencia County Farmers & Irrigators Informational Meeting, November 21, 2024 – Jason M. Casuga, CE/CEO, Eric Zamora, COO, Tyler Otero, Belen Division Manager and Chairman Kelly and Directors Russo Baca and Jiron
 - f. Report on the Middle Rio Grande Flood Control Association Breakfast, December 3, 2024 – Jason M. Casuga, CE/CEO, Chairman Kelly, Vice Chair Baugh and Directors Dunning and Russo Baca
 - g. Report on the Colorado River Water Users Association (CRWUA) Annual Conference, December 3-5, 2024 – Jason M. Casuga, CE/CEO, Casey Ish, Conservation Program Manager and Director Russo Baca
 - h. Information on Upcoming Events
 1. Bernalillo County Farmers/Irrigators Information Meeting, January 9, 2024 – Raymond G. Sanchez Community Center
 2. Annual Irrigation Leaders Workshop, January 21-23, 2025 – Chandler, AZ
 3. NM Hay and Forage Conference & Trade Show, January 23-24, 2025 – Ruidoso, NM
 4. Socorro County Farmers/Irrigators Information Meeting, January 16, 2024 – City of Socorro Convention Center
 5. Sandoval County Farmers/Irrigators Information Meeting, January 30, 2024 – Black Mesa Casino Meeting Room
 6. NWRA Policy Conference, April 28-30, 2025 – Washington DC
- 5:30 13. **Report(s) from the MRGCD Attorney(s) – Chief Water Counsel or General Counsel**
- 5:35 14. **Report(s) from the Board**
- a. Report on the Farmers for Future Farmers Meeting, November 12, 2024 – Director Jiron
 - b. Report on the Quarterly Pollinator Networking Group Meeting, November 14, 2024 – Director Russo Baca
 - c. Report on the 2024 Congreso de las Acequias, November 15-16, 2024 – Vice Chair Baugh and Director Russo Baca
 - d. Report on the Meeting with TreeNM, November 18, 2024 – Vice Chair Baugh
 - e. Report on the New Mexico Southern Wetlands Roundtable, November 19, 2024 – Director Russo Baca
 - f. Report on the Valencia County Farmers & Irrigators Informational Meeting, November 21, 2024 – Chairman Kelly and Directors Russo Baca and Jiron
 - g. Report on the Pueblo of Isleta Water Work Group Meeting, December 2, 2024 – Director Jiron
- 6:00 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
 2. 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 needs 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
December 09, 2024
Payments for the Period November 01, 2024 through November 30, 2024

3a

Warrant	Vendor Name	Amount	Description	Location
EFT	NEW MEXICO TAXATION & REVENUE DEPARTMENT	21,956.24	OCTOBER 2024 WITHHOLDING TAX	
EFT	PAYROLL	317,824.27	PAY PERIOD 22	
EFT	PERA	114,069.78	PAY PERIOD 22	
EFT	IRS	41,912.26	PAY PERIOD 22	
EFT	VOYA DEFERRED COMP	7,941.16	PAY PERIOD 22	
EFT	PAYROLL	342,355.77	PAY PERIOD 23	
EFT	PERA	123,082.38	PAY PERIOD 23	
EFT	IRS	46,947.40	PAY PERIOD 23	
EFT	VOYA DEFERRED COMP	7,941.16	PAY PERIOD 23	
EFT	PAYROLL	366,475.28	PAY PERIOD 24	
EFT	PERA	124,923.54	PAY PERIOD 24	
EFT	IRS	49,492.20	PAY PERIOD 24	
EFT	VOYA DEFERRED COMP	7,718.16	PAY PERIOD 24	
TOTAL PAYROLL		1,572,639.60		
152716	RICHARD BRUNACINI TRUST	(4,195.80)	VOIDED CHECK DATED 11.01.24	
152763	RICHARD BRUNACINI TRUST	(2,797.20)	VOIDED CHECK DATED 11.08.24	
151185	SILVA'S AUTO TIRE, LLC	(20.00)	VOIDED CHECK DATED 05.15.24	
151621	OES GLOBAL, INC.	(48.46)	VOIDED CHECK DATED 07.03.24	
151702	LAW & RESOURCE PLANNING	(4,047.93)	VOIDED CHECK DATED 07.11.24	
151918	GLORIA CHEE USA EXPRESS	(540.00)	VOIDED CHECK DATED 07.31.24	
151977	LAW & RESOURCE PLANNING	(3,555.93)	VOIDED CHECK DATED 08.14.24	
152108	LHM CORP QCH	(1,037.29)	VOIDED CHECK DATED 08.28.24	
152248	LHM CORP QCH	(600.64)	VOIDED CHECK DATED 09.18.24	
152269	REAL TIME SOLUTIONS INC.	(26,583.38)	VOIDED CHECK DATED 09.18.24	
152292	GLORIA CHEE USA EXPRESS	(585.00)	VOIDED CHECK DATED 09.18.24	
152330	GLORIA CHEE USA EXPRESS	(1,309.99)	VOIDED CHECK DATED 09.25.24	
152412	LAW & RESOURCE PLANNING	(2,850.98)	VOIDED CHECK DATED 10.09.24	
Checks				
152713	BACA-MAES, SADIE	2,032.80	2024 WATER LEASE PAYMENTS - FULL SEASON	GRANTS FUND
152714	C&P MYERS REV TRUST	9,632.00	2024 WATER LEASE PAYMENTS - FULL SEASON	GRANTS FUND
152715	PENA ROMERO JOVANY	436.80	2024 WATER LEASE PAYMENTS - FULL SEASON	GRANTS FUND
152717	BERNALILLO COUNTY CL	600.00	CLAIM OF LIEN	ACCOUNTING
152718	CASUGA, JASON	49.11	MEAL REIMBURSEMENT CARLSBAD	EXEC TEAM
		22.57	MEAL REIMBURSEMENT CARLSBAD	WATER DISTRIBUTION DIV
		23.89	MEAL REIMBURSEMENT CARLSBAD	WATER OPERATIONS
152719	CHILD SUPPORT ENFORCE	1,086.40	PAYROLL GARNISHMENT	GENERAL FUND
152720	SANDOVAL COUNTY CLERK	175.00	CLAIM OF LIENS	ACCOUNTING
152721	SANDOVAL COUNTY CLERK	25.00	RELEASE OF LIEN	ACCOUNTING
152722	SOCORRO COUNTY CLERK	475.00	CLAIM OF LIENS 2024	ACCOUNTING
152723	STATE OF NEW MEXICO	258.21	PAYROLL GARNISHMENT	GENERAL FUND
152724	VALENCIA COUNTY CLERK	1,900.00	CLAIM OF LIENS 2024	ACCOUNTING
152725	4 RIVERS EQUIPMENT	38.57	MISC. PARTS	BELEN DIVISION
152726	ACOSTA EQUIPMENT INC	191.32	MISC. PARTS	BELEN DIVISION
152727	ACTION HOSE INC.	109.33	CAM REDUCER	BELEN DIVISION
		473.25	HOSES, MISC. PARTS	ALBUQUERQUE DIVISION
		120.38	HOSES	EQUIPMENT REPAIR & TRANS
152728	ALBUQUERQUE POWER	43.74	CHAINSAW PARTS	ALBUQUERQUE DIVISION
152729	BARNHILL BOLT CO	74.02	SELF DRILLING SCREW	ALBUQUERQUE DIVISION
152730	BOOT BARN	251.99	FY25 BOOT VOUCHER	EQUIPMENT REPAIR & TRANS
		276.23	FY25 BOOT VOUCHER	PURCHASING
		450.00	FY25 BOOT VOUCHER	WATER DISTRIBUTION DIV
152731	BUSTED STEM	679.75	TIRE REPAIR/SERVICE CALL	COCHITI DIVISION
152732	CITY OF ALBUQUERQUE	198,824.25	NOV24 - HEALTH INSURANCE	GENERAL FUND
152733	CONCRETE SYSTEMS INC	89.05	FORM OIL	BELEN DIVISION
152734	CONTECH CONSTRUCTION	641.25	BAND CLAMPS	INVENTORY
152735	CONTINENTAL BATTERY	74.46	BATTERIES	BELEN DIVISION
		148.92	BATTERIES	EQUIPMENT REPAIR & TRANS
		139.74	BATTERIES	WATER DISTRIBUTION DIV
		15.00	BATTERY	WATER OPERATIONS
152736	CRAIG INDEPENDENT	293.93	MOUNTED NEW TIRES/TIRE REPAIR	BELEN DIVISION
152737	DESERT GREENS EQUIP	270.50	LIGHT ASSEMBLY & MIRROR KIT	ALBUQUERQUE DIVISION
		42.74	PARTS FOR STIHL CHAINSAW	ALBUQUERQUE DIVISION
		814.42	SENSOR KIT	COCHITI DIVISION
		326.10	SPACERS, BOLTS, WASHERS NUTS	SOCORRO DIVISION
152738	DMC LOGISTICS	331.18	OCT24 - BOARD DELIVERY PACKETS	BOARD OF DIRECTORS
152739	FLEETPRIDE	132.84	AIR SWITCH	ALBUQUERQUE DIVISION

Warrant	Vendor Name	Amount	Description	Location
		85.00	RESURFACE FLYWHEEL	BELEN DIVISION
152740	GENUINE NAPA	680.27	PARTS & SHOP SUPPLIES	BELEN DIVISION
152741	GOVERNMENT PORTFOLIO	1,094.46	AUG24 - INVESTMENT SERVICES	ACCOUNTING
		1,047.93	SEPT24 - INVESTMENT SERVICES	ACCOUNTING
152742	GRAINGER	139.50	FLUORESCENT LAMPS	ALBUQUERQUE DIVISION
152743	HIGH DESERT INDUSTRIES	151.23	SHOP WELDING SUPPLIES	BELEN DIVISION
152744	JIFFY LUBE	71.17	OIL CHANGE UNIT #43459	WATER DISTRIBUTION DIV
		66.61	OIL CHANGE UNIT#53459	BELEN DIVISION
152745	JOSE M. AGUILAR J.A	219.84	TIRE REPAIR	BELEN DIVISION
152746	LEVEL 3 FINANCING IN	1,414.77	INTERNET - NOV24	COCHITI DIVISION
		439.90	INTERNET - OCT24	BELEN DIVISION
		1,547.96	INTERNET - OCT24	INFORMATION SYS
		263.94	INTERNET - OCT24	SOCORRO DIVISION
152747	LINDE GAS	135.51	ARGON BOTTLE REFILL	ALBUQUERQUE DIVISION
152748	MAC HYDRAULIC & LUBE	898.80	PUMP & TUBE	BELEN DIVISION
152749	MCT INDUSTRIES, INC.	120.75	TRAILER JACK	ALBUQUERQUE DIVISION
152750	NAPA AUTO PARTS	91.37	BLOWER MOTOR	ALBUQUERQUE DIVISION
		136.92	EXTRACTOR SET & AIR CHUCKS	EQUIPMENT REPAIR & TRANS
		12.34	MISC. PARTS	ALBUQUERQUE DIVISION
		35.96	MISC. PARTS	COCHITI DIVISION
		6.54	MISC. PARTS	EQUIPMENT REPAIR & TRANS
152751	NED'S PIPE & STEEL	83.00	CONSTRUCTION SUPPLIES	BELEN DIVISION
152752	NEW MEXICO TRACTOR S	763.55	MISC. PARTS	BELEN DIVISION
152753	POWER FORD	296.31	DOOR GLASS	WATER DISTRIBUTION DIV
152754	RAIN FOR RENT	29,265.56	SEPT24 CORRALES PUMP RENTAL	CAPITAL INV FUND ABQ
152755	RANCHERO BUILDERS	49.95	ROLL OF PLASTIC - CONCRETE HEADWALLS	BELEN DIVISION
152756	ROBERTS TRUCK CENTER	157.56	BOLTS & WASHERS	BELEN DIVISION
152757	RUSH TRUCK CENTERS	467.44	PARTS	BELEN DIVISION
152758	SOUTHERN TIRE MART	21.53	TIRE REPAIR	ALBUQUERQUE DIVISION
152759	SOUTHWEST CONSTRUCTION	305.70	BLADES & HARDWARE	COCHITI DIVISION
		1,144.28	MISC. PARTS	ALBUQUERQUE DIVISION
		3,445.95	MISC. JD EXCAVATOR PARTS	SOCORRO DIVISION
152760	SOUTHWEST GENERAL TI	860.20	TIRES	COCHITI DIVISION
		684.20	TIRES	SOCORRO DIVISION
152761	UNUM LIFE INSURANCE	13,748.46	OCT24	GENERAL FUND
152762	WAGNER EQUIPMENT CO.	578.46	MISC. PARTS	BELEN DIVISION
152764	RICHARD BRUNACINI	2,797.20	2024 WATER LEASE PAYMENTS - FULL SEASON	GRANTS FUND GO
152765	4 RIVERS EQUIPMENT	106.40	AIR FILTERS	INVENTORY
		2,443.61	JD FILTERS	INVENTORY
		355.34	MISC. PARTS	SOCORRO DIVISION
		1,242.04	MISC. PARTS - UNIT 57503	BELEN DIVISION
152766	A & A LOCK & KEY	540.00	CUT & PROGRAM KEY	WATER DISTRIBUTION DIV
152767	ABCWUA	917.40	OCT24	ALBUQUERQUE DIVISION
		740.99	OCT24	EQUIPMENT REPAIR & TRANS
		730.13	OCT24	NON DIVISION
152768	ACOSTA EQUIPMENT INC	22.99	FIELD SUPPLIES	SOCORRO DIVISION
		600.47	PARTS	BELEN DIVISION
		741.94	POLE SAW & WELDING SUPPLIES	SOCORRO DIVISION
152769	ACTION HOSE INC.	103.65	FITTINGS	BELEN DIVISION
		466.53	HOSES	ALBUQUERQUE DIVISION
		156.07	HOSES	COCHITI DIVISION
		242.83	HOSES, MISC. PARTS	EQUIPMENT REPAIR & TRANS
152770	ADVANCE AUTO PARTS	1,685.72	MISC. AUTO	INVENTORY
152771	AGN GLASS LLC	35.00	DOOR GLASS TINT	WATER DISTRIBUTION DIV
		70.00	WINDOW TINT	ENGINEERING & MAPPING
152772	ALBUQUERQUE BOLT	45.60	DRILL BITS, NUTS	EQUIPMENT REPAIR & TRANS
152773	ALBUQUERQUE FREIGHT	27.29	ACTUATOR	BELEN DIVISION
		248.66	OIL PRESSURE SENSOR, FUEL BOWL KIT	BELEN DIVISION
152774	ALBUQUERQUE POWER	49.08	BEARINGS	ALBUQUERQUE DIVISION
		128.69	LEVER BRAKE ASSEMBLY	BELEN DIVISION
152775	ALL AMERICAN PUMPING	115.00	OCT24- PORTABLE RESTROOM RENTAL	SOCORRO DIVISION
152776	ALLSTATE HYDRAULICS	1,727.09	PARTS & REPAIRS	ALBUQUERQUE DIVISION
		764.53	R&R HYDRAULIC CYLINDER	SOCORRO DIVISION
		3,946.20	R&R JOHN DEERE BUCKET	SOCORRO DIVISION
152777	AMAZON CAPITAL	1,660.00	CHAIRS	SOCORRO DIVISION
		37.79	FRAMES	NON DIVISION
		179.00	FY25 MEMBERSHIP FEE	NON DIVISION

Warrant	Vendor Name	Amount	Description	Location
		740.13	IPAD / IPAD KEYBOARD	BOARD OF DIRECTORS
		58.31	IPAD PRO 5TH GENERATION CASE	INFORMATION SYS
		23.99	JAR	ADMINISTRATION
		27.50	PADS	INFORMATION SYS
		668.00	SCANNER	INFORMATION SYS
152778	ATMAX EQUIPMENT CO	599.02	DEF CAP	ALBUQUERQUE DIVISION
152779	BCBS	10,839.15	NOV24	GENERAL FUND
152780	BENAVIDEZ, CAROL	519.79	NOV24- RETIREE	HUMAN RESOURCES
152781	BOYD-SHUCK NAPA	56.04	FILTER	SOCORRO DIVISION
		244.53	REPAIRS - MULTIPLE UNITS	SOCORRO DIVISION
		17.99	SHOP/WELDING SUPPLIES	SOCORRO DIVISION
152782	BRUCKNER TRUCK SALES	160.87	SWITCH, CAM & LINKAGE FOR DUMP TRUCK	ALBUQUERQUE DIVISION
		80.06	VALVE	ALBUQUERQUE DIVISION
152783	BUSTED STEM	231.40	TIRE REPAIR/SERVICE CALL	ALBUQUERQUE DIVISION
152784	CARRILLO, RALPH	59.00	NOV24 - RETIREE	HUMAN RESOURCES
152785	CASTLE BRANCH, INC.	174.70	PRE-EMP BACKGROUND CHECKS	HUMAN RESOURCES
152786	CENTURY EQUIPMENT	863.78	BACKHOE PARTS UNIT 47111	ALBUQUERQUE DIVISION
		15,498.29	BLADE BARS	INVENTORY
		1,740.68	CLUTCH ASSEMBLY	BELEN DIVISION
		541.77	MISC. PARTS	BELEN DIVISION
		3,365.60	MOWER PARTS	INVENTORY
		598.44	SKID SHOES & HARDWARE	ALBUQUERQUE DIVISION
		1,045.76	SPIDERS, DISCS, KEYS & NUTS	BELEN DIVISION
152787	CENTURY LINK	88.78	OCT24	BELEN DIVISION
152788	CHACON, MARK	19.94	NOV24- RETIREE	HUMAN RESOURCES
152789	CITY OF BELEN	695.04	OCT24	BELEN DIVISION
152790	CITY OF SOCORRO	101.11	OCT24 GAS	SOCORRO DIVISION
		204.69	OCT24 WATER, SEWER, REFUSE	SOCORRO DIVISION
152791	CLARK TRUCK	12.15	ROCKER SWITCH	EQUIPMENT REPAIR & TRANS
152792	CONSERVANCY OIL CO	4,852.10	OILS	INVENTORY
152793	CONSTRUCTION RENTAL	1,771.81	CHAINSAW SUPPLIES	INVENTORY
		45.00	HYDRAULIC FILTER	ALBUQUERQUE DIVISION
		220.57	MISC. PARTS	ALBUQUERQUE DIVISION
		1,599.77	STIHL PRODUCTS	INVENTORY
152794	CONTINENTAL BATTERY	119.00	BATTERIES	ALBUQUERQUE DIVISION
		333.20	BATTERIES	BELEN DIVISION
		74.46	BATTERIES	LICENSING & LAND SALES
		193.46	BATTERIES	SOCORRO DIVISION
		139.74	BATTERY	WATER DISTRIBUTION DIV
152795	CRAIG INDEPENDENT	217.67	ALIGNMENT, TIRE REPAIR/REMOUNT	BELEN DIVISION
		96.41	MOUNTED NEW TIRES	WATER DISTRIBUTION DIV
152796	CRITTERS OIL CHANGE	75.00	OIL CHANGE	BELEN DIVISION
		225.00	OIL CHANGES	WATER DISTRIBUTION DIV
		75.00	OIL CHANGE	WATER OPERATIONS
152797	D.R.B. ELECTRIC, INC	2,140.91	ATRISCO LATERAL LIGHTING	ALBUQUERQUE DIVISION
152798	DESERT GARDENS	7,220.75	VEGETATION REMOVAL	LICENSING & LAND SALES
152799	DESERT GREENS EQUIPMENT	316.48	DOOR & WEATHERSTRIP	SOCORRO DIVISION
		378.51	DOOR GLASS, WEATHERSTRIP & HINGE	COCHITI DIVISION
		558.25	FILLER CAP, MISC. PARTS	SOCORRO DIVISION
		2,297.64	MISC. JD TRACTOR PARTS - UNIT 47025	ALBUQUERQUE DIVISION
		87.90	STIHL CHAINSAW PARTS	ALBUQUERQUE DIVISION
		221.84	PINS, FUEL RESTOCKING FEE	SOCORRO DIVISION
152800	FINANCE AUTHORITY	59,134.76	NOV24 EQUIPMENT	DEBT SERVICE
152801	FLEETPRIDE	5.00	GASKET	BELEN DIVISION
152802	GENUINE NAPA	90.89	MISC. PARTS	BELEN DIVISION
152803	GOMEZ, RAY	1,724.48	NOV24- RETIREE	HUMAN RESOURCES
152804	GPS, LLC	663.59	REPAIRS/SERVICE MULTIPLE UNITS	SOCORRO DIVISION
152805	GREENWOOD, JEFFREY C	370.92	FY25 - RETIREE	HUMAN RESOURCES
152806	HI-LINE ELECTRIC CO.	470.75	MECHANIC TRUCK SUPPLIES	BELEN DIVISION
152807	HIGH DESERT INDUSTRIES	285.59	OXYGEN/ACETYLENE	BELEN DIVISION
152808	HM LIFE INSURANCE	1,502.39	NOV24 - DAVIS VISION	GENERAL FUND
152809	HUGHES, BRANDON	43.06	DRILL BIT AND BIT HOLDER	WATER DISTRIBUTION DIV
152810	IMSCO DIVISION	1,301.20	TRANSPORT CHAIN	INVENTORY
152811	INLAND KENWORTH INC.	420.60	BLOWER MOTOR & FILTER	ALBUQUERQUE DIVISION
152812	JARAMILLO, DANNY A.	1,419.74	NOV24- RETIREE	HUMAN RESOURCES
152813	JIVE COMMUNICATIONS,	2,580.41	NOV24 PHONE	NON DIVISION
152814	JOSE M. AGUILAR J.A	617.68	TIRE REPAIRS	BELEN DIVISION

Warrant	Vendor Name	Amount	Description	Location
152815	LEGACY TREE COMPANY	2,300.00	DAMAGE DEPOSIT REFUND	GENERAL FUND
152816	MARQUEZ, BELLINA C	718.05	FY25 - RETIREE	HUMAN RESOURCES
152817	MARQUEZ, DENNIS M	1,394.21	FY25 - RETIREE	HUMAN RESOURCES
152818	MATHESON TRI-GAS INC	38.27	WELDING ELECTRODE	EQUIPMENT REPAIR & TRANS
152819	MCBRIDE'S INC	1,191.45	R&R LEAF SPRINGS & KING PINS	ALBUQUERQUE DIVISION
152820	MELLOY FORD LOS LUNAS	676.22	MIRROR, LAMP ASSEMBLY	BELEN DIVISION
152821	MORA, RUBEN	600.72	NOV24- RETIREE	HUMAN RESOURCES
152822	NAPA AUTO PARTS	13.59	FILTER	ENGINEERING & MAPPING
		691.56	FILTER KITS & EXHAUST KITS, PARTS	ALBUQUERQUE DIVISION
		24.86	FILTERS	EXEC TEAM
		18.06	MISC. PARTS	EQUIPMENT REPAIR & TRANS
152823	NED'S PIPE & STEEL	439.95	CHAIN TIEDOWNS, SUPPLIES	BELEN DIVISION
152824	NEW MEXICO GAS CO	33.61	OCT24	ALBUQUERQUE DIVISION
		105.71	OCT24	COCHITI DIVISION
		38.38	OCT24	EQUIPMENT REPAIR & TRANS
		36.66	OCT24	GENERAL OFFICE
152825	NEW MEXICO TRACTOR S	258.14	CHAINSAW TOOLS, MISC. PARTS	BELEN DIVISION
152826	OCCUPATIONAL HEALTH	634.96	PHYSICALS, SCREENINGS	ALBUQUERQUE DIVISION
		107.63	PHYSICALS, SCREENINGS	COCHITI DIVISION
		241.07	PHYSICALS, SCREENINGS	WATER DISTRIBUTION DIV
152827	OLGUIN TAMMY	191.77	NOV24- RETIREE	HUMAN RESOURCES
152828	PENA BLANCA SANITATION	85.99	WATER, SEWER, REFUSE	COCHITI DIVISION
152829	PNM	7,280.10	MAY-OCT24	ALBUQUERQUE DIVISION
		4,417.56	OCT24	ALBUQUERQUE DIVISION
		738.69	OCT24	BELEN DIVISION
152830	POWER EQUIPMENT	1,879.15	FUEL RAIL/PIPE - UNIT 57206	BELEN DIVISION
152831	POWER FORD	263.24	DUPLICATE KEYS & PROGRAM	SOCORRO DIVISION
		226.36	HEATER CONTROL VALVE/SOLENOID	ALBUQUERQUE DIVISION
		296.31	RH WINDOW	WATER DISTRIBUTION DIV
152832	PURCELL TIRE COMPANY	26.75	TIRE REPAIR	ALBUQUERQUE DIVISION
152833	QUEST DIAGNOSTICS	117.80	SCREENINGS, RANDOM & POST ACCIDENT	ACCOUNTING
		156.00	SCREENINGS, RANDOM & POST ACCIDENT	ALBUQUERQUE DIVISION
		95.50	SCREENINGS, RANDOM & POST ACCIDENT	BELEN DIVISION
		38.20	SCREENINGS, RANDOM & POST ACCIDENT	EQUIPMENT REPAIR & TRANS
		57.30	SCREENINGS, RANDOM & POST ACCIDENT	SOCORRO DIVISION
152834	RAKS BUILDING SUPPLY	68.00	3/4 TORQUE WEDGE	ALBUQUERQUE DIVISION
		242.76	WELDING SUPPLIES FOR HEADWALLS	SOCORRO DIVISION
152835	RAKS BUILDING SUPPLY	64.69	CONCRETE EXPANSION, HASP	ALBUQUERQUE DIVISION
152836	RANDY'S ACE HARDWARE	109.23	FIELD, OFFICE, SHOP SUPPLIES	SOCORRO DIVISION
		144.50	PARTS & REPAIRS	SOCORRO DIVISION
152837	REAL TIME SOLUTIONS	247.54	REAL TIME SOLUTIONS SUPPORT	ACCOUNTING
152838	RELEVANT INDUSTRIAL	207.36	HOSE	ALBUQUERQUE DIVISION
152839	ROBERTS TRUCK CENTER	23.00	BULB & CONNECTOR	SOCORRO DIVISION
		593.92	SYNTHETIC TRANS LUBE	BELEN DIVISION
152840	SAN ACACIA MDWCA	21.52	WATER SAN ACACIA NOV24	SOCORRO DIVISION
152841	SANDIA OFFICE SUPPLY	556.94	JOTTER W/PEN	HUMAN RESOURCES
152842	SANDOVAL COUNTY LAND	1,280.91	OCT24 ACCT 31 LANDFILL	ALBUQUERQUE DIVISION
152843	SMYER KELLY	2,300.00	DAMAGE DEPOSIT REFUND	GENERAL FUND
152844	SOCORRO ELECTRIC	594.45	OCT24	SOCORRO DIVISION
		10,964.29	OCT24 PUMPS	SOCORRO DIVISION
152845	SOUTHERN TIRE MART	282.60	TIRES	BELEN DIVISION
152846	SOUTHWEST LANDFILL	4,026.87	OCT24	ALBUQUERQUE DIVISION
152847	STAPLES ADVANTAGE	29.66	2025 CALENDARS	ACCOUNTING
		33.48	2025 CALENDARS	BELEN DIVISION
		85.52	2025 CALENDARS	BOARD OF DIRECTORS
		47.12	2025 CALENDARS	COCHITI DIVISION
		5.99	2025 CALENDARS	HUMAN RESOURCES
		317.07	2025 CALENDARS	NON DIVISION
		82.62	2025 CALENDARS	SOCORRO DIVISION
		185.16	6" BINDERS	EQUIPMENT REPAIR & TRANS
		79.68	APPOINTMENT BOOKS/CALENDARS	LICENSING & LAND SALES
		74.52	APPOINTMENT BOOKS/CALENDARS	GENERAL OFFICE
		1,128.99	CLERK DESK	ALBUQUERQUE DIVISION
		18.74	MISC. SUPPLIES	ENGINEERING & MAPPING
		235.84	OFFICE SUPPLIES	BELEN DIVISION
		8.79	SUPPLY ORDER	ACCOUNTING
		185.16	SUPPLY ORDER	EQUIPMENT REPAIR & TRANS

Warrant	Vendor Name	Amount	Description	Location
152848	TECHNA GLASS	290.25	WINDSHIELD REPLACEMENT	LICENSING & LAND SALES
152849	TERRACON CONSULT	2,300.00	DAMAGE DEPOSIT REFUND	GENERAL FUND
152850	TIRES TO YOU, LLC.	365.00	TIRE REPAIR/SERVICE CALL	ALBUQUERQUE DIVISION
		1,350.00	TIRES	SOCORRO DIVISION
152851	TYLER BUSINESS FORMS	334.95	1099'S, W2 & 1095C FORMS	ACCOUNTING
		239.64	1099'S, W2 & 1095C FORMS	HUMAN RESOURCES
152852	TYLER TECHNOLOGIES	2,260.14	FEB24- MUNIS WORK ORDER	INFORMATION SYS
		73,429.89	FY25 MUNIS CLOUD MIGRATION	INFORMATION SYS
152853	UNICOR	260.52	OCT24 SHRED BINS PICKUP	ACCOUNTING
152854	UNIFORMS & MORE	462.00	CENTENNIAL VESTS	ADMINISTRATION
		1,275.00	JACKET/HOODIE FY25	ALBUQUERQUE DIVISION
		1,511.00	JACKET/HOODIE FY25	BELÉN DIVISION
		354.00	JACKET/HOODIE FY25	COCHITI DIVISION
		300.00	JACKET/HOODIE FY25	EQUIPMENT REPAIR & TRANS
		29.00	JACKET/HOODIE FY25	LICENSING & LAND SALES
		782.00	JACKET/HOODIE FY25	SOCORRO DIVISION
		1,250.00	JACKET/HOODIE FY25	WATER DISTRIBUTION DIV
		244.00	JACKET/HOODIE FY25	WATER OPERATIONS
152855	UNIVERSITY MRO LLC	40.00	DOT RANDOM TESTING	BELÉN DIVISION
		40.00	DOT RANDOM TESTING	EQUIPMENT REPAIR & TRANS
		40.00	DOT RANDOM TESTING	SOCORRO DIVISION
152856	UNUM LIFE INSURANCE	504.21	NOV24- EE ACCIDENTAL	GENERAL FUND
		1,001.50	NOV24- EE CI	GENERAL FUND
		447.54	OCT24- HOSPITAL	GENERAL FUND
152857	USA EXPRESS	580.00	WINDOW TINT	ALBUQUERQUE DIVISION
152858	V-VARGAS, ERMELINDA	511.96	NOV24- RETIREE	HUMAN RESOURCES
152859	VERIZON CONNECT	5,278.54	VERIZON CONNECT-MONTHLY GPS SERVICE	EQUIPMENT REPAIR & TRANS
152860	VILLAGE OF LOS LUNAS	2,200.00	LICENSE APPLICATION FEE REFUND	GENERAL FUND
152861	WEX BANK	79,529.68	OCT24: UNL \$22,347 DSL \$57,157 FEES \$25	DIVISIONS/MULTIPLE DEPTS
152862	BERNALILLO COUNTY CL	50.00	RELEASE OF LIEN	ACCOUNTING
152863	CHILD SUPPORT ENFORCE	1,086.40	PAYROLL GARNISHMENT	GENERAL FUND
152864	GPS, LLC	48.46	TIRE REPAIR/REPAIR-UNIT# 64300	SOCORRO DIVISION
152865	LAW & RESOURCE	10,454.84	JUL-AUG24 LEGAL SERVICES	NON DIVISION
152866	MIDDLE RIO GRANDE FL	35.00	MRGFCA ANNUAL BREAKFAST REG	ADMINISTRATION
		210.00	MRGFCA ANNUAL BREAKFAST REG	BOARD OF DIRECTORS
		105.00	MRGFCA ANNUAL BREAKFAST REG	ENGINEERING & MAPPING
		105.00	MRGFCA ANNUAL BREAKFAST REG	EXEC TEAM
		250.00	MRGFCA ANNUAL MEMBERSHIP DUES	NON DIVISION
152867	MRGCD PETTY CASH	4.45	KEYS	EQUIPMENT REPAIR & TRANS
152868	STATE OF NEW MEXICO	258.21	PAYROLL GARNISHMENT	GENERAL FUND
152869	USA EXPRESS	585.00	WINDOW TINT	SOCORRO DIVISION
		1,160.00	WINDOW TINT	ALBUQUERQUE DIVISION
		149.99	WINDOW TINT	EQUIPMENT REPAIR & TRANS
		540.00	WINDOW TINT	BELÉN DIVISION
152870	VALENCIA COUNTY CLERK	100.00	RELEASE OF LIENS	ACCOUNTING
152871	ADVANCE AUTO PARTS	224.99	POWER PROBE	SOCORRO DIVISION
152872	ALBUQUERQUE GRAVEL P	3,417.00	CONCRETE/SHOTCRETE	ALBUQUERQUE DIVISION
		1,772.00	CONCRETE/SHOTCRETE	BELÉN DIVISION
152873	ALBUQUERQUE POWER	153.83	FIELD & SAFETY SUPPLIES	ALBUQUERQUE DIVISION
152874	ALBUQUERQUE PUB	336.00	NOV24 BOARD MEETING ADS	BOARD OF DIRECTORS
		207.29	OCT24 BOARD MEETING ADS	BOARD OF DIRECTORS
152875	ALBUQUERQUE SUPPLY	1,134.42	WATER JUGS AND SAFETY SUPPLIES	INVENTORY
152876	ALLSTATE HYDRAULICS	1,380.42	R&R HYDRAULIC CYLINDER - UNIT 57006	BELÉN DIVISION
152877	ATMAX EQUIPMENT CO	579.53	CUMMINS FILTERS	INVENTORY
152878	BCBS	10,865.60	DEC24	GENERAL FUND
152879	BETSY ROSS FLAG GIRL	571.75	USA/NEW MEXICO FLAGS	BELÉN DIVISION
152880	BOBCAT OF ALBUQUERQUE	1,398.52	MISC. PARTS - UNIT 47203	ALBUQUERQUE DIVISION
152881	BOHANNAN HUSTON	4,152.71	OCT24 - ALAMEDA DRAIN DESIGN	GRANTS FUND ABQ
		60,660.72	OCT24 - BELÉN HIGHLINE OVERFLOW DESIGN	BELÉN DIVISION
		12,736.60	OCT24 - BELÉN HIGHLINE STUDY	BELÉN DIVISION
152882	BOOT BARN	250.73	FY25 BOOT VOUCHER	ALBUQUERQUE DIVISION
		150.00	FY25 BOOT VOUCHER	BELÉN DIVISION
152883	CENTURY EQUIPMENT	(1,247.82)	CREDIT 20250998 AP31413	SOCORRO DIVISION
		1,320.56	MOWER BOLTS AND NUTS	INVENTORY
		4,767.95	SLEW BEARING & PARTS FOR UNIT 47018	ALBUQUERQUE DIVISION
152884	CHAPA, ARACELY M.	14,566.00	CENTENNIAL DOCUMENTARY	NON DIVISION
152885	CHOICE STEEL COMPANY	4,728.00	METAL	INVENTORY

Warrant	Vendor Name	Amount	Description	Location
152886	CONSERVANCY OIL CO	4,200.35	FLUID	INVENTORY
152887	CONTINENTAL BATTERY	297.16	BATTERIES	ALBUQUERQUE DIVISION
		150.96	BATTERIES	BELEN DIVISION
152888	D.R.B. ELECTRIC, INC	11,003.77	ISLETA DAM LIGHTING	NON DIVISION
152889	DESERT GREENS EQUIP	863.94	FUEL SENDER, MISC. PARTS	SOCORRO DIVISION
		110.67	MISC. PARTS - STIHL CHAINSAW	ALBUQUERQUE DIVISION
		589.43	MISC. JOHN DEERE TRACTOR/MOWER PARTS	SOCORRO DIVISION
152890	FRANK'S SUPPLY CO	6,685.44	SKID STEER RENTAL	BELEN DIVISION
152891	GENUINE NAPA	12.99	FLUID OIL PUMP	BELEN DIVISION
		1,280.23	MISC. PARTS	BELEN DIVISION
		104.49	OZZY JUICE	BELEN DIVISION
		238.45	SHOP/WELD SUPPLIES, TOOLS	BELEN DIVISION
152892	GEOTEL CORPORATION	1,043.77	FY25 ANNUAL PRESS CLIPPING SERVICE	ADMINISTRATION
152893	GRAINGER	72.29	FILTER	EQUIPMENT REPAIR & TRANS
		915.38	HYDRAULIC PUMP	BELEN DIVISION
		95.46	PORTABLE CORD	WATER OPERATIONS
152894	INLAND KENWORTH INC.	310.68	KENWORTH FILTER	INVENTORY
152895	KRONOS SAASHR, INC.	1,332.37	OCT24 KRONOS SUBSCRIPTION	INFORMATION SYS
152896	LARRY H. MILLER CASA	129.98	MISC. PARTS	EQUIPMENT REPAIR & TRANS
152897	LAW & RESOURCE	4,810.84	OCT24 LEGAL SERVICES	NON DIVISION
152898	LOPEZ PRECISION, LLC	103,412.62	BOSQUE LATERAL WASTEWAY PROJECT	CAPITAL INV FUND ABQ
152899	MAINTENANCE SERVICE	414.10	NOV24 JANITORIAL SERVICES	ALBUQUERQUE DIVISION
		2,036.03	NOV24 JANITORIAL SERVICES	GENERAL OFFICE
152900	MELLOY DODGE CO	25.00	CABIN FILTER	EXEC TEAM
152901	MESA OIL, INC	102.96	FLEET PRODUCT DISPOSAL-FY25	EQUIPMENT REPAIR & TRANS
		125.00	USED OIL/FILTERS	BELEN DIVISION
152902	NAPA AUTO PARTS	269.37	FLUID/FILTERS & MISC. PARTS	ALBUQUERQUE DIVISION
		470.78	MISC. PARTS - UNITS 63339 & 44008	SOCORRO DIVISION
152903	NEW MEXICO MUTUAL	13,574.08	NOV24 WORKERS COMP	NON DIVISION
152904	NEW MEXICO TRACTOR S	752.79	MISC. TRACTOR PARTS	BELEN DIVISION
152905	PARTS AUTHORITY	5,335.67	BALDWIN FILTERS	INVENTORY
152906	POWER EQUIPMENT	2,133.08	INJECTORS	BELEN DIVISION
152907	RELEVANT INDUSTRIAL	238.24	MISC. PARTS	SOCORRO DIVISION
152908	SAFETY FLARE INC	27.00	FIRE EXTINGUISHERS	GENERAL OFFICE
152909	SAFETY-KLEEN CORP.	391.95	SERVICE PARTS CLEANER	SOCORRO DIVISION
152910	SIGNPLEX LLC	1,631.50	POPUK TENTS	NON DIVISION
		319.76	TABLE CLOTHS W/ NEW LOGO	ADMINISTRATION
152911	SOUTHERN TIRE MART	1,780.60	TIRE ORDER	INVENTORY
152912	SOUTHWEST CONSTRUCTION	236.24	CUTTING EDGE & HARDWARE	COCHITI DIVISION
152913	SPENCER FANE LLP	8,614.43	LEGAL SERVICES	NON DIVISION
152914	SWCA	37,937.18	SAMPLING VARIOUS LOCATIONS	GRANTS FUND GO
152915	TAS SECURITY SYSTEMS	75.22	NOV24 BELEN MONITORING AND ALARM	BELEN DIVISION
152916	TRACTOR & EQUIPMENT	1,458.90	CAT FILTERS	INVENTORY
152917	TRUEPOINT SOLUTIONS	3,700.00	REMOTE PROFESSIONAL SERVICES	GRANTS FUND GO
152918	UNIFORMS & MORE	312.00	FY25 EMPLOYEE SHIRT ORDER	ACCOUNTING
		114.00	FY25 EMPLOYEE SHIRT ORDER	CONSERVATION/PLANNING
		277.00	FY25 EMPLOYEE SHIRT ORDER	ENGINEERING & MAPPING
		114.00	FY25 EMPLOYEE SHIRT ORDER	EXEC TEAM
		152.00	FY25 EMPLOYEE SHIRT ORDER	HUMAN RESOURCES
		82.00	FY25 EMPLOYEE SHIRT ORDER	INFORMATION SYS
		128.00	FY25 EMPLOYEE SHIRT ORDER	LICENSING & LAND SALES
		192.00	FY25 EMPLOYEE SHIRT ORDER	PURCHASING
		40.00	FY25 EMPLOYEE SHIRT ORDER	SAFETY DEPARTMENT
		34.00	FY25 EMPLOYEE SHIRT ORDER	WATER DISTRIBUTION DIV
		185.00	FY25 EMPLOYEE SHIRT ORDER	WATER OPERATIONS
152919	UNIVERSITY MRO LLC	80.00	UA SPECIMEN PROCESSING	ALBUQUERQUE DIVISION
		40.00	UA SPECIMEN PROCESSING	BELEN DIVISION
152920	WASTE MANAGEMENT	278.18	NOV24	COCHITI DIVISION
152921	WATER STRATEGIES	9,000.00	OCT 24 CONSULTING	NON DIVISION
152922	WIGGINS, WILLIAMS	19,566.09	OCT24 LEGAL SERVICES	NON DIVISION
152923	BERNALILLO COUNTY CL	25.00	RELEASE OF LIEN	ACCOUNTING
152924	LARRY H. MILLER CASA	1,037.29	PADS & ROTORS, MISC. PARTS	ALBUQUERQUE DIVISION
		600.64	SWITCH & CLOCK SPRING	ALBUQUERQUE DIVISION
152925	POSTMASTER	102.00	POST OFFICE BOX RENEWAL FEE	BELEN DIVISION
152926	POWER FORD	131.99	DUPLICATE KEY	SOCORRO DIVISION

Warrant	Vendor Name	Amount	Description	Location
		262.09	TAILLIGHT ASSEMBLY	WATER DISTRIBUTION DIV
152927	STRECH, DOUG	36.85	EXPENSES- NMGC CONFERENCE	DATA INTEGRATION
152928	LEGALSHIELD	1,296.75	OCT-NOV24	GENERAL FUND
Credit Card Payment				
900012	WELLS FARGO BANK	30.00	CAREER FAIR - SANTA FE COMMUNITY COLLEGE	HUMAN RESOURCES
		332.16	COFFEE, PAPER GOODS, TOILET PAPER & BATTERIES	NON DIVISION
		80.00	CONGRESO DE LAS ACEQUIAS 2024 REG	BOARD OF DIRECTORS
		40.00	CONGRESO DE LAS ACEQUIAS 2024 REG	ADMINISTRATION
		118.39	EMAIL /TEXT MESSAGING SYSTEM	ADMINISTRATION
		102.92	FUEL 2024 JEEP GRANDE CHEROKEE LAREDO	EXEC TEAM
		132.82	HOTEL - D. STRECH NMGC BOARD MEETING	DATA INTEGRATION
		274.38	HOTEL C. ISH - SJCPCA 4TH ANNUAL FIELD TRIP	CONSERVATION/PLANNING
		481.48	HOTEL SANTA FE - DIRECTOR BAUGH	BOARD OF DIRECTORS
		240.74	HOTEL SANTA FE - DIRECTOR DUNNING	BOARD OF DIRECTORS
		39.96	NOV24 - INTERMEDIA SUBSCRIPTION	INFORMATION SYS
		401.36	PARIS HOTEL CRWUA CONF- RUSSO BACA	BOARD OF DIRECTORS
		218.82	PARIS HOTEL CRWUA CONF- C. ISH	CONSERVATION/PLANNING
		218.82	PARIS HOTEL CRWUA CONF- J. CASUGA	EXEC TEAM
		53.19	SENSOR	BELEN DIVISION
		2.16	SEPT24 ZENDESK SUBSCRIPTION	INFORMATION SYS
		1,572,639.60	TOTAL PAYROLL	
		803,488.62	TOTAL CHECKS/EFT - GENERAL FUND	
		19,711.59	TOTAL CHECKS - DEBT SERVICE FUND	
		60,668.69	TOTAL CHECKS - GRANTS FUND	
		132,678.18	TOTAL CHECKS - CAPITAL INVESTMENT FUND	
		<u>\$ 2,589,186.68</u>	GRAND TOTAL	
<div> <div> Pamela S. Fanelli, CMA, CGFM Secretary-Treasurer/CFO </div> <div> John P. Kelly, Chairman MRGCD Board of Directors </div> </div>				

**MINUTES OF THE
2,217th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

NOVEMBER 13, 2024 - 3:00 PM

Directors having been duly notified; Madam Chair Russo Baca called the regular meeting to order at 3:04pm. 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
Glen Duggins, Director	Present
Micheal T. Sandoval, Director	Present
Colin T. Baugh, Director	Present

STAFF

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

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

Clayton Padilla, CF Padilla	Jerry Montano	Blaine Smith, Frank's Supply
Amari Becker	Patrick Taber, BIA	Jennifer Faler, BOR
Christopher O'Connor	Martin Haynes	Josh Gamboa, MRGCD
State Rep. Kathleen Cates	Arcie Chapa	Luke Smith, WCI
Josh Hind, MRGCD	Christine Nardi, MRGCD	Amanda Molina, MRGCD
Tarah Jaramillo, MRGCD	John Thompson, MRGCD	Rebecca Thompson, MRGCD
Justin Tyler	Matthew Monjaras	Elaine Hebard
Jorge Garcia	Jeannine Hunter	Marta Moerch, MRGCD
Richard DeLoia, MRGCD	Mike Padilla, MRGCD	Steve Kinberger, MRGCD
Angelina Jimenez, MRGCD	Angel Enriquez, MRGCD	Matthew Chavez, MRGCD
Amelia Barrow, MRGCD	Casey Ish, MRGCD	

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Veteran Jerry Montano led the Pledge of Allegiance at today's meeting.

Vice Chair Dunning declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting.

AGENDA ITEM NO.2 - APPROVAL OF THE AGENDA

Vice Chair Dunning asked to add Madam Chair Russo Baca to the Finance Meeting under Reports from the Secretary-Treasurer. Mr. Casuga changed October 30, 2024, to September 30, 2024, under Item 8(b),

Director Kelly made the **MOTION TO APPROVE THE MEETING AGENDA WITH THE ABOVE CHANGES**. Seconded by Director Sandoval. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

Director Sandoval	Yes	Madam Chairwoman	Yes
Director Kelly	Yes	Vice Chair Dunning	Yes
Director Jiron	Yes	Director Baugh	Yes
Director Duggins	Yes		

AGENDA ITEM NO. 3 - REORGANIZATION OF THE BOARD - Lorna M. Wiggins, MRGCD
General Counsel

Chair Russo Baca nominated Director Kelly for Chair.

Vice Chair Dunning made the **MOTION TO CLOSE NOMINATIONS FOR THE POSITION OF CHAIR.**

Director Kelly accepted the nomination of Chairman.

Vice Chair Dunning nominated Director Baugh. Director Duggins nominated Director Russo Baca. Director Russo Baca accepted the nomination, but said she had faith in Director Baugh as well.

Director Sandoval made the **MOTION TO CLOSE NOMINATIONS FOR THE POSITION OF VICE CHAIR.** Seconded by Director Jiron. The **MOTION CARRIED.**

Director Baugh accepted the nomination of Vice Chair with a vote of 6 to 1.

AGENDA ITEM NO. 4 - CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification – November 13, 2024
- b. Consideration/Approval of October 2024 Invoice for Wiggins, Williams & Wiggins
- c. Consideration/Approval of October 2024 Invoice for Law and Resource Planning Assoc. 2024
- d. Consideration/Approval of September & October Invoices for Spencer Fane LLP
- e. Consideration/Approval of the Minutes for the Regular Board Meeting – October 14, 2024
- f. Memo on MRGCD Approved Licenses for October 2024 (For Informational Purposes Only)

Director Kelly made the **MOTION TO APPROVE THE CONSENT AGENDA.** Seconded by Director Jiron. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Director Sandoval	Yes	Director Russo Baca	Yes
Chairman Kelly	Yes	Director Dunning	Yes
Director Jiron	Yes	Vice Chair Baugh	Yes
Director Duggins	Yes		

AGENDA ITEM NO. 5 - REPORT(S) FROM THE WATER OPERATIONS AND DISTRIBUTION DIVISIONS

- a. **Report on Water Supply Conditions - Anne Marken, Water Ops Division Manager**

Ms. Marken gave a report on water supply conditions. She discussed the fall snowstorm they had last week and stated that with the non-pueblo irrigation season being over, river flows along the Rio Grande have increased. The USGS Rio Grande Otowi Gauge is at 925 CFS, which is up from 500 CFS at the beginning of the month. She noted that is mostly due to the end of Colorado's San Luis Valley irrigation season, so more water is coming over the Colorado border on the Rio Grande. She stated there is 20,000-acre

feet of water planning to move from Abiquiu to Elephant Butte to go towards New Mexico's 2024 Compact delivery, but there are flow restrictions below Abiquiu Dam from a sediment plug on the Rio Chama downstream, which could impact the ability to move that water before the end of the year. Ms. Marken added that the sediment plug could also impact the Rio Chama spring runoff management next year if the state is unable to restore the channel conditions back to normal. She explained that even though space in Abiquiu has been secured, Compact restrictions will continue to limit MRGCD's abilities to store water there for the foreseeable future. Due to the snowpack conditions, all four basins are above where normally are for this time of year, but there is still a long winter ahead and the basin needs to sustain snowfall for a solid spring runoff. Ms. Marken discussed the SNOTEL graphs for the Rio Grande Headwaters in Colorado and the Rio Chama and Upper Rio Grande. She stated they are likely to have above average temperatures and below average precipitation, and the National Weather Service is predicting weak to moderate La Nina conditions for late fall through possibly March.

Vice Chair Dunning asked if it would matter if they were not able to do the releases because of the sediment plug.

Ms. Marken responded that it does matter, because it will contribute to what their Compact debt will be at the end of 2024, which could impact storage and Article 6 restrictions, but the state is optimistic they will be able to move the sediment in time.

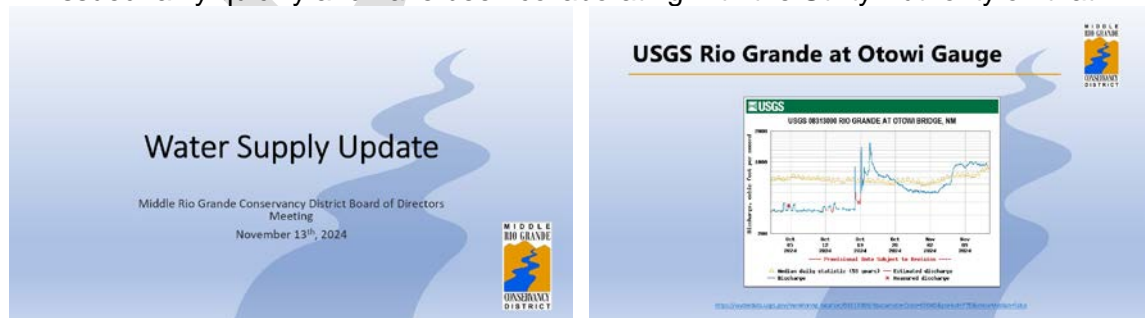
Vice Chair Dunning asked if they were optimistic on getting a permit for the spring runoff.

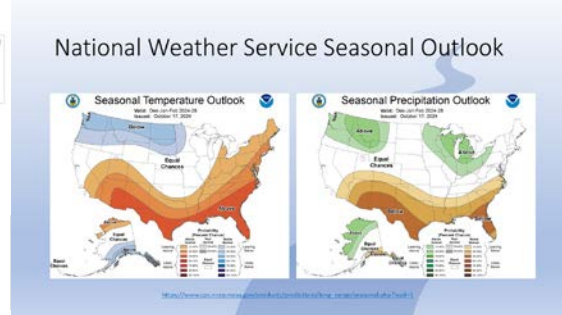
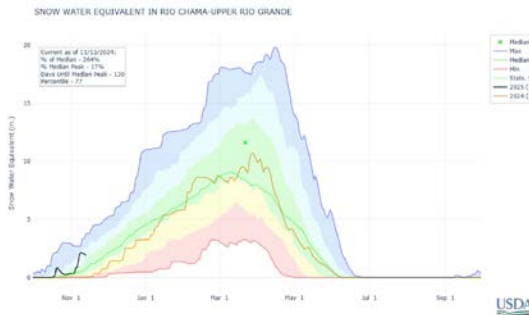
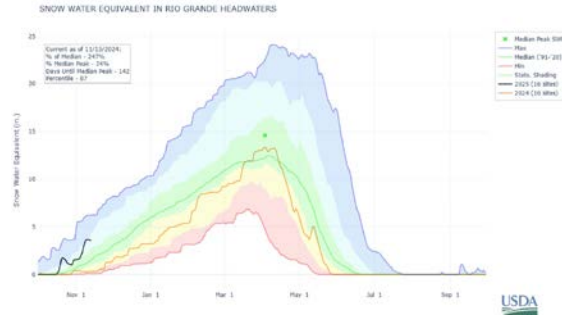
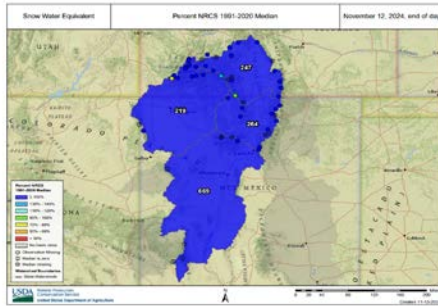
Ms. Marken answered they are optimistic they will get the permit to do work.

Mr. Casuga expressed that MRGCD will not be optimistic but be pleasantly surprised if they return to 1800 CFS, and the impact will depend on the amount of snowpack they have and the amount of water that comes down. He said they do have concerns and have raised concerns to the Corps on locking up a ton of water. He added they are looking at the role and authority that Army Corps have along the Rio Chama and may need to have a conversation about seeking some authority for the Corps to do some actions along the Rio Chama to make releases from their dam.

Director Kelly asked if the state is submitting a 404 permit to the Corps and if it would be covered under nationwide or be an individual permit.

Ms. Marken said the state is applying for a 404 and they are streamlining it so it can be issued fairly quickly and have been collaborating with the Utility Authority on that.





b. Status Report on Water Distribution - Matt Martinez, Water Distribution Division Manager

Mr. Martinez reported on water distribution. He expressed that the first half of the month was marked by hot and dry weather and the second half provided ample water from a fall storm, which allowed water users one last irrigation and follow up deliveries for those doing fall planting. The storm also created sufficient river flow to operate the Corrales pumps one last time for the season, and they were able to deliver to a substantial number of properties and all orchards. He noted that the season for prior and paramount lands of the Six Middle Rio Grande Pueblos will continue until November 15th. Mr. Martinez extended gratitude to the Pueblos, their farmers, and administration for the coordination throughout the season. He also thanked Patrick Taber for his efforts throughout the season. The water distribution team will now shift to winter tasks, including cleanup efforts of obstructed canals, vegetation management, turnout installations, structure repairs, and automatic gate maintenance. He said dam operators will also utilize current river flow to sluice sediment in and around diversion structures. Mr. Martinez expressed that training and planning for 2025 are top priorities for the offseason, with planning a series of workshops and reviewing last season's startup plan and operations. He stated that despite many challenges this season, their water supply extended beyond what initially was forecasted and they take pride in that but know there is always room for improvement. He thanked MRGCD water users, ISOs, Ms. Marken, Mr. Casuga, and the Board for a memorable season.

Chair Russo Baca thanked Mr. Martinez and Ms. Marken for the NWRA Tour and the ISOs and staff that helped with that.

Director Duggins gave a shoutout to the farmers, as they are the ones that put it all on the line, but noted the staff in his area could not be better. He added that every year they talk about how bad it is going to be, but always seem to make it. He noted while they do not have the storage and amount of water they want; they still make it every year. He suggested to have a more positive attitude in the future on that.

Director Jiron expressed gratitude to Mr. Martinez, Ms. Marken, and the staff for having weekly meetings at times with the pueblos. He said it really helped the pueblos, and he appreciated them listening to their concerns.

Director Kelly also thanked the people that participated in the Fallowing Program to make water available for the farmers and the river.

Director Duggins expressed that some people got hurt by the Fallowing Program, as there are farmers that rely on leased property. He said he does not like that program, and it is very difficult for a farm to come back to life after taking that money.

Mr. Casuga stated that if people were harmed by that, he would like to know who they were because the program is not meant to target farmers who have existing contracts with landowners.

AGENDA ITEM NO. 6 - ITEMS FROM THE FLOOR (Comments are limited to three (3) minutes)

Justin Tyler

Mr. Tyler, a pararescueman and hunter, stated that hunting is a very important way of life for him, a vast majority of New Mexicans, and hunters from out of state. He noted that he and a group of fellow pararescuemen get together and go on a duck hunt to talk and remember the guys they have lost, so it is concerning to hear the La Joya and Bernardo Wildlife management areas are not getting the water they have in the past. He said he wanted to make sure the sportsmen, specifically waterfowlers, of New Mexico have a voice in this fight. He asked what that looks like far as water rights for those wildlife management areas and how it will be affect regarding water rights.

Matthew Monjaras

Mr. Monjaras stated that he runs a nonprofit in New Mexico that takes youth, veterans, and service members into the field, and they host the Youth Sand Hill Crane hunt for Game & Fish. He added that last year his program planted 269 trees at Bernardo and finished four ADA blinds. He is aware there are obligations they have with water and understands the demands, but if they do not have people to experience these resources, habitats, and birds, they will lose the people fighting for biodiversity in the valley. He shared if they are only worried about water transfer, then habitat does not have much meaning, but it does for their kids, culture, and state.

Jorge Garcia

Mr. Garcia expressed that as the Director of the Center for Social Sustainable Systems he thanks MRGCD for their support and collaboration with the good work that has taken place over the years, but as the Secretary of the South Valley Regional Association, he was there to discuss the resolution that was sent to New Mexico Acequia Association to be incorporated into the Congreso de las Acequias.

Elaine Hebard

Refer to Appendix I for Ms. Hebard's written comments.

Jerry Montano

Mr. Montano asked for an update on the project where they are supposed to get water from the Bosque Drain to Feeder 3. He also asked about getting a meeting together with the farmers to discuss it.

Mr. Casuga stated that Director Jiron had already reached out to him, and he has offered to set up a meeting to meet with the community to give an update on the progress of that.

Glen Duggins

Director Duggins pointed out that years ago there was crane everywhere and Bosque del Apache had one of the best famers this valley has ever known. He said there was 2,000 to 3,000 acres of good farming going on and even more critters. He stated that the feds decided to farm it and now it is a complete failure, and the crane, ducks, and geese are not there anymore. He noted that as they keep losing farmers, the environment is going to go out of the window. He said there is also very little pumping that farmers do in the MRGCD area and if they did not have drain ditches, they could not even live in the valley.

AGENDA ITEM NO.7 - REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Jennifer Faler discussed El Vado and stated they are building momentum towards finding solutions and homing in on a new alternative. She said they are working on streamlining the Safety of Dams process and will be doing a public meeting tomorrow. They are down to about four alternatives right now and they are reevaluating the overall project goals. She expressed there is a meeting on Friday to determine a formal decision on whether to provide cost estimates and decide if they should go up to the next level in El Vado, as they have been at 6800 for several days now. She thanked the crews that have been doing the monitoring. Ms. Faler noted they learned that the ordinary high watermark is not the ordinary high watermark, and the Corps of Engineers interpreted that it moves. She stated it is not the worst thing in the world to not be able to move water, and they have been advocating for a long time for carryover water to move during spring runoff to help with ESA compliance purposes, but it could have an impact on EBID, as the first year doing that could result in allocation issues. She said they have come a long way in figuring out when to release water and how to prevent farmers from diverting the water as it moves through the Middle Valley. Ms. Faler then talked about the Abiquiu storage agreement and acknowledged the historic effort of water management agencies coming together to come up with an agreement that is good for all of us. She shared that there has been very little maintenance on the Low Flow Conveyance Channel since they transferred O&M to MRGCD and that is concerning and will make it harder to do maintenance. Regarding the Clean Water Act, she added they have talked with the Corps many times on providing them an annual training on their interpretations, and they plan to do it next month. MRGCD is invited to that.

Mr. Casuga added he will attend the Clean Water Act training and will explain their operations in detail so they can better understand us. He thanked Reclamation and stated the Abiquiu storage agreement is much needed and will allow the necessary steps to analyze El Vado and focus on what will prevent them from using physical space. He noted that they have been so focused on getting El Vado done that conversation on the state of New Mexico being able to get water to Elephant Butte has disappeared at times, so he hopes they can have more thorough and realistic conversations about all depletions. He is also wants to hear how an ordinary high-water mark changes.

Ms. Wiggins noted her regional director was also puzzled by that.

Director Russo Baca encouraged people to look at the new buckets page that has a map and better understanding of how storage works and how P&P is done.

258
259 Director Dunning inquired if it would help or hurts EBID if water is not moved before the
260 end of the year.

261
262 Ms. Faler answered that it does hurt the debit, but the water will still be stored and be
263 released, so you can catch up the next year, but it will hurt this year.

264
265 Mr. Casuga asked what would happen if they got 125% of a season and get a ton of
266 water stacked up there. He said he is concerned on stacking more than a reasonable
267 quantity as they try to rebalance the basin.

268
269 Ms. Faler noted to keep in mind that they are planning on doing water exchanges in
270 Heron, so they plan to store more water there than they have in the past.

271
272 Director Duggins expressed he too wants the Low Flow cleaned up and functioning but
273 asked where that has been in the past. He added that lack of maintenance is what
274 caused it in the first place.

275
276 Ms. Faler responded that before Reclamation transferred it, they mowed it all and
277 handed it off completely maintained.

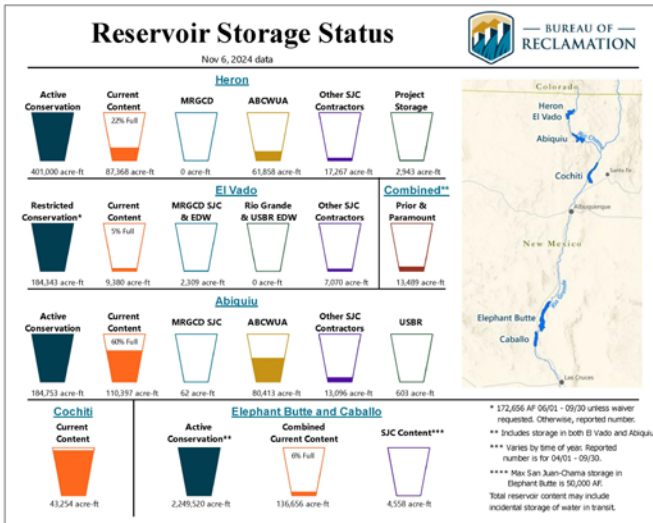
278
279 Director Duggins stated that he lives there and has not seen any maintenance for years.
280 He said the federal government needs to own it.

281
282 Ms. Faler clarified Director Duggins was speaking about the River Mile 60 area, and said
283 they have adaptive management and are pushing the envelope as hard as they can with
284 these environmental compliance laws to use the adaptive management process to get
285 as much of that water in the channel as they can. She noted that will require more
286 monitoring to make sure they are not causing harm to the marsh. She explained that
287 BOR is given a budget by Congress to do the job they need done, but it is not enough to
288 do everything that everybody wants them to do every year.

289
290 Chairman Kelly stated the Bureau's most important mission in the Middle Rio Grande is
291 Compact compliance and not ESA issues, because if they do not have enough water to
292 go through the system, there is nothing for any other incidental uses.

293
294 Ms. Faler expressed that not addressing ESA issues would take them to litigation where
295 a judge would decide where the water goes, which usually results in a lot of farmers
296 losing entire farms when a judge weighs in on how to use the water. Therefore, if they
297 are not complying with the ESA, they will end up losing more water because the judge
298 will take it from you.

299
300 Chairman Kelly understood that but said that none of the good work they are doing with
301 El Vado reconfiguration and storage in Abiquiu means nothing until they get into
302 Compact compliance.



MRGCD BOARD MEETING (11-12-2024)

1. Heron Summary

Content: 87,200 ac-ft (11/12/24)
Azotea tunnel: 0 cfs
Total SJC inflow year-to-11/6/24: 73,600 ac-ft
Currently releasing: 40 cfs
Current MRGCD storage: 0 ac-ft

2. El Vado Summary

Total storage (all contractors and natural): 9,436 ac-ft (11/12/24)
Native in El Vado: 0 ac-ft
MRGCD's SJC storage in El Vado: 2,309 ac-ft
P & P: 0 ac-ft
Other SJC contractors: 7,127 ac-ft
Current release is 100 cfs RG inflow is 25-45 cfs

3. Storage in Abiquiu

Content: 111,178 ac-ft (11/12/24)
MRGCD's SJC storage: 62 ac-ft
P&P: 13,489 ac-ft

Total supplemental water released in 2024: 9,761 ac-ft

Total Precipitation/Snow Water Equivalent at SnowTel Sites as of 11/12/2024 (% of median)

*Beginning of water year values may not be representative of actual conditions because of the limited data available.

Rio Chama Basin.....141% / 197%*
Upper Rio Grande Basin.....181% / 259%*
Sangre de Cristo Basin.....238% / 416%*
Jemez Basin.....221% / 1375%*
San Juan River Basin.....155% / 227%*

- The State of New Mexico expects their contractor to begin work in the Rio Chama channel below Abiquiu Dam this week. The channel may safely allow a release of about 500 cfs by early December.
- The El Vado "first fill" evaluation is under way. Depending on the results, a small amount of storage may be allowed in El Vado Reservoir in 2025.

b. Bureau of Indian Affairs - Patrick Taber, Acting Designated Engineer

Patrick Taber thanked MRGCD and staff for being observant and quick to resolve any issues or conflicts that have come up. He stated that while they are at the end of the season, work does not stop, and he has started the consultation process with the pueblos on the upcoming season. He shared that he has been having meetings with Mr. Zamora on some of the irrigation canals and issues on the pueblo lands for offseason maintenance. He did a comparison for this season compared to the last 5 to 10 years, and we came out in the middle as an average year.

Director Dunning asked if they have advertised the position for engineer.

Mr. Taber responded that they have sent that up to Human Resources and are awaiting processing, but he will maintain his position and assist with whatever happens moving forward.

Chairman Kelly asked if the 20,000-acre feet of water to be moved through this system is remaining P&P water.

Mr. Taber believe that, and said it looked like about 13,000 from the bucket chart.

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

a. Introduction of MRGCD New Hires

Ms. Nardi introduced the new hires in the General Office, including three new ISOs and a water resources specialist.

JACOB	CORONADO	IRRIGATION SYSTEMS OPERATOR	11/12/2024
WILLIAM	LUTHER	IRRIGATION SYSTEMS OPERATOR	11/12/2024
AMELIA	BARROW	WATER RESOURCES SPECIALIST	11/12/2024
RYAN	LOPEZ	IRRIGATION SYSTEMS OPERATOR	11/25/2024

b. Report on the AI Whisperer for Business Meeting, September 30, 2024

Ms. Nardi discussed the AI Whisperer, a machine-based system that can make predications, recommendations, and decisions for any given set of human defined objectives influencing real or virtual environments. The management team was afforded the opportunity to attend a presentation and training on AI from ePraxis LLC. She said the session marked a fundamental and important step for MRGCD towards integrating AI thoughtfully and responsibly into the District's operations that align with MRGCD's mission to enhance service to constituents while safeguarding the public's trust.

Mr. Casuga added that AI tools are beginning to integrate into many of the services they provide, but with technology comes a good understanding of how they should use it and rely on it. He said they felt compelled as a management team to make that training available to our supervisors and managers and create an AI use policy.

Ms. Fanelli expressed she is working with AI right now to input raw data and recreate a budget to actual, and eventually use it for financial statements.

c. Discussion of the AI Use in the Workplace Policy

Ms. Nardi voiced that because AI is powerful, they must be extremely cautious, prudent and responsible, so they are drafting an AI Use in the Workplace Policy that will outline guidelines and best practices for responsible use of AI within MRGCD, and will address compliance, ethical considerations, and data privacy. She said that before employees have access to the private ChatGPT, they must read and sign the acknowledgment stating they will comply and use AI responsibly. She explained that AI tools are designed to support but not replace decision making and employers are required to always review AI generated content carefully to ensure it meets our standards, is in the right context, and is professional. Employees are also required to protect confidential information to sure that no sensitive or confidential information is put into the AI system, unless allowed under the policy, including personal data, proprietary, MRGCD information, or trade secrets. Ms. Nardi noted employees will also be required to complete training sessions on how to effectively, safely, and ethically use AI.

Director Dunning asked if any employees have expressed fear about AI replacing jobs.

Ms. Nardi responded that no one has come to her with that, but with AI you still must have human oversight, so it will not take over any jobs.

Mr. Casuga explained AI has a lot of power and analytical ability but no wisdom and does not replace experience and knowledge.

Director Sandoval asked what the cost would be for a third-party training.

Ms. Nardi answered they do not know yet, but they are looking to do it virtually.

d. Consideration/Approval of the 2025 Holiday Schedule

Ms. Nardi presented the 2025 holiday schedule and asked for approval.

<u>HOLIDAY</u>	<u>APPROVED DATE</u>
New Year's Day	Wednesday, January 1
Martin Luther King, Jr.'s Birthday	Monday, January 20
Memorial Day	Monday, May 26
Independence Day	Friday, July 4
Labor Day	Monday, September 1
Veteran's Day (observed)	Tuesday, November 11
Thanksgiving Day	Thursday, November 27
Day after Thanksgiving Day	Friday, November 28
Christmas Day	Thursday, December 25
Day After Christmas Day	Friday, December 26

Director Russo Baca noted they did not include Indigenous Peoples Day on the schedule, as MRGCD Board meetings tend to fall on that day.

Ms. Nardi pointed out that they also offer two personal holidays that employees can use.

Director Russo Baca made the **MOTION TO APPROVE THE 2025 HOLIDAY SCHEDULE**. Seconded by Director Dunning. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 9- REPORT(S) FROM THE CHIEF PROCUREMENT OFFICER - Richard DeLoia

a. Consideration/Approval of Low Flow Conveyance Channel Maintenance Project Bid

Mr. DeLoia presented for the Low Flow Conveyance Channel Maintenance Project. MRGCD staff is requesting approval for the lowest bidder, CF Padilla, for \$4,957,030, with tax, as funded through the Office of the State Engineer. The award is recommended by Wilson & Company and bids were obtained through the request for bid process.

Mr. Casuga noted this is ARPA money that was given to MRGCD by legislative funding and that required additional steps to make sure they follow federal acquisition guidelines.

Chairman Kelly asked Mr. Perea if there was a unique geometry and site conditions to justify the price.

Mr. Perea responded that, yes, there is a lot of vegetation and obstacles with working around riprap within the channel.

Chairman Kelly asked Mr. Padilla if he is prepared to complete the project for the amount bid and the scheduled determined.

Mr. Padilla answered yes.

Director Jiron made the **MOTION TO AWARD THE BID TO CF PADILLA AT \$4,957,030 WITH TAX.** Seconded by Director Sandoval. The **MOTION CARRIED UNANIMOUSLY.**

Mr. Perea added they have a mandatory completion date of June 30, 2025.

Vice Chair Baugh asked if they would be addressing the big rocks down there that were causing sparks when they were mowing.

Mr. Perea stated that was a concern, and sparks have ignited a fire before, so they will try to stay 6 inches above the rock and mow it down, and then apply an herbicide to kill the vegetation, and then do dredging.

AGENDA ITEM NO. 10 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO – Pam Fanelli, CMA, CGFM

a. Announcement of the Water Trust Board Feeder No. 3 Project

Ms. Fanelli stated that the District submitted Resolution M-08-12-24-2012, asking the Board to approve an application to the Water Trust Board for the Feeder 3 Pump Station. They applied for a \$6 million grant/loan match. She said the Water Project Fund received 9% of senior severance tax bonds and a distribution from the Water Trust Fund. The estimate for the funding is \$125 million and applications submitted totaled \$256,000,000. She voiced the application was approved by the Water Trust Board for legislative authorization, meaning they are eligible for funding but not guaranteed to be approved. She noted they will start the readiness application process in December and submit the application in January, and they must meet regulatory compliance to move forward. They will most likely need to ask for a waiver for the Water Trust Board grant. The final award will be determined in April of 2025.

b. Report from the Finance Committee Meeting, November 12, 2024 - Madam Chair Russo Baca and Directors Kelly and Dunning

Chairman Kelly discussed the Finance Committee Meeting, where they looked at the five-year schedule for MRGCD to cover operational costs, major rehab, capital costs, and equipment. He said they finished Union negotiations that raises payroll by \$1,000,000 and are looking at an increase in the water service charge of \$8 next year to maintain a balanced budget without dipping in the contingency fund. He added that they need to do the five-year schedule to maintain the services they have.

Director Dunning added that a lot of the increase in the budget is in personnel and most of that is for employees that are directly responsible for delivering irrigation water. It seems this is the only fair with the large increase that we ask irrigators to pay for the part of that increase. She pointed out that our water delivery service rates are low compared to other irrigation districts in New Mexico.

Director Russo Baca added she as an irrigator herself and having an ad valorem tax, it seems that she is getting double hit, but she also has not had an AG exemption on her land, so she's not taxed at the same level due to that.

Mr. Casuga stated the CID is \$99.10 per acre and EBID is slightly higher than that. He noted that this does not get acted on until January.

Director Duggins voiced that he did not care what anyone else was paying, but what matters is what is right here. He said that farmers can't pay that and farming in the Middle Rio Grande is on the way out. He expressed that someone needs to wake up because the birds, critters, and everything that everyone loves is going too. He said they voted for an increase on water delivery charge last year and now they're adding another one again.

Ms. Fanelli explained that operational expenditures must be matched by operational revenues and their two main sources of revenues are ad valorem and water service charges. She said ad valorem cannot be increased until FY29, so they have no other choice but to raise the water service charges

Mr. Casuga said the money they are leveraging for infrastructure was allowing them to bring in grant award money, and close to zero of that money is allowed to be used for employee labor. Labor for the MRGCD right now has gone up and more than 50% of their budget is labor, and that is why they are starting this conversation early. He noted that as CEO he is open to ideas, and they have several months to have conversations about it.

Director Duggins asked what they were going to do when those grants dry up.

Mr. Casuga responded that they continue the program, He said although they may get shrunk, state and federal grants are not going away. He asked him to imagine what would happen to the South valley if the Atrisco Siphon went, or if there was a catastrophic failure of a diversion dam and they cannot take water out of Angostura for all of Albuquerque, or if there was a major break in the Albuquerque Main. He said that those are all projects that came up in the \$675 million. He said the District can choose not to increase the water service charge, but that will mean cuts and reductions from other services. He expressed that he is aware that it is a hard decision and a tough conversation.

Chairman Kelly suggested that Director Duggins come sit down with him and Ms. Fanelli one afternoon to go through some of the details.

Director Duggins responded that he has total faith in them but they're sending a death certificate to a lot of people, and the costs of these projects are mind blowing.

Director Dunning agreed with Director Duggins that in the future there will be less grant funding, but this is a big push that they are doing right now because of delayed maintenance and infrastructure. She explained that they have old infrastructure right now, but fixing updated and fixing those will save money in the long run.

AGENDA ITEM NO. 11 - REPORT(S) FROM THE CHIEF OPERATIONS OFFICER - Eric Zamora, PE

a. Update on the Off-season Winter Work

Mr. Zamora gave an update on the projects they will be working on in the offseason. He said they will begin in Cochiti division with installing a new weir at the Monica Heading to build a pool to keep the gate where it will not go into default mode. He discussed constructing a new check structure, and an NRCS grant was given to Santo Domingo Pueblo for the area where they installed new pipelines to better feed the pipeline with the new turnout, so they are installing a new check for them to allow more head pressure to move water more efficiently. He noted they will also be looking at some type of wildlife crossing, as wildlife has been getting stuck in the canal. Mr. Zamora talked about a lot of trees and limbs that went down during the recent snowfall, and they are still assessing

and having ISOs assess the damage. He expressed that one of the major projects will be the Bosque Lateral 2 Heading in South Bernalillo where they had a failure last year and did a quick patch, so a new heading needs to be installed. They will be replacing a new pipe behind the Bosque school. They will also be helping with installation of a new bridge that Corrales acquired for better access to the Bosque and safer access for hikers and equestrians. He discussed that they have about 3 miles of Highline Canal to reshape to its original cross section between Feeder 3 and Dump Road, which is part of their settlement on the project. He noted it is going to take a significant number of resources to reshape it and get it back to the original. He also discussed the Peralta Wasteway project, Algodones Road Crossing, and the check rehab project on the Socorro Main Canal. Mr. Zamora voiced they will be doing a lot of dredging throughout the District, vegetation removal, weed pile burning, and other things.

Director Jiron stated that at the September board meeting he was quick to make some judgments without doing research and checking what had already been done on certain projects, so he apologized for those quick judgments to Mr. Zamora and to other board members. He noted that he was at meetings with farmers down in Valencia that were asking about the offseason work, so Director Jiron asked what the appropriate way to put in work orders was.

Mr. Zamora responded that the appropriate way is to let the front office staff and Tyler know so they are entered and logged into the work order.

Mr. Casuga asked that if they make a call to ask for the service request number to get entered our system, so it is trackable.

Operations and Maintenance November 2024 Update; Off Season Work Bosque Cleanup



Cochiti Division



Monica Heading; new weir



Cochiti Main Canal; new crossing



552

**Sile Main Canal;
new check Sta 799+00**



Wildlife Crossing



553

Albuquerque Division



Bosque Lateral #2; new heading



554

**Corrales Riverside Drain; replace
culvert**



Corrales Pedestrian Bridge



555



Belen Division



556

Belen Highline Canal



Peralta Wasteway; Rubicon Project



Algodones Road Crossing



Socorro Division



Socorro Main; Check Rehab



Lemitar Wasteway; Turnout



Lemitar Wasteway; Turnout/Outlet



Questions

b. Homeless initiatives

Mr. Zamora gave an update on homelessness and camping issues in the Bosque and the Los Lunas area. He said they've issued 35 notices to campers in the area but did not proceed with any actions for a couple of weeks to give them a chance to gather their belongings. On July 6th, they started accumulating debris that they encountered and started hauling them off. To date, they have hauled off around 50 loads of debris from the Bosque. He stated they will continue clean-up efforts on November 18th and have reached out to multiple agencies to assist in issuing trespass notices.

Mr. Casuga stated that he presented at a conference about competing demands related to resources money and those kinds of things, and asked that representative Cates and others consider some of those initiatives that MRGCD does with that. He said that they grapple with the cost of doing this. He added that there is a small group of ratepayers and valorem payers that are paying a big bill along the corridor of the Rio Grande that the whole state benefits from. He voiced that this is a tough conversation that they need to have as a state. He added that the valley is huge and the people that live in the valley are not the only ones that that benefit from it, so others should contribute to the value.

Director Russo Baca suggested plugging in with the Breaking Bad habits campaign.

Mr. Zamora stated the last major effort they did was offer Valencia counseling services on site where they arranged transportation for people that wanted to come to the

facilities, but they did not have any takers. He said they understand that these are human beings and need to be sensitive to their situation, but they have given ample opportunity for them to stop breaking the law.

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

a. Report on the Action Number SPA-2024-00420; Corrales Acequia WOTUS - Jason M. Casuga

Mr. Casuga said they were copied on a letter from the Army Corps of Engineers and the language was quite shocking and has the potential to significantly affect the whole valley and how MRGCD can do business with them going forward. He expressed the Corrales Acequia is an irrigation canal which exhibits regular flow throughout the irrigation season and returns water to the Rio Grande and is considered Waters of the United States. He noted that the Corps is labeling our irrigation facility a jurisdictional waterway, which means it falls under needing 404 permits to do actions that would not be considered a germane action for operation and maintenance of our irrigation facilities. Therefore, many of our actions as MRGCD would be exempt if you applied an exemption, but projects like installing culverts for a family to get to their home would now be considered a primary roadway not needed for operation and maintenance, and they would need to get a 404 permit, and then have to apply to get a preconstruction notice to the Corps, meet with the Corps, and then submit an application and potentially have to wait 45 days to know if their process is a nationwide permit, so this has huge impacts. Mr. Casuga had a meeting with the Army Corps of engineers with the new Lieutenant and the Top Civilian, where he raised the issue and the impact of this. He said this would apply to every irrigation facility that runs through Pueblo land, roadways, utility lines, and anything not germane to irrigation. After meeting with the lieutenant and top civilian, he received an email that said they requested a second opinion from the geographic jurisdictional expert and a third opinion from a higher headquarters and they all agreed the Corrales Acequia is WOTUS, so the Corps is now doubling down on this. Mr. Casuga expressed that MRGCD could not protect the public from the Corps and there is nothing they can do if the Corps chooses to exert their authority on a project. And if that authority is not complied with, they have steep penalties they can apply to the public or to the governing agency. He said this is a big deal and it's going to hit us on major infrastructure projects coming forward. MRGCD will be informing local partners of new implications with the Corps determination while MRGCD figures out what we're going to do and what our response will be to this.

Director Dunning explained that there is a family in Corrales that was trying to get a culvert to get access to their property and now they cannot do it. She said they have been waiting a long time for the permit, so how are they accessing their property now?

Mr. Casuga explained that it is a culvert that serves families and a public road up until a certain point, where it then becomes a private road on the other side, so the village of Corrales was upgrading the public portion of the road. He said there was an existing crossing there, but he does not believe any longer, based on permitting requirements, the project will be constructed before the end of the season and does not believe any PCN request from the village has been submitted to the court yet. He said his expectation is that the project is probably now a next year thing.

b. **Report on the Off-season Capital Infrastructure Projects - Angelina Jiminez, Angel Madera Enriquez, and Matthew Chavez, Engineering Team**

Angelina Jiminez stated that the engineering team managed the completion of the first phase of the channel lining of the Socorro main canal last year, and this offseason they are continuing with the second phase of the project. She presented on the Bosque Lateral No. 1 Wasteway located in the Santa Ana Pueblo, which is a construction of a new channel alignment that will be able to divert flows from the Lateral to the Atrisco Feeder. The project was procured using the on-call contract and was awarded to Lopez Precision, LLC, and the project broke ground on July 24, 2024. She stated that the first phase of the project was able to be constructed before November for areas that would not interfere with regular irrigation operations. The first phase involved construction of the culvert pipe inlet section to allow flows into a sand pipe and into the Atrisco Feeder.

Angel Madera Enriquez presented on the Socorro Channel Lining Phase 2 that will be funded using Water Trust Board money that was provided to MRGCD for \$8.2 million to conduct Phase 1 and \$10 million for Phase 2 of the project. The project will improve efficiency by decreasing seepage losses in San Acacia. It is estimated that Phase 2 will have a channel lining of 1.9 miles, with 1.6 miles of that being concrete cabinets and concrete canvas, and the other 0.3 miles being shotcrete or traditional concrete. Procurement was done by the Wilson & Company and the project was awarded to Vital Consulting Group, with the final completion date of February 28, 2025. He presented on the Low Flow Conveyance Channel Maintenance Project that was funded by the federal passthrough from the OSE of \$6 million. The project consists of mowing, dredging, clearing, and grubbing of the Low Flow Conveyance Channel to get it back to its original capacity. The procurement was done by Wilson & Company and CF Padilla was awarded as the lowest bidder.

Matthew Chavez presented on the Las Cercas Pilot Project, which is located South of New Mexico 6 in Los Lunas, to improve water management and replace outdated gates with automatic gates from Rubicon that incorporate water measurement data. He noted that this project is MRGCD funded, at approximately \$99,433.31, and it was procured with the on-call contract awarded to Lopez Precision, LLC. They anticipate this project to be completed before irrigation season next year. He then presented on this Corrales Siphon Replacement. He expressed that the design and procurement phases were managed by Wilson & Company and the project is currently out for bidding.

Mr. Casuga noted that regarding the Corrales Siphon Replacement, they are having a difficult time finding a local GC to cover the overall project, because there are elements of general contracting and construction needed for it and a lot of people are busy, so an extension has been put out for the bidding process.

Director Dunning made the **MOTION TO EXTEND THE MEETING**. Seconded by Director Russo Baca. The **MOTION CARRIED UNANIMOUSLY**.

Mr. Madera presented on the Belen Highline Canal Overflow Structure, which is in Belen within the Highline Canal between stations 1274 and 1276. The project will consist of building an MRGCD overflow structure and it is currently in the bid process. Bohannon Huston is overseeing the design and procurement of this project, and the bid will take place on December 3rd.

Construction Update

2024-2025 Capital Projects
November 13, 2024

Presented by:
Engineering Department



Overview

1. Off-Season Construction Projects
 - A. Bosque Lateral No. 1 Wasteway
 - B. Socorro Main Canal Reconstruction Phase 2
 - C. Low Flow Conveyance Channel Maintenance
 - D. Las Cerezas Pilot Project (Rubicon Gates)
 - E. Corrales Siphon Replacement Project
 - F. Belen Highline Canal Overflow Structure 1 Project



Bosque Lateral No. 1 Wasteway \$546,343.85 MRGCD Funded

- A new wasteway alignment will be constructed to divert flows from the Bosque Lateral No. 1 to the Atrisco Fender.
- Procured with MRGCD's on-call contract and awarded to Lopez Precision LLC on 7/8/2024
- The first notice to proceed was given on 7/24/2024.
- Project expected to be completed by January 2025



Socorro Main Canal Channel Lining Project Phase 2 \$6,044,913.13 (Bid Amount) WTB

- Improving water efficiency by lowering seepage losses. Continuance of phase 1.
- Procurement and project management conducted by Wilson & Co.
- Contract awarded to Vital Consulting Group, given first notice to proceed on 10/2/24 for mobilization
- Second notice to proceed on 11/4/24 for construction
- Final completion expected on 2/28/25.



Low Flow Conveyance Channel Maintenance \$4,957,030.00 (Bid Amount) Federal Passed Through From OSE

- Channel O&M consisting of mowing, dredging, and grub clearing.
- Procurement conducted by Wilson & Co.
- Upon Board approval C.F. Padilla can be awarded the contract.
- The work schedule is dependent on the funding deadline in June 2025.



Las Cerezas Pilot Project (Rubicon Gates) \$99,433.31 MRGCD Funded

- Coordination with Water Ops to enhance water management by replacing outdated gates with automated control gates equipped with water measurement data.
- Procured with MRGCD's on-call contract and awarded to Lopez Precision LLC on 10/15/2024
- Realignment of the Las Cerezas heading upstream of the check structure.
- Estimated duration of 8 weeks for project completion.



Corrales Siphon Replacement Pending Procurement WTB

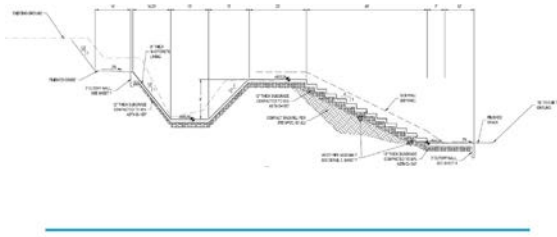
- Upon siphon failure, the selection alternative is a horizontal directional drill operation, which will convey irrigation across the river.
- Procurement services by Wilson & Co.
- Bid closing on 11/27/24, with Board Approval to follow in December 2024.
- Estimated 365 calendar days for construction.



Belen Highline Canal Overflow Structure Pending Procurement MRGCD Reserves

- Channel improvements, including overflow structures proposed for the Belen Highline
- Procurement conducted by Bohannon Huston
- Bid closing on 11/19/24, with Board Approval to follow in December 2024





c. Report on the BIA Right-of-Way Determination for the Corrales Siphon, October 17, 2024 - Jason M. Casuga, CE/CEO

Mr. Casuga noted he will combine 12(c) and 12(d) for this section. He stated they received a letter from BIA that found that MRGCD does not have a federally recognized Right-of-Way for the Corrales Siphon, and MRGCD respectfully disagrees. He said they have started having discussions with Sandia Pueblo on how to move forward and if there is a path forward. He stated that he, Director Russo Baca, and water counsel attended the Tribal Council Meeting where they began discussions on how to come to a reasonable solution to allow this project to go forward, and the substance of that should probably be reserved for executive session. He noted that the money to construct this project expires December 2025, but he believes there could be a path to an extension if they can already be in construction and spending the money.

d. Report on the Governor of Sandia's Review and Discussion on Irrigation with MRGCD, November 4, 2024 - Jason M. Casuga, CE/CEO and Chair Russo Baca

Mr. Casuga intertwined items c and d.

e. Report on the Agricultural Water Conservation Roundtable, October 18, 2024 - Jason M. Casuga, CE/CEO and Chair Russo Baca

Although Director Russo Baca did written reports, she mentioned that Damien Schiff, who presented at the NWRA conference was at the conference she attended in Memphis. He presented on the future for ag law, which she found very interesting.

f. Report on the National Water Resources Association (NWRA) Annual Conference and Leadership Forum, November 6-8, 2024 - Jason M. Casuga, CE/CEO, Eric Zamora, COO, Chair Russo Baca and Vice Chair Dunning

Mr. Casuga said that it was an interesting NWRA Conference, where they had a lawyer argue the second case before the Supreme Court on the Clean Water Act presenting there. He said they had multiple presentations on funding and a unique panel post-presidential election. He stated that from MRGCD's perspective, there was a lot of value that came out of this and there was a lot of networking. He noted that this was also where they heard the idea of a temporary O&M change the Reclamation could do to help expedite O&M updates while still receiving the 75% of their cost share money.

Director Russo Baca noted Damien Schiff, that presented at the NWRA conference, was also at the conference that she was just at in Memphis, where he gave a presentation on the future for Ag law attorneys. She said the NWRA Conference was great and gave a written report on it.

Director Dunning voiced it was one of the better NWRA Conferences she has attended, and it was important to be there and raise the issue about ditches being WOTUS to another group that will have their backs.

g. Announcement of MRGCD Closure to the Public on December 12, 2024 - Jason M. Casuga, CE/CEO

Mr. Casuga announced that their Centennial kickoff event is on December 12, 2024, and while MRGCD will be open, the offices throughout the valley will be closed to the public. However, MRGCD will be available by phone in case of emergencies.

h. Information on Upcoming Events

1. **Latino Farmers & Ranchers Water is Life El Congreso 2024, November 20, 2024**
2. **Valencia County Famers & Irrigators Informational Meeting, November 21, 2024, Belen Public Library**
3. **MRGFCA Annual Breakfast, December 3, 2024 - Albuquerque Country Club**
4. **Colorado River Water Users Association (CRWUA) 2024 Conference, December 4-6, 2024 - Las Vegas, NV**
5. **Annual Irrigation Leaders Workshop, January 21-23, 2024 - Chandler, Arizona**

Mr. Casuga reported on the upcoming events.

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

AGENDA ITEM NO. 14 REPORT(S) FROM THE BOARD

- a. **Report on the NM Interstate Stream Commission Meeting, October 25, 2024 - Chair Russo Baca**
- b. **Report on the Valencia County Soil and Water Conservation District Aldo Leopold Festival, October 26, 2024 - Chair Russo Baca**
- c. **Report on the San Antonio Drainage Project, October 28, 2024 - Chair Russo Baca**
- d. **Report on the Irrigation Committee Meeting, October 28, 2024 - Directors Duggins, Jiron and Sandoval**

Director Jiron stated that Ms. Wiggins went over the comparative and negligence with them in New Mexico, and it was a good meeting. He said they received handouts for their gate policies and Right-of-Way policies, and overall, it was a very informative meeting.

- e. **Report on the Semester in the West Tour of Los Chavez Outfall Site, October 29, 2024 - Chair Russo Baca**
- f. **Report on the American Indian Law Center, Myka Curtis Interview regarding MRGCD, October 30, 2024 - Chair Russo Baca**

g. Report on the Centennial Committee Meeting, October 31, 2024 - Chair Russo Baca, Vice Chair Dunning and Director Baugh

Director Russo Baca said they finalized almost all the events and the only thing still up in the air was the venue for the anniversary film screening which is between three venues. She noted they are prioritizing parking availability as well as capacity.

h. Report on the Pre-NWRA Tour of MRGCD Facilities, November 5, 2024 - Chair Russo Baca

Refer to Appendix II for Director Russo Baca submitted written reports.

Vice Chair Baugh made the **MOTION TO APPROVE ALL THE REPORTS FROM THE BOARD.** Seconded by Director Jiron. The **MOTION CARRIED UNANIMOUSLY.**

Director Russo Baca made the **MOTION TO GO INTO EXECUTIVE SESSION AT 6:20PM.** Seconded by Director Dunning. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Director Sandoval	Yes	Director Russo Baca	Yes
Chairman Kelly	Yes	Director Dunning	Yes
Director Jiron	Yes	Vice Chair Baugh	Yes
Director Duggins	Yes		

AGENDA ITEM NO. 15 EXECUTIVE SESSION (cont.)

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

Director Russo Baca made the **MOTION TO GO BACK INTO REGULAR SESSION AT 6:59PM.** Seconded by Director Dunning. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Director Sandoval	Yes	Director Russo Baca	Yes
Chairman Kelly	Yes	Director Dunning	Yes
Director Jiron	Yes	Vice Chair Baugh	Yes
Director Duggins	Yes		

With no further comments, questions, or concerns, Chairman Kelly adjourned the meeting at 6:59pm.

Approved to be the correct Minutes of the Board of Directors of November 13, 2024.

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary-Treasurer/CFO

John P. Kelly, Chairman
MRGCD Board of Directors

Elaine Hebard Public Comment 11-13-2024

Good afternoon.

I sent in my comments last month, due to the large number of folks signed up already. But I didn't see them in the minutes.

As such, I want to second the resolution of the South Valley Regional Association of Acequias. Repeating what I said in January, when I was interviewing to be a Director, there's no need to remind Board members and rate payers just how difficult the past few years have been in terms of meeting the water needs of all for whom the District is responsible. Lack of storage space in El Vado Reservoir will continue to make deliveries more vulnerable to the whims of Mother Nature, as we saw with the lack of a monsoon in 2023. Compact debts will continue to drive timing of releases of what water is in storage, that and compliance with ESA requirements. Already-declining river flows will continue to decline due to climate changes, not to mention that increasing temperatures will result in increased demands. Increased groundwater pumping to meet those demands will result in additional declining river flows.

Such concerns would seem to be overwhelming in and of themselves, but the difficulties don't stop there. For decades, we in the middle Rio Grande have been consuming more water than is renewably supplied, making up the difference with groundwater. As an invisible deficit, consequences of living beyond our means may not show up by any specific date.

A major trigger to the litigation with Texas was that our State had permitted too many ground-water uses, which use in turn drew down river flows. In the LRG, the State is encouraging a reduction of surface uses --so as to make deliveries now-- but ultimately depletions will have to be permanently reduced. Which means that groundwater pumping will need to be reduced.

The LRG will be keeping a closer eye on the deliveries to the Butte from the MRG. Since our region has been under-delivering for years, there is no option but to reduce depletions here.

And yet we keep adding more. Consider the Maxeon application -- initially 5,600 af per year (to be reduced to approximately 560 af per year) of fresh water. Niagara Bottling requested permission to triple its pumping, relying on leased water rights from PNM. We continue to act as if there will be new fonts of water to bail us out.

Much of those new users are relying on a system of paper water permits, which when used, will ultimately require wet water rights to offset the subsequent depletions. That's on top of vested water rights, awarded by the SE to urban areas and ESA requirements and water bank demands. There is no way to serve all of the needs of the users, keep a flowing river and deliver what is required to the lower part of the State and to Texas.

The MRG is in trouble. Depletions must be reduced. That's why I would urge the MRGCD to

1. As part of a reduction in depletions program, request the SE to require an offset for vested rights in the MRG for depletions appearing subsequent to 1907.
2. As part of a reduction in depletions program, request the SE to recall a substantial portion of the unused outstanding paper water permits.
3. In preparation for the upcoming Regional Water Planning effort, request that the Water Resources Board of the Middle Rio Grande Council of Governments to either fund a regional water model which includes depletions and is spatially based, and/or make a request for funding from the legislature for such a model.

Thank you.

Report on Agricultural Water Conservation Roundtable October 18, 2024

Jason Casuga and Eric Zamora also attended. This event was hosted by the Office of the Governor of NM, the New Mexico Department of Agriculture, and the New Mexico Interstate Stream Commission and Office of the State Engineer. This was a roundtable discussion among agricultural producers on Friday, October 18 in Socorro to provide input on strategies to enable implementation of the Governor's 50-Year Water Action Plan to ensure agricultural communities can continue to thrive in the context of a hotter, drier future that is predicted for New Mexico.

Report on NM Interstate Stream Commission Meeting, October 25, 2024

The NMISC requested the Commission approval to enter into a financial assistance agreement with the United States of America Department of the Interior, Bureau of Reclamation for the NMISC to be the recipient of Inflation Reduction Act (IRA) funding in the amount of \$65 million for the implementation of water conservation and ecosystem restoration projects in the Rio Grande Project area and Middle Rio Grande Endangered Species Act water acquisition, delivery, and habitat initiatives.

Report on The VCSWCD Aldo Leopold Festival, October 26, 2024

The VCSWCD hosted a free family event where Steve Morgan gave a talk in the persona of Aldo Leopold on the Kandy Cordova Trail, there were activities for the kids including pumpkin painting. The VCSWCD partners with MRGCD on conservation programs.

Report on the San Antonio Drainage Project October 28, 2024- Socorro

Jason Casuga and Eric Zamora and Director Duggins are also attending this meeting. It was in reference to the San Antonio Drainage Project that is to be tied into MRGCD facilities through a license agreement. This meeting was to go over that Socorro County will ensure that the engineering meets MRGCDs standards under the licensing agreement.

Report on the Semester in the West Tour of Los Chavez Outfall Site, October 29, 2024

Casey Ish presented to the Whitman College Semester in the West students, and we toured the Los Chavez Outfall Site and visited the Rio Grande River where we saw beaver habitat and spoke about the impact of the MRGCD outfall projects in this area. The students were extremely engaged and asked questions about MRGCD and the bosque.



Report on the Meeting with AILC, Myka Curtis regarding MRGCD, October 30, 2024

This interview was to describe how MRGCD works with and coordinates with tribal governments for a presentation. I explained how MRGCD is an organization that operates, maintains, and manages irrigation, drainage, and river flood control in the Middle Rio Grande Valley. MRGCD delivers water to six Pueblos that reside along the Middle Rio Grande: Cochiti Pueblos, San Felipe Pueblos, Isleta Pueblo, Sandia Pueblo, Santa Ana Pueblo, and Santo Domingo Pueblo. The MRGCD has an operation and maintenance agreement with the Pueblos through the BIA. There is a Designated Engineer that represents the Pueblos interests and works with MRGCD to ensure the O&M agreement is fulfilled.

Report on the Centennial Committee Meeting, October 31, 2024

At this meeting, there was an update on the new MRGCD logo for the centennial. The events for the upcoming centennial were confirmed, although the final details of the MRGCD film screening have to be finalized based on availability of venues. The board and executive staff have decided to donate personal funds to the staff appreciation luncheon for door prizes.

Report on the Governor of Sandia's Review and Discussion on Irrigation with MRGCD, November 4, 2024

Jason Casuga, legal counsel, and I presented to the Pueblo of Sandia Tribal Council regarding the letter that MRGCD sent to the Governor of Sandia about the Corrales Siphon about the response letter from the Bureau of Indian Affairs about the status of the Right-of-way for the Corrales siphon.

Report on the Pre-NWRA Tour of MRGCD Facilities, November 5, 2024

MRGCD staff gave a tour to some of the NWRA attendees, the Isleta Diversion Dam as well as the New Belen Outfall Site. Most of the attendees were from out of town and had never visited the facilities before. The first stop was at the Isleta Diversion Dam. Matt Martinez and Anne Marken gave a presentation on the history of the dam. The tour continued on to Belen where another presentation was given and then the attendees walked down to the Rio Grande through the bosque.

Report on the NWRA Annual Conference and Leadership Forum, November 6-8

Jason Casuga, Casey Ish, Anne Marken, Amanda Molina, and Vice Chair Dunning were also in attendance. NWRA is the National Water Resources Association, and this was the 93rd annual conference and leadership forum. On Thursday Jason Casuga presented on a panel of Top New Mexico Issues with Tanya Trujillo, Deputy State Engineer and Senior Water Policy Advisor to the Governor and Mark Kelly, Water Resource and Conservation Program Manager for the Albuquerque Bernalillo County Water Utility Authority. Additionally, MRGCD met with Wayne Pullman, the Upper Colorado Basin Regional Director for the Bureau of Reclamation. Topics discussed included El Vado reservoir, River Mile 60 Outfall, and the Abiquiu Storage Agreement.

Report on the Finance Committee Meeting, November 12, 2024

Ad Valorem Assessments- Ad Valorem Assessments include an assumption that valuations will increase by 3.3% in FY 2026- FY 2029. FY 2025 budget was based on an analysis of the notices of values multiplied by the mill rate less allowances for protest and delinquencies. **Water Service Charge Revenue -** Contemplation of increase of water service charge by \$8 per acre in FY 26 and \$8 per acre in FY 27 and 3% in FY 28 & FY29. **Project Revenue Federal-** for the BIA is based on the "in Lieu of Ad Valorem" and WSC method. The actual amount will depend on the amount approved by congress. Please refer to the BIA Revenue Analysis for the details. Investment income is currently being reinvested.



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: December 5, 2024

RE: M.R.G.C.D. Executed Licenses for November 2024

1. 049-2024 – Special Use License with Sunshine Plumbing to install a stormwater discharge per MRGCD license 162-2022 within the Corrales Acequia right-of-way.
2. 067-2024 – Special Use License with Desert Fox, LLC to reconstruct the southeast Los Lentes Road for .83 miles including multi use trail, drainage, lighting, and related improvements within the Huning Lateral right-of-way.
3. 078-2024 – License with Vexus Fiber to install and maintain a buried utility line within the Griegos Interior Drain right-of-way.
4. 207-2024 – Special Use License with LAV Construction and Septic LTD to install a 72" Ø X 60' culvert crossing with rip rap channel lining within the Las Nutrias Interior Drain right-of-way.
5. 217-2024 – License with City of Belen to install and maintain road improvements within the Belen Highline Canal right-of-way.
6. 279-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Peralta Acequia right-of-way.
7. 281-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Middle Upper Acequia right-of-way.
8. 283-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing with the Hell Canyon Lateral right-of-way.
9. 284-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Tome Interior Drain right-of-way.
10. 286-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Chical Lateral right-of-way.
11. 290-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Chical Lateral right-of-way.
12. 292-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Valencia Acequia right-of-way.

13. 293-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Valencia Interior Drain right-of-way.
14. 294-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Las Cercas Acequia right-of-way.
15. 295-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the Peralta Main Canal right-of-way.
16. 297-2024 – License with Vero Fiber Networks, LLC to install and maintain a buried utility crossing within the San Fernandez Lateral No. 2 right-of-way.
17. 299-2024 – License with the Town of Peralta to install and maintain an arc pipe 142” X 91” Ø X 50’ or equivalent to a 10’ Ø culvert crossing within the Peralta Main Canal right-of-way.
18. 324-2024 – License with Public Service Company of New Mexico to install and maintain an aerial utility crossing within the New Belen Acequia right-of-way.
19. 325-2024 – Special Use License with FNF Construction, Inc. to install a 60” Ø culvert crossing extension per the old highway 44 rehabilitation project – phase II within the Albuquerque Main Canal and Ranchitos Interior Drain right-of-way.
20. 328-2024 – Special Use License with Wilson & Company, Inc. to evaluate the existing crossings using ground penetrating radar and subsurface investigation including CCTV per the Bernalillo County Isleta Blvd. Corridor Project No. TS.2019.ISLETA CN C3193282 and BCPWD project case No. PWCO2021-00XX.
21. 343-2024 – License with Public Service Company of New Mexico to install and maintain an aerial utility crossing within the Isleta Interior Drain right-of-way.
22. 358-2024 – Special Use License with BCD Racing to conduct a mountain bike race series to occur on multiple dates between 11/23/24 and 12/31/24 within the Gun Club Lateral right-of-way.
23. 359-2024 – Special Use License with LAV Septic, LTD to install a 83” Ø X 57” culvert crossing with concrete slope protection within the New Belen Acequia right-of-way.
24. 372-2024 – Special Use License with Sandia View Academy to conduct the Sandia View Academy Community Fun Run within the Corrales Acequia right-of-way.
25. 374-2024 – Special Use License with Wilson Construction Co. to install a 40’ pole and 68’ pole of #2 secondary triplex within the New Belen Acequia right-of-way.



MIDDLE RIO GRANDE CONSERVANCY DISTRICT **GENERATIVE ARTIFICIAL INTELLIGENCE (AI) USE** **IN THE WORKPLACE POLICY** **October 2024**

Purpose

The purpose of this policy is to establish guidelines for the appropriate use of artificial intelligence (AI) in the workplace, including the use of Generative AI (Gen AI) and Algorithmic AI (AAI) tools, defined below. This policy aims to ensure that AI technology is used to enhance productivity, efficiency, and decision-making while complying with applicable law and respecting privacy, confidentiality, and data security. It is designed to ensure that AI enhances productivity and service delivery while maintaining compliance with local, state, and federal regulations, including those on data privacy, security, and ethical standards. All MRGCD employees are required to comply with this policy.

Scope

This Policy applies to all MRGCD employees in the course of their employment when using AI systems and tools for authorized business purposes within MRGCD including, but not limited to, machine learning, natural language processing, and computer vision. It covers AI use for decision-making, data processing, automation of workflows, and any other application of AI technology in the workplace, including while working with co-workers, MRGCD constituents, third party vendors and outside contractors.

Definitions Related to AI

The following terms related to Artificial Intelligence (AI) are defined to help ensure a common understanding among all employees:

- **Artificial Intelligence (AI):** A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments. AI systems use machine and human-based inputs to perceive real and virtual environments and use model inference to formulate options for information or action.
- **Algorithmic AI (AA):** A technology that analyzes data with machine-learning algorithms and can make decisions or predictions based on the data.
- **Algorithm Bias (AI Bias):** The tendency for AI algorithms to exhibit bias or discrimination based on factors such as race, gender, and socioeconomic status due to the data used to train them.
- **AI Tool:** Any app, software, or system that can independently change its own

analytical methods and utilizes artificial intelligence (including Generative and Algorithmic AI), machine learning, or other advanced algorithms to perform tasks, analyze data, or make (or assist in making) decisions. AI Tools may use Gen AI, AAI, or both.

- Generative AI Systems (Gen AI): The class of AI models that emulate the structure and characteristics of input data to generate derived synthetic content. This can include images, videos, audio, text, and other digital content.
- Chatbot: An AI-powered software program that can simulate human conversations, often used to answer common questions or guide employees through processes.
- Computer vision: A field of AI using machine learning models that allows computers to interpret and understand visual data, such as images and videos.
- Sentiment Analysis: The use of AI to analyze text and identify the emotional tone behind it, such as gauging a person's satisfaction or sentiment from surveys.
- Anonymization: A process where personally identifiable information (PII) is removed from data to protect privacy, ensuring that individuals cannot be identified through the data used by AI systems.
- Data Encryption: The method of converting information into a code to prevent unauthorized access, crucial for safeguarding data used in AI systems.
- Human Oversight: The practice of involving human review and decision-making in AI-driven processes to ensure accountability and fairness.
- Compliance: Adherence to local, state, and federal laws, as well as organizational policies, particularly concerning data privacy, security, and anti-discrimination.
- Machine Learning (ML): A subset of AI that enables systems to learn from and make decisions based on data, improving performance over time without being explicitly programmed.
- Audit Log: A detailed record of all interactions or decisions made by AI tools, used for monitoring and reviewing AI systems
- Automation: The use of technology to perform tasks without human intervention, often applied to repetitive tasks such as payroll processing, resume screening, or benefits administration.
- Natural Language Processing (NLP): A field of AI that allows computers to understand, interpret, and generate human language, such as AI chatbots that can answer questions.
- Predictive Analytics: The use of historical data and machine learning techniques to make informed predictions about future events.

- Personal information: Includes, but is not limited to, any person's name, date of birth, social security number, other unique number identifiers, home or work address, emergency contact information, other co-workers' names, phone number, picture, image, or video of a person.

Compliance with Related Policies

Other MRGCD policies, practices and procedures may affect or relate to an employee's use of AI Tools and must continue to be followed. These include but are not limited to the following:

- MRGCD Personnel Policy 10.19 Code of Conduct
- MRGCD Personnel Policy 6.6 Workplace Harassment
- MRGCD Personnel Policy 6.8 Information Systems
- MRGCD Personnel Policy 10.22 Confidentiality
- HIPAA privacy practices for protection of Employee Private Health Information (PHI)
- Third Party Contractor and Vendor Agreements

Ethical Use of AI Tools

All MRGCD employees must adhere to the highest ethical standards when using AI systems and tools. AI should be used to augment human judgment, not replace it. Specific ethical principles include:

- Fairness and Non-discrimination: AI tools must not be used in ways that unfairly disadvantage individuals based on race, gender, age, disability, or other protected characteristics.
- Transparency: Employees should clearly communicate to the public and other stakeholders when AI tools are being used and how decisions are being made.
- Accountability: AI-driven decisions must be traceable to ensure there is accountability for outcomes, and employees must be able to justify the use of AI tools in decision-making processes.

Guidelines for Using AI Systems and Tools

This policy applies when employees use AI tools to perform, or assist in the performance of, any work-related activities without regard to the location of the employee at the time they use the AI tools, or whether the employee operates the AI tools on MRGCD-issued equipment and systems, on the employees' personal devices, or on third-party electronic devices.

Employees should only use the AI tools in circumstances when they enhance or assist the employee in performing their job-related tasks by enhancing productivity, efficiency, and decision-making. For example, AI tools can be helpful aids in sorting, ranking, and evaluating large quantities of documents and information. AI tools employing Gen AI can prepare first drafts of standard correspondence and documents, as well as for creating simple outlines.

AI tools may produce erroneous or nonsensical information or results that are not real, do not match any data the algorithm has been trained on, or do not follow any other discernible pattern. In addition, the results may reflect biased or incomplete data sets on which they were trained. AI tools should not be used blindly for decision making and/or the creation of content and should never be relied upon for important inquiries. When employees use AI tools to assist in their performance of job-related responsibilities, the MRGCD expects employees to recognize the limitations of the tools they are using, avoid over-reliance on such tools, carefully review output for errors, and remain vigilant to identify potentially erroneous, incomplete, or otherwise problematic output.

When using AI tools in the workplace, MRGCD employees should only use MRGCD approved AI tools. See Exhibit A for a list of which AI Systems and tools are approved for use.

Prior to using an AI tool for any-work related purpose, regardless of their location, that is not on the approved list (Exhibit A), or not specifically approved for use in their department and job classification or not approved for the task that an employee seeks to use the AI tool to perform, the employee must receive express written consent from their Division Manager, Human Resources Director and Systems Administrator. The requesting employee should be prepared to discuss the purpose, scope, and business justification of using the AI tool in question to complete a work-related task.

During working hours employees may only use AI tools for work-related purposes in accordance with this policy. If an employee uses AI tools for non-work-related purposes during working hours, they may be subject to appropriate disciplinary action, up to and including dismissal from employment.

No employee may use MRGCD AI tools for personnel decision-making purposes without the express written consent of their Division Manager.

Employees should only use AI systems and tools for their specific job functions.

Data Privacy and Security Protocols

AI tools often process sensitive data, and it is critical that they comply with local, state, and federal data protection regulations, including the New Mexico Data Breach Notification Act and applicable federal privacy laws (e.g., HIPAA, if relevant). Employees should follow guidelines specific to each AI tool when inputting sensitive and confidential data.

Specific protocols include:

- **Data Minimization:** Collect only the necessary data. AI systems and tools should only process the minimum amount of personal data necessary for their function. Employees should anonymize data wherever possible. If the AI system does not require the data to be linked to a specific individual, anonymizing or pseudonymizing data can minimize privacy risks.

- **Access Controls:** Access to AI system and any data processed by it should be restricted based on employee roles and responsibilities and is critical for maintaining data security, privacy and operational efficiency. Sensitive and confidential data should only be accessible to authorized personnel.
- **Data Encryption and Secure Storage:** Ensure that the AI system processes the data in ways that are essential only for its purpose, avoiding any extraneous use. All data processed by AI systems and tools must be encrypted both at rest and in transit. Secure storage protocols should be in place to ensure that data is not vulnerable to breaches.
- **Data Retention:** Restrict retention periods. Data used by AI systems and tools should not be stored longer than necessary. Retention policies should be aligned with the MRGCD's existing data retention policies. Keep personal data only for as long as it is necessary for the purpose it was collected, deleting it once it is no longer required.

Should MRGCD employees have another use for which AI may be valuable, employees should submit their requests to their Division Manager, Human Resources Director and Systems Administrator and receive permission in writing.

MRGCD employees should **not** have an expectation of privacy when using AI Tools in the workplace. MRGCD retains the right to monitor all employee use of AI Tools.

Additionally, the following rules and regulations will apply when using AI:

- Employees should log into AI tools with their District-provided email address.
- Employees should not enter any confidential information or trade secrets (including personal/proprietary information) into an AI tool unless approved in this policy or in writing by the employee's supervisor.
- Employees should not enter any offensive, discriminatory, or inappropriate content into an AI tool.
- Employees should closely review any output generated by the AI tool before using it or forwarding it to anyone else (whether internal or external to the MRGCD). This should include reviewing that AI has not generated any content in violation of the MRGCD's Harassment Policy, in violation of copyright law, and that no confidential information has been disclosed and that the information generated is accurate.
- Employees should allow the AI tool to track their prompt history. Prompt history should not be erased or tampered with.
- Employees should not use AI to conduct, engage in or solicit illegal activities.
- Employees should be aware of and respect copyright laws.
- Employees should not use AI solely to make employment decisions. This includes decisions regarding the hiring, discipline, suspension, termination, promotion, demotion or salary increase/decrease of employees. AI should not be used solely to evaluate employees or conduct performance reviews.
- Employees should not input personal information into AI, whether it's their own or that of a co-worker, constituent or vendor, unless allowed by the data security policy applicable to that specific tool.
- Employees should not represent AI work as their own.
- All data entered by employees is subject to review to ensure compliance with this

policy.

Mandatory Training

MRGCD will provide training opportunities either in-house or through a third-party vendor, to help employees understand AI Tools, the potential benefits and risks associated with using AI tools as well as on the operation and use of approved AI tools under this Policy.

Employees using AI must comply with any associated training requirements (e.g., attendance and satisfaction of certain skills assessments) before they can access and use AI tools for work-related purposes. Employees who do not attend the required training courses will not be permitted to use AI tools.

Reporting Non-Compliance with This Policy

Employees who know of an actual or potential violation of this policy should immediately report such violation to their supervisor. This includes the following:

- Use of an AI tool that has not been approved for use according to this policy.
- Use of an AI tool for a task or project that is not authorized by this policy.
- Use of an AI tool that poses an identified, unaddressed security risk or contains any material defects or malicious code.
- Use of an AI tool that violates any other MRGCD policy.

MRGCD prohibits any form of discipline, intimidation, or retaliation for any good faith reporting of a violation of this policy.

Violations of this Policy

If it is determined that any employee has engaged in conduct in violation of this policy, they will be subject to discipline, up to and including, dismissal.

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Exhibit A

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The following is a list of AI Systems and tools which are approved for use.

257

- ChatGPT

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DRAFT



MEMORANDUM RIGHT-OF-WAY DEPARTMENT

F.Y.I.

TO: MRGCD Board of Directors

THRU: Eric Zamora, PE, COO

FROM: Michael Padilla, ROW Supervisor

DATE: December 5, 2024

RE: Recommendation; Proposed Land Sale; Harwood Lateral

Mr. David Stang submitted an application and the associated Land Sale Fees of \$250 on April 24, 2024, to purchase a 1301 SQ. FT \pm portion of the Harwood Lateral right-of-way located between Grecian Avenue NW and Guadalupe Trail NW (the "property"), described in the attached boundary survey plat. MRGCD staff determined that the property is eligible for sale per MRGCD Rule 21, *Land Sales Policy* (the "policy"); the property was not assigned to the Bureau of Reclamation (BOR), the property is not required for operations and maintenance of the Harwood Lateral, and we maintain a fee simple estate interest in the property. The Board affirmed these findings on November 13, 2023. The sale of the property was originally proposed as a path to resolution of the encroachment of a portion of a structure and a perimeter block wall from new construction on the adjacent Tract 16C. Mr. Stang is the current owner of this tract and the encroachments. The previous owners of Tract 16C were Dan and Christine Krupiak.

Per the policy, an updated survey of the property was acquired. Precision Surveys, Inc., completed and submitted a boundary survey plat, dated December 19, 2023. Mr. Stang has agreed to pay the invoiced cost of \$8,676.73 for this service. Per the policy, an appraisal of the property was acquired through Alfred Appraisal Group. Mr. Stang has agreed to pay the invoiced cost of \$4,315.00 for this service. The completed appraisal report was submitted to MRGCD staff on June 3, 2024, which concluded by the cost approach that the combined contributory value of the property, including the single-family residential improvements, rounded to \$78,000.

MRGCD staff notified Mr. Stang of this appraised value of the property and all remaining amounts due on July 18, 2024, Mr. Stang offered the MRGCD \$62,991.73 in November via email. MRGCD counter offered Mr. Stang's offer with \$70,000.00 with all fees included.

MRGCD Staff are now seeking Board approval to proceed with disposal of the property at the price of \$70,000, including the costs of the survey and appraisal.

Per the policy, since the property was valued at greater than \$25,000, the sale will require the approval of the Board of Finance of the Department of Finance and Administration of the State of New Mexico to proceed. Upon full payment of all amounts due, the property sold shall be conveyed by quitclaim deed. Mr. Stang may request the use of a title company at the time of closing, at his expense, per the policy.

Michael Padilla

Enclosed: Board Packet.



New Mexico Board of Finance

Submission Requirement Checklist

SALES, TRADES & DONATIONS OF REAL PROPERTY

This checklist is intended to assist public entities in complying with 1.5.23.9 NMAC and providing standard information and documentation needed for consideration. Please reference the rule in its entirety along with this checklist to ensure you are following all requirements.

[Click here for the full rule.](#)

REQUIRED ITEMS

- (1) This checklist once completed
- (2) All items and necessary attachments listed below

SEND REQUIRED ITEMS AS

One (1) bookmarked PDF file

To:

bof.administrator@dfa.nm.gov

Complete items below, as applicable, and prepare documents as needed.

ENTITY CONTACT INFORMATION

Submitted by _____ Date _____

Public Entity _____ Email address _____ Phone Number _____

Presenters _____ Title _____ Email _____

GENERAL PROPERTY INFORMATION

Location of the property _____

Square footage/acreage of property _____ How long has the entity owned the property? _____

Detailed description of the property _____

Has the entity made improvements to the property? ☐ Yes ☐ No

If yes:

When were the improvements made? ☐ Within last 10 years ☐ More than 10 years ago ☐ Both

Describe the improvements _____

Were state capital appropriations used to fund any improvements? ☐ Yes ☐ No

What was the amount of capital appropriations received and expended on the property, and when were the appropriations received? _____

SALE | TRADE | DONATION INFORMATION

Purchaser of the property _____

Reason the property is being sold, traded, or donated _____

Property/ Appraised Value _____ Appraisal Date _____

Sale Price _____

*If applicable

How were prospective purchasers/users notified? ☐ Real Estate Advertisement ☐ Bids ☐ Word of Mouth ☐ Other (describe) _____

How was the purchaser/user identified and selected? ☐ Competitive sealed bid ☐ Public auction ☐ Negotiation ☐ Other (describe) _____

What does the purchaser intend to use the property for? _____

Cost per square foot/acre or cost per acre foot of water rights (for both properties, if trade) _____

REQUIRED DOCUMENTS

All sales, trades, and donations

COVER LETTER addressed to the Director of the BOF describing the property, nature of the request, and other pertinent and detailed information that will provide staff a full picture of the request and proposed transaction.

UNSIGNED FORM OF QUITCLAIM DEED from public entity transferring title to purchaser and containing the legal description of the property (include any survey plat or other depiction of the property, as applicable, to identify any improvements, easements, or encroachments).

UNSIGNED SALE AGREEMENT (i.e., offer and acceptance, including all exhibits and attachments, if any). The agreement shall expressly state that the proposed sale, trade, or donation is subject to Board of Finance (BOF) approval.

SIGNED RESOLUTION or SIGNED MINUTES of the governing body authorizing the sale, trade, or donation, containing a provision making the sale, trade, or donation subject to approval by the BOF. It is recommended that the governing body/bodies delegate authority to revise the sale agreement as may be required by the BOF.

APPROVAL OF STATE ENGINEER for any transfer of water rights.

If purchaser/user is NOT another public body

CURRENT APPRAISAL by a certified appraiser. **Lease or other consideration for less than fair market value from a private entity is not permitted**, except as authorized by law (see 1.5.23.10(C) NMAC). All appraisals must:

- Have an effective date within one year of the date the application is submitted to the BOF for approval.
- List the BOF as an intended user of the appraisal.

REPORT OF TECHNICAL REVIEW from the Taxation and Revenue Department, Property Tax Division, on the appraised value (Property Tax Division Contact: NMTRD.Appraisals@state.nm.us).

Date of TRD Review _____

Note: For Appraisal guidelines, please see next page.

If entity disposing of property is a school district

EVIDENCE THAT ALL CHARTER SCHOOLS IN THE DISTRICT HAVE DECLINED THE USE OF THE BUILDING pursuant to 22-8B-4(F) NMSA 1978 or that the building does not meet Public School Capital Outlay Council occupancy standards.

CONTACT US

BOF.ADMINISTRATOR@STATE.NM.US

505 827 4980



NMTRD-Property Tax Division

Standard Appraisal Report Guidelines

- Appraisals requiring a Property Tax Division report of review should be emailed with a letter of engagement addressed to our Division Director to: NMTRD.Appraisals@state.nm.us
- Must be completed by a General Certified or Residential Certified Appraiser for residential property. 1.5.23 NMAC
- Must be completed by a General Certified Appraiser for commercial property. 1.5.23 NMAC
- Must name the governmental agency and the State Board of Finance, if applicable, as an intended user of the report.
- Must meet all requirements under the Uniform Standards of Professional Appraisal Practice (USPAP).
- Must meet all the requirements under the New Mexico Regulation and Licensing Laws.
- Must be a “current” appraisal as defined under 1.5.23.7.D NMAC if going before the State Board of Finance. (Within 1 year of the submission of the proposed transaction for Board approval)
- The effective date of value must not exceed 1 year from submission to PTD, unless the scope of work is to perform a retrospective appraisal.
- Must be an Appraisal Report as defined by USPAP for a sale or acquisition, may be an Appraisal Report or a Restricted Appraisal Report as defined by USPAP for leases. The appraisers workfile may be requested as part of the Property Tax Division review for Restricted Appraisal Reports.
- A market rent analysis to establish the fair market value for leasing property is an “appraisal” under USPAP and therefore must meet all the requirements under Standards 1 & 2 of USPAP.
- When the seller and buyer of a property are both government entities, neither an appraisal nor appraisal review by PTD is required per 1.5.23 NMAC but may be conducted to establish fair market value at the discretion of the government entities.
- The appraiser should be notified that any information submitted to the State Board of Finance is subject to inspection under the Inspection of Public Records Act, Section 14-2 NMSA 1978.

Note: When interviewing appraisers ask if they have the knowledge and experience to complete the assignment competently and if their appraisals have had any problems in the review process conducted by the Property Tax Division.

QUITCLAIM DEED

THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT, a political subdivision of the State of New Mexico, for consideration paid, quitclaims to: DAVID STANG, the following described real estate located in Bernalillo County, New Mexico:

MRGCD Map 32, within the Elena Gallegos Grant, Sec. 32, Twp. 11N Rng. 3E, N.M.P.M., Being identified as a portion of the Harwood Lateral Between Grecian Avenue and Guadalupe Trail N.W. containing 1301 Square Feet, and described on a Boundary Survey Plat filed in Bernalillo County on 12/05/2024, DOC# 2024086734.

SUBJECT TO ANY UNPAID AND FUTURE MIDDLE RIO GRANDE CONSERVANCY DISTRICT LIENS, ASSESSMENTS AND LEVIES, AND ANY EASEMENTS OR RIGHTS-OF-WAY OF SAID DISTRICT.

THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT HEREBY RESERVES ANY PRE-1907 WATER RIGHTS THAT MAY BE APPURTENANT TO THIS LAND.

WITNESS our hands and seal this _____ day of _____, 20____.

The Middle Rio Grande Conservancy District,
A Political Subdivision of the State of New Mexico

By: Jason M. Casuga, PE
CEO / Chief Engineer

By: John Kelly
President of MRGCD Board of Directors

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on _____, _____, by

_____.

Notary Public

My commission expires: _____

PURCHASE AGREEMENT

Middle Rio Grande Conservancy District, a political subdivision of the State of New Mexico, (the "Seller"), and David Stang (the "Buyer"), agree:

1. **Sale and Purchase of Property.** Seller will sell and transfer to Buyer at the time and date of closing (the "Closing") of the transaction (this "transaction") contemplated by this Agreement, and Buyer will buy and accept from Seller at Closing, subject to the terms and conditions of this Agreement, all of the right, title and interest of Seller in and to approximately ****1301 Square Feet ±, MRGCD Map 32, within the Elena Gallegos Grant, Sec. 32, Twp. 11N Rng. 3E, N.M.P.M., Being identified as a portion of the Harwood Lateral Between Grecian Avenue and Guadalupe Trail N.W. containing 1301 Square Feet, and described on a Boundary Survey Plat filed in Bernalillo County on 12/05/2024, DOC# 2024086734.*** within ***Bernalillo County***, New Mexico, records (the "Property") as shown on attached Survey, which shows an approximate configuration of the Property, outlined in red and marked "Subject Property."

2. **Purchase Price and Payment.** The purchase price for the Property is ****\$70,000.00 and no/100 Dollars*** (the "Purchase Price") subject to adjustments and plus or minus prorations (the "Prorations") as provided in this Agreement. The Purchase Price is payable to Seller at Closing, as follows:

3. **Prorations; Assessments; Utilities; and Closing Costs.** The ad valorem real estate taxes and any assessments on the Property ("Taxes"), for the year in which this transaction is closed, will be prorated to Closing between Seller and Buyer. Any fees assessed by the County of Bernalillo, New Mexico (the "County") will be prorated to Closing. Buyer will pay any special assessments outstanding at Closing for paving, curb, gutter, sidewalks, or other pro-rata charges for water, sewer or storm sewers. Buyer will pay any utility expansion charges for extension of water and sewer service inside the Property and any pro-rata hook-up charges for water and sewer. Buyer will pay closing costs (the "Closing Costs"), as follows:

A. Buyer will each pay all of any escrow charges and copy expense charged by the Title Company.

B. Buyer will pay the cost of the Survey (defined below) and the premium for the Title Commitment (defined below) and the Title Policy (defined below).

C. Buyer will pay the fee for recording the Quitclaim deed from Seller to Buyer.

D. Buyer will pay their respective lawyer fees for preparation of the documents necessary to close this transaction.

E. All other Closing Costs will be paid by Buyer as customarily charged in the County of Socorro, New Mexico.

4. **Assumption of Obligations.** If this transaction is closed, Buyer will be deemed to have assumed as of Closing, and will pay or perform when due, all of the following obligations (the "Assumed Obligations"):

A. Taxes. The Taxes for the year in which this transaction is closed and subsequent years, subject to the proration of the Taxes as provided in this Agreement.

B. Other Obligations. Any other obligations expressly assumed by Buyer in this Agreement or in any document signed by Buyer before or at Closing.

5. Non-Assumption of Obligations. Buyer will not assume, and Seller will remain obligated with respect to, all liabilities and obligations of, or incurred by, Seller, except for the Assumed Obligations.

6. Transfer of Possession and Risk of Loss. Buyer will take possession of the Property at Closing, and the risk of loss of the Property will be on Buyer until Closing and will be on Buyer after Closing.

7. Representations and Warranties of Seller. Seller warrants and represents to Buyer that the following are true and will be true at Closing:

A. Title to Property. Seller has and will have at Closing and will transfer to Buyer good and marketable fee simple record title to the Property, free from all liens, encumbrances, claims of third parties, conditions, covenants or agreements, clouds, restrictions, reservations, easements, lis pendens and Taxes (collectively, the "Liens") other than the following encumbrances (the "Permitted Encumbrances"): (i) patent reservations, other than reservations for oil, gas and other minerals, (ii) taxes for the year in which this transaction is closed and subsequent years, and (iii) any Liens that are waived by Buyer before or at Closing.

B. Claims. No suits are pending or, to the knowledge of Seller, are threatened against or relating to the Property in any court or before any governmental department or agency, and Seller does not know of any basis for any such suit.

C. Disclosure. No representation or warranty by Seller in this Agreement or in any statement furnished or to be furnished to Buyer by Seller as provided in this Agreement, or in connection with this transaction, contains or will contain any untrue statement of a material fact, or omits or will omit to state a material fact necessary to make the statements not misleading.

D. Condition of Property. Seller has no knowledge of any problems with the water drainage onto or from the Property.

E. Miscellaneous. No judgments [divorces], or bankruptcies exist against Seller; no unrecorded deeds or contracts affecting the Property exist; no repairs or improvements to the Property exist which have not been paid for; Seller knows of no defects in the title of Seller to the Property; Seller has been in undisputed possession of the Property.

F. Inspection of Assets. Any time before Closing and after receipt of reasonable notice from Buyer, Seller will give Buyer or the representatives of Buyer full access and right to inspect the Property.

8. Plat of Property. If required by the County of Valencia in connection with the proposed use by Buyer for the Property, Seller will prepare, at the expense of Buyer, and Buyer

will record a plat (the "Plat"), satisfactory to Seller, after the end of the Contingency Period and before Closing of this transaction (the "Plat Date"). The Plat will create a separate tract of the Property. The Plat will conform to all State and County plat requirements. Buyer will cooperate with Seller in the platting process.

9. Rezoning, Utilities, and Access. If required, at the expense of Buyer, will apply to the City or County to have the Property rezoned to allow the proposed use of Buyer for the Property. Buyer will cooperate in the rezoning process. At the expense of Buyer, will have obtained, or provided, before Closing (i) water, sewer, power, gas, telephone, storm sewer, and all other necessary utility extensions to the property line of the Property, sufficient to service the Property for the construction and proposed use of Buyer and (ii) paved access to the Property.

10. Conditions Precedent. All obligations of Buyer to close this transaction are subject to the fulfillment of each of the following conditions (the "Conditions Precedent") before or at Closing:

A. Representations and Warranties True at Closing. The representations and warranties of Seller as provided in this Agreement are true at Closing as though the representations and warranties were made at Closing.

B. Performance by Seller. Seller having performed and complied with all agreements and conditions of Seller as provided in this Agreement.

C. Approvals. The Conditions and the Title Commitment have been approved by, or objections to the Conditions and the Title Commitment waived by Buyer, as provided in this Agreement.

D. Buyer's Duties. Buyer will deliver to the Title Company for the benefit of Seller, effective as of Closing, in cash or by certified check an amount equal to the Balance of the Purchase Price and any Closing Costs required to be paid by Buyer, and the Title Company will immediately pay Seller the Purchase Price plus or minus (i) the Prorations, and (ii) any Closing Costs required to be paid by Buyer.

F. Buyer's Indemnity. Buyer will indemnify, defend and hold Seller harmless against:

(F1) All liabilities and obligations of Buyer and the agents or employees of Buyer, of any nature, whether accrued, absolute, contingent or otherwise arising out of (i) the ownership of the Property after Closing, or (ii) the failure of Buyer to pay or perform the Assumed Obligations after Closing.

(F2) Any damage or deficiency resulting from any misrepresentation, willful omission, breach of warranty, or nonfulfillment of any agreement on the part of Buyer as provided in this Agreement, or from any misrepresentation in or willful omission from any certificate or other instrument furnished or to be furnished by Buyer to Seller as provided in this Agreement.

(F3) All losses, including reasonable actual lawyers' fees and court costs, incurred or suffered by Buyer, incidental to any of the above matters.

11. General Provisions. For the purpose of this Agreement:

A. Use of "Will". "Will" is a mandatory word denoting an obligation to pay or perform.

B. Use of "May". "May" is a permissive word denoting an option.

C. Use of "Pronouns". All personal pronouns used in this Agreement, whether used in the masculine, feminine, or neuter gender, will include all other genders; the singular will include the plural and the plural will include the singular.

D. Use of "Including". "Including," when following any general statement, term or matter, will not be construed to limit the statement, term or matter to the specific items or matters as provided immediately following the word or to similar items or matters, whether or not non-limiting language (such as "without limitation," or "but not limited to," or words of similar import) is used with reference to the word or the similar items or matters, but rather will be deemed to refer to all other items or matters that could reasonably fall within the broadest possible scope of the general statement, term or matter.

E. Use of "Person". "Person" means an individual, a corporation, a partnership, a trust, an unincorporated organization or any agency or political subdivision thereof.

F. Use of "to the knowledge". "To the knowledge" or any similar phrase will be deemed to include the assurance that knowledge is based upon a reasonable investigation.

G. Expense. Any action, either required or optional, taken by the Buyer as provided in this Agreement, is taken at the expense of the actor unless otherwise specifically provided in this Agreement.

H. Approval. The response to any request for approval as provided in this Agreement will not be unreasonably or arbitrarily withheld, delayed or deferred.

I. Construction. The language used in this Agreement will be construed according to the fair and usual meaning of the language, and will not be strictly construed for or against either Seller or Buyer.

J. Postponement. The Closing of this transaction may be postponed only as provided in this Agreement or by written agreement of Seller and Buyer. If the date for the Closing as provided in this Agreement falls on, or immediately precedes, a Saturday, Sunday or federal legal holiday, the Closing will occur on the next regular business day.

K. Computation of Time. In computing any period of time by days as provided in this Agreement, the date of the act, event or default from which the designated period of time begins to run will not be included. The last day of the period so computed will be included unless

the day is a Saturday, Sunday or federal legal holiday, in which event the period will run until the end of the next regular business day which is not a Saturday, Sunday or federal legal holiday.

L. Notices. All notices, requests, demands, waivers and other communications given as provided in this Agreement will be in writing, and, unless otherwise specifically provided in this Agreement, will be deemed to have been given if delivered in person, or mailed by certified or registered mail, postage prepaid, and addressed to Seller or Buyer at the following addresses, unless either Buyer or Seller changes the address of Buyer or Seller by giving written notice of the change to the other. The addresses for notice are:

(1) Notice to Seller:

Middle Rio Grande Conservancy District
1931 Second Street SW
Albuquerque, NM 87102
With copy to:

Middle Rio Grande Conservancy District
PO BOX 581,
Albuquerque, NM 87103
Attention: Eric Zamora PE

(2) Notice to Buyer:

David Stang
7609 Northridge NE
Albuquerque, NM 87109

M. Waiver; Remedies. No waiver of any default as provided in this Agreement or delay or omission in exercising any right or power of Seller or Buyer will be considered a waiver of any other default as provided in this Agreement. No exercise or failure to exercise any right or power of Seller or Buyer as provided in this Agreement will be considered to exhaust that right or power. The exercise of or failure to exercise any one of the rights and remedies of Buyer or Seller as provided in this Agreement will not be deemed to be instead of, or a waiver of, any other right or remedy as provided in this Agreement. Buyer may waive any of the terms or conditions precedent to the obligations of Buyer as provided in this Agreement.

N. Time of Essence. Time is of the essence in the performance of all the terms of this Agreement.

O. Modification. This Agreement and any term as provided in this Agreement may be modified amended, discharged, charged, or waived only in writing signed by the party against which the enforcement of the modification, amendment, discharge, charge, or waiver is sought.

P. Binding Effect. This Agreement is binding upon, and inures to the benefit of, Buyer and Seller, their successors, assigns, transferees, heirs, devisees, surviving joint tenants, trustees and personal representatives.

Q. Entire Agreement. This Agreement constitutes the entire agreement of Buyer and Seller and supersedes all previous agreements, written or oral, between Buyer and Seller. No statement, promise, or inducement made by Buyer or Seller, or the agent of Buyer, or Seller, either written or oral, which is not provided in this Agreement, is binding upon Buyer or Seller.

R. Headings and Use of Terms. The section and paragraph headings to this Agreement are for convenience and reference only. The words as provided in the section and paragraph headings will not be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the terms of this Agreement. Terms defined in this Agreement have the meaning, designation, and significance ascribed to the terms defined in this Agreement.

S. Partial Invalidity. If any term of this Agreement, or the application of the term to any person or circumstance is, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term to persons or circumstances other than those as to which the term is held invalid or unenforceable, will not be affected by the application, and each term of this Agreement will be valid and be enforced to the fullest extent permitted by law.

T. Sections, Articles and Exhibits. All references in this Agreement to paragraphs, sections, articles, and exhibits will, unless otherwise indicated, be references to paragraphs, sections and articles of, and exhibits to, this Agreement.

U. Counterparts. This Agreement may be executed in two or more counterparts, each of which will be deemed an original agreement, but all of which together will constitute one and the same document.

V. Press Release Approval. Neither Buyer nor Seller, without the prior written approval of the other, will issue or disseminate or cause to be issued or disseminated to any newspaper or other communications media, any press release, notice, statement or other communication concerning the terms of this Agreement or the transaction contemplated by this Agreement, unless required by law or regulation of any public body.

W. Designation of Agent. Buyer designates DAVID STANG as the agent of Buyer for all purposes as provided in this Agreement, and the agent is authorized and empowered on behalf of Buyer to take all action, make all decisions, serve all notices and otherwise act on behalf of Buyer as provided in this Agreement. Seller designates Jason M. Casuga PM Chief Engineer/CEO as the agent for Seller for all purposes as provided in this Agreement, and the agent is authorized and empowered on behalf of Seller to take all action, make all decisions, serve all notices and otherwise act on behalf of Seller as provided in this Agreement. Either Seller or Buyer may change the designated agent of Seller or Buyer by giving notice of the change as provided in this Agreement.

X. Further Assurances. Seller and Buyer will, without additional consideration, execute and deliver any other documents and take any other action necessary or appropriate and reasonably requested by the other to carry out the intent and purpose of this Agreement.

Y. Lawyer's Fees. If a proceeding or suit is brought, or a lawyer is retained by Buyer, to enforce the terms of this Agreement or collect any sums due as provided in this Agreement or to collect money damages for breach of this Agreement, against the other, the prevailing party will be entitled to collect from the other reimbursement for the reasonable actual lawyer's fees and court costs in connection with the proceeding or suit.

Z. Governing Law. The validity, meaning and effect of this Agreement will be determined as provided by the law of the State of New Mexico applicable to agreements made and to be performed in the State of New Mexico.

12. Deadline for Execution: This Agreement must be executed and acknowledged before a notary public by Seller and an executed original of this Agreement must be returned to Buyer no later than 5:00 p.m., New Mexico time, on _____, 20__, or this Agreement and the offer of Buyer to buy as provided in this Agreement will terminate and become null and void, and any Earnest Money Deposit paid by Buyer will be paid to Buyer by the Title Company.

DATED: _____, 20__.

SELLER:

Middle Rio Grande Conservancy
District

By _____

Date Signed: _____, 20__

BUYER:

David Stang

By _____

Its _____

Date Signed: _____, 20__

ASSIGNMENT OF RIGHTS

Together with all the right, title and interest of Grantor forever in and to the benefit of all covenants of warranty, seisin, quiet enjoyment, and against encumbrances, and any claims based thereon, to which Grantor is or may be entitled by virtue of covenants in deeds given by prior grantors in the chain of title to the Property if any covenant of prior grantors was broken by the prior grantors.

GAP CLAUSE

Grantor, by this conveyance, intends to convey all of the property owned by Grantor within the Property, without any gap, or gaps, and no intervening space or spaces or other hiatus reserved by Grantor.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

LAND SALE APPLICATION

Please review MRGCD Rule 21 Land Sales Policy before submitting your application. If your request is approved, you will be instructed on next steps for completing the Land Sales process. Ongoing title transfer negotiations with Federal Government is limiting available lands for disposal. Applications will not be processed prior to payment of the \$250.00 application fee.

NOTE: The Middle Rio Grande Conservancy District will quitclaim deed property and does not make any warranties. The Quitclaim Deed will reserve all existing easements of the Middle Rio Grande Conservancy District which are necessary for its operations, and a reservation of any pre-1907 water rights.

Applicant Information

First Name	Last Name	
David	Stang	
Address		
7609 Northridge NE		
City	State	Zip
Albuquerque	NM	87109
Email	Phone	
Stangda@AOL.com	505-249-4777	

Description of Property to Be Purchased

MRGCD Map No.	Tract No.	Acres
# 32	16d / <i>Hardwood lateral</i>	1301 sq ft
Subdivision		
County		
BERNILLIO		

Have you ever been an employee of the Middle Rio Grande Conservancy District or do you hold title to any property in conjunction with a District employee?

☐ Yes ☒ No

If yes, explain: _____

Do you own or lease a combination thereof in excess of 160 acres of land subject to irrigation or will this purchase, if approved, give you more than 160 acres of land subject to irrigation?

☐ Yes ☒ No

If yes, explain: _____

Does the land to be purchased have legal access or have you received an easement or right-of-way which provides legal permanent access?

☒ Yes ☐ No

If yes, explain: it touches a public Road

Do you agree to have a survey of the property made by a registered Surveyor, if necessary, and to pay for the same with the understanding that you bear this cost whether or not the land is ultimately sold to you or anyone else?

☒ Yes ☐ No

If yes, explain: I will pay for

Do you agree to pay for an appraisal of the property by an Appraiser of the Middle Rio Grande Conservancy District's choice whether or not the land is ultimately sold to you or anyone else?

☒ Yes ☐ No

If yes, explain: I will pay for

I have read and fully understand the Land Sale Application and MRGCD Rule 21 Land Sale Policy and all statements made therein are true and correct.

David Stang

Print Name

David Stang

Signature

4-24-24

Date

Middle Rio Grande Conservancy District

RECEIPTS

Year/Bill	2024 30795	Payment	Effective Date	04/24/2024
Category	02 Misc Cash Receipts		Entry Date/Time	04/24/2024 13:28
Receipt	30795		Clerk	Estella
Amount	7750	250.00	Department	III0 ACCOUNTING
Batch	32369		Source	Payment Entry
Transaction			GL Eff. Date	04/24/2024
Customer			Posted Date	2024 10
Property Code			Yr/Per/Jnl	2024 10
Web Transaction? N			Batch Status:	In Proof/Initial
External Batch			Reversal Status:	Not Reversed
Reference			Reason	Voided? N
Receipt Comment	2024 LANDSALE APP FEE PD		Receipt Memo	STANGE DAVID

Seq.	Pmt. Method	Total Amount	Check/Card Applied Amount	Deposit	Paid By	Pay Date	Clear Date
------	-------------	--------------	---------------------------	---------	---------	----------	------------

1	CHECK	250.00	250.00	042424112		04/24/2024	
---	-------	--------	--------	-----------	--	------------	--

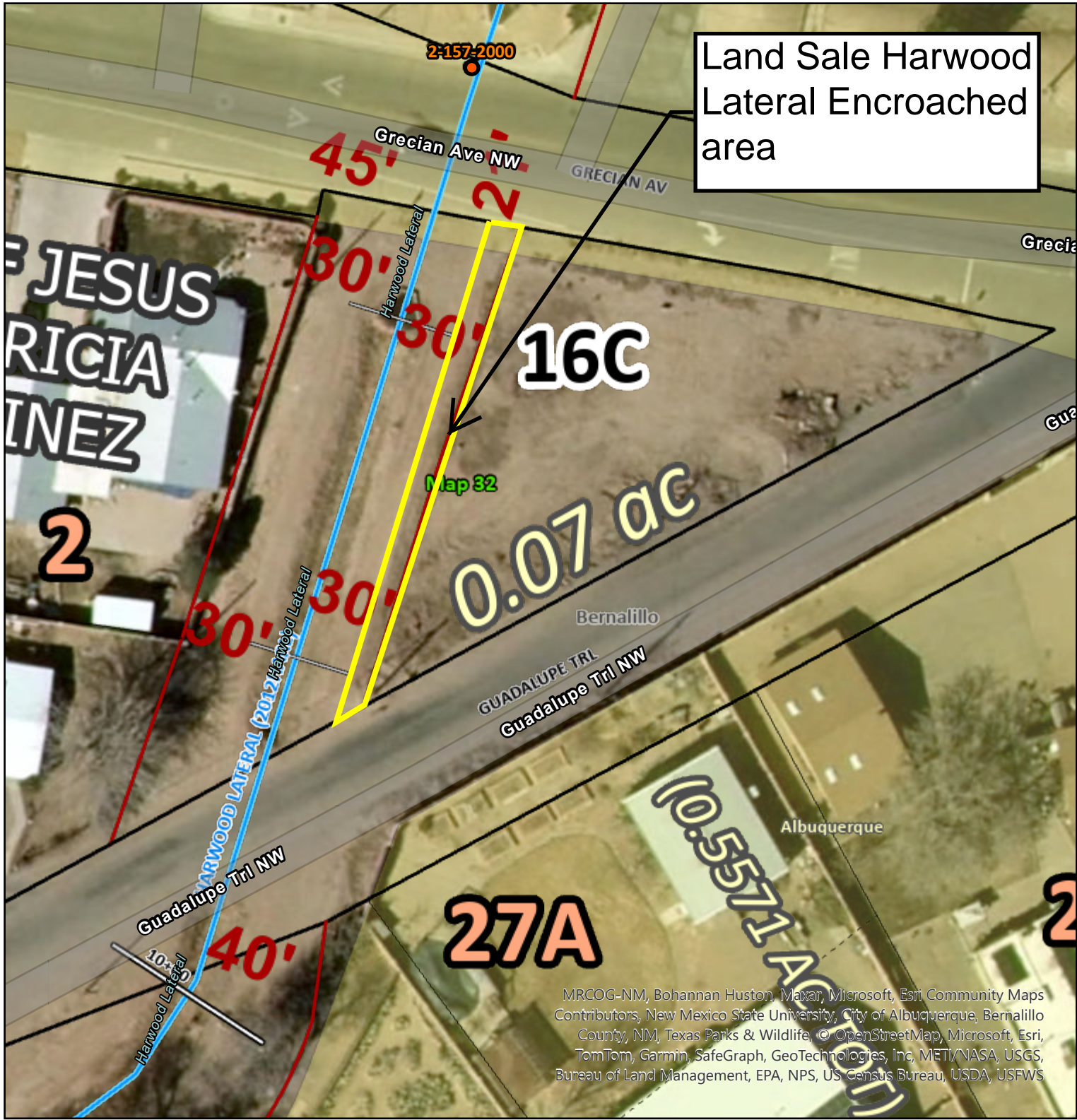
Line	Charge	Description	Principal Paid	Interest Paid
------	--------	-------------	----------------	---------------

1	10056	ADMINISTRATIVE APPLI	250.00	0.00
---	-------	----------------------	--------	------

Inst.	Principal Paid	Interest Paid
-------	----------------	---------------

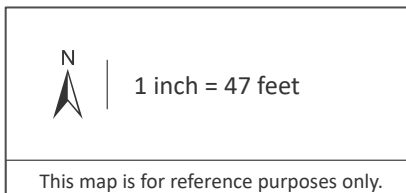
No Installment detail records exist.



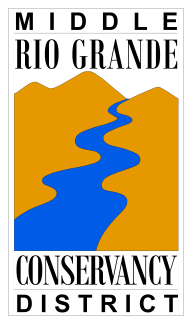
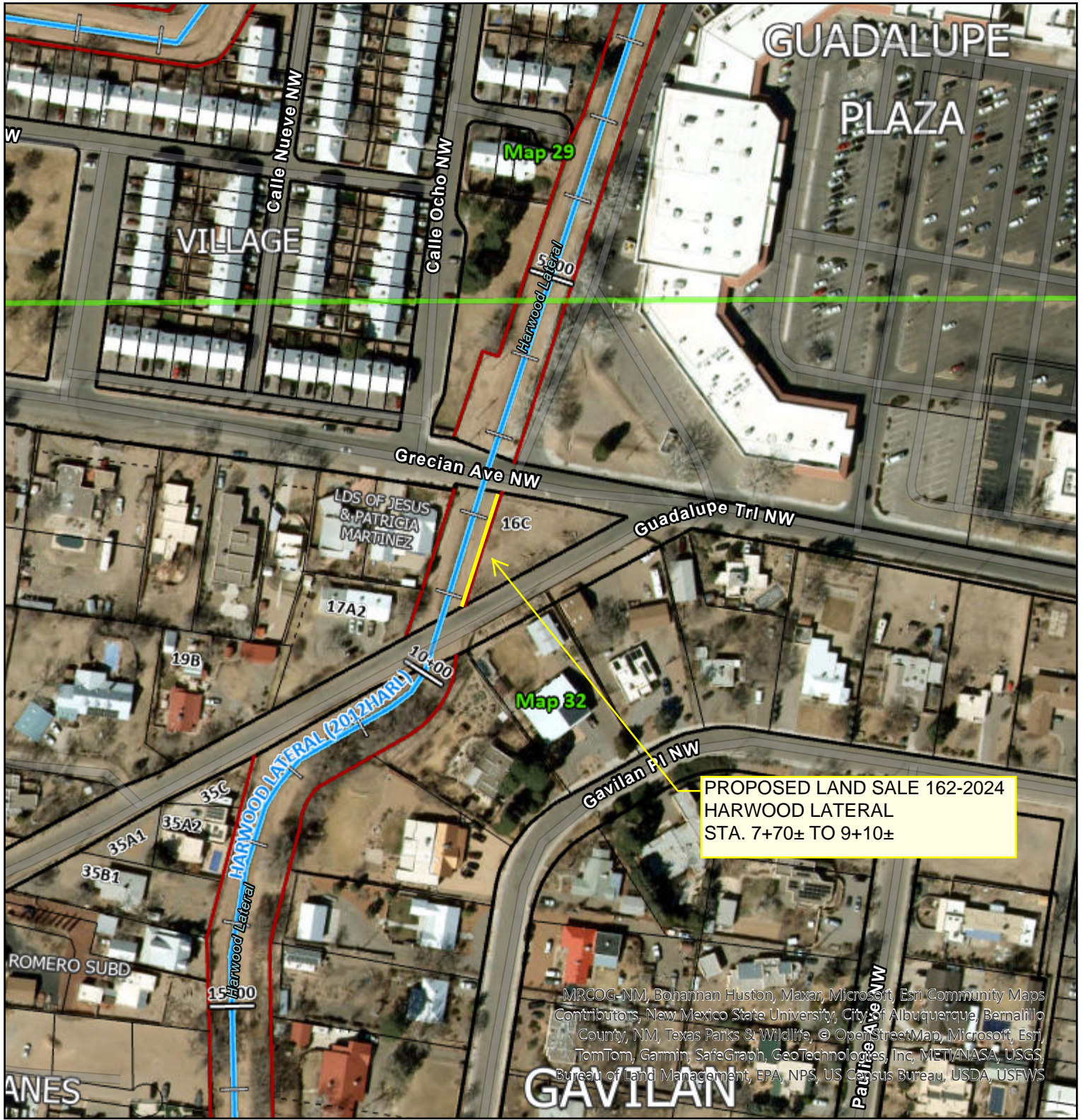


Date: 12/4/2024

Exhibit Map




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










Date: 7/22/2024

Exhibit Map



1 inch = 200 feet

This map is for reference purposes only.

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

1010 Gallegos 7220

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.

My Commission expires

Notary Public.

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.

Clerk and Ex-Officio Recorder.

By

Deputy.

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 Gallagos (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 Gallagos [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 day and year last above written.

Notary Public.

My Commission expires _____

A

71715

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.

Anna Hernandez
Clerk and Ex-Officio Recorder.

By

Deputy.



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 32. 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 ENCRORCHING BETWEEN 11 AND 15 FEET INTO THE EASTERLY PORTION 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 SHOWN 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.

[Signature]
LARRY W. MEDRANO
N.M.S. No. 11993
DATE: 12/04/24
DIGITAL SIGNATURE IS INVALID WITHOUT DIGITAL CERTIFICATION

REVISIONS		COORDINATE AND DIMENSION INFORMATION			
NO.	DATE	BY	DESCRIPTION	STATE PLANE ZONE	GRID GROUND COORDINATES
				NM-C	GRID
				NAD83	ABQ GEIOD
				NAVDS8	NAVDS8
				ALBUQUERQUE GEODETIC REFERENCE SYSTEM	
				COMBINED SCALE FACTOR:	
				GRID TO GROUND: 1.000317714	
				GROUND TO GRID: 0.999682387	
				DISTANCE ANNOTATION:	
				BEARING ANNOTATION:	
				GRID	

PROPERTY INFORMATION		PLSS INFORMATION		COORDINATE AND DIMENSION INFORMATION	
PROPERTY OWNER	MIDDLE RIO GRANDE CONSERVANCY DISTRICT	LAND GRANT	ELENA GALLEGOS	STATE PLANE ZONE	GRID GROUND COORDINATES
SUBDIVISION NAME	N/A	SECTION	32	NM-C	GRID
UPC	N/A	TOWNSHIP	11 NORTH	NAD83	ABQ GEIOD
STATE	NM	RANGE	03 EAST	NAVDS8	NAVDS8
COUNTY	BERNALILLO	MERIDIAN	NMPM	ALBUQUERQUE GEODETIC REFERENCE SYSTEM	
SECOND ADDRESS	N/A	CITY	N/A	COMBINED SCALE FACTOR:	
				GRID TO GROUND: 1.000317714	
				GROUND TO GRID: 0.999682387	
				DISTANCE ANNOTATION:	
				BEARING ANNOTATION:	
				GRID	



OFFICE LOCATION:
9200 San Mateo Boulevard, NE
Albuquerque, NM 87113

PHONE: 505.856.5700
FAX: 505.856.7900

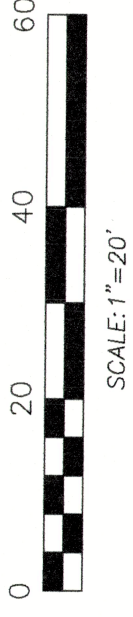
PROJECT INFORMATION	
CREW/TECH:	MC/OT
DATE OF SURVEY:	10/05/2023
DRAWN BY:	KM/JK
CHECKED BY:	LM
PSI JOB NO.:	232435P
SHEET NUMBER:	1 OF 2

DOC# 2024086734
12/05/2024 09:41 AM Page: 1 of 2
SRVY R \$25.00 B: 2024S P: 016 Linda Stover, Bernalillo County

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

Simplified Diagram

FOR COMPLETE BOUNDARY INFORMATION SEE SHEET 2



Greician Avenue, N.W.
(50' PUBLIC ROW)

TRACT 16-C,
M.R.G.C.D. PROPERTY MAP NO. 32
PER WARRANTY DEED: JACOBS TO CHRISTINE
KRUPIAK
(01/18/2022, DOC. NO. 2022005109)

VACATION OF SOUTHERN PORTION OF GRECIAN DRIVE,
N.W. BY THE BOARD OF COUNTY COMMISSIONERS OF
BERNALILLO COUNTY ON JANUARY 15, 1982. LAND TO
REVERT TO THE ABUTTING PROPERTY OWNERS

TRACT 16-C,
M.R.G.C.D. PROPERTY MAP NO. 32
QUITCLAIM DEED (0.07 AC.)
M.R.G.C.D. TO WILLARD LEWIS
(10/29/1940, 173-372)

LOT 28, BLOCK 1
GAVILAN ADDITION
(10/20/1945, C-46)

TRACT 16-C,
M.R.G.C.D. PROPERTY MAP NO. 32
BOUNDARY AS FOUND IN THE FIELD PER
UNRECORDED BOUNDARY SURVEY OF TRACT 16,
SEE NOTE B, SHEET 2

Legend

N 90°00'00" E	MEASURED BEARING AND DISTANCES (N 90°00'00" E)
○	FOUND AND USED MONUMENT AS DESIGNATED
●	DENOTES NO. 5 REBAR WITH PINK PLASTIC CAP "PS 11993", SET THIS SURVEY
△	FOUND ALUMINUM AGRS MONUMENT AS DESIGNATED
●	UTILITY POLE
⊥	GUY WIRE
⊥	WATER METER
⊥	UNKNOWN PEDESTAL
⊥	SIGN
—	CONCRETE CURB AND GUTTER
—	OVERHEAD UTILITY LINES
—	EDGE OF ASPHALT
—	CHAIN LINK FENCE
—	METAL FENCE
—	WIRE FENCE

LOT 27-A, BLOCK 1
GAVILAN ADDITION
(01/07/1982, B19-102)



12/05/2024 09:41 AM Page: 2 of 2
SRVY R:\$25.00 B: 2024S P: 0115 Linda Stover, Bernalillo County

Grecian Avenue, N.W.
(50' PUBLIC ROW)

[illegible]

INVOICE

BILL TO
Middle Rio Grande Conservancy District
Attn: Ricardo Varela
Purchasing Agent

INVOICE 232435.1
DATE 01/04/2024
TERMS Due on receipt
DUE DATE 02/04/2024

ACTIVITY	DUE	AMOUNT
Services Boundary Survey for property located at 6015 Guadalupe Trail NW, Albuquerque, NM - Proposal 6174	100.00 % of 8,062.00	8,062.00T
See attached scope of work.		

Now accepting electronic and credit card payments!

SUBTOTAL	8,062.00
TAX	614.73
TOTAL	8,676.73
BALANCE DUE	\$8,676.73

**REPORT OF
AN APPRAISAL OF
A Portion of MRGCD Harwood Lateral
Between Grecian Avenue and Guadalupe Trail NE
Albuquerque, Bernalillo County, New Mexico
AND
Encroachment “OVERLAP” Area From Single-Family Residential Property
6015 Guadalupe Trail NE
UPC 1-014-061-412-514-11114
Albuquerque, Bernalillo County, New Mexico**

**Prepared For:
Middle Rio Grande Conservancy District**

**Effective Date:
13 May 2024**

**Report Date:
03 June 2024**

**Prepared By:
Ronald D. Alfred, SR/WA. R/W-AC, MAI, AI-GRS, MBA**

ALFRED APPRAISAL GROUP

Real Estate Appraisals and Counseling

Ronald D. Alfred
SR/WA, R/W-AC, MAI, AI-GRS, MBA

Phone: (505) 400-5157
FAX: (505) 867-3552

9805 Datura Trail NE
Albuquerque, New Mexico 87122

03 June 2024

Richard DeLoia
Chief Procurement Officer
Middle Rio Grande Conservancy District
1931 2nd St SW
Albuquerque, NM 87102

RE: Purchase Order Number 24007275

REPORT OF

AN APPRAISAL OF

A Portion of MRGCD Harwood Lateral

Between Grecian Avenue and Guadalupe Trail NE

Albuquerque, Bernalillo County, New Mexico

AND

Encroachment "OVERLAP" Area From Single-Family Residential Property

6015 Guadalupe Trail NE

Tract 16-C, Together With A Tract of Land Measuring 24.5 Feet By 103.45 Feet of Vacated Grecian Drive NW

UPC 1-014-061-412-514-11114

Albuquerque, Bernalillo County, New Mexico

Mr. DeLoia,

As you requested, I conducted the investigations and analyses necessary to form my opinion of the possible negotiated range of sales prices for a portion of the Harwood Lateral under a bi-lateral monopoly based on an analysis of Market Values of the directly competing mostly similar properties in the market area where the subject property is located.

I also conducted investigations and analyses necessary to form my opinion of the value of the encroachments into the easterly portion of the subject Harwood Lateral from a Single-Family Residential Property located at 6015 Guadalupe Trail NE, Tract 16-C, Together With A Tract of Land Measuring 24.5 Feet By 103.45 Feet of Vacated Grecian Drive NW, UPC 1-014-061-412-514-11114, Albuquerque, Bernalillo County, New Mexico.

I performed this appraisal with the Effective Date of 13 May 2024.

Ronald D. Alfred last inspected the subject property on 13 May 2024.

The property rights appraised are the fee simple estate of the subject property(ies) subject to reservations and exceptions of record as cited in the Warranty Deed.

Of significant importance to this assignment is the following:

Discussion of Bi-Lateral Monopoly

The fact of this property ownership and its market acceptance as it pertains to establishing Market Value is that there is a bi-lateral monopoly.

The Dictionary of Real Estate Appraisal, 6th Edition, page 72 defines Bi-Lateral Monopoly as:

A market in which a single seller (a monopoly) is confronted with a single seller (a monopsony). Under these circumstances, the theoretical determination of output and price will be uncertain and will be affected by the interdependence of the two parties.

The Appraisal of Real Estate, 16th Edition provides additional guidance on the methodology for analyzing real estate determining the Market Value of this type of ownership.

Citing from *Transaction Costs: Valuation Disputes, Bi-Lateral Monopoly Bargaining and Third-Party Effects in Water Rights Exchanges: The Owens Valley Transfer to Los Angeles: 1905-1935* by Gary D. Libecap Karl Eller Center and Department of Economics University of Arizona, Tucson NBER:

In negotiations between land owners and the Water Board there were three general classes of problems, although they overlapped: valuation disputes, bi-lateral monopoly conflicts, and third-party effects.

Agreement on property valuation also was complicated by a lack of trust on both sides. Board officials viewed land owners as attempting to fleece taxpayers with exorbitant price demands. Land owners, by contrast, viewed the Board as attempting to undervalue their lands while property values in the San Fernando Valley were rising rapidly. This limited trust meant that neither party held the other's pricing claims as credible or honest. This condition increased the transaction costs of negotiation and lengthened the time necessary for agreement.

Bi-lateral monopolies have indeterminate pricing outcomes because they depend upon the relative bargaining power of the parties. Each party has incentive to misrepresent its position in order to extract a greater share of the gains of trade in such negotiations, and there is little competitive pressure to force more accurate information revelation. According, bi-lateral monopoly negotiations often break down and take a long time to complete.

The bargaining framework also suggests why the Owens Valley negotiations were so rancorous, with such a negative legacy. The lands were heterogeneous and there were intense debates over valuation and hence, individual shares of the observed potential gains from trade described above. The most contentious negotiations took place within bi-lateral monopoly conditions. Neither party could leave the exchange, but both had sharply different prices in mind, with the most valuable properties, carrying the most water, holding out for higher prices than initially offered by the Water Board. The price gaps also were not easily narrowed because of information limits and uncertainties about the value of water in Owens Valley and Los Angeles, about the amount of water Los Angeles ultimately would require, and about how much irrigated agriculture could be sustained in the valley. Further, the gaps could not be quickly narrowed because of a lack of trust between the parties that made them suspicious of the offers of both sides with little means of resolving the suspicion. And there were third-party effects on the towns and uncertainty about their significance and the legality of purchases of those properties by Los Angeles.

The fact of this property ownership and its market acceptance as it pertains to establishing Market Value is that there is a bi-lateral monopoly.

In a real-life bargaining process, the actual market outcome would depend on the bargaining strength of the two participants and not on a particular policy. The owner of the Larger Parcel has a much longer time horizon than

most (all other) property owners and a greater ability to postpone the sale/purchase of the subject Larger Parcel. Unless and until any adjacent property owner elects to extend another offer to purchase the Larger Parcel there is little to no likelihood that the subject Larger Parcel could ever be sold to another market participant under the definition of Market Value.

Citing from a published paper by David Enns, founder and president of Enns, MacEachern, Pace, Maloney & Associates, Inc. a full-service real estate appraisal firm servicing Eastern Ontario that was published in *The Canadian Appraiser, Spring 2002*:

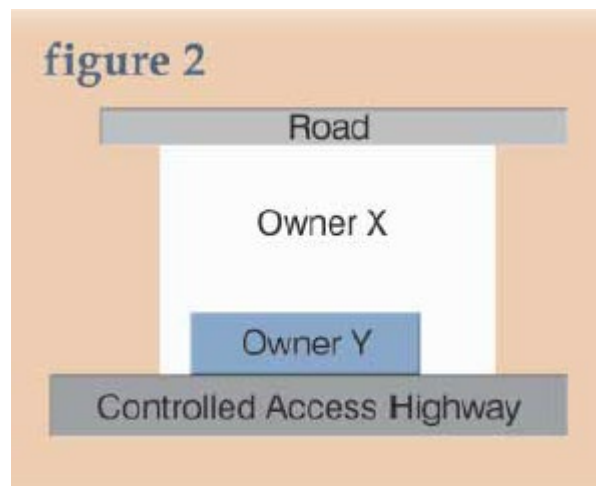
Bilateral monopoly

However, not all property sales occur in such a competitive market. A bilateral market is a market structure that is far removed from a competitive market of many buyers and many sellers.

A bilateral market is a market structure that has only one seller and only one buyer. Two situations are of interest to appraisers in this regard. One deals with water lots and the other deals with what some refer to as non-viable properties, however, both are an example of a bilateral market.

Non-viable properties

For another group of somewhat unique properties, such as water lots, there may also be only one potential buyer. Consider a parcel of land that might be left over from an earlier expropriation for a highway. Ownership may resemble something like the situation shown in Figure 2.



In this case, property Y can only sell to owner X as a lot addition, since only X has road access. If land in the area is selling for \$10,000/acre, it might be argued that the parcel owned by Y also has a market value of \$10,000/acre. But does it? If X is the only potential buyer for the property, as with the described water lot, the actual price negotiated in this market will again depend on the bargaining ability and the bargaining strength of each party.

As with the water lot, the maximum of the value range comes from the fact the potential purchaser of the property (who knows the market value of the combined property X + Y) would be rational to offer up to some maximum for the additional land. To pay any more than this maximum would mean that the adjacent owner was paying more than market value for the combined property.

In a competitive market, there is no reason to pay more than the market value of the combined property and, of course the combined property is in a competitive market and not in a bilateral market. Naturally, the adjacent property owner X might well offer much less knowing that there is no other buyer for the property. Indeed, if owner Y were to have an open tender for this property without a reserve bid, this conclusion would be confirmed. In a real-life bargaining process, as noted in the case of the water lot, the actual market outcome would depend on the bargaining strength of the two participants and not on a particular policy. Obviously, if the crown is the owner of Y, the bargaining strength of the crown will be greater than that of most potential purchasers. The crown has a much longer time horizon than most property owners and a greater ability to postpone the sale of a property.

One approach that has been used to deal with this unique market structure is to estimate the value in contribution of the non-viable property to the adjacent property.

This is done by estimating the market value of property X, then estimating the market value of the two properties (X plus Y) combined. The difference between the two is the value in contribution of Y and, hence, it is argued, this difference is the value of Y. In this scenario, this approach would imply that Parcel Y has a value of \$10,000/acre, or \$10,000 if Y was one acre in size. But this is the maximum value of Y and not the value of Y.

As described above, a value in contribution approach will always result in an outcome that will be at the upper end of the value range. However, a true market-based outcome would not necessarily be at this upper level. As pointed out, this property's market value could be anywhere between \$1 and \$10,000 for the acre.

If owner Y really wanted to sell, and owner X was only moderately interested in Y, the property might sell for very little.

Conversely, if owner X really wanted the parcel, and owner Y was somewhat indifferent (the crown), it would sell at the upper end of the value range.

Conclusions

The fixed location factor of land gives rise to a variety of issues in property markets.

It creates an element of monopoly power that could delay or prevent land use change and provides a justification for expropriation for the public good. The fixed location factor magnifies the problems associated with negative externalities and provides a justification for various land use planning policies. It also prevents arbitrage from taking place in property markets and thus gives rise to price differentials for variations in property locations that require location adjustments by real estate appraisers.

Finally, the fixed location factor, coupled with concentrated land ownership, can create a bilateral market. A bilateral property market is a unique property market and requires additional analysis and effort on the part of appraisers.

Sometimes, appraisal policies have been developed to deal with this market situation without being explicit about the true nature of a bilateral market. If a client's policy happens to be a 'value in contribution approach' or an 'upland approach' in a bilateral market, and it is used to set a selling price or compensation level, it is important to be clear on two things:

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or an ‘upland approach’ in a bilateral market, and it is used to set a selling price or compensation level, it is important to be clear on two things:

In order not to mislead, appraisers need to point out to anyone relying on the appraisal report

- 1) that this market is non-competitive (it does not reflect our definition of market value) and
- 2) that the market outcome can only be estimated as a range of values and not as a single value estimate.

I am invoking an Extraordinary Exception that the subject property could be conveyed to a new owner (one of the parties to the bi-lateral monopoly), and that new property owner would assume all responsibilities required for assemblage into an adjacent property (re-zoning, assessor/treasurer issues, encumbrances, contamination, etc.).

I could find NO verified similar market priced sales data in the much larger market area for any property exactly like the subject MRGCD-owned and utilized irrigation lateral property from which to accurately and precisely develop a market-supported Market Value that would be absolute support for a new owner to assume all the responsibilities of acquiring such a parcel.

The fact is, there are no sales of exactly similar properties that could be used to develop a supportable market-derived opinion of Market Value. Any reference to “Market Value” herein discussed is hypothetical in nature.

For my analyses, I have analyzed the available data for true Market Sales that are appropriate for analysis to fully support my opinions and conclusions.

The only intended user(s) of this appraisal report is/are my client, Middle Rio Grande Conservancy District. My client(s) and/or any intended user(s) shall not provide a copy of this appraisal report in whole or in part or any of the data or analyses or opinions to any other party without the express written approval of the appraiser, Ronald D. Alfred.

My understanding is that my Client(s) Middle Rio Grande Conservancy District will use this report and the conclusions of the possible negotiated price of a Portion of the Harwood Lateral as the basis for the sale of a Portion of the Harwood Lateral to the owner(s) of the adjacent parcel, David Stang, Deborah K. D’Labal, and Todd L. Lohman. My Client(s) may also use this report and the conclusions of the Market Value of the encroachments from the adjacent Stang/ D’Labal/Lohman property in discussion to assist with clearing the title of the adjacent Stang/ D’Labal/Lohman property

Your attention is directed to the assumptions and limiting conditions of the appraisal. Please read them carefully, so that you fully understand the nature of appraisal services rendered.

The appraisal was prepared to comply with the 2024 Uniform Standards of Professional Appraisal Practice (USPAP) promulgated by the Appraisal Foundation, the Standards of Professional Practice and the Code of Professional Ethics of the Appraisal Institute, the Standards of Professional Practice and the Code of Professional Ethics of the International Right of Way Association, and the specific requirements (if any) of my client(s) – which will be specifically cited and discussed as required for compliance with USPAP and any additional professional, legal, and regulatory requirements.. A copy of the client specific Scope of Work and

my Letter of Engagement which details the requirements of my assignment remains in my permanent workfile; however, the generalities are specified and discussed later in this report.

The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or approval of a loan. Employment of the appraiser was not conditioned upon the appraisal producing a specific value or a value within a given range.

I have not performed services as an appraiser regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

The following report summarizes relevant important factors, appraiser certification, scope of work, definition of value, the highest and best use of the property, all applicable approaches to value, and assumptions and limiting conditions. Acceptance of this appraisal constitutes an agreement whereby the user acknowledges and accepts all conditions provided herein.

My concluded opinion for the "Market Value" of the subject 1,301 square foot "OVERLAP AREA" is \$36,516 (rounded to \$37,000).

I conclude that by the Cost Approach the combined contributory value of the underlying 1,301 square foot "OVERLAP AREA" plus the parts of the single-family residential building improvements within the platted Encroachment/Overlap Area on the Effective Date is \$77,398 (rounded to \$78,000). To reiterate, this is **NOT THE MARKET VALUE, but only my conclusion of the market value of the underlying land and the contributory value of the encroaching improvements.**

Sincerely,



Ronald D. Alfred, SR/WA, R/W-AC, MAI, AI-GRS, MBA
New Mexico Certification No. 03034-G

Please Make All Remittances To:
Ronald D. Alfred, SR/WA, R/W-AC, MAI, AI-GRS
9805 Datura Trail NE
Albuquerque, New Mexico 87122

INVOICE # 356
Date 3-Jun-2024

Bill to:
Richard DeLoia
Chief Procurement Officer
Middle Rio Grande Conservancy District
1931 2nd St SW
Albuquerque, NM 87102

	Description	Quantity	Price	Extension
1	Purchase Order Number 24007275		\$4,000.00	\$4,000.00
	REPORT OF			
	AN APPRAISAL OF			
	A Portion of MRGCD Harwood Lateral			
	Between Grecian Avenue and Guadalupe Trail NE			
	Albuquerque, Bernalillo County, New Mexico			
	AND			
	Encroachment "OVERLAP" Area From Single-Family Residential			
	Property			
	6015 Guadalupe Trail NE			
	UPC 1-014-061-412-514-11114			
	Albuquerque, Bernalillo County, New Mexico			
	Job Reference		24-005RA	
	Gross Fee			
	Percent of Fee		100.00%	

Item	Description	Quantity	Price	Extension
2			\$315.00	\$315.00
	New Mexico Gross Receipts Tax			
	Job Reference			
	Gross Fee		7.8750%	
	Percent of Fee			

Item	Description	Quantity	Price	Extension
3			INCLUDED	
	Copier / Reproduction Expenses			
	Job Reference			
	Gross Fee			
	Percent of Fee		100.00%	

Item	Description	Quantity	Price	Extension
4				
	Job Reference			
	Gross Fee			
	Percent of Fee		100.00%	

Order Date	23-Apr-2024
Ship Date	3-Jun-2024
Terms	PAYMENT IN FULL WITHIN 20 BUSINESS DAYS OF INVOICE DATE; LATE FEES OF 1.5% PER MONTH WILL BE ASSESSED UNTIL COLLECTED IN FULL

TOTAL	\$4,315.00

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