

**MINUTES OF THE
2,227th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

SEPTEMBER 8, 2025 - 3:00 PM

Directors having been duly notified; Chairman John P. Kelly called the regular meeting to order at 3:02 pm.
The following Directors and Staff were present:

DIRECTORS		STAFF	
John P. Kelly, Chairman	Present	Jason Casuga	Chief Engineer/CEO
Colin T. Baugh, Vice Chairman	Present	Lorna Wiggins	General Counsel
Brian Jiron, Director	Present	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 Ops. & Telemetry Mgr..
Karen Dunning, Director	Present	Matt Martinez	Irrigation Distribution Manager

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

Christine Nardi, MRGCD	Tim Bradley, MRGCD	Chris Perea, Wilson & Company
Casey Ish, MRGCD	Tarah Jaramillo, MRGCD	Tim Smith, AES
Amanda Molina, MRGCD	John Thompson, MRGCD Lobbyist	Ernie Marquez, AES
Josh Hind, MRGCD	Elaine Hebard	Rudy Perea, Corrales
Mike Padilla, MRGCD	Vincent Sanchez	Annie Sanchez, Vill. of Los Ranchos
DeAnna Philips, MRGCD	Cecilia Rosacker, RGALT	Janet Jarratt
Josh Gamboa, MRGCD	Adam Splitek	Mark Sanchez

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Tim Bradley led the Pledge of Allegiance at today's meeting.

Chairman Kelly declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting with Director Jiron attending virtually and Director Duggins absent. Rollcall votes will be necessary for regular motions.

AGENDA ITEM NO.2 - APPROVAL OF THE AGENDA

Chairman Kelly added Item 15(i), Valencia County Fair, under Reports from the Board.

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

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

AGENDA ITEM NO. 3 - CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification – September 8, 2025
- b. Consideration/Approval of August 2025 Invoice for Wiggins, Williams & Wesenberg, PC

- c. **Consideration/Approval of August 2025 Invoices for Spencer Fane LLP**
- d. **Consideration/Approval of the Minutes for the Regular Board Meeting – August 11, 2025**
- e. **Memo on MRGCD Approved Licenses for August 2025 (For Informational Purposes Only)**

Director Dunning asked if the Army Corps decision that waters in the acequias are waters of the United States will halt everything they are doing with the pedestrian bridge in Corrales.

Mr. Casuga answered that he did not believe their licensing process would be affected by that.

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

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

AGENDA ITEM NO. 4 - DISCUSSION/APPROVAL OF THE OCTOBER AND NOVEMBER 2025 BOARD MEETING SCHEDULE - Jason M. Casuga

Mr. Casuga stated that their next board meeting is scheduled for October 13th, which is Indigenous Peoples' Day. Considering there are a significant amount of federal and tribal partners who will be on leave, he asked if they wanted to change the board meeting to Tuesday, October 14th. He noted that MRGCD will be open for business on October 13th.

Director Sandoval expressed that operations for the Pueblo of San Felipe will be closed that day, but he could be available for the meeting if he needed to be.

Director Jiron said the Pueblo of Isleta will probably be closed as well, but he would like to honor that day. He requested moving the meeting a day later.

The Board agreed to move the Regular Board Meeting to Tuesday, October 14th, at 1:30 p.m. for the special meeting, and 3 p.m. for the regular meeting.

Mr. Casuga expressed that he was also asked about availability of staff for the November meeting. It is scheduled for Monday, November 10th, and November 11th is Veterans Day. He said that he will be available on the 10th, as well as any other staff members not on vacation.

Chairman Kelly felt they should keep it as scheduled, on Monday, November 10th, at 3 p.m.

AGENDA ITEM NO. 5 - REPORTS FROM THE ELECTION DIRECTOR - Tim Smith, Automated Election Services

- a. **Update on the 2025 MRGCD Board of Directors Election**
- b. **Report on the Election Committee Meeting, August 27, 2025 - Chairman Kelly, Directors Russo Baca and Jiron**
- c. **Discussion/Approval of Early Voting and Election Day Polling Locations**

Chairman Kelly reported that they have one qualified candidate for each of the positions with no contested races this year, and early voting starts in a week. He said the Election Committee was asked to look at the polling locations, where they looked at past turnouts in different

locations, and ultimately felt like they needed to stick with what was advertised back before they had any nominating petitions in. He noted that turnout is going to be less this year because there are no contested elections, not because they cut polling locations.

Director Russo Baca commented that they looked at the potential cost savings in minimizing polling locations, but it ultimately came down to keeping it where they already had the polling locations published on the website and where they made the commitment to the legislature and the Secretary of State.

Director Jiron was in agreeance.

Director Dunning expressed that voting is a lifelong commitment, so consistency is important. She hated not saving money, but she looked at it as training ground for the next election.

Vice Chairman Baugh voiced that a question they have been asked is if having four uncontested races was a reflection of a bad democracy. He did not believe that, but asked the question of how to invest some of this money into building what the Secretary of State can help lay out with more robust voter engagement and how they address the community at large on this.

Mr. Casuga answered that they entered the conversation with the legislature knowing that by the time they finished, our hands would be tied with the amount of changes we could make this year. He added that this would run generally status quo to their 2023 election, but following this election, the Board can take a look at the processes and begin looking at all available methods for modifying the elections to increase voter turnout, with more opportunities and easier access to absentee ballots.

Director Baugh asked when the next election will be.

Mr. Casuga answered 2027.

Director Dunning asked when they made the commitment to keep the election in October instead of going back to June after this election.

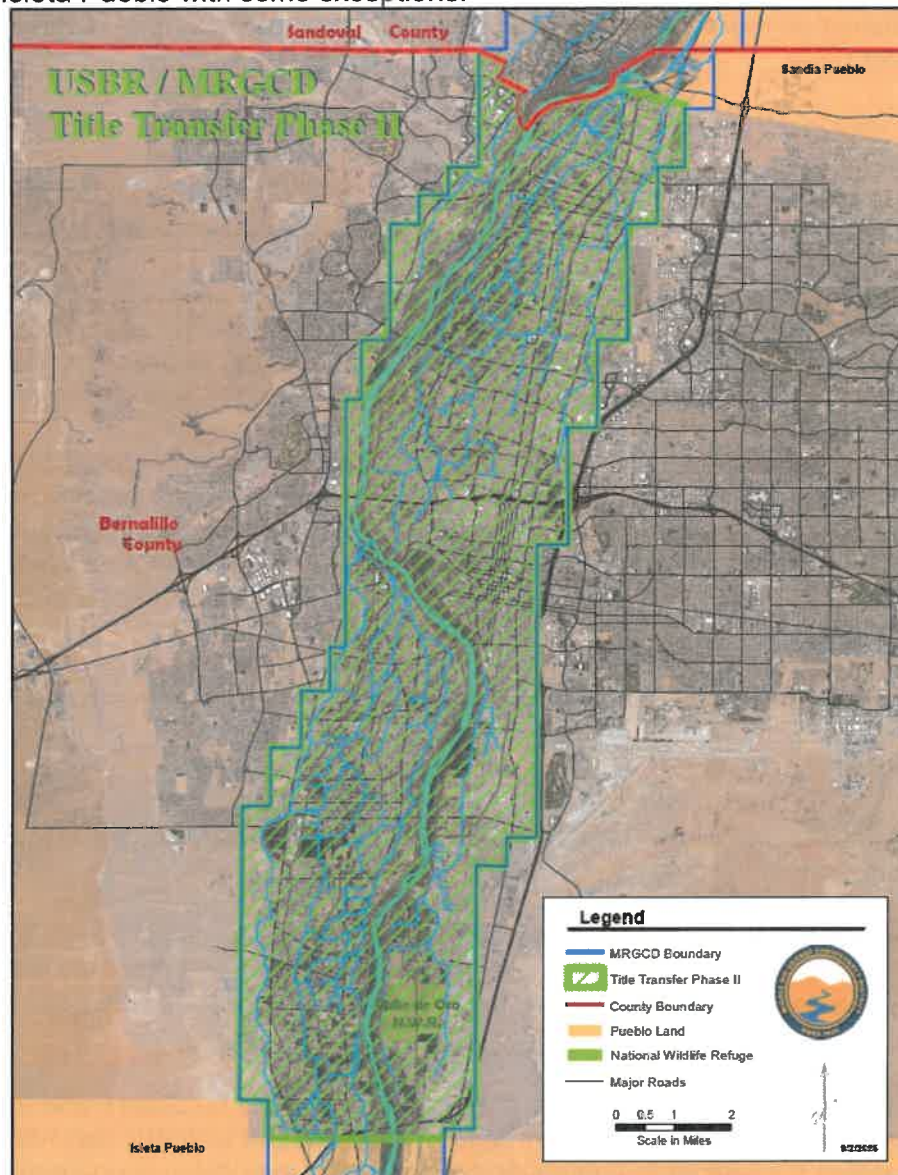
Mr. Casuga responded that the law required the election to be the second Monday following the first Tuesday of October for the election year, with the understanding that they wanted to move the elections to be as close to what people feel election season is, which is normally in November.

Mr. Smith added that tomorrow morning is the certification of the tabulators and they have a list of polling sites already that have semi-confirmed. He added that MRGCD had not reached out to any of the polling sites about the potential downsizing so everything is unchanged as far as they are aware.

AGENDA ITEM NO. 6 - NOTICE OF PHASE 2 TITLE TRANSFER WITH THE U.S. DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION - Jason M. Casuga, CE/CEO and Doug Strech, Systems and Data Integration

Mr. Casuga expressed that the purpose of this item is to announce to the public that MRGCD is beginning the process of moving forward with Phase 2 Title Transfer. He stated that BOR's Phase 2 Title Transfer team will be on the October board meeting agenda to begin the engagement of that process and to seek both the Board and the public's input. He said that MRGCD is following a process that allows BOR to move through title transfer relatively easily..

He explained that the boundary was drawn and agreed to by MRGCD staff and BOR to meet the definition of not complex, so it will not cover any tribal lands. He noted that it will cover from the northern boundary or Isleta Pueblo to roughly the Sandoval County line on the northern end and encompass all MRGCD facilities in the hatched area within Bernalillo County. He added that Phase 1 was everything in Socorro County and Valencia County up to the southern boundary of Isleta Pueblo with some exceptions.



Chairman Kelly noted it will get trickier for Phase 3, for Corrales, the Town of Bernalillo, and Peña Blanca.

AGENDA ITEM NO. 7 - REPORT(S) FROM THE WATER OPERATIONS

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

Anne Marken reported on water supply conditions, first noting that they did get rain this weekend. She put the current water situation into a historical perspective, as they found

a notice that was given in March of 1954 that also accurately characterized the conditions we are in now. She stated it is important for us to remember the Middle Valley has been here before and should expect to be here again. She went over hydrographs, displaying the flow measured at USGS Rio Grande at Central Gage in both 2021 and 2018, which show the importance for us to be striving towards improving New Mexico's Rio Grande Compact delivery so we can return to more reliable irrigation deliveries at the end of the season. She then went over the present hydrographs, showing 20 CFS at the Lobatos Gage, 40 CFS at the Rio Chama near La Puente Gage, and 240 CFS at the Otowi Gage. She shared that there have been a couple of rain spikes over the past couple weeks, and Middle Valley inflow below Cochiti Dam is about 320 cubic feet per second, 32 of which is San Juan Chama water being released to support environmental flows. She further explained that we have 320 coming in, but need more like 700 to meet the needs of irrigators, and current inflows are only slightly above the calculated prior and paramount demand and some limited non-pueblo irrigation deliveries have been happening upstream of Isleta Pueblo. Ms. Marken added that there were some rain inflows this weekend downstream of Cochiti, which added to the available supply coming into the Middle Valley, but they tend to be short-lived and can be challenging to manage, but Mr. Martinez's team has been working to distribute the water equitably to users as they occur. She commented that irrigators should continue to expect extended periods between deliveries, and she expects in-flows to decline in the coming days; however, there is rain in the forecast later this week, which could provide another temporary boost to available supply. The seasonal outlook indicates they should expect warmer and drier than average conditions through November, and the NOAA Climate prediction Center is forecasting a brief period of La Nina conditions in the fall and early winter.

Mr. Casuga asked who was releasing San Juan Chama water right now.

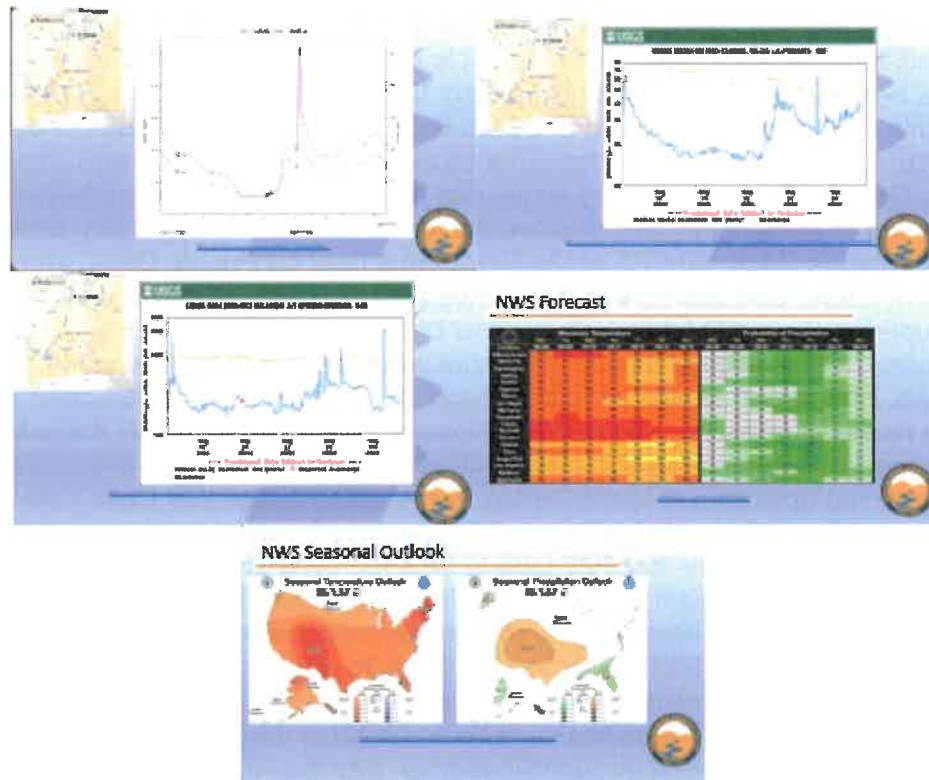
Ms. Marken answered that BOR has some San Juan Chama water that they're releasing for minnow flows and about 2 ½ CFS leased by Audubon. She added there will not be any other significant inflow from environmental purposes into Middle Valley once that is gone.

Vice Chairman Baugh inquired about the expected amount of our debt growing in the future.

Mr. Casuga responded that speaking about growing debt at this time is not wise, as the final number is not calculated until December.

Ms. Marken added that there are indications that it could not grow by much, but so much depends on how efficiently water that has to get moved down at the end of the season actually makes it down to Elephant Butte.





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

Mr. Martinez reported on water distribution. He said since P&P operations were declared on July 10th, they have spent most of the time under P&P only operations, in which no water was available for non-pueblo users above Isleta and only very limited flow reaching below. He said brief windows of relief came when rainfall allowed them to temporarily lift restrictions and open rotations. He noted that August was incredibly difficult for irrigators, as most of the month, non-pueblo deliveries above Isleta were curtailed, and below Isleta only a small trickle of drained water and variable returns made it through, making deliveries slow and inefficient. However, at the end of August, rain events above and below Cochiti Dam boosted supply for several days, which allowed us to accelerate rotations but it was not enough to reach all areas. He added that another round of storms last week provided the runoff we are currently using, but also produced arroyo inflows into several Belen Division canals. He noted that even with these short-lived boosts, overall supply remains insufficient to meet the needs of all lands in the MRGCD. Mr. Martinez stated that the Corrales pumps have been off for months and other parts of the District have not seen water since June or July, but they continue to weigh every rain flow opportunity carefully and target areas that have waited the longest. He expressed his deepest sympathy for the hardships of this season and urged everyone to be prepared to take water when offered.

Director Russo Baca voiced that she went 83 days between irrigations and her alfalfa was very crispy but as soon as she got irrigation water, it greened up and grew. She appreciated the fact that there is flexibility for irrigators in that she was able to go out at 4 in the morning to irrigate instead of her 70-year-old neighbor, who was able to go out at 6 instead. She said they know the ISOs are doing the best job they can with limited resources.

Director Jiron shared that he got a lot of phone calls from the farmers on the west side that receive water from the Belen Highline, as their crops are drying up as well, and they are seeing a lot of water on the east side. However, he understood that water is very limited right now and hopes that the farmers south of them get water soon.

Mr. Martinez appreciated all the support this season, but they are aware of all the struggles on the west side of the Belen Division and are waiting for the next best opportunity to run the Highline. He said the Belen Highline Canal also took on some arroyo inflows on Saturday night, so they are digging out again so that will potentially impact their ability if we get water again.

AGENDA ITEM NO. 8 - ITEMS FROM THE FLOOR (Comments are limited to three (3) minutes)

Janet Jarrett

Ms. Jarrett echoed that the issues on the west side are very severe because there have been multiple ditch issues on the Highline apparently, and Los Lunas caused problems where it couldn't get water down the Harlan. She voiced that there are problems with social media, as there is a whole chain talking about MRGCD. She informed the Board that she has not had water for well over 60 days and that is a problem for her livelihood, and people complaining about recreational water in the lakes is problematic and there needs to be education on that. She said that the District could go a long way to getting more participation in elections if it felt like it mattered and that people understood what the role is. She expressed that people need to understand that the District delivers the water right, and the water is owned by the farmers. Mr. Jarratt reiterated that they need to get Compact water delivered more efficiently and there needs to be a lot of very serious negotiations about how the Compact obligations are divvied up. She mentioned having no water in the ditches is the ideal time to burn the weeds, and highly encouraged them to look at running the weed burners in the summertime on green weeds.

Rudy Perea

Mr. Perea asked how they are coming along with the siphon and if they got a contractor yet.

Chairman Kelly answered that they have a contractor on a bid, and he is holding that bid open, and they are very close to signing off on an agreement with the Pueblo of Sandia to do the project. He noted that MRGCD is not in control of their timeline, but has provided all the information, forms of easement, and they are working through BIA's processes to make this happen.

Elaine Hebard

Refer to APPENDIX I for written comment.

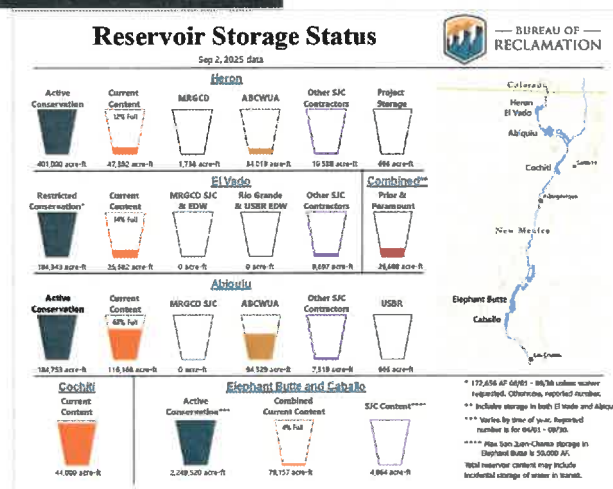
AGENDA ITEM NO. 9 - REPORT(S) FROM THE DEPARTMENT OF INTERIOR

- a. **Bureau of Indian Affairs - Patrick Taber, Acting Designated Engineer**
Patrick Taber was not in attendance but provided a handout on next page.

Bureau of Indian Affairs

Prior and Paramount Waters

- As of 9/9/2025
 - Prior and Paramount Storage – 26,671 acre-feet
 - El Vado – 15,684 acre-feet
 - Abiquiu – 10,977 acre-feet
 - Prior and Paramount Release
 - Total – 4709.83 acre-feet
 - El Vado - 2200.74
 - Abiquiu - 2509.09 acre-feet
 - Prior and Paramount Release Dates
 - July 11th – July 18th
 - July 28th – August 1st
 - August 4th – August 24th
 - Prior and Paramount Operations Dates
 - July 11th – July 19th
 - July 30th – August 5th
 - August 6th – August 24th



1. Heron Summary

Content:	47,502	ac-ft	(9/3/2025)
Azotea Tunnel:	0	cfs	
Total SJ-C Inflow (2025):	35,224	ac-ft	
Currently Releasing:	40	cfs	
Current MRGCD Storage:	1,738	ac-ft	

2. El Vado Summary

Content:	25,582	ac-ft	(9/3/2025)
Rio Grande Storage:	15,685	ac-ft	
MRGCD SJ-C Storage:	0	ac-ft	
P&P:	15,685	ac-ft	
Other SJ-C Contractors:	9,897	ac-ft	
Current Release:	100	cfs	RG Inflow: 15 - 50 cfs

3. Abiquiu Summary

Content:	114,956	ac-ft	(9/3/2025)
MRGCD SJ-C Storage:	0	ac-ft	
P&P:	10,983	ac-ft	

Total Supplemental Water Released (2025): 6,249 ac-ft

Total Precipitation for Water Year 2025 to 9/3 (% Median: NRCS SNOTEL)

Rio Chama Basin.....	78%
Upper Rio Grande Basin.....	74%
Sangre de Cristo Basin.....	95%
Jemez Basin.....	85%
San Juan River Basin.....	70%

- Multiple storm pulses throughout the Middle Rio Grande valley continue to reconnect and separate flows intermittently in all three reaches. Currently the Albuquerque reach is connected, and there are approximately 35 river miles dry in the San Acacia reach along with 13 river miles dry in the Isteta reach.
- Following the completion of scheduled maintenance at Caballo, the Elephant Butte release began today and will continue until Tuesday, September 9 to bring storage at Caballo above the minimum pool.

AGENDA ITEM NO. 10 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT -
Christine L. Nardi, MBA

a. Introduction of MRGCD New Hires

Ms. Nardi introduced MRGCD's new hires and promotions, which include a new heavy equipment operator and two field maintenance techs in the Belen Division, and a new ISO and promotion to accounts receivable and accounts payable clerk in the General Office.

AGENDA ITEM NO. 11 - REPORT(S) FROM THE TECHNICAL SERVICES DIRECTOR - Eric Zamora, PE

a. Consideration/Approval of Corrales Siphon Project Contract - Wilson & Company

Mr. Zamora recommended approval of the contract to Compass Engineering in the amount of \$7,183,885, plus New Mexico gross receipts tax. He added that the project was bid on July 8th, and Wilson & Company recommended approval to Compass Engineering as the apparent low bidder.

Chairman Kelly noted that if they award this contract, the notice to proceed would be contingent on the approval of the signed agreement with Sandia Pueblo.

Mr. Casuga explained there are two levels of notice to proceed on this, with the first level being the notice to proceed to order materials. The contractor is currently working in Colorado and will not be available to start construction until January. He said they are awarding this because they believe they have made significant progress with Sandia Pueblo, so the second notice to proceed will be contingent upon the approval of the agreement with Sandia and filing with BIA.,

Chairman Kelly expressed that having the two-level notice of proceed is not an abnormal construction process.

Chris Perea, with Wilson & Company, noted that they have worked with Compass Engineering before and they will do a great job.

Director Sandoval made the **MOTION TO APPROVE THE AWARD OF THE CONTRACT TO COMPASS ENGINEERING FOR \$7,183,885, PLUS GROSS RECEIPTS.** Seconded by Vice Chairman Baugh. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

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

b. Consideration/Approval of Feeder 3 Booster Station Bidding & Construction Phase Services - Bohannon Huston Inc.

Mr. Zamora asked for approval of a contract for construction phase services for Phase I of their Feeder 3 Booster Station Project. He explained that the project is due to right-of-way and final pump design issues, and will be split into two parts. The construction

phase will involve construction of the water line up Feeder 3 from the proposed pump station to just west of Highway 106 and almost up to I-25 along Feeder 3.

Chairman Kelly asked what the estimate was for construction.

Mr. Zamora answered \$5 million.

Mr. Casuga explained that they will be a part of putting out the bid, recommending a contractor, awarding a contractor, assisting MRGCD in doing that, and then we will move into Phase I of construction.

Chairman Kelly found their proposal reasonable for the scope and type of work.

Director Russo Baca made the **MOTION TO APPROVE FEEDER 3 BOOSTER STATION BIDDING & CONSTRUCTION PHASE SERVICES TO BOHANNAN HUSTON.** Seconded by Vice Chairman Baugh. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

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

c. Report on Meeting with Senator Martin Heinrich's Office Chrystal Romero, August 26, 2025

Mr. Zamora reported that they had a field tour of some drainage issues in Valencia County with the Office of Senator Martin Heinrich. He said they wanted to look at stormwater issues we encounter on our facilities, specifically around the Belen area, so they went to see the newly constructed Aragon Pond in Belen as an example of what the future of flood control in Valencia County may look like. He said they were able to see areas of concern around the Belen area. He stated that they are committed to working with the new Valencia County Flood Control Authority on these issues and we directed them that we have information that will help them out and that we're supportive of the new Flood Control Authority. He added that a lot of their staff was fairly unfamiliar with the Belen area and had limited experience in New Mexico. He said the tour was a little less than 45 minutes and he thanked Chrystal Romero for arranging it.



Mr. Casuga added in regard to the Flood Control Authority, the election is this November, and to his understanding, all of those positions are also running unopposed.

He added that we are very excited about having a new partner in Valencia County for flood control.

Mr. Zamora shared that our safety coordinator was able to get MRGCD as a member of the National Safety Council.

AGENDA ITEM NO. 12 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO

a. Consideration/Approval of Resolution No. M-09-08-25-228 Updating License and Application Fees & Services - Casey Ish, Director of Lands & Conservation

Mr. Ish shared staff's recommendation to adopt the fee schedule. He gave updates that came out of some of the discussion at the committee level, including adding an amateur filming license and updating commercial photography and commercial filming/staging, and separating the utility license for a lateral from a utility license for the Main Canal and/or drains. He said the most important feedback and public comment they got on the proposed fee schedule came from the Corrales Fire Department, as Chief Martinez asked about the relationship they may continue to have with MRGCD, as well as other emergency response entities. He stated that MRGCD made a comment that they reserve the right to waive license and application fees for projects and/or license requests of mutual benefit and/or public safety.

Director Dunning asked how the waiving of licenses will work on a practical level in the office and who has authority.

Mr. Ish clarified that they are not waiving the license, but they are waiving the license fee, and we will still want to know where those license activities are taking place and where the utilities are. He said that their staff is very well trained in understanding what might constitute as a mutual benefit project or a public safety project.

Mr. Casuga said he already has authority to waive fees if deemed necessary for similar purposes, and that process will be followed by the CEO after staff recommendations.

Director Russo Baca appreciated that they added some of those categories and that they have to have an application fee and no license fee, but have the certificate of insurance.

Chairman Kelly shared that the Finance Committee met up on this and some other things, and they felt it was important to have a new resolution that superseded that one. He added this is a policy decision based on a good staff recommendation and the Board is 100% behind this, as this is a good thing for MRGCD and for business in the community. He noted some stylistic things to clean up in the document.

Director Russo Baca made the **MOTION TO APPROVE RESOLUTION M-09-08-25-228, WITH THE STYLISTIC CHANGES STATED**. Seconded by Director Dunning. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

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

Director Dunning thanked Mr. Zamora and EBID for bringing it to the Boards attention that MRGCD had been undercharging for such a long time.

b. Report on Finance Committee Meeting, August 27, 2025 - Casey Ish, Director of Lands & Conservation, Chairman Kelly, Directors Dunning and Russo Baca

Refer to item 12a.

c. Consideration/Approval of Resolution No. M-09-08-25-227 Rule No. 21 Rules and Procedures Governing Disposition of District Real Property (Land Sales Policy) David Stang - Mike Padilla, Right-of-Way Supervisor

Mr. Padilla expressed that they are seeking approval for a land sale request from David Stang, in Resolution M-09-08-25-227. He explained that Dan Kubiak, who built a piece of a home within the Harwood Lateral, initiated this request to the Right-of-Way Department to do a land sale process with him and an inspection of the property. He said the appraisal came in at \$77,398. He stated that they need to meet the request for the State Board of Finance to approve the resolution then complete the sale process.

Vice Chairman Baugh made the **MOTION TO APPROVE RESOLUTION M-09-08-25-227**. Seconded by Director Sandoval. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

Chairman Kelly	Yes	Vice Chairman Baugh	Yes
Director Dunning	Yes	Director Russo Baca	Yes
Director Sandoval	Yes		

Mr. Padilla noted that once they get that, they will send it to the state and ask for their approval, then get an approval letter, and Mr. Stang will issue a check to our Assessments Department.

d. Consideration/Approval of Resolution No. M-09-08-25-226 Authorizing and Approving Submission of a Completed Application for Financial Assistance and project Approval to the New Mexico Finance Authority

Ms. Fanelli explained that Resolution M-09-08-25-226 authorizes staff to submit a loan application to the New Mexico Finance Authority for equipment purchases. She noted that the FY26 budget included \$4 million for this purpose. She stated that approval of this resolution is required by NMFA and once approved, she will submit the application and supporting documents to secure this loan.

Director Dunning made the **MOTION TO APPROVE RESOLUTION M-09-08-25-226, TO SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE**. Seconded by Director Russo Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

Chairman Kelly	Yes	Vice Chairman Baugh	Yes
Director Dunning	Yes	Director Russo Baca	Yes
Director Sandoval	Yes		

e. Consideration/Approval of Resolution BA-09-08-25-106 Adoption of Amended Budget for Fiscal Year 2026 (07-01-25 - 06-30-26)

Ms. Fanelli voiced that they received a letter from the Army Corps of Engineers requesting additional funds for the Bernalillo to Belen Mountain View unit to complete additional work, with a total estimate of \$2.1 million. She added that the non-federal share is \$310,000. She said the amount requested is held in their long-term investment fund, which they did not budget for in FY26, and they are not requesting a budget adjustment. She stated that they are requesting the full amount. She noted this is their first budget amendment for FY26.

Chairman Kelly noted that the Corps sent that to them in the middle of August, which was well past our budget process. He said they are simply taking money that was reserved for levees and putting it into this year's budget to spend on levees.

Director Dunning asked if we are ever going to get the money to actually build it.

Mr. Casuga believes the levee will get built, but that MRGCD will probably use a different process within the Corps, maybe similar to the west levee. He stated that USACE is pursuing budget, but it is highly competitive, so that is why there are options potentially shifting back to a repayment method. However, they need to get to the point where it is construction ready to be able to begin to approach that conversation.

Chairman Kelly stated that the Corps of Engineers sometimes takes longer and cost more, but we had a successful project with them on the San Acacia, and we gave them feedback about their contracting and recordkeeping procedures. He said we reserved the money and need to get it ready to spend.

Director Russo Baca made the **MOTION TO APPROVE RESOLUTION BA-09-08-25-106, ADOPTION OF AMENDED BUDGET FOR FY26**. Seconded by Director Dunning. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

Chairman Kelly	Yes	Vice Chairman Baugh	Yes
Director Dunning	Yes	Director Russo Baca	Yes
Director Sandoval	Yes		

AGENDA ITEM NO. 13 - REPORT(S) FROM THE CHIEF ENGINEER/CEO— Jason M. Casuga, PE

a. Report on Middle Rio Grande Reinitiated Consultation Discussion with Bureau of Reclamation, August 12, 2025 - Jason M. Casuga, CE/CEO, Casey Ish, Director of Lands & Conservation, Anne Marken, River Operations & Telemetry Manager

Mr. Casuga explained that last year they entered into a settlement agreement between the Department of Interior, MRGCD, and Wild Earth Guardians on litigation that Wild Earth Guardians brought against BOR and MRGCD intervened on, which set in motion a re-consultation of the current biological opinion. He said there is significant work to be done on this and Reclamation has reached out to the state of New Mexico to start consultation with them. MRGCD will also be reaching out to start that consultation to have a realistic discussion about actions that need to be covered under the environmental compliance. He said the Board is going to reorganize after the election, and part of that is re-assigning committees, so he wants the Board to consider creating a biological opinion or federal consultation committee to share feedback on the direction the consultation is going, as it may be crucial for our ability to respond timely.

Chairman Kelly expressed that they would look at the officers on the Board at the October meeting and will assign committees, including the new committee, at the November meeting.

b. Report on Water and Natural Resources Legislative Committee Meeting, August 18-19, 2025 Jason M. Casuga, CE/CEO and John Thompson, MRGCD Lobbyist

Mr. Casuga reported on the Water and Natural Resources Legislative Committee Meeting that was held in Las Cruces, where they got to spend a lot of time talking about issues related to water and natural resources, and it was an opportunity to talk about elections and talk to the state about the consultation and funding.

Mr. Thompson voiced that it was a great opportunity to interact with people in a more non-formal setting and have meaningful conversations and build relationships.

c. Report on San-Juan Chama Project Contractor Association Annual Fieldtrip & Workshop, August 26-29, 2025 - Jason M. Casuga, CE/CEO, Anne Marken, River Operations & Telemetry Manager, and Amelia Barrow, Water Resources Specialist

Mr. Casuga attended the San Juan Chama Contractors Association annual field trip, where they got to meet some of their small San Juan Chama contractors and see how they use their SJC water, and got to hear a lot of presentations on how others are using that water. He noted that Anne Marken and Amelia Barrow also attended. He said they met with a small acequia in Taos and they were going through the same thing we are with not enough water and customers wanting water and wanting to interact with the public servants that are trying to get them water. He shared that he got to do the closing session and said it is necessary to do this education. He added that we have a very strategic resource that needs protecting and our voice as contractors needs to make sure that our commission for Colorado River issues hears us as those issues unfold.

d. Information on Upcoming Events

1. **NM Water Law 32nd Annual Conference, Sept 11-12, 2025: Santa Fe, NM**
2. **CESOSS Los Padilla Acequia Walk & Talk, September 27, 2025: Albuquerque, NM**
3. **Coalition of Rio Grande Water Users Conference, Sept 30 to Oct 2, 2025: Santa Fe, NM**
4. **13th Annual Tribal Water Law Super Conference, Oct 16-17, 2025: Isleta Resort & Casino**
5. **CESOSS Arenal & Atrisco Acequia Walk & Talk, October 18, 2025: Albuquerque, NM**
6. **Colorado River Water Users Association (CRWUA) 2025 Conference, Dec 16-18, 2025: Las Vegas, NV**

AGENDA ITEM NO. 14 - REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water Counsel or General Counsel

Ms. Wiggins discussed the District's strong commitment to ensuring that our irrigators are held to professional standards and when they behave badly on a ditch bank, they will be held accountable. She said that Lee Backer, Valencia County irrigator, conducted himself in a manner that was threatening and violent toward an ISO. She stated that he was found in contempt and MRGCD was awarded a permanent injunction against him, and he is unable to go within 300 feet of the property when an ISO is on the ditch, not permitted to enter any MRGCD

office or facility, cannot go within 50 feet of an MRGCD employee or 15 feet of any MRGCD vehicle, and cannot assist his mother with watering anymore. She shared that their request for attorney's fees was denied but the court gave to option to revisit the issue if there are continuing issues with Mr. Baker. She also reported that the Tenbears Souter action or injuries resulting from a vehicle accident involving a prior CEO was dismissed following a settlement.

Mr. Casuga added that the first conduct with Mr. Baker was physically assaulting one of our employees, and then there were these follow-up actions after conditions were put on that behavior. He made it clear that MRGCD takes it very seriously when the public assaults their employees or makes threatening intentions.

AGENDA ITEM NO. 15 REPORT(S) FROM THE BOARD

a. Report on the Los Lunas Boulevard Corridor Project Groundbreaking, August 14, 2025 - Director Russo Baca

Refer to Appendix II for written report.

b. Report on the Basin Study Agriculture Committee, August 19, 2025 - Director Russo Baca

Refer to Appendix II for written report.

c. Report on the Valencia Soil & Water Conservation District Board Meeting/MRGCD Presentation, August 21, 2025 - Director Russo Baca

Refer to Appendix II for written report.

d. Report on Meeting with Speaker of the House, Representative Javier Martinez, August 25, 2025 - Vice Chairman Baugh

Vice Chairman Baugh expressed that he had the pleasure of introducing Javier Martinez to our new Bosque Manager, along with Mr. Ish, Mr. Casuga, and Mr. Thompson, and they had a great conversation laying out how they can be proactive to save the Bosque. He said Mr. Martinez was very receptive to that and encouraged us to look at some options.

e. Report on Urban Issues Committee, August 27, 2025 - Chairman Kelly, Vice Chairman Baugh, Director Dunning

Director Dunning voiced that the Urban Issues Committee has a lot of emerging issues, with a big one being trees and the policies we have put in place. She said they discussed having a citizens advisory group, where they get people who live in urban areas to meet.

Chairman Kelly added that through their discussion, the goal is to seek out 8 to 10 people with an interest in the District, and they would not restrict them to be a resident within the benefited area. He said they would prepare an outline of what the committee would do and they hope to have something for the Board to look at as an application looking for people to help us on these issues, with the goal of getting this committee convened at the first of the year. He noted that they would not be compensated, other than for mileage.

f. Report on the NMSU Chile Field Day, August 28, 2025 - Director Russo Baca

Refer to Appendix II for written report.

g. Report on the CESSOS Pajarito Acequia Walk, August 30, 2025 - Director Russo Baca

Refer to Appendix II for written report.

h. Report on the Centennial Committee Meeting, September 2, 2025 - Vice Chairman Baugh, Directors Russo Baca and Dunning

Director Russo Baca highlighted that MRGCD has done a really good job in sponsoring a lot of our local events even prior to the Centennial.

i. Valencia County Fair - Director Russo Baca

Refer to Appendix II for written report.

Vice Chairman Baugh made the **MOTION TO APPROVE THE REPORTS FROM THE BOARD**. Seconded by Director Russo Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

Chairman Kelly	Yes	Vice Chairman Baugh	Yes
Director Dunning	Yes	Director Russo Baca	Yes
Director Sandoval	Yes		

AGENDA ITEM NO. 14 EXECUTIVE SESSION

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

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

Mr. Casuga stated there were no items for Executive Session for this meeting, but there will be an Executive Session in October with a significant amount of issues to cover.

With no further comments, questions, or concerns, Chairman Kelly adjourned the meeting at 4:54 pm.

Approved to be the correct Minutes of the Board of Directors of September 8, 2025.

ATTESTED:


 Pamela Fanelli, CMA, CGFM
 Secretary-Treasurer/CFO


 John P. Kelly, Chairman
 MRGCD Board of Directors

APPENDIX I

MRGCD Board Meeting - September 8, 2025 Public Comment -- Elaine Hebard

Grateful for the rain, as always, but it doesn't change Anne Marken's message to the community: we must prepare to adapt to a new hydrologic reality.

The Lower Rio Grande is learning the painful lesson of needing to work together to reduce 18 kaf every year from their common diet to satisfy the settlement of Tx v. NM. (1)

Considering the past several years of accumulating Compact deficit, the MRG has to cut out some 20-25 kaf per year.

And yet, amazingly, additional groundwater uses are being proposed. What will be the impact of transferring surface water rights, likely unused for many years, to a municipality in order to pump more groundwater into little plastic bottles? What is the impact of increasing pumping to make computer chips while planning to offset the impacts by pouring the water into the river? What will be the impact of more data centers cooled with water?

The recent district court decision denying Rio Rancho's applications to transfer water rights to offset its pumping should be considered an opportunity. The court found that Rio Rancho and the State Engineer had failed to analyze the potential impacts of the actions on the river and the Pueblo, as well as to the public welfare of the state, before approving the applications.

Before more uses and users are added, the region must work to reduce depletions. Given the urgent situation --increasing Compact deficit, ongoing lack of surface water, and continuing news of low precipitation-- the MRG must act. Working together will help us leave the silos, created by each agency, which we must. We must prepare to adapt to a new hydrologic reality.

Ideas:

- Work with others on a water budget which includes the modeling of impacts on the river and to the aquifer, such as through the Basin Study.
- Work on an MRG plan to educate the public as to what the climatological changes mean.
- The MRG cannot wait. The State is expected to finish its rule making process with regard to regional water planning by the end of the year, and then proceed to discuss what the plans should contain. (2) The MRGCD should work with others in the MRG to begin regional water planning now.
- Protest water right transfers which move surface water to groundwater uses if done without analyzing the potential impacts on the river, other water right holders and the Compact.

Thank you.

(1) The draft agreements can be found on line at the NM Department of Justice, <https://nmdoj.gov/press-release/new-mexico-texas-reach-settlement-agreements-in-decadelong-rio-grande-water-dispute/>.

(2) NMISC's Water Planning Program is accepting public comments through September 27, 2025. To view the proposed rule, submit a comment, and access the docketed materials visit: <https://www.ose.nm.gov/RulesRegs/rulemaking.php>. A public hearing will begin on October 15 at 9:00 a.m. in Santa Fe. Following the hearing, the commission will deliberate and adopt, amend, or reject the proposed rule. Once finalized, NMISC will begin convening regional water security planning councils across the state.

APPENDIX II

Director Russo Baca Board Reports September 8, 2025

Report on the Los Lunas Boulevard Corridor Project Groundbreaking, August 14, 2025

The Los Lunas Boulevard Corridor Project is a new interchange at the corner of Morris and Camelot that will eventually include a river bridge crossing. This event was attended by the Governor as well as many elected officials and community members.

Report on the Basin Study Agriculture Committee, August 19, 2025

Background and overview-Intent: RG Basin Study, evaluate water supply and demand in RG Basin, and identify strategies to address imbalances in water supply and demand. Various Sectoral Committees are working on initial tasks to assess where we're at, and adaptation strategies will look at where we're going. There are over 40 signatory partners to the basin study.

MRGCD was the original non-federal applicant to the basin study and applied to Reclamation. Sectoral committee members include various organizations, e.g., NGO, community organizations, non-profit, small/local government, etc. Agriculture is such a huge piece of how we use water in NM. We need to be well represented in the report.

MRGCD

Rio Grande Basin Study Agriculture Committee- Next Steps – August-December

Divide the Ag Committee into outreach groups to develop the uses, operations, challenges, and values. Three individual efforts to address the key questions.

Outreach groups will be: Acequias, Tribes, MRGCD- ag users within MRGCD.

Farmer workshop with participants from all three agricultural user groups to vet the products developed through this process.

MRGCD

Develop a survey and/or schedule interviews with MRGCD agricultural users to characterize uses, operations, challenges, and values. Host a virtual meeting to present preliminary information gathered from surveys and interviews.

Output: Three reports that characterize:

MRGCD water supply/demand, MRGCD Infrastructure and Operations

Values, signposts, and thresholds for MRGCD agricultural users

Report on the Valencia County Fair, August 20, 2025

The Valencia County fair ran from August 17 to 24 and was well attended by the community. This year, MRGCD was able to sponsor the fair to celebrate 100 years of service of the MRGCD and to show its support for the agricultural culture and lifestyle of Valencia County and the many exhibitors of the fair.

Report on the VCSWCD Board Meeting/MRGCD Presentation, August 21, 2025

Director Russo Baca presented at the board meeting about the current irrigation situation and water outlook, conservation projects, and how MRGCD can collaborate with the VC Soil and Water Conservation Districts. VCSWCD is going to be sending MRGCD a formal request to

potentially hold office hours at Whitfield as an opportunity to meet with irrigators and landowners about conservation programs offered by MRGCD.

Report on the Election Committee Meeting, August 27, 2025

The election committee met to discuss the fact that this upcoming election is not contested and whether to remove some polling locations that had low turnout to realize cost savings for the district, to either reinvest in the election for Get Out the Vote efforts or move to other projects within the district.

Report on the NMSU Chile Field Day, August 28, 2025, NMSU AG Science Center, 1036 Miller Road, Los Lunas, NM 87031

MRGCD sponsored this event as part of the MRGCD 100 years of service celebration. This was a well-attended event and had over 100 attendees. There were presenters from NMSU talking about tomatoes, saffron, and, of course, Chile Peppers. The event included a survey where participants could complete a taste test of various peppers. There was also fresh Chile roasted to sample.

Report on the CESSOS' Pajarito Acequia Walk, August 30, 2025

Santiago Maestas gave an excellent presentation while walking along the Pajarito Acequia. Many community members came out to listen to the history of this acequia, and I look forward to attending his next talk. Thank you to CESSOS for letting the MRGCD know about these wonderful events.

Report on the Centennial Committee Meeting, September 2, 2025

MRGCD has celebrated its centennial by attending various community events each month and preparing for the video screening. At last month's board meeting, there was a preview of the video. There was discussion about the staff year-end event, as well as the video screening and further events that MRGCD will be sponsoring this year, including the county fairs, the Chile field day at NMSU, and other agriculture-related events.

