MINUTES OF THE 2,224th REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT

JUNE 9, 2025 - 3:00 PM

Directors having been duly notified; Chair John Kelly called the regular meeting to order 3:00 pm. The following Directors and Staff were present:

STVEE

DIRECTORS		SIAFF		
John P. Kelly, Chair	Present	Jason Casuga	Chief Engineer/CEO	
Colin T. Baugh, Vice Chair	Present	Lorna Wiggins	General Counsel	
Brian Jiron, Director	Absent	Jeff Wechsler	Chief Water Counsel	
Stephanie Russo Baca, Director	Present	Pamela Fanelli	Secretary-Treasurer/CFO	
Glen Duggins, Director	Absent	Eric Zamora	Director of Technical Services	
Micheal T. Sandoval, Director	Present	Anne Marken	River Operations & Telemetry Mgr.	
Karen Dunning, Director	Absent	Matt Martinez	Water Distribution Division Mgr.	

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

Rudy Gonzales, La Joya	Sam Roberts, La Joya	Colleen McRoberts, CABQ
Jorge Garcia, CESOSS	Clint Autrey, CF Padilla	Clayton Padilla, CF Padilla
Patrick Taber, BIA	Margarita Sanchez, Belen	Annie Sanchez, Los Ranchos
David Montoya	Tim Smith, AES	Tarah Jaramillo, MRGCD
Casey Ish, MRGCD	Richard DeLoia, MRGCD	Julian Avalos, MRGCD
Ernie Marquez, MRGCD	Christine Nardi, MRGCD	Joe Holvey
Mark Sanchez	John Thompson, MRGCD	Estella Gamboa, MRGCD
Amanda Molina, MRGCD	Marta Moerch, MRGCD	Joshua Temple
Angel Madera, MRGCD	Angelina Jimenez, MRGCD	Antoinette Ramos, MRGCD
Amy Erickson	Elaine Hebard	Anjali Bean, WRA
Danielle Feygin, MRGCD	Amelia Barrow, MRGCD	

AGENDA ITEM NO. 1 - PLEDGE OF ALLEGIANCE

DIDECTORS

Anne Marken led the Pledge of Allegiance at today's meeting.

Chair Kelly declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting with Director Sandoval attending online and directors Duggins and Jiron were not present.

AGENDA ITEM NO.2 - APPROVAL OF THE AGENDA

Chair Kelly added Item 11(c), Notice of successful Water Trust Board Project.

Director Russo Baca made the **MOTION TO APPROVE THE MEETING AGENDA**. Seconded by Vice Chair Baugh. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Chair Kelly	Yes	Vice Chair Baugh	Yes
Director Sandoval	Yes	Director Russo Baca	Yes

AGENDA ITEM NO. 3 - CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification June 9, 2025
- b. Consideration/Approval of May 2025 Invoice for Wiggins, Williams & Wiggins

- c. Consideration/Approval of May 2025 Invoices for Spencer Fane LLP
- d. Consideration/Approval of the Minutes for the Regular Board Meeting May 12, 2025
- e. Consideration/Approval of the Contract for Federal Consultants Services Third Year
- f. Memo on MRGCD Approved Licenses for May 2025 (For Informational Purposes Only)

There were no inquiries, so the chair requested a motion to approve the consent agenda.

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

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

AGENDA ITEM NO. 4 - CONSIDERATION/APPROVAL OF 2025 MRGCD ELECTION

FORMAL DOCUMENTS - Tim Smith, Election Director and Election Committee and Report of the Election Committee Meeting, June 9, 2025 (Chair Kelly and Directors Russo Baca and Jiron)

a. Discussion/Approval of Compensation Rates for Poll Workers

Chair Kelly discussed that they have a request and list of compensation rates for the October 7th election poll workers. PRT Staffing is the staffing company who provides the poll workers. The 35% markup is passed through the temp service. He added that they also covering all insurance and logistics, and Ms. Fanelli found that rate to be consistent with the market for temporary services.

Director Russo Baca made the **MOTION TO APPROVE THE POLL WORKER COMPENSATION RATES AS PROPOSED**. Seconded by Vice Chair Baugh. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

b. Consideration/Approval of 2025 MRGCD Election Supply Catalog

Chair Kelly explained that this is a complete catalog of election materials, and it has been reviewed multiple times by the election coordinator, legal counsel, and Ms. Philips.

Chair Kelly asked Tim Smith, Election Director for Automated Election Services, to introduce himself, and asked him how they are doing in securing sites.

Mr. Smith responded that they are about halfway through their list of approvals and are making good progress.

Vice Chair Baugh made the **MOTION TO APPROVE THE 2025 MRGCD ELECTION SUPPLY CATALOG.** Seconded by Director Russo Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

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

a. Report on Water Supply Conditions - Anne Marken, River Operations & Telemetry Manager

Anne Marken reported on the water supply conditions. She stated there was rain in the forecast the day of the meeting and the next, which she was optimistic about. She pointed out that they have made it to the second week of June without having to release any of their limited San Juan Chama water due to the precipitation the basin has gotten over the past month and a half. However, river flows in the basin are on the decline. She said that flows of the Rio Grande at Lobatos Gage have dropped 250 CFS over the past week, and La Puente is down to 150 CFS. She estimated that they will need to begin releasing San Juan Chama water by the end of next week unless the basin receives meaningful river inflow before then. She expressed that MRGCD has an obligation to incrementally reduce bypass flows to the river below Isleta Dam to help control the rate of drying below the dam, and she expected those reductions by the end of this week or early next week. She noted that MRGCD would like to delay releasing any San Juan Chama water during that operation, so they are not using their limited storage water to do that. Ms. Marken stated that MRGCD will have about 6,500 acre feet of San Juan Chama water available for release, and 2,700 acre feet of that will be their June allocation. She said the once releases begin, MRGCD anticipates that the current San Juan Chama volume will be sufficient to augment farmer deliveries for 7 to 10 days, depending on how much water needs to be released. Once all San Juan Chama water has been released, they will return to a run of the river system, and without additional rain inflow, there will not be enough to meet farmer's needs. She discussed the seasonal outlook, which shows warm and dry conditions after the next couple days of rain, with equal chances for above or below average precipitation through August.

Mr. Casuga added that 6,500 acre feet seems like a lot of water, but on the scale for the MRGCD, in a given hydrologic year, they divert anywhere between 275,000 and 305,000 acre feet, so 6,500 acre feet to supplement the river will go quickly without rain.

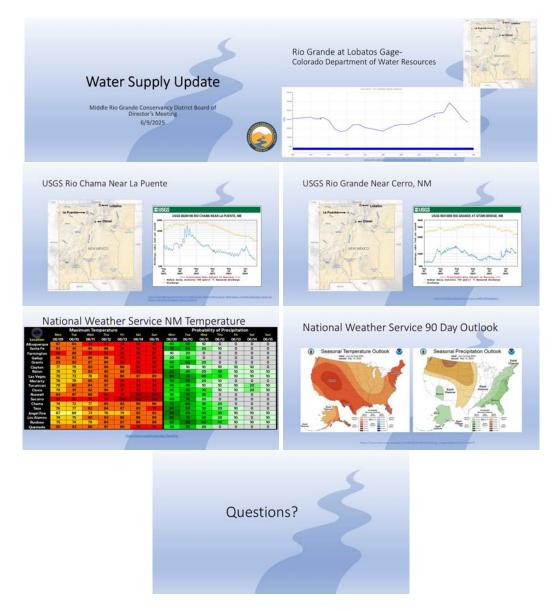
Chair Kelly stated that considering our maximum allocation is 20,900 acre feet, and 2,300 of that being left over from last year, they barely got about a quarter their allocation due to the drought situation on the San Juan.

Ms. Marken noted it is possible that we get another July allocation, but that will depend on what rains bring to that basin.

Vice Chair Baugh asked how much volume can grow from rain falling in the mountains and getting to the river.

Ms. Marken responded that it depends on the conditions in the basin. She explained that when things have been dry for a while and we get some rain events, we do not usually see much of that water show up in the river, but the more saturated the soil, the higher percentage that rain inflow makes it into the river.

Director Russo Baca congratulated Ms. Marken on her title changing to River Operations and Telemetry Manager.



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

Mr. Martinez gave a report on the status of water distribution. He expressed that since the last Board meeting, their operations have experienced a range of supply conditions, but generally supply has been good. He said the month began with a mix of mountain snow and valley rain that produced steady runoff that carried them through most of May, which allowed them to make deliveries based on the field need rather than rotational scheduling. However, by the end of May, supply was declining, and they transitioned back into short supply conditions and rotations. Between June 2nd and 4th, high intensity thunderstorms temporarily boosted water supply but brought significant disruptions like arroyo inflows entering many canals and causing debris accumulations, sediment plugs, erosions and washouts. He shared that operations were disrupted in several areas, most notably along the Belen Highline Canal, Cochiti Main Canal, and San Juan Main Canal, where storm damage and urgent infrastructure repairs required temporary suspension of deliveries. He thanked Ms. Molina for communicating those issues through public notices and the ISO team and division crews for preparing and

responding to last week's storms. He voiced that they have restored operations in some areas, but another round of storms is forecasted for today and Tuesday, so they are approaching that with caution. Mr. Martinez explained that high intensity storms pose a serious risk and require making proactive operational changes, which can interfere with irrigation deliveries. He said irrigation demand in May was moderate as farmers began first harvest, and cutting started mid-May in the Socorro Division, but demand in urban areas have remained unsteady. They expect demand to increase in the coming days and weeks as soil dries out and farmers plant summer crops. He was cautiously optimistic about where they are in the season, as they can still turn to San Juan Chama storage to temporarily supplement the system when needed. However, careful timing will be essential to maximize its impact, and they will continue to need timely support from Mother Nature through the remainder of the summer and into fall. He noted that they are hopeful this incoming rain will help carry them through the upcoming high demand period, but they must remain cautious in case operations are disrupted again.

Chair Kelly expressed that research on the impacts of climate change and global warming finds that they are going to see a different way our precipitation comes, and instead of snowpack in the winter, it will be rainfall. He asked for Mr. Casuga and Mr. Ish to be thinking about whether they need to revise our storage patterns or look for offsteam storage further down in the system and how that would fit in with the Compact.

Mr. Casuga responded that they are looking into that, and he will provide a report on it at the next board meeting.

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

Margarita Sanchez

Ms. Sanchez stated that she is hoping the MRGCD will give better equity for small parcels. She said that for the last 20 years, she has been paying quarter acre parcels at a prorated amount of one acre, and now they have lifted it to one acre amount and still do not give an equity to the small parcels in order to get the least amount. She expressed that the system has become very bureaucratic, and the quarter acre parcels need to be prorated back like they were from a 1 acre amount to one-quarter of an acre amount, as they have places that they have managed to keep in their hands through generations that are very culturally important to them. She felt that small farmers go broke, but all the big farmers get breaks from the Conservancy. She said roads are put in and then they do not have access to their ditches, so she asked them to consider trucking water to their small parcels. She added that with all of the raids going on, probably 40% of their agricultural workforces are being traumatized and sent away. Ms. Sanchez voiced that she has had an acre for 20 years that she has paid, and the Conservancy was very negligent in taking out her turnout and have maps that show unpaid, but they did not talk to her or consult her.

Rudy Gonzales

Mr. Gonzales commented on the price increase for the carriage fee for La Joya that they were recently made aware of. He noted that he is not speaking on behalf of the acequia's board. He said the increase is from \$8, which was agreed upon previously, to \$16. He stated that even though \$8 per acre is not a huge increase, every penny and dollar counts, and he believes it is unfair. He expressed that it is a 100% increase for them and that does not seem equitable, when it is only a 16% increase for the others who pay MRGCD. He added that they are still in a negotiation phase of joining MRGCD, and one of the agreements they had was that fees would not be raised as long as they were in communication.

Chair Kelly voiced that they will be going into discussion on this topic later in the meeting.

Annie Sanchez

Ms. Sanchez gave credence to Margarita Sanchez regarding her comments.

<u>AGENDA ITEM NO. 7 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT</u> - Christine L. Nardi, MBA

a. Introduction of MRGCD New Hires

Ms. Nardi introduced new hires and promotions, which included a new division clerk in the Albuquerque Division, a promotion to Engineer II, a promotion to Director of Lands and Conservation in the General Office, a new ISO for the Belen Service Area, a GIS and Right-of-Way Manager, and a new Bosque Management Coordinator.

Albuquerqu	e Division		
PRISCILLA	RODRIGUEZ	DIVISION CLERK I	06/09/2025

General Office

ANTOINETTE	RAMOS	ENGINEER II	05/26/2025 PROMOTION
CASEY	ISH	DIRECTOR OF LANDS AND CONSERVATION	05/26/2025 PROMOTION
ROBERT	LEOPOLD	IRRIGATION SYSTEMS OPERATOR	06/09/2025
TIMOTHY	PITTS	GIS AND RIGHT-OF-WAY MANAGER	06/23/2025
JOANNA	STRANGE	BOSQUE MANAGEMENT COORDINATOR	07/07/2025

b. Recognition of Employee

Chair Kelly gave recognition to Antoinette Ramos, Engineer II, for passing her Professional Engineers exam and becoming professionally licensed in the State of New Mexico to practice as a civil engineer.

AGENDA ITEM NO. 8 - REPORT(S) FROM THE CHIEF PROCUREMENT OFFICER - Richard DeLoia

a. Consideration/Approval of the Low Flow Conveyance Channel Maintenance Phase

Mr. DeLoia requested approval for CF Padilla to complete the Low Flow Conveyance Channel Maintenance, Phase II, for a total amount of \$6,209,717.50, with tax, which is funded through the Office of State Engineer Grant. The award was recommended by Wilson & Company and bids were obtained through the request for bid process.

Chair Kelly asked Mr. Padilla if Phase I went well and if they are ready for Phase II.

Mr. Padilla responded yes and hoped that MRGCD was happy with their work.

Director Russo Baca made the MOTION TO APPROVE CF PADILLA TO COMPLETE THE LOW FLOW CONVEYANCE CHANNEL MAINTENANCE PHASE II FOR \$6,209,717.50 PLUS TAX. Seconded by Vice Chair Baugh. Rollcall vote was administered with all members voting yes. The MOTION CARRIED.

Chair Kelly	Yes	Vice Chair Baugh	Yes
Director Sandoval	Yes	Director Russo Baca	Yes

b. Consideration/Approval of the El Vado Reservoir Camera System

Mr. DeLoia presented approval for the El Vado Reservoir Camera System Project. He said MRGCD recommended the award to Johnson Control Security Solutions for \$81,817,21 for all cameras, equipment, and installation, and \$11,957.28 per year for the maintenance and service plan through CES Cooperative Contract.

Chair Kelly inquired if BOR was going to offset any of these costs since it is their facility we are installing the cameras for.

Mr. Casuga stated that MRGCD pays 100% O&M for El Vado, and this contract is quite a bit cheaper than it would be to do it through the federal government, so we are actually saving money by doing it ourselves.

Vice Chair Baugh asked what the purpose was for the cameras.

Mr. Casuga responded that they are security cameras, and El Vado is considered a high hazard dam and MRGCD, BOR, and law enforcement want to know if there are people in these areas. He said there is also a power plant downstream that is operated, and this is an opportunity to upgrade and install that system and do it a little bit cheaper and quicker than it would be through the federal government.

Director Russo Baca asked who would have access to these cameras.

Mr. Casuga answered that BOR, and their staff would be the ones responsible for that. He explained that Reclamation approached us with the request to contract it out ourselves because we could do it cheaper, and we agreed. He said that MRGCD would be able to have access if needed, but they do not provide security for the dam, and this is a charge we would get back at the federal rate.

Director Russo Baca made the MOTION TO APPROVE THE EL VADO RESERVOIR CAMERA SYSTEM THROUGH JOHNSON CONTROL SECURITY SOLUTIONS. Seconded by Director Sandoval. Rollcall vote was administered with all members voting yes. The MOTION CARRIED.

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

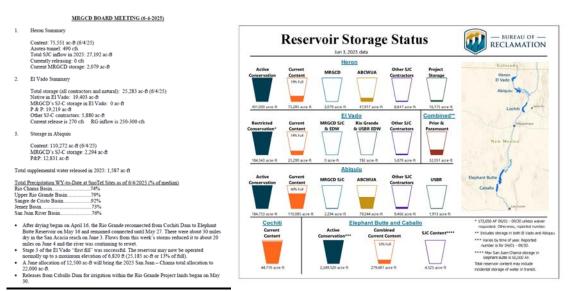
AGENDA ITEM NO. 9 - REPORT(S) FROM THE DEPARTMENT OF INTERIOR

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

Mr. Taber stated that they have a new regional director, Bryan Bald Eagle, who Mr. Casuga has invited to come and speak to this Board at some point. He reported that the final P&P storage in El Vado and Abiquiu was calculated at 32,668 acre feet, 8,000 acre feet decrease from previous calculations, which is currently being split between storage in El Vado and Abiquiu. He thanked the Conservancy District and Mr. Zamora for how quickly things have been resolved with the recent flooding upstream.

Vice Chair Baugh asked about the P&P coming in 8,000 acre feet less.

Mr. Taber explained that there was a prediction presented by the NRCS, but as predictions got more accurate and later season flow numbers were calculated, the change in median values shrink. He added that the April calculation did not include the snowfall that happened in the beginning of April and that snowpack improved quite a bit.



Ms. Faler was not present for the meeting, but the BOR provided the buckets and notes.

<u>AGENDA ITEM NO. 10 - REPORT(S) FROM THE DIRECTOR OF TECHNICAL SERVICES - Eric Zamora, PE</u>

a. Report from the Socorro Division Manager, Julian Avalos

Mr. Avalos discussed some of the projects they worked on, including doing 15 turnouts this winter when they normally only do five or six. They did a project for Director Duggins and the Rosales Farm by installing concrete paneling with the turnouts. He noted that they have received four calls from farmers that were satisfied with the time of deliveries and the impact they have made helping them on their farms. He stated that they took advantage of the low flows in the canal at the end of last season and dredged every canal going into the Lemitar area. He added that they used that material to build up banks, fix erosion, and do a lot of other busy work. They have been hauling off spoils and their mowers finished early last season mowing the canals. He discussed the three fires down in Socorro were all Type 4. One fire was a farmer lit field on the Main Canal that burned their right of way a little bit, one at Otero that they stopped pretty quickly, and then one across the river, on the east side, that the State Forestry called them out to. Mr. Avalos announced that they have partnered up with the City of Socorro on a tree removal project. He added that their youth summer program started today, and they will start another program on June 26th called Touch a Truck, where they will take their newest machine, the Mower Max. He thanked MRGCD's General Office and Mr. Zamora for being helpful and encouraging.

Vice Chair Baugh asked what the youth project was that they did.

Mr. Avalos responded that the City of Socorro has a program where they hire students and distribute them out to different agencies and the city pays them to work 20 hours a week. He added that it is roughly seven weeks long. He said that last year they painted

railing around gate structures, and this year they will be shown all the work they do and encourage them to go on and do better things.

Chair Kelly asked if the reinforced concrete pipe they used for the turnouts were existing in the ground or if they are installing it.

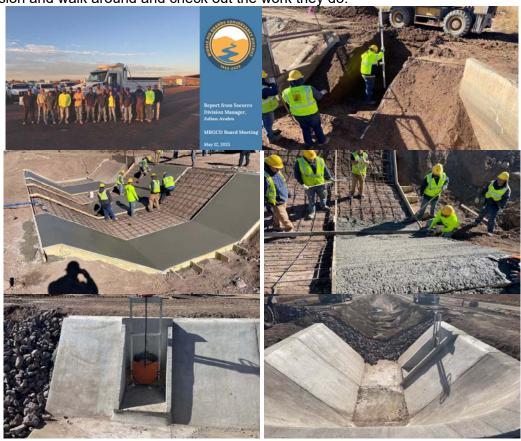
Mr. Avalos answered that it was existing. He stated that Director Duggins had told them before that the wrong size pipe was put in at the Main and when they opened it up they saw that he was right.

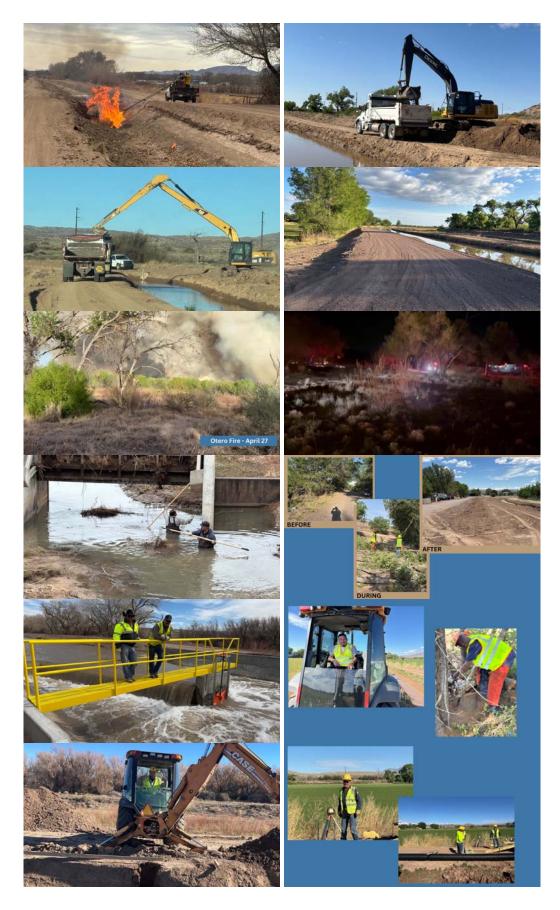
Chair Kelly voiced that he felt they should be putting in RCP any chance they have. He asked what the biggest need is for Socorro County that the Board can help with.

Mr. Avalos responded that they could use another dump truck.

Director Russo Baca asked if they were getting excited about the machine rodeo.

Mr. Avalos answered that they are and met today about it. He said the crew is excited to compete and it is good team building. He encouraged the Board to come to Socorro Division and walk around and check out the work they do.





Minutes of Middle Rio Grande Conservancy District Regular Board Meeting June 9, 2025



b. Updates on the Bosque Fire and Fire Response in Valencia and Socorro Counties

Mr. Zamora discussed the Bosque Farms Fire and recognized staff that helped with that. He explained that before 4 p.m., on April 17th, they were notified of the fire and our staff responded shortly after 4 p.m. and were on site until 10:30 p.m. He displayed images of some of the fire damage and of their staff working during the fire. He gave a shoutout to the guys that responded and recognized their efforts, support, and responsiveness. He said they had supervisors on site, our division manager, command supervisor, and construction supervisor crews throughout the evening, with support from Albuquerque crew as well, who were providing support to the Bosque Farms Fire Department to keep the fire from creeping. He noted that Mr. Jaramillo has been recently upgraded to Equipment Supervisor in Albuquerque and Mr. Jarner was also on site that evening. He also gave a shoutout to Mr. Cole Benjamin for working a dozer that was directed by State Forestry officials to guide him where to cut fire line. Mr. Zamora voiced that as a result of last week's rainstorms and a lot of discussion at Thursday's Coalition Meeting, there was a lot of concern raised about storm damage that occurred last week to the Cochiti Main Canal and concerns about our responsiveness and if we would be able to get water to the downstream users on the east side of the Rio Grande. He explained that they did have to cut some irrigation events in Santa Ana Pueblo and San Felipe Pueblo because of the damage to the Main. He said the break was 75-80 feet wide with water flowing, and fortunately there was no damage to fields or property. He thanked Albuquerque for their responsiveness in helping out Cochiti last Friday by sending two dump trucks and a dozer to assist with repairs. He noted that there was concern that it would take them possibly through the weekend, but most of the repairs were done by 3 p.m. on Friday.

Chair Kelly asked if that was the result of a downstream sediment plug from an upland arroyo or a low spot that breached.

Mr. Zamora responded that it was an area that intercepted an upstream arroyo perpendicular to the canal and the volume of water blew over the top of the east and west bank and eventually broke the west bank. He stated that a similar situation occurred a little bit south of that location, but the bank did not break. He added that the same storm system brought impacts to the Highline Canal as well, with a lot of sheet flow with the runoff and a greater length of damage, but not a lot of specific arroyos running in and causing major erosion, which he believed was a testament to establishing a good grade and compaction.

Chair Kelly inquired if any of that water passed the east side of the right of way.

Mr. Zamora answered that it did not, as the water operations people were on top of it and shut down the canal in advance.

Vice Chair Baugh expressed that it was awesome to see them responding to an emergency in the community outside of water, but also in our Bosque. He asked if they did that because they wanted to do the right thing or if that is a protocol of the District.

Mr. Zamora responded that for the most part, the District has always been responsive, but their coordination efforts are a little better now in terms of responsiveness. He added that there are go to people in each division that are called when there is a situation like this, and they have always existed.

Vice Chair Baugh suggested that Mr. Casuga look into creating a protocol for addressing issues that would identify individuals to rise to the occasion and on how the District could respond better with joint collaboration.

Mr. Casuga explained that they do have those and that is why their guys respond. He said the people that are allowed out there have been trained to do so, and that is why the Forest Service already knows who they can call and knows MRGCD can deploy staff. He added there are also emergency response plans in place regarding flooding, especially through Bernalillo County, that we are a part of, and they are being developed more in Valencia County. He stated that since he has been here, MRGCD has always responded to things like this. He voiced that a lot of these lands are ours to manage, and we have a lot of other partners that come out to assist, but communication has definitely gotten better, and we have gotten better at it.

Vice Chair Baugh expressed that it speaks largely to where the District is trending and how thorough we are in responding to things that are outside of just water delivery. He also appreciated the quick turnaround in getting the water back running in Cochiti.

Mr. Zamora mentioned that Mr. Padilla is a Bosque Farms volunteer firefighter, and he received the call at 3:30 in the afternoon, responded, and was there all night with the fire. He also kept us informed on what equipment was needed and where they need to go. He noted that in regard to the emergency response to the Bosque fires, there is a system called Red Card System within State Forestry, where red cards are given to people that are trained and authorized to be in those locations.



<u>AGENDA ITEM NO. 11 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO</u> - Pamela Fanelli, CMA, CGFM

a. Consideration/Approval of Resolution #BA-06-09-25-104 Adoption of Amended Budget for FY2025 (07-01-24 to 06-30-25) Grants Fund

The chair explained that this is a clean-up item to reflect a few things that happened over the course of the year that had no impact on board policy or projects planned. He then requested a motion to approve the resolution for the amended budget.

Director Russo Baca made the MOTION TO APPROVE RESOLUTION #BA-06-09-25-104 FOR THE AMENDED BUDGET. Seconded by Vice Chair Baugh. Rollcall vote was administered with all members voting yes. The MOTION CARRIED.

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

b. Discussion of the Adoption of Special Water Service Charge for La Joya Acequia for the 2026 Irrigation Season

Chair Kelly stated that they raised the normal water service charge this year from \$51.25 to \$59.25. He asked Mr. Casuga to give some background on that and discuss the comments made about the potential increase for the La Joya Acequia.

Mr. Casuga explained that there is a proposed resolution for increasing the water service charge for La Joya Acequia for the 2026 Irrigation Season that they wanted to today's meeting with the Board. He went over the history between discuss at MRGCD and La Joya Acequia in regard to the water service charge. In the agreement that MRGCD and La Joya Acequia signed in 1977, they entered into a new supply agreement that was meant to be a water charge to be renegotiated on a year by year basis, with a methodology to be conducive to the rates of the day. In 2017, MRGCD passed a resolution reaffirming that 1977 agreement that included a requirement for the annual renegotiation. He expressed that at that time, the La Joya Aceguia Association was only paying \$6 per acre to irrigate, but in 2022 that was updated to \$8 per acre. He voiced that on August 12, 2024, MRGCD and La Joya entered into an MOU defining the areas of cooperation for consideration of La Joya Acequia rejoining MRGCD, which would determine cost and benefits La Joya would have, and then that would be provided to both MRGCD's Board and La Joya Acequia Association's Board, and they are still working on that. He explained that the MOU in 2024 said that La Joya would continue to receive water according to the contract, but did not say the water service charge would be set at \$8 and never go up. He noted that if La Joya Acequia Association did decide to join the District, they would immediately pay \$59.25 for water service and pay the property tax. As it stands right now, they will pay \$16 per acre while the rest of the

benefited area pays \$59.25 per acre, so the intention of the agreement is still honored, but the original contract said a rate was to be established that is on parity with what water users of the District pay. Mr. Casuga expressed that whether La Joya joins the District or not, the contract does state that it should be parity and that it is worth a reasonable question of whether their rates should also go up.

Chair Kelly said he reviewed the recitals and directives, and it is a question of the Board whether they should bear the same burden as everyone else having to go up \$8. He gave Mr. Roberts and Mr. Gonzales a chance to speak their opinions on the topic.

Mr. Roberts expressed that the La Joya Acequia contract was never intended to force users to pay for improvements to the El Vado Dam or any unrelated projects, and the rate was a carriage fee for delivery of water, not a blank check to fund the District's projects. He said that if MRGCD wants to amortize them the way everybody else is, then they should be a part of everyone else just the same, but they have not been since 1935, so they should not imply that we should be automatically charged just because of their requirement to get water when it is an inherent right. He added that the resolution passed in 2022 at \$8 an acre. He mentioned that he came to this Board a year ago to talk to them about global cooling and no one is taking it seriously, but the sun is going to start hibernating and they are going to see more potential disasters regarding flooding and having snow in June. He said with that in mind, they are going to have to increase the fee to allot half of it for repairs in the acequia from flooding that will also affect the improvement to the El Vado Dam and farmers, because if there is no money to help with those things, they are going to have a serious problem.

Chair Kelly responded that they would ponder the comments raised and when they bring this up for approval he expects Mr. Casuga to provide a report on the comments raised. Mr. Casuga agreed to do that.

Director Russo Baca believed that during initial discussions with the majordomo and commissioners there was an understanding that there would be a yearly increase, and she wondered if they have continued those conversations and if they are sharing that with the parciantes.

Mr. Casuga responded that he does not speak to the parciantes of the La Joya Acequia Association, as they are not part of the benefited area, but he did communicate it to their board. He also had a conversation with Bernadette Sinclair prior to this resolution going out that it would be on this agenda, and they modified the recommendation so that if the Board chooses to do this it will be done early enough for the 2026 water season, as the La Joya Acequia sends out their assessment in November.

Vice Chair Baugh inquired if their bill due in June was based at \$8 per acre. Mr. Casuga answered yes.

Director Russo Baca clarified they are not charging for water, but for the delivery of water from MRGCD because La Joya does not have their own diversion.

Mr. Casuga added that it states that the 1977 agreement did not alter the obligations to pay for construction and pro rata interest charges related to El Vado, so there is an ongoing cost. He added the question is since we pay 100% O&M for El Vado and there is a cost of delivering water, should La Joya's cost also go up like the other water users.

Vice Chair expressed that the way Mr. Casuga is laying it out sounds like a sweetheart of a deal in comparison to other users.

Mr. Casuga explained that there are other costs that the La Joya Acequia Association bears and their parciantes also pay a fee to the La Joya Acequia Association to cover maintenance of those facilities just like MRGCD people do. He commented that we are charging constituents \$59.25, plus a mill levy and property tax, and they are proposing to charge La Joya \$16 an acre just for water delivery, but he understands that is still a big jump for the La Joya. However, if they become a part of MRGCD, they will immediately pay a water service charge and property tax with the rest of the valley, so the increase in cost would come one way or another.

Vice Chair asked if there was a way they could have a payment plan similar to others.

Mr. Casuga explained that the current contract requires payment due at the beginning of June for the year and there has been no request for a payment plan. He also did not believe he has the authority to do that and enter into that agreement since it is tied to this, so he would probably have to bring that back to the Board.

Ms. Fanelli said the cost of 100% of El Vado alone is about \$12 per acre.

Mr. Roberts voiced that they have increased the fees for maintenance, and it has gone up 80%, and he has suggested that they put a moratorium for at least a year so they do not boot out people that do not have the means to pay. He tried to work a deal with a big landowner that they would each put in \$2,000 to help their fellow parciantes that cannot pay, but he never came to the Board. He voiced that Ms. Sinclair is not doing what she is supposed to do as someone who is running the Acequia Board and there are a lot of conflicts of interest. He expressed that they are trying to vote out the people who are running it now to get people that are more community minded.

Mr. Gonzales explained that they pay their Acequia Association dues, which is about \$46 to use the infrastructure, and an \$8 increase would bring then to \$54. MRGCD water users are paying \$59, after recently increasing by \$8. He asked MRGCD to consider a percentage smaller than that.

Mr. Casuga expressed that he thinks it gets lost in translation that what MRGCD collects to be able to do O&M is made up of two pieces, the water service charge and the ad valorem property assessment, so no matter what they are paying per acre, they are not paying the tax on the same acre at that rate. He said if they were to make this an apple to apples comparison, the CFO can say if they take what is paid in property taxes and divide by the number of acres and add that to the water service charge that would be a more comparable rate, but just comparing the water service charge is not apples to apples in comparison. He recognized that an \$8 an acre is a jump regardless if someone is in the benefited area or not and they do not do that lightly, but they are just analyzing what it costs to deliver the services of the District, which they do every year. He noted that they were not thinking of a percentage when thinking about the Middle Valley, but what they needed to do to balance the books based on some of the new charges they had coming in and that is how they come up with the \$8. They felt that water user to water user, it seemed inequitable to do \$8 to one water user and not the other.

Vice Chair Baugh emphasized that it would be good to go back and talk to the community about the truth of the matter and the agreement that Mr. Casuga went more in depth on to know what each individual in the benefit area has.

Chair Kelly noted that our arrangement with La Joya is unique, and the subject matter deserves that kind of discussion among the Board and those impacted.

c. Notice of Successful Water Trust Board Project

Ms. Fanelli explained that MRGCD was notified on Friday they were awarded the Water Trust Board Grant/Loan for the Feeder 3 Pump Station in the amount of \$5.4 million of grant award and \$600,000 for the loan portion. She said this will be a 20-year loan with 0% interest and an admin fee of .25%. The District has already incurred expenses of \$453,000 for design and encumbrance of \$160,000 that will be part of the \$1.2 million. The Water Trust Board Grant will be added to the Water Smart Grant that was awarded by BOR in April for \$2.5 million with a 50% match requirement, and the total cost of the project is expected to be \$9.7 million.

Chair Kelly asked how far along we are on the design. Mr. Zamora answered 60%.

Chair Kelly inquired that if they sell bonds and money is available, could we award that this fall and get all the work done over the winter and start pushing force main up the right of way.

Mr. Zamora responded that the idea is to break it into two phases, as they have some right of way issues they need to deal with that could push them into next year, but they plan to run force main up the Feeder 3 as phase I and will come back with the pumpstation after the right of way issues are resolved.

Chair Kelly asked if those issues require condemnation. Mr. Zamora stated potentially.

Mr. Casuga added that they are prepared.

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

a. Consideration/Approval of the FY2026 MOA between the Center for Social Sustainable Systems (CESOSS) and the MRGCD - Casey Ish, Director of Lands and Conservation

Mr. Ish discussed the Memorandum of Agreement between MRGCD and CESOSS, which is a partnership that has grown over several years, and CESOSS has become a really valuable community partner for us in things like the development of the Valle Vista Outdoor Acequia classroom and helping coordinate resources. He explained the motion before the Board is to consider and approve a renewal of the MOA with CESOSS. He then invited Jorge Garcia, Executive Director of CESOSS, to make a few comments.

Mr. Garcia thanked MRGCD for their support and collaboration. He explained that the collaboration between them extends to the five different acequias in the South Valley and benefitted area and helps spread the understanding and history of the acequias. He noted that CESOSS was established initially to spread and educate their own community about their rights and what that entails for the larger region in the Albuquerque area to protect and preserve water. He said they hope to continue establishing and having clear acequia

education into the communities so parciantes can make the best of the MRGCD and MRGCD can make the best of the parciantes. He stated part of what they are trying to convey is that the misconceptions were born out of the relationship between the acequia communities and MRGCD that was totally misunderstood in terms of the role MRGCD plays in preserving water rights and ensuring that water continues to go on and ditches are appropriately taken care of, so they will continue informing, organizing, and opening the spaces for the education that needs to take place. He expressed that today more than ever the understanding of the relationship between MRGCD and those who have water rights needs to be strengthened entirely, as this is the only water that can be protected.

Director Russo Baca made the MOTION TO APPROVE THE FY2026 MOA BETWEEN CESOSS AND THE MRGCD. Seconded by Vice Chair Baugh. Rollcall vote was administered with all members voting yes. The MOTION CARRIED.

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

b. Consideration and Approval of the Rio Grande Valley State Park Joint Powers Agreement (JPA) with the City of Albuquerque - Casey Ish, Director of Lands and Conservation

Mr. Ish introduced Colleen McRoberts, the Superintendent of Open Space for the City of Albuquerque and stated that she was there to answer any questions about the JPA.

Ms. McRoberts voiced that she really appreciated their partnership and being able to serve the greater Albuquerque-Bernalillo County public through their joint management and through this designation of the State Park Act.

Chair Kelly gave some background on the JPA. He explained that he and former Director Barbara Baca felt that they were working under a JPA that was written for the time in 1983 when the demand was to protect before they lost it, but they have had a complete change in demand on the Bosque, and that is what drove them to ask for this change. He stated they had previously revised one, but felt it needed to be more aspirational and direct about managing new uses and looking 30 years down the road. He expressed they are losing their cottonwood forest, and they will never restore it without doing major earthmoving in the Bosque to reconnect it to the floodplain. He said getting this new JPA approved is a major goal. He explained that they pledged to work with City Open Space in regard to E-bikes, and he values their relationship with City Open Space, but we are the people managing the Bosque and everybody in town wants to tell us how to do it. He stated this is the most important issue for our non-irrigating ratepayers in Bernalillo County and they need to take good care of it, even if that means having to throw E-bikes out. He voiced that this is a wonderfully revised agreement, and he felt they addressed the aspirations that he and former Director Barbara Baca wanted to see in there.

Ms. Roberts added that City Council recently passed the budget for the General Fund, which gave them more money, specifically to manage the Bosque.

Director Russo Baca asked McRoberts to give input on their meeting with Valencia County about Willie Chavez Park. Ms. Roberts expressed that she would have to become more knowledgeable about that.

Director Russo Baca made the MOTION TO APPROVE THE RIO GRANDE VALLEY STATE PARK JPA WITH THE CITY OF ALBUQUERQUE. Seconded by Vice Chair Baugh. Rollcall vote was administered with all members voting yes. The MOTION CARRIED.

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

c. Report on the Six Middle Rio Grande Pueblo Coalition Meeting, May 15 and June 5, 2025 - Casey Ish, Director of Lands and Conservation and Director Russo Baca

Mr. Ish voiced that MRGCD did not contribute much to the meeting last month. He said he provided a brief water supply update and there were no follow up questions.

- d. Information on Upcoming Events
 - 1. Socorro County Informational Meeting, July 9, 2025, 9 a.m. noon, Socorro Convention Center, 1220 Hwy 60 West Socorro, NM
 - 2. Valencia County Informational Meeting, July 17, 2025, 9 a.m. noon, Tome Dominguez Hall, 2933 Hwy 47, Tome, NM
 - 3. Sandoval County Informational Meeting, July 24, 2025, 9 a.m. noon, Black Mesa Casino Auditorium, 25 Hagen Rd, Algodones, NM
 - 4. Bernalillo County Informational Meeting, July 31, 2025, 9 a.m. noon, South Valley Multipurpose Senior Center, 2008 Larrazolo Rd SW, Albuquerque, NM
 - 5. Family Farm Alliance Annual Conference, October 30-31, 2025, Reno, NV (August 30 deadline)

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

Mr. Wechsler reserved their comments for the closed session.

Ms. Wiggins noted she will provide an update on Julie Patterson v. City of Albuquerque and Aragon v. MRGCD in Executive Session.

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

a. Report on Feeder No. 3 Site Visit with Jerry Montano, May 13, 2025 - Directors Russo Baca and Jiron

Reference the appendix for the director's written reports.

b. Report on the ISC Commission Meeting, May 15, 2025 - Director Russo Baca

Director Russo Baca voiced that it is important to continue going to these ISC meetings, as there tends to be a lot of things about the state engineer and the State Engineer's Office, and ISC reports on all of the things going on throughout the District and throughout the state.

c. Report on the Centennial Committee Meeting, May 22, 2025 - Vice Chairman Baugh and Director Russo Baca

Reference the appendix for the director's written reports.

d. Report on the Valle Vista Acequia Celebration, May 23, 2025 - Vice Chairman Baugh.

Vice Chair Baugh expressed that the celebration was incredible, inspiring, and they all walked away feeling like we are actually doing something that will make a difference. He stated that even though they hit a small hiccup with some capital outlay, they are still plugging and chugging.

e. Report on the Rio Grande Boulevard Neighborhood Association Meeting, May 29, 2025 - Vice Chairman Baugh

Vice Chair Baugh said this meeting was awesome and there was a lot of conversation around how the District can better prompt communities when trees have been identified to be cut down. He suggested bringing that before the Urban Issues Committee to talk about how to better do that.

Chair Kelly asked Ms. Wiggins if she had any insights on this, as she had one-on-one conversations with impacted neighbors.

Ms. Wiggins expressed that she had the opportunity to have dinner with many of the members of the Dietz Farm neighborhood and they all expressed concerns with the fact that the arborist who rendered the opinion also worked for the entity that did the tree removal. She voiced that they do rely on the expertise of outside vendors, and it is not unusual that the person who provides us with an opinion is also involved in the implementation of the decision. However, it is always heartbreaking for the people in New Mexico to see a tree being cut down.

Mr. Casuga added that there was a time when no arborist was called at all and the District did it unilaterally, which caused problems to where he was asked to hire a professional with certification. He said if an arborist says a tree is dangerous, he believes it is dangerous, because if they said something wasn't dangerous that ended up being dangerous, they would be accountable for that. He noted that it would be a struggle to find an arborist doing work not tied to vegetation management of some kind, and he had no reason to believe this arborist was not acting in their professional capacity to make the best recommendation they could.

Chair Kelly inquired if the recently hired Bosque Ecosystem Manager could do that.

Mr. Casuga voiced that his professional recommendation is to get a third party opinion, and he did not know if the public would trust an internal MRGCD person to make the same assessment on a tree, so it is darned if you do and darned if you don't type of situation. He noted there have been times when an arborist has decided not to cut a tree down and trim it instead. He added that a lot of the tree canopy they enjoy are old and more often than not, they are going to find aged cotton woods that are hollow in the middle, and they are called widow makers for a reason.

Vice Chair Baugh clarified that the people speaking at the meeting were not talking directly about a connection with the arborist and the company that did the work, but more about making a message that can be clearly heard and be brought into the conversation.

Mr. Casuga responded that the Board should be prepared for these conversations around vegetation, as tree management and vegetation management in this valley may become some of the most contentious conversations going forward as the forest continues to age. He expressed that it is hard and emotional, but they need to be prepared that if we want the Bosque that our children's child will enjoy, we are going to have to touch it.

Chair Kelly made the **MOTION TO APPROVE ALL THE REPORTS FROM THE BOARD.** Seconded by Chair Baugh. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Chair Kelly Yes Vice Chair Baugh Yes Director Sandoval Yes Director Russo Baca Yes

Director Sandoval excused himself from the meeting at 5:17pm.

The chair requested a motion to go into the closed session at 5:17 pm.

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

Chair Kelly Yes Vice Chair Baugh Yes

Director Russo Baca Yes

AGENDA ITEM NO. 15 EXECUTIVE SESSION

- a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)2
 - 1. Limited Personnel Matters
- b. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7
 - 1. Threatened or Pending Litigation

No decisions were made, and the chair requested a motion to go back into the regular session at 5:54 pm.

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

Chair Kelly Yes Vice Chair Baugh Yes

Director Russo Baca Yes

With no further comments, questions, or concerns, Chair Kelly adjourned the meeting at 5:54 pm.

Approved to be the correct Minutes of the Board of Directors of June 9, 2025.

ATTESTED:

Pamela Fanelli, CMA, CGFM

Secretary-Treasurer/CFO

John P. Kelly, Chairman

MRGCD Board of Directors

APPENDIX

<u>Director Russo Baca Board Reports June 2025</u>

Report on the Feeder 3 Site Visit, May 13, 2025, Feeder 3, Bosque, NM

This meeting was convened to visit the future location of the pumping station at Feeder 3 and explain to irrigators in the area how the facility will work in the future. This meeting was well attended by irrigators.

Report on the ISC Commission Meeting, May 15, 2025

RIO GRANDE BASIN KEY UPDATES 2025 Rio Grande Compact Status – New Mexico's cumulative Compact status is 124,000 acre feet and Article VII restrictions continue to be in effect. Usable Water in Project Storage was about 288,000 acre-feet as of April 30. El Vado Reservoir Operations – Reclamation is currently storing about 25,000 acre-feet of San Juan Chama Project (SJCP) and Prior and Paramount (P&P) water. Reclamation's reassessment regarding construction to rehabilitate the dam is ongoing. Abiquiu Reservoir and Dam Operations – The U.S. Army Corps of Engineers (USACE) and Reclamation are continuing to evaluate the best storage options for P&P water in 2025. Releases from Abiquiu Dam will be monitored during spring runoff.

WORK AREA OVERVIEWS INTERSTATE COMPACTS Article VII restrictions remain in effect and only native water stored for P&P needs may be stored in 2025. There will be no additional native storage in post-1929 reservoirs this year.

WATER OPERATIONS EI Vado Operations – Reclamation is continuing to test the safe water storage capacity at El Vado while they study new alternatives to rehabilitate the dam. Currently, about 6,000 acre-feet of San Juan-Chama Project (SJCP) and 19,000 acre-feet of P&P water are being stored in the reservoir, for a total of approximately 25,000 acre-feet of storage in El Vado. The maximum volume that Reclamation plans to store in El Vado is 25,200 acre-feet. Abiquiu Operations – New Mexico is expecting very low water supply conditions in 2025, which will result in an above average storage requirement for P&P purposes. Based on the May forecast, the final P&P storage requirement is approximately 32,000 acre-feet. In addition to the 19,000 acre-feet of P&P water stored in El Vado, Reclamation is storing about 7,000 acre-feet of P&P water in Abiquiu under a temporary emergency permit. Releases from Abiquiu are not expected to exceed 700 cfs during runoff, and due to sedimentation in the Rio Chama, the USACE plans to make incremental releases from the dam to test the channel capacity. Rio Chama Plug Updates – So far, no flooding or saturation issues have been reported in the lower Rio Chama this spring. The NMISC is continuing to collaborate with partners at the USACE, Reclamation, and the Albuquerque Bernalillo County Water Utility Authority to find solutions and further increase channel capacity. The NMISC is also exploring various programs to provide technical and/or planning assistance, as well as educational opportunities for local communities in the Rio Chama basin. Middle Rio Grande Conservancy District (MRGCD) - The MRGCD began charging their conveyance system on February 24, and active irrigation began in mid-March. Current models are predicting the allocation for all SJCP contractors will be between 35 and 40 percent of a full allocation.

River Mile 60 – Reclamation has reduced flows to the west at the bottom of the Low Flow Conveyance Channel and continues to collect and analyze data from these experimental operations evaluating impacts to bird habitat. These reduced flows will continue through October and will discontinue from November through January 2026. Reclamation is reviewing the 2024 data, and the data will be shared with the NMISC when their evaluation is completed.

NMISC continues to express concern related to increased depletions associated with these f lows to the west

Elephant Butte Reservoir and Usable Water – Current models are indicating that storage in Elephant Butte Reservoir could fall below 20,000 acre-feet before the end of August – levels this low haven't been seen since the severe drought of the 1950s. Without a significant monsoon season, Usable Water in Elephant Butte and Caballo Reservoirs is not expected to rise above 70,000 acre-feet by the end of 2025.

ENDANGERED SPECIES Spring Runoff Planning – Drying in the San Acacia Reach began in mid-April and approximately 27 miles of river has dried thus far. The US Fish and Wildlife Service performed rescue of Rio Grande Silvery Minnow within drying areas. Because river recession occurred before fish spawned, typically in May and June, a number of fish were found to be gravid. Some of the rescued fish were provided to the fish conservation facilities to allow them to attempt to spawn the fish. All the facilities had successful spawning events. Egg collections from spring f low modifications at the MRGCD Isleta Diversion Dam occurred in late April with limited success. MRGCD and Reclamation will coordinate on river recession in both the Isleta and San Acacia reaches over the next month with targeted use of supplemental water and other sources to maintain wetted habitats in these reaches. Collaborative Program - Federal funding cuts are expected to affect ESA projects in the Middle Rio Grande. A third-party management contract with the University of New Mexico has been cancelled. Other projects are being delayed, such as fish passage at irrigation diversion dams. Staff and funding reductions at the federal agencies will impact the progress of many Rio Grande projects and NMISC staff are in discussions with federal and nonfederal partners on prioritization of projects.

Report on the Centennial Committee Meeting, May 22, 2025

The centennial committee discussed the ongoing events to celebrate the centennial and the film screening and potential options for fundraising to a local charity or organization for the film screening. There was also discussion about the MRGCD Centennial Equipment rodeo for staff.

Report on the Coalition of Six Middle Rio Grande Basin Pueblos, June 5, 2025 MRGCD staff attended this meeting and gave an update on the water situation and O&M for facilities on Pueblo lands. Mr. Bald Eagle, the new temporary deputy regional director for BIA, was present.