MINUTES OF THE 2,228th REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT

OCTOBER 14, 2025

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

DIRECTORS			STAFF
John P. Kelly, Chair	Present	Jason M. Casuga	Chief Engineer/CEO
Colin T. Baugh, Vice Chair	Present	Lorna Wiggins	General Counsel
Brian Jiron, Director	Present	Jeff Wechsler	Chief Water Counsel
Stephanie Russo Baca, Director	Present	Pamela Fanelli	Secretary-Treasurer/CFO
J. Chris Lopez, Director	Present	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	Nicole Friedt, AMAFCA	Kristy LaMariana, Corrales
Casey Ish, MRGCD	Janell Mayes, Corrales	Debra Mayes, Corrales
Myriam Rice, Corrales	Chris Perea, Wilson & Co.	Adam McClellan, PNM
Santiago Candelaria	Jeremy Tobet, PNM	Alec Parhm, PNM
Tony Tafoya, Corrales	Mitchell McClellan, PNM	Jen Bachus, USBR
Ken Richard, USBR	Jennifer Faler, USBR	John Irizarry, USBR
Yasmeen Najmi	Nathan Molina, ABQ City Council	Katrina Gallegos, SVRA
Elaine Hebard	Joaquin Baca, ABQ City Council	Amanda Molina, MRGCD
Dave Montoya	Cecilia Rosacker, RGALT	Amy Erickson, RGALT
Kelsey Martinez, PNM	Jesus Florez, PNM	George Benavidez, PNM
DeAnna Philips, MRGCD	Josh Hind, MRGCD	Tarah Jaramillo, MRGCD

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Director Lopez 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. Rollcall votes will not be necessary for regular motions.

AGENDA ITEM NO.2 - APPROVAL OF THE AGENDA.

Chairman Kelly moved item 8(a), Ms. Faler's report, up to Item 5, after the Report on Title Transfer.

Mr. Casuga stated that they would not be getting a Final Report on the Belen Watershed, item 11a., due to the government shutdown, so Mr. Zamora will present an update on the rain events and associated damage in Valencia and Socorro Counties instead.

Director Russo Baca made the MOTION TO APPROVE THE MEETING AGENDA WTH THE ABOVE CHANGES. Seconded by Director Sandoval. The MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM NO. 3 - CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification October 14, 2025
- b. Consideration/Approval of September 2025 Invoice for Wiggins, Williams & Wiggins
- c. Consideration/Approval of September 2025 Invoices for Spencer Fane LLP
- d. Consideration/Approval of the Minutes for the Special Board Meeting September 8, 2025
- e. Consideration/Approval of the Minutes for the Regular Board Meeting September 8, 2025
- f. Memo on MRGCD Approved Licenses for September 2025 (For Informational Purposes Only)

Director Dunning noted that they spent more on tree removal this month than they put in the budget for the whole year. She wanted to make sure they budget for that next year.

Vice Chair Baugh made the **MOTION TO APPROVE THE CONSENT AGENDA**. Seconded by Director Dunning. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 4 - CONSIDERATION/APPROVAL OF COOPERATIVE AGREEMENT WITH ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY (AMAFCA) FOR THE CORRALES MAIN CANAL - Jason M. Casuga, CE/CEO and Nicole M. Friedt, PE, CFM, Director of Planning & Engineering, AMAFCA

Mr. Casuga expressed that the agreement does not include any expenditure of funds, as it is an agreement that MRGCD and AMAFCA are agreeing to partner on and the funds for the study will come from AMAFCA first. The end goal is to identify a project that could be collaborative between both of them. For any future expenditures after the study is done, identification of a project requires both bodies to bring it for approval.

Nicole Friedt voiced that the AMAFCA Board and staff appreciate the partnership with MRGCD and look forward to continued partnership. She explained that the Corrales Main Canal is something they have joint oversight on. She said they have a jurisdictional dam that discharges to that facility and provides irrigation, and they have an existing joint maintenance agreement for the facility. She explained that the facility is falling into disrepair, with a very thin shotcrete layer, so they are trying to find a solution on how to address the maintenance issues and potentially remove the gated structure on the jurisdictional dam to allow more free release.

Chairman Kelly voiced that it's his understanding that their studies for the Piedras Mercatus Dam show the spillway could overtop during a future conditions 100-year event, partly due to the dam being a gate principal spillway outlet. Therefore, after a storm event, the Flood Control Authority calls MRGCD to shut down the Corrales Main Canal or divert at the Calabacillas Arroyo, and then AMAFCA opens the gate up. He said that if they are able to start discharging the flood control dam during the peak of a storm, they gain that volume of water as storage in the dam, so by being able to use our canal or installing a parallel pipe in the right-of-way and being able to outlet the dam during the storm, it may save them a lot of money from making the dam higher and redoing the spillway. He expressed that this is an agreement they should move on and it should come to the Board.

Director Russo Baca made the MOTION TO APPROVE THE COOPERATIVE AGREEMENT WITH AMAFCA FOR THE CORRALES MAIN CANAL. Seconded by Vice Chair Baugh. The MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM NO. 5 - NOTICE OF PHASE 2 TITLE TRANSFER WITH THE U.S. DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION - Jason M. Casuga, CE/CEO, Kenneth Richard and Jennifer Bachus, Bureau of Reclamation

Ken Richard discussed the authority, scope, history of Reclamation's involvement, the 1951 contract, the Title Transfer 2019 legislation, what is in the Phase 2 Title agreement, the process, and status. He explained that they used the 2019 Dingell Act for Phase 1 and they are using it now. The scope of the first phase was the southern half of MRGCD and Phase 2 will cover Bernalillo County, and they are using the same methods used in Phase 1 for mapping, technical, and legal. He noted that this title transfer does not include Pueblo lands or infrastructure.

Jennifer Bachus discussed more history and Reclamation's role in the Middle Rio Grande's Project. She clarified that although she and Mr. Richard represent Reclamation, they are not speaking on behalf of the Corps today. She stated that in the 1970s. O&M was transferred for the majority works to MRGCD and the remainder was transferred as part of the Phase 1 Title Transfer process that occurred in August 2021. She said repayment was made in 1999, with a key remaining step of getting congressional approval to do the title transfer. The Dingell Act gave Reclamation broad authority throughout the west to do title transfer without having to go to Congress for approval on each individual title transfer, which enabled this to move forward. She voiced that there are certain eligibility requirements, including that it has to be transferred work where O&M is done by the District, the District has to operate the facility and be capable of doing that moving forward, the transfer has to be in the financial interest of the U.S., no significant unmitigated effect on to the environment, public and tribal interest will be protected. water delivery obligations are fulfilled, and compliance with Federal and State laws. Ms. Bachus added that Reclamation has to comply with NEPA, which is the National Environmental Policy Act, and they established a categorical exclusion (CE) just for Title Transfer, which streamlined the NEPA process. She said that as long as it meets the qualification factors in that CE and does not trigger extraordinary circumstances, we can use the CE and not have to do a more thorough NEPA process.

Mr. Richard talked about Phase 2 and covered some of the elements of the Phase 2 agreement. He expressed that Reclamation will transfer ownership of Project Works to the District through a quick claim deed and the District will draft, file and record the deed, and accept the facilities as is after signing. He said the District must post an online map showing the boundaries of the title transfer and continue its current uses, and Reclamation needs to maintain access, as their river maintenance program will continue in that area, as well as Phase 1. He shared that prior agreements remain in effect and non-transferred works and pueblo-related obligations will be unchanged. He explained that once transferred, Project Works will no longer be federally owned or eligible for federal project benefits, the District will take over licensing and responsibilities, and the U.S. will no longer be liable unless something is occurring pre-transfer. Mr. Richard added that the agreement does not authorize funding or future financial obligations beyond legal appropriations, no enforceable rights to outside, and prohibits special benefits to officials.

Ms. Bachus discussed where they are at in the process from an environmental and cultural compliance standpoint. She said they found this eligible for the categorical exclusion and they have to comply with the Endangered Species Act (ESA). They do not believe the Title Transfer itself will cause effects to ESA listed species and they provided a memorandum to the U.S. Fish and Wildlife Service to reflect that. She added that they also have to comply with the National Historic Preservation Act, and they are in the process of consultation with the New Mexico State Historic Preservation Office, SHPO, which they believe will end with a memorandum of agreement. She added that the District is working on a memorandum of understanding with

SHPO for cultural historic features moving forward post-transfer. She shared they are hoping to finalize compliance and transfer agreement this month, and then it will go through a notice to Congress. Their goal is to have a signing ceremony and sign the transfer agreement for Phase 2 in the first part of 2026.

Chairman Kelly thanked them for the presentation and the staff who helped with Phase 1 and Phase 2. He stated this is very important to MRGCD as they work on levees with the Corps.

Director Dunning clarified that MRGCD never declared bankruptcy.

Chairman Kelly asked if they will still have non-Pueblo lands in Sandoval County when this is complete.

Mr. Casuga responded that everything targeted in Phase 1 and Phase 2 for the Dingell Act was strategically targeted as non-complex. He said that when it comes to tribal land, there needs to be a conversation between the federal government and MRGCD.

Director Dunning understood that for parts that are Pueblo land, the Bureau thinks it wouldn't fall under the exception that was part of the 2019 Act, saying it can be done without getting authorization from Congress.

Mr. Casuga voiced that is correct. He added that under the Dingell Act, they are looking for noncomplex and nothing that would trigger a congressional action other than presenting it before Congress once the Secretary of Interior signs off on it.

See Appendix I for MRG Phase 2 Title Transfer summary.

AGENDA ITEM NO. 6 - REPORT(S) FROM THE DEPARTMENT OF INTERIOR

a. Bureau of Reclamation - Jennifer Faler

Ms. Faler first shared that the Blanco River is flooding, which is good news for San Juan Chama. She said they are fighting debris to divert as much water as possible and are making arraignments to mobilize resources from other offices when the water recedes to get it cleaned back out and be ready for next year. However, it was not great rain for Pagosa Springs. She gave an update on the Corrales Siphon Project, stating that they are finally attacking it from their perspective section of the river and MRGCD's perspective critical infrastructure. She shared that their plan is to start at the bottom and work their way up and make sure they stay out of each other's way. She shared that they finally got on board with the National Academy of Sciences Study when they realized they can advocate for policy and legislative changes, because what they need at this point is changes in policy and legislation to do more with the water that we have. store it higher in the system, get rid of evaporations, and look at other things. She noted that they are ready to move forward on that, with the support of MRGCD and the State; however, the Corps is not ready to move forward yet. Ms. Faler expressed that the new biological opinion they are working on out of the settlement with Wild Earth Guardians will come to a full update in November.

Ms. Faler shared that they did not shut down, as they looked at the books and figured out they could keep everybody working for two weeks and only furloughed 400 out of 4000 people. She noted that runs out this Friday, so they will have to look at funding and what and who will continue past then. They are hoping to keep all of their contracts

moving and there are no indications that their reduction in force will be any larger than what they originally thought in April. All other work in the Albuquerque Area Office is moving forward and the team is united and working well together. Ms. Faler shared that she will be leaving the Bureau of Reclamation and taking a job in Hawaii as the Capital Projects Division Manager, for the Board of Honolulu, Board of Water Supply, which is the water district that serves the island of Oahu. She assured the Board that she has built an amazing, resilient team that will take it from here and do a great job.

Chairman Kelly and the directors thanked Ms. Faler for all she has done and wished her luck.

Mr. Casuga recognized Ms. Faler for her passion and commitment to the people, culture and environment diversity of the Middle Rio Grande Valley, and presented her with a plaque and challenge coin.



a. Bureau of Indian Affairs - Patrick Taber, Acting Designated Engineer
Patrick Taber with Bureau of Indian Affairs was not present at today's meeting.

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

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

Anne Marken gave a report on water supply conditions. She stated that the Rio Grande Basin has continued to receive rainfall from the remnants of tropical storms in the Pacific and they are expected to continue for the next couple of days. After which, a cold front will move in and bring freeze warnings to much of New Mexico. She voiced that over the weekend, there were significant rain inflows to the rivers in southern Colorado and the Del Norte Gage hydrograph showed about 7,000 CFS. She said the Alamosa Gage peaked at 612 on the first pulse and the Lobatos Gage was at 216 CFS this morning. She believes they will see additional rain inflow into the Middle Valley by the end of the week. She shared that the La Puente Gage was 500 CFS and the Otowi Gage was 250 CFS, and inflow into the Middle Valley is about 240 CFS below the dam. Ms. Marken added that she expects river discharge to climb later in the week as the northern inflows work their way into the system. After irrigation season ends, they will coordinate with the BOR and Corps of Engineers to remove the remaining prior and paramount water stored

at El Vado and Abiquiu, which is currently around 26,000-acre feet, and move it through the Middle Valley into the Elephant Butte Dam. Therefore, people should expect elevated river flows in November and December. She shared that New Mexico ended 2024 with a Compact debt of about 124,000 acre feet, and so far New Mexico has under delivered onto the Compact, but the state usually makes up ground on its deliveries at the end of the year. She expressed that La Nina conditions are present and expected to go through December 2025 to February 2026, with a 55% chance of transitioning into ENSO neutral conditions between January and March. The NWS seasonal outlook is showing above average temperatures and below average precipitation from December to February.

Director Dunning was disappointed to hear they will not get further out of debt, as it sounds like they will have as much debt at the end of this year than they did at the beginning.

Ms. Marken responded that the rainstorms have probably helped with Compact deliveries and the Elephant Butte Dam is down, so it is hard to know how much was delivered there, but she believes they will see benefits from that. However, there is a possibility that New Mexico will grow its debt this year.

Mr. Casuga added that rain is a fickle thing, and the final accounting will not happen until the end of the year when the state does it. He shared that storm patterns have been developing west to east, and will hopefully hit the basin, and they believe that Rio Salado and Rio Puerco Basin have received quite a bit of water and is ready to run if they can get some of the intense rain events there. He said they need to ensure during times like this that they are hopefully breaking even by their own efforts and allowing monsoon events to help pay back debt.

Director Baugh asked Ms. Marken to talk about the San Juan Chama.

Ms. Marken expressed that she was told there is likely going to be another late season San Juan Chama allocation, but she did not know how much.

See Appendix II for Anne Marken's Water Supply Update.

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

Mr. Martinez reported on water distribution. He stated they have just over two weeks remaining for non-Pueblo deliveries and about a month left for Pueblo operations. He said this fall has brought long-awaited rainfall and continued operational challenges, and while rain provided much needed relief, it also led to damage to facilities and ongoing operational constraints. He noted they have been out of prior and paramount only operations since late August, which has allowed them to maintain rotations to non-Pueblo users above Isleta and deliver more water to southern users. By mid-September, they were able to reach areas that had gone a long time without water and divert more water to the Socorro Division. He shared that as the month progressed, rainfall and runoff favored the Middle Valley rather than flowing through Cochiti Dam, which helped ease irrigation demand and improve supply, but storm activity complicated operations and caused repeated damages to the irrigation system. He noted that a hailstorm last week caused a series of arroyos to run into several vulnerable canals and causes erosion, sediment plugs, and breaches. Mr. Martinez thanked the field staff for their

quick cleanup and repair work, but urged people to recognize some of the canals may not be operable for the remainder of the season. He added that heavy deposition from recent rains caused the failure of the diversion gate at San Acacia, which is now down for repairs. He said they are doing what they can to flush and sluice the sediment that has accumulated across the canal system until they can do extensive dredging during the offseason. He shared they will shift towards late season delivery requests while preparing systems for offseason maintenance and winter shutdown. He acknowledged the ISOs, ISSs, and Division crews for their hard work and thanked irrigators for their patience and resilience. The last scheduled day of irrigation season for 2025 is October 31st, and they will continue delivering to the Pueblos until November 15th.

Director Russo Baca thanked the staff, as she has been getting calls about damage and staff has been handling them in the most appropriate manner.

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

Elaine Hebard

Ms. Hebard commented on the draft Urban Advisory Committee Charter and said she was glad to see the idea of open membership to all users and stakeholders within Bernalillo, Valencia, Sandoval, and Socorro Counties. However, she did not agree with opening it to everybody outside of the benefited area, as she felt that would dilute the value of the advice given to the Board. She voiced that those who live inside the benefitted area that do not irrigate have a lot of issues and pay a lot of taxes. She mentioned that it is really important for all of us to reduce the depletions, as that impacts everyone urban and rural. She suggested having community conversations with the county boards and creating water conservation committees. She stated that she is glad the board members attend various meetings, but she wanted to hear specifically what they learn at the meetings that would be a benefit to all of us.

See also Appendix III.

Tony Tafoya

Mr. Tafoya thanked Mr. Casuga and staff for the work they did on getting the siphon off the ground and providing Corrales with as much water as possible and presented a chile rista. He also welcomed Director Lopez to the Board.



Dave Montoya

Mr. Montoya suggested encouraging more people to use the acequias, because when they walk along them, it compacts and keeps them from having to be maintained as much. He said they could do that by keeping access to the acequias and keeping them usable, as well as adding signage. He voiced that in the past, they benefited from the Sandia Pueblo bleed water in Alameda and the North Valley, and he was hoping they could do that again and utilize some of that tieback water that is now going to the Atrisco Drain and bypassing the North Valley. He shared that he went to go vote and had to go back and get his ID for the first time, and asked them to reconsider that rule.

Katrina Gallegos

Ms. Gallegos appreciated the prior comments about the acequias. She explained that she lives behind the Rogers Lateral and Adriana Villar is still messing up the acequia. She said she has built a raised bed garden into the acequia and is continuing, which is unacceptable and preventing people from going back there and walking, to which she threatens them. She stated that she would like to see the Board do more about that situation because it needs to stop. She also added there's an elder that has a tree going over the acequia into her yard that she is afraid is going to fall, so she asked Ms. Gallegos to see who she needs to contact about that.

Ms. Wiggins responded that they learned of what Ms. Villar was doing to the acequia and they immediately sent people out to observe it. They then filed a motion with the court and she was sanctioned and is currently paying off that sanction. She said when they heard this week that there was additional activity, they sent staff out again and they are responding and asking the court to ensure she understands that she does not have the legal right to keep people from accessing that area. She assured that if Ms. Villar continues this and ignores court orders, they will ask the court for more sanctions.

Chairman Kelly added that they can meet with Mr. Zamora about the tree issue.

Santiago Maestas

Mr. Maestas informed the Board of the election results of the acequia commissioners and mayordomos that was held October 6th. He explained that officer of the community ditches or acequias elected consists of three commissioners and one mayordomo, and their duties entail maintaining easements, assisting members in cleaning out community ditches, and obtaining capital outlay funding from local legislators for repairs and removal of trees obstructing the acequias or properties. He voiced that they charged Adriana Villar with a criminal misdemeanor for interfering with the acequia, and the DA continues to pursue that in District Court.

See also Appendix IV.

Kristy Lamariana

Ms. Lamariana, along with her neighbor, Debra Mayes, who she shares an easement with, came to discuss the recent letter from the District ordering them to remove their fencing that was previously approved by Michael Padilla. She noted that the fencing never blocked or interfered with MRGCD operations, but they are demanding removal, while allowing and encouraging public use of this maintenance easement for walking, biking, and horseback riding. She stated that use is outside the lawful scope of the easement and the recorded grant allows MRGCD to maintain and operate channels and flood control improvements, not authorize recreation or public access of any kind. She mentioned that in the Albuquerque Journal, on October 7th, a board member acknowledged that MRGCD was not insured for recreation and relies on State Risk Management Division, meaning that the landowners bear the liability for injuries that may occur on their property. She expressed that public use has brought out harm, vandalism, graffiti, drug activity, homeless encampments, and gunfire, including a bullet through

her bedroom window. Ms. Lamariana commented that the CEO told her that he told Corrales Police to stop responding to their trespass calls, which is unacceptable. She added that equestrians were given permission to enter through her property and were caught tearing down her fending to access the Bosque. They asked the Board to take simple law actions, which include acknowledging in writing that the easement does not provide public access, withdrawing the fencing removal direction, installing and supporting fencing, gates and signage to prevent unauthorized public use at both ends of both easement accesses at MRGCD's cost, collaborating with landowners to clearly define easement boundaries and protect our property rights and their operations, and immediately installing gates and fencing to prevent them from dealing with the parking lot.

See also Appendix V.

Myriam Fernandez Rice

Ms. Rice, a neighbor of Ms. Lamariana, stated that in the last few years, there has been a dramatic increase in usage of that area and crime in the neighborhood, and she has personally had to call the police because a man was exposing himself to her from his car in the parking lot. She asked why her neighbors should have to allow a parking lot on part of their property that has led to all this criminal activity. She was in support of installing a fence across the easement to give MRGCD the access they need while also protecting the rights of private landowners, and discouraging criminal activity. She commented that they are on the edge of Albuquerque, on the corner of Corrales Road and Alameda, so a parking lot there encourages it to be a meeting point for things like dropping off drugs.

Chairman Kelly asked Mr. Casuga to provide a briefing on the location, issues, and the terms and conditions of the easement at the November Board Meeting in regard to these comments. He also asked Ms. Wiggins to look at the easement.

Yasmeen Najmi

Ms. Najmi congratulated Director Lopez and all the other reseated board members. She also congratulated and thanked DeAnna Philips for all her work at the MRGCD and being a wonderful coworker and friend.

<u>AGENDA ITEM NO. 9 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT</u> - Christine L. Nardi, MBA

a. Introduction of MRGCD New Hires

Ms. Nardi first congratulated everyone that was reelected, welcomed Mr. Lopez, and wished Ms. Faler the best. She introduced the new hires and promotions, which include a promotion to medium equipment operator in the Albuquerque Division and a new Assessment and Collection Clerk I and new Human Resources Coordinator in the General Office.

b. Recognition of Retiring Employee - DeAnna Philips, GIS Tech II/Board Liaison

Mr. Casuga recognized DeAnna Philips' retirement from the MRGCD and awarded her a plaque to show appreciation for her years of loyal and dedicated service to the MRGCD. DeAnna was hired in February of 2000 with a bachelor's degree in business administration. She has worked in MRGCD's Mapping and GIS department for a significant portion of her career but also took on the duties of Board Liaison in 2019.

Ms. Philips shared that she was very appreciative of the opportunity to have been here and learned so much. She thanked her fellow staff members and said she was leaving MRGCD in good hands with Tarah Jaramillo.

The Board presented Ms. Philips with a retirement gift and thanked her for her hard work and congratulated her on retirement.





<u>AGENDA ITEM NO. 10 - REPORT(S) FROM THE CHIEF PROCUREMENT OFFICER</u> - Richard DeLoia

a. Consideration/Approval of Socorro Channel Lining Phase 2B

Mr. DeLoia presented for the Socorro Main Channel Lining Phase 2B Project. He said MRGCD is requesting approval to Sanchez Demolition, for a total of \$6,878,359.05, with tax, as funded through the Water Trust Board grant process. He stated this award was recommended by Wilson & Company.

Chairman Kelly asked if they have bonds, insurance, and the license to do this type of project. Mr. Perea answered yes.

Vice Chair Baugh made the MOTION TO APPROVE THE AWARD OF THE SOCORRO MAIN CHANNEL LINING PHASE 2B PROJECT TO SANCHEZ DEMOLITION FOR A TOTAL OF \$6,878,359.05, WITH TAX. Seconded by Director Russo Baca. The MOTION CARRIED UNANIMOUSLY.

b. Consideration/Approval of Socorro Channel Lining Phase 2B Construction Administration

Mr. DeLoia presented for the approval for the Socorro Channel Lining Phase 2B construction administration task order, which is part of the Water Trust Board grant process. Staff is recommending award to Wilson & Company for \$287,495.50, with tax, through MRGCD's on-call engineering contracts.

Chairman Kelly looked at the proposal and fully supported recommending it for approval, as they have to have the inspection work out there and MRGCD does not have the staff to do the day-to-day inspections and manage a materials testing program.

Director Russo Baca made the MOTION TO APPROVE THE AWARD OF THE SOCORRO CHANNEL LINING PHASE 2B CONSTRUCTION ADMINSTRATION TO WILSON & COMPANY FOR \$287,495.50. Seconded by Vice Chair Baugh. The MOTION CARRIED UNANIMOUSLY.

<u>AGENDA ITEM NO. 11 - REPORT(S) FROM THE DIRECTOR OF TECHNICAL SERVICES - Eric Zamora, PE</u>

a. Update on Valencia and Socorro Counties Rainfall Events

Mr. Zamora updated the Board on last week and this weekend's storm events and showed a video and images of the water and damage from across the District, including in the Veguita area, San Juan Main Canal, Las Nutrias, Garcia Ditch, San Francisco Ditch, the Lemitar Lateral area, and the New Mexico Boys Ranch. He shared that as of last Friday, he and Mr. Otero started talking about scheduling and seeing how they could come up with a plan to address all the problematic areas in the Belen Division, and they came up with about two to three weeks' of work. He mentioned that Mr. Jarner also went and saw the damage and sent crews down to offer assistance. He said with this weekend's rain events, they still have not tallied the effects, but there are areas of southern Valencia County that are done for the year, as they will not be able to get all areas repaired. He added that with the way things are saturated, it is going to be weeks, and then cold temperatures will be coming. He said they will come up with a plan, work with Mr. Martinez and the ISOs down there, and see what they can do between now and the end of the month.

Mr. Casuga added that there is no way to get the system running again before October 31st, and they will be honest with people regionally where it is possible and where it is not. He told the members that he expects them to get calls about frustrations, but MRGCD does have crews working during this time period and they had crews working to ensure the safety of the canals through Saturday. However, crews need time off, so they are trying not to work them on Sunday. He noted that 60 to 70% of Valencia County has pieces that need to be put back together and that is the reality they are facing. He stated that they can also provide more updates and photos, but they can defer any calls they may get to him if needed. He suggested thanking Mr. Otero and his team if you see them because they are spending a lot of hours out there. He also reminded the public that it is still raining and it is still in the forecast, and work like this requires heavy equipment, so they need to make sure if they are putting crews out that it is safe for them. Mr. Casuga expressed that they are thankful for the rain and will never bemoan it, and they look forward to fixing the system and getting it ready to go, but Valencia County will face limited delivery options for the remainder of the season.

Mr. Zamora noted that Cochiti experienced minor damage but is fully operational, Albuquerque is operational for the most part, and Socorro Division is still cleaning out a few spots that had a lot of sediment, but mostly operational. He also gave a shoutout to DeAnna Philips for years of help and technical assistance.



AGENDA ITEM NO. 12 - REPORT(S) FROM THE DIRECTOR OF LANDS & CONSERVATION - Casey Ish

a. Request for Farmer Participation in UNM Economics Department - Middle Rio Grande Farmer Survey

Mr. Ish presented on the request for farmers to assist the UNM's economics department in a farmer survey of the Middle Rio Grande. He said that MRGCD, along with ISC, is partnering with the university on this and the survey has been created and reviewed at the technical level by people with expertise on water administration and management. He said they want to create several focus groups of farmers to react to the survey, and there is a \$50 Amazon gift card compensation for those participating. He went over the flyer for the survey that lists all the dates and times for the surveys, one on October 22nd, 10 a.m. to 11:30 a.m., at Raymond G. Sanchez Community Center, and the other on October 29th, 2 p.m. to 3:30 p.m., at New Mexico Tech.

Mr. Casuga expressed that they will be pushing this out on social media and any other different ways they can. He stated that the purpose of the survey is to gather information and try to learn how farmers are making decision and reacting to some things in the survey. He encouraged the Board to push this out as well.

Director Dunning inquired if this is an in-person kind of discussion or a survey to figure out if the survey instrument is a good instrument.

Mr. Ish answered that this is a callout to ask farmers if the survey makes sense.

Director Dunning asked what kind of follow up the economics department is going to do and what they are hoping to get as their response rate.

Mr. Ish responded that he could not speak to the response rate specifically, but they have a target in mind for the number of people they are hoping to reach and who they hope will respond. He added they are a combination of interviews and mailout surveys, but predominantly mailout surveys, that will go out through the mailing service of UNM.

Chairman Kelly voiced that we should have a good database of every farmer in the valley. He asked if that is made available to UNM.

Mr. Ish answered yes, that they are in the final stages of signing an NDA to share that.

Vice Chair Baugh asked if this was the first of its kind.

Mr. Ish answered it is not the first survey that MRGCD has participate in, as they have administered their own surveys to famers through the leasing program to better understand how to administer that, but this is a much broader kind of macro survey with some very complex questions.



b. Comments/Discussion of Urban Advisory Committee and Charter

Mr. Ish explained that at the September Meeting, Chairman Kelly directed staff to start materializing some edits on a draft Urban Issues Charter. The draft was created and staff created edits and feedback. He said they are looking at an Urban Issues Committee that would be 8 to 10 people, with two staff members, himself as the Director of Lands and Conservation, and the Director of Communication to help facilitate the meeting. He noted that the 8 to 10 members would consist of representatives of the urban constituency base. He recommended that the Board review and provide final comment on the charter before it is formally voted on.

PROFESSOR WANG (UNM PROJECT LEAD) (505)456-0638

Chairman Kelly asked Mr. Ish to give a short history of the Conservation Committee, another public advisory committee.

Mr. Ish explained that the Conservation Advisory Committee was created as part of the cooperative agreement between the National Fish and Wildlife Foundation and the BOR, with the purpose of helping staff sift through and analyze potential projects that ran through the conservation program as part of that cooperative agreement. They met monthly with staff and it was comprised of former board members, current board members, technical staff, and some NGO partners. He stated that they would bring a proposed new strategic outfall for habitat work to the committee, they would have robust discussion, and provided a sounding board for staff to make sure they were staying consistent with the cooperative agreement.

Chairman Kelly asked if the public members of the committee were compensated.

Mr. Ish answered yes, for travel and attending monthly meetings.

Chairman Kelly expressed that the Urban Committee met on this with Mr. Ish and Ms. Molina and they all gave input and talked about limiting it to residents within the benefited area or not. He said that they see so much use of the Bosque by people who do not live here, so the committee felt it was reasonable to not restrict membership there.

Vice Chair Baugh felt the idea out of this next advisory board is to help bring in a very robust engagement with the community to tackle issues that we see. He wants this to be a sounding board, but have pragmatic elements that go out and engage in these bigger projects that are heavy to lift. He stated that in regard to it being diluted by people outside of the District, they could maybe be a way to manage that.

Director Dunning voiced a few big questions were if they are going to be compensated, how often they should meet, and how many committee members, and she felt this was a nice sort of compromise that was worked out to deal with those questions. She said this is something that is really needed and felt it would be a great committee.

Director Russo Baca pointed out that in regard to people living within or outside of the benefited area, they are not saying specifically that those living here have to be landowners or that they have to be paying taxes.

Mr. Casuga explained why he felt it was right to include voices not in MRGCD in this. He stated that this group is meant to tackle issues on an urban scale and for information that we as an organization do not really think about. He added the kind of coverage that MRGCD gets and the protections is because our valley is heavily recreated on within our lands, and a large portion of that recreation is from people who travel into it from out of the benefited area. He agreed on depletion reduction, and noted it is a valley wide and statement conversation and a group like this could take that on. He added there are unique issues outside of just water they are dealing with that keep popping up and they find themselves uninformed and on the back foot.

Chairman Kelly inquired about adding an item on reduction of landscape depletions.

Mr. Casuga responded that it is covered in other interests and is beginning to unfold valley wide, as well as the legal realm, which will help broaden the conversation to the valley. He said it is hard to have conversations about depletion reductions with the valley not knowing if the water is even going to arrive, so they have been having conversations as a District of how to ensure that it gets there. He shared that he would be interested to find a way to better inform the public how we're having those conversations. He reiterated that he did not want to see this limited to the benefited area, because the urban issues the Board and MRGCD are facing, a lot of it is coming from outside of the benefited area, and we need to be knowledgeable and continue to pursue depletion reduction conversations.

Chairman Kelly voiced that this is going to come down to a committee of MRGCD Board Members and staff to look at statements of interest and select who they think should be on there, and it is important to get a broad range of interest without diluting the ratepayer's interest. He recommended paying the committee per diem, which would be \$100 a meeting, plus travel, coming in a \$120 per person every other month.

Vice Chair Baugh expressed that he would want them to get paid because he wants to get youth involved, and it would be a great way for them to make a little money and get experience.

Ms. Hebard commented that urban ratepayers do not feel a huge representation on the issues being discussed, but they are impacted in many different ways, so this Urban Issue Committee would be a way for the benefited area ratepayers, who are not irrigators, to participate in the MRGCD. She believes that people financially impacted by the District should have a say.

Mr. Ish added why they included the language for going beyond the boundary, which is that the Bosque is enjoyed by many people coming from outside of the benefited area, and the amount of resources needed to maintain the Bosque is a financial amount that far exceeds what the benefitted areas likely are capable of supporting long term. Therefore, he is interested in getting input from people coming into the benefited area to help potentially support long term funding at the state level for that type of resource.

Ms. Molina felt it was a great idea to bring more people in to share their concerns, thoughts, and ideas.

<u>AGENDA ITEM NO. 13 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO</u> - Pamela Fanelli, CMA, CGFM

Item 14c was moved up before 13a.

14c Report on Village of Corrales Public Meeting Corrales Siphon Agreement Signing between MRGCD and Pueblo of Sandia, September 25, 2025 - Jason M. Casuga, CE/CEO, Vice-Chair Baugh, Directors Russo Baca, Sandoval, and Dunning

Mr. Casuga shared that the challenge before them now is the drop dead date to finish on December 15, 2026.

Jeff Wechsler, MRGCD Water Counsel, stated that at the last meeting, they talked about possibly not issuing notice for C2 until January, but he asked to move that up, as he felt it would be beneficial. He said contractors expressed wanting to start sooner than later.

Mr. Casuga responded they have made their submittal to BIA for the right-of-way, but the government is shutdown. He understood BIA's commitment not to stand in the way of construction of the project, but if the shutdown continues, they may need to have a discussion with the Pueblo. He believes the Pueblo is on board with the January 2026 start, which would give 12 months.

Director Sandoval voiced that if they need to schedule to meet with the Governor of Sandia, he is more than willing to be there.

a. Discussion/Approval of Reclassification Hearing: Customer #16398 Alameda Land Co. Inc. Map 80, Tract 1A3B1B 10.10 ac. and Tract 1A3B2 18.92 ac. Harvey Crawley - Estella Gamboa, Assessment & Collections Supervisor

Ms. Gamboa gave a brief overview of the water service charge and the water service charge rule. She stated that a follow-up of a field inspection was conducted by staff for the protests submitted at the September reclassification hearing for Map 80, Tract 1A3B1B and Tract 1A3B2, located in Valencia County. Staff indicated and identified irrigable and non-irrigable areas, and the individuals filing the protests were notified of the proposed recommendations, and she has also met with the owner in agreement on the decrease of the irrigable assessment annually, which will decrease each parcel from its total acreage annual assessment.

Vice Chair Baugh thanked Ms. Gamboa for showing the process very transparently, and it was great to see a landowner bring that to the Board, delegate tasks to the CEO, then to staff, and then coming back and highlighting the efforts. He said this is a good way to help broadcast to the District what they are trying to do.

See also Appendix VI.

Vice Chair Baugh made the MOTION TO APPROVE OF THE REASSESSMENT OF THE CLASSIFICATIONS OF THESE LANDS. Seconded by Director Russo Baca. The MOTION CARRIED UNANIMOUSLY.

 Consideration/Approval of the First Quarter Financial Statements, Report on Finance Committee Meeting, and Report on the Personnel Committee Meetings, October 10, 2025 - Pamela Fanelli, Secretary Treasurer/CFO, Chairman Kelly, Directors Dunning and Russo Baca

Ms. Fanelli presented on the First Quarter Financials. She stated that for the General Fund, actual revenues, they totaled \$1.2 million. She added that valorem revenues are the main source of revenue, but we have not received that first disbursement for the current tax year. Actual expenditures for the General Fund totaled \$7.1 million and expenditures are within budget. She said there are no budget concerns at this time. The Grant Fund budgeted grant expenditure total \$37 million in FY26, and year to date for the Grant Fund they have spent \$2.4 million. However, they expect significantly higher expenditures in the second and third quarters. In the Capital Investment Fund, actual revenues totaled \$69,000, actual expenditures totaled \$457,000, and transfers to the debt service and Grant Fund totaled \$162,000. She noted the primary expenditures in the Capital Investment Fund was for equipment and pump rental of the Corrales Siphon.

Chairman Kelly expressed that the Finance Committee reviewed this, but three months in is pretty early to get worried about the budget.

Director Lopez made the **MOTION TO ACCEPT THE FIRST QUARTER FINANCIAL FORECAST.** Seconded by Director Sandoval. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Chairman Kelly	Yes	Director Lopez	Yes
Director Dunning	Yes	Director Russo Baca	Yes
Director Sandoval	Yes	Director Jiron	Yes

AGENDA ITEM NO. 14 - REPORT(S) FROM THE CHIEF ENGINEER/CEO – Jason M. Casuga, PF

a. Discuss Reorganization of the Board - Jason M. Casuga, CE/CEO

Chairman Kelly requested to move this to the January meeting, and the newly elected chair can fill the committees at the February meeting. There is a new biological opinion coming up for the minnow, and Mr. Casuga felt it would be good to have a consultation committee as they go through the negotiations with the Bureau, the Fish and Wildlife Service, and various NGOs involved. He commented that that Centennial Committee will be dissolved.

 Report on Meet and Greet with Bernalillo County Manager Cindy Chavez, September
 15, 2025 - Jason M. Casuga, CE/CEO and Eric Zamora, Director of Technical Services

Mr. Casuga shared that he met with Cindy Chavez, the new Bernalillo County Manager, which went well, and he appreciated how inquisitive she was. He stated that they are collaborating on two projects, Loretta Road and the Acequia Madre Project.

Director Dunning mentioned they have a water conservation plan that we really need to be a part of. She said they are going to do a lot of public outreach for that, because they are going to try to get a lot of people using water for big lawns in the valley to stop. She commented that if we can get a copy of that plan, we could start thinking about where to interface with the county on that issue.

Mr. Casuga added that he did get to talk to Ms. Chavez about depletions a little bit and he hopes that they can align more and agree that there are some practices in the Middle Valley that need to come to an end.

c. Report on Coalition of Rio Grande Water Users Conference, Santa Fe, NM, September 30 - October 2, 2025 - Jason M. Casuga, CE/CEO, Eric Zamora, Director of Technical Services, Amanda Molina, Director of Communications, Casey Ish, Director of Lands & Conservation, Vice-Chair Baugh, Directors Dunning, Sandoval and Russo Baca – originally item 14d

Mr. Casuga deferred to Director Russo Baca's report, as he was not in attendance due to a family emergency.

Director Russo Baca voiced that she did a written report on this, but highlighted that MRGCD had two presentations, one from Mr. Ish and one from Mr. Zamora.

Director Dunning commented on the networking opportunities that happens at these meetings. She said they had the opportunity to meet and talk to the Governor of Isleta Pueblo and that was helpful and there was someone there from an insurance company who is working with us and with Water Strategies to help try to resolve some of the insurance issues we are having.

Mr. Casuga shared that next year's Coalition of Rio Grande Waters will happen in Albuquerque, and they will be contacting tribal venues for that, which will likely increase participation. He stated that Water Strategies got a lot of feedback on cost, and he told them that we can get comparable facilities with things to do cheaper in Albuquerque at some of the resort venues offered by our travel partners. He hoped that Director Jiron and Director Sandoval continue to encourage the Six Middle Rio Grande Pueblos to exercise their voice. He said he hopes to continue advocating for the Six Middle Rio Grande Pueblos to use their voice, because a lot of the people who show up to this are the same ones showing up to the Compact Commission Meeting.

 d. Report on Six Middle Rio Grande Pueblo Coalition Meeting, October 9, 2025 - Eric Zamora, Director of Technical Services, Casey Ish, Director of Lands & Conservation, and Director Russo Baca – originally item 14e

Mr. Zamora gave a report on the Six Middle Rio Grande Pueblo Coalition Meeting that he attended along with the Interstate Stream Commission, and BOR, and Ms. Faler gave an update. ISC gave an update on the settlement with Texas. He said the most significant thing that happened was a change in leadership. He added that MRGCD gave an update on some of the changes at the District, as well as the storm events, and there were not a lot of questions for MRGCD.

- e. Report on Upcoming Events originally item 14f
 - 1. 13th Annual Tribal Water Law Super Conference, Oct 16-17, 2025: Isleta Resort & Casino, Albuquerque, NM
 - 2. CESOSS Arenal & Atrisco Acequia Walk & Talk, October 18, 2025: Albuquerque, NM
 - 3. MRGCD's Centennial Employee Appreciation Event & Equipment Rodeo, November 7, 2025: Socorro Sports and Rodeo Complex, Socorro, NM
 - 4. Colorado River Water Users Association (CRWUA) 2025 Conference, Dec 16-18, 2025: Las Vegas, NV

AGENDA ITEM NO. 15 - REPORT(S) FROM THE MRGCD ATTORNEY(s) - Chief Water Counsel or General Counsel

Mr. Brooks informed the board that the Army Corps of Engineers determination made in October of 2024 that part of the Corrales Acequia was a Waters of the United States was reversed, as they agreed with our position that the Corrales Acequia was not a Waters of the United States.

Director Dunning asked to send a copy of the decision to a couple of groups that are really interested in this as a courtesy.

Mr. Casuga agreed there are a number of entities that they need to send this out to. He stated that we need to keep our eyes open and educate the public on what to ask for and what not to ask for, because the Corps is going to continue to permit people.

Director Russo Baca asked counsel to also keep an eye on this and be prepared.

Chairman Kelly asked if the licenses still delegate the 404 permit.

Mr. Casuga answered that our licenses are always just going to say you have to comply with federal law, but our question would be if this facility requires a 404 permit.

AGENDA ITEM NO. 16 REPORT(S) FROM THE BOARD

a. Report on New Mexico Water Law Conference, Santa Fe, NM, September 11 & 12, 2025 - Vice-Chair Baugh, Directors Dunning, Sandoval and Russo Baca

See Appendix VII.

b. Report on Meeting with PNM-Strategic Bosque Fire Cameras, September 15, 2025 - Vice Chair Baugh

Vice Chair Baugh expressed that he had a meeting with the Director of PNM's Fire Resource Department, along with Mr. Ish, and they were adamant about us getting cameras in, and there are some collaborations in the works, but being we are being cognizant of how far the cameras can see and issues that arise with impacting Pueblos and cameras around the Bosque. He said he was looking forward to next steps.

c. Report on Meeting with Senator Antonio Maestas-ABQ Bosque Improvements/Restoration, September 19, 2025 - Vice Chair Baugh

Vice Chair Baugh reported on his meeting with Senator Maestas, who was just elected and wants to be proactive in Bosque efforts. He expressed that they brought him to the District to talk about our large Bosque efforts and introduced him to Joe Strange, MRGCD's Bosque Management Coordinator.

d. Report on MRGCD Presentation at Alvarado Elementary, September 29, 2025 - Vice Chair Baugh, Directors Russo Baca and Dunning

Director Russo Baca commented that these children are the next generation of elected officials. She said they asked about the Rio Grande Compact and asked for them to explain it. She noted they were amazed there is not a hierarchy of water uses in New Mexico and stated they are going to the legislature to change that. She added they were on the fence of how important irrigation is and acequia use, but were very concerned about what they need to do right now to change these policies. She was very impressed.

Vice Chair Baugh added they have an incredible program established, where they have a nature class and the teacher really puts in effort to show that it isn't about nature, but about stewardship. He was excited to help broaden the District's reach in education.

Director Dunning mentioned that Vice Chair Baugh has a goal in mind that Alvarado School get a program similar to what they are doing at Valle Vista. She noted that if they do it, the program will succeed.

e. Report on Middle Rio Grande Urban Waters Meeting, September 9, 2025 - Director Russo Baca

See Appendix VII.

- f. Report ISC Meeting, September 18, 2025 Director Russo Baca See Appendix VII.
- g. Report on the Meeting with CHAMP, September 20, 2025 Director Russo Baca See Appendix VII.
- h. Report on the Farmer Survey Advisory Committee Meeting, September 22, 2025 Director Russo Baca

See Appendix VII.

- i. Report on the Middle Rio Grande Endangered Species Collaborative Program Executive Committee Meeting, September 23, 2025 Director Russo Baca See Appendix VII.
- j. Report on the Corrales Harvest Festival, September 28, 2025 Director Russo Baca

See Appendix VII.

k. Report on the Centennial Committee Meeting, October 6, 2025 - Vice-Chair Baugh, Directors Russo Baca, and Dunning See Appendix VII.

Written reports were given for every item except for 16(b) and 16(c).

Director Dunning made the **MOTION TO APPROVE THE REPORTS FROM THE BOARD**. Seconded by Chairman Kelly. The **MOTION CARRIED UNANIMOUSLY**.

Director Russo Baca made the **MOTION TO GO INTO EXECUTIVE SESSION at 6:16 pm.** Seconded by Vice Chair Baugh. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

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

AGENDA ITEM NO. 17 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

Vice Chair Baugh made the MOTION TO GO BACK INTO REGULAR SESSION at 7:16 pm. Seconded by Director Dunning. Rollcall vote was administered with all members voting yes. The MOTION CARRIED.

Chairman Kelly	Yes	Director Lopez	Yes
Director Dunning	Yes	Director Russo Baca	Yes

Director Sandoval Vice Chair Baugh

Yes Yes

Director Jiron

Yes

Director Russo Baca stated no decisions were made in Executive Session and the Board does expect counsel to work with the CEO on land acquisition issues for the District.

With no further comments, questions, or concerns, Chairman Kelly adjourned the meeting at 7:16pm.

Approved to be the correct Minutes of the Board of Directors of October 14, 2025.

ATTESTED:

Secretary-Treasurer/CFO

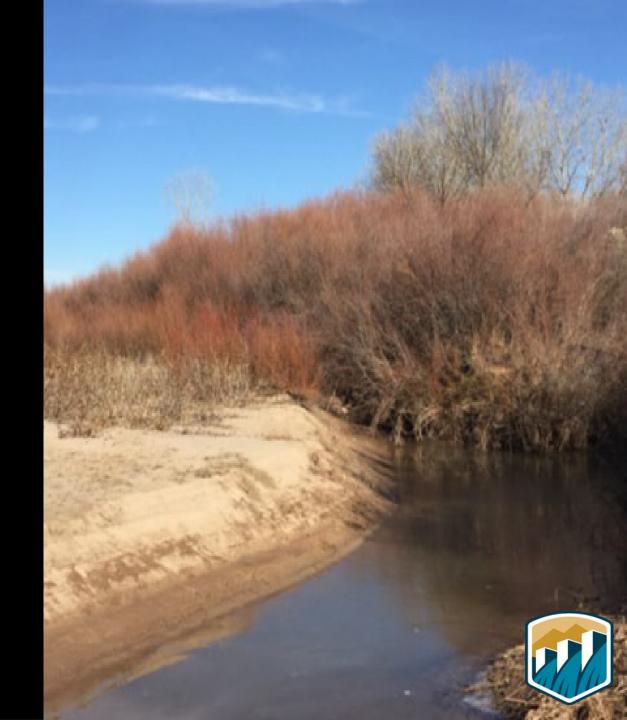
John P. Kelly, Chairman

MRGCD Board of Directors



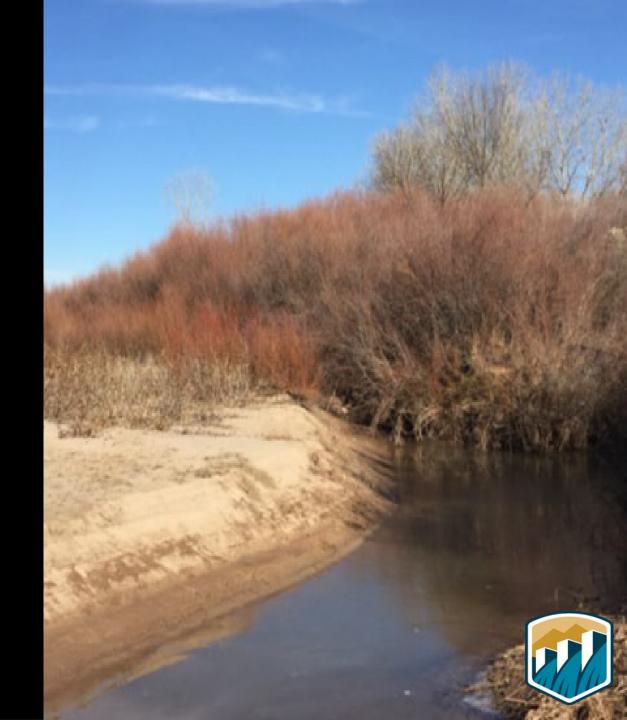
Outline

- Authority and Scope
- History of Reclamation's Involvement
- 1951 Contract w/ MRGCD
 - U.S. funds in exchange for repayment and title
- Title Transfer 2019 Legislation and Categorical Exclusion
- Middle Rio Grande (MRG) Title Transfer Phase 2
- Process and Status



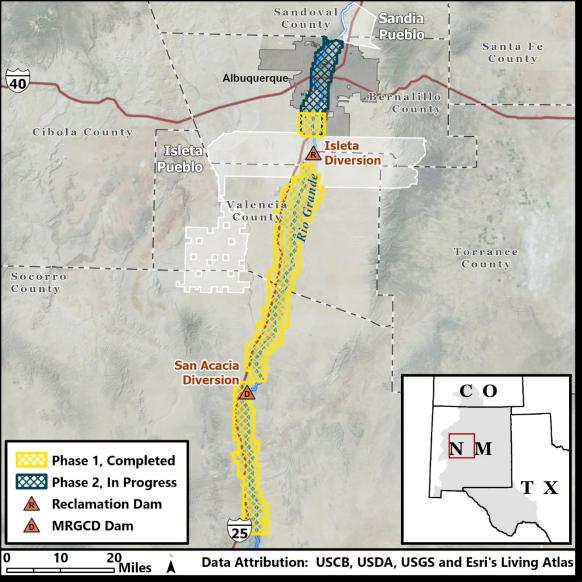
Title Transfer Authority and Scope

- 2019 Dingell Act used for MRG Phase 1 (completed) November 2021
- Phase 1 = southern half of MRGCD
- Phase 2 = Bernalillo County
- Phase 1 mapping, technical, and legal approach applies to Phase 2
- No title to Pueblo lands



Title Transfer Phase 1 & 2 Map

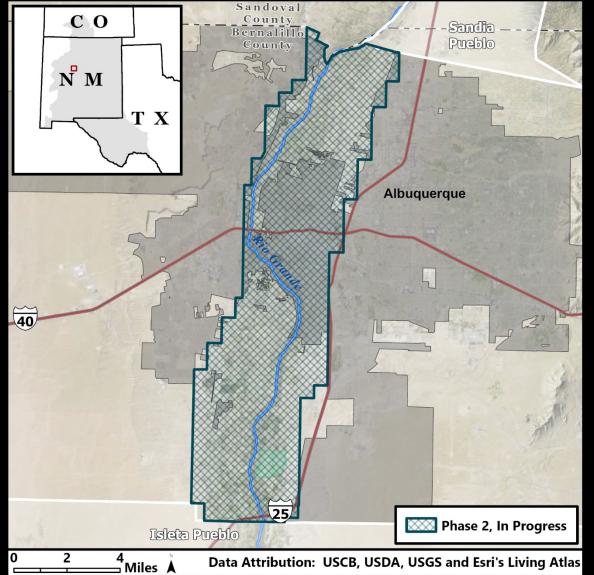
• Phase 2 = Bernalillo County





Title Transfer Phase 2 Map

• Phase 2 = Bernalillo County





Brief MRG Project History: MRGCD

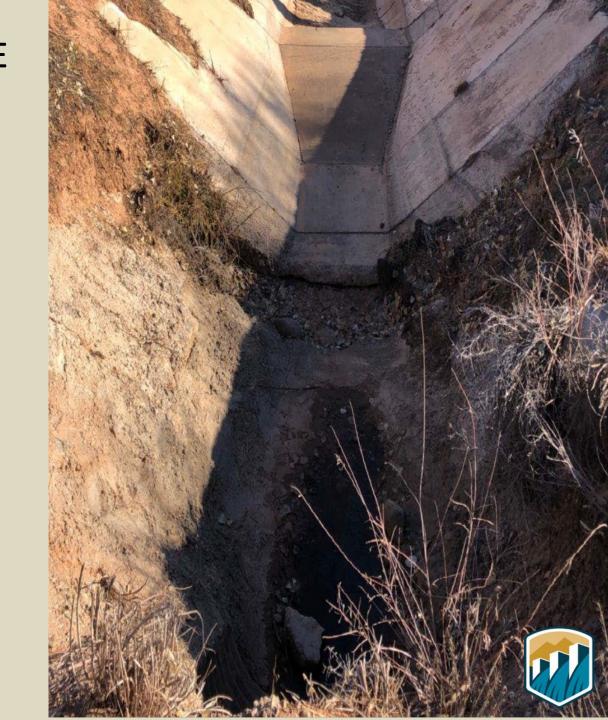
- Pre-colonial canals; expansion in 1700-1800s
- By late 1800s, lots of problems: poor drainage, river aggradation, inefficient water delivery, frequent flooding
- 1925 MRGCD formed to: drain swamp lands, rehabilitate irrigation systems, provide water for irrigation and some flood control
- Consolidation of ~80 independent acequias, 3
 diversions, El Vado, 100s miles of levees, canals and
 drains
- 1930-1940s: devastating floods in '41 and '42, MRGCD bankrupt in Great Depression and unable to raise funds





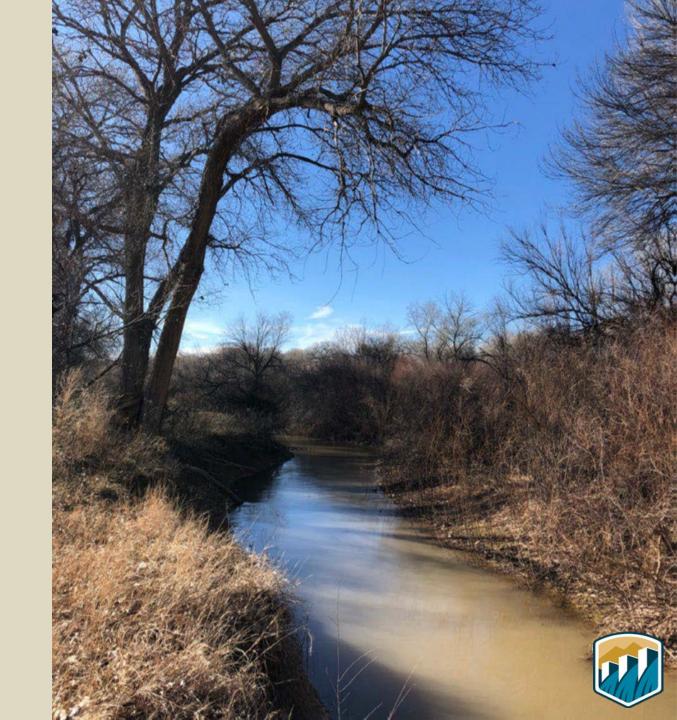
Brief Project History: Reclamation and USACE

- 1947 Comprehensive Plan (Reclamation and US Army Corps of Engineers USACE):
 - flood control and drainage
 - water and sediment conveyance
 - MRGCD rehabilitation and construction
 - fix and complete work before floods and bankruptcy
- 1948 and 1950 Flood Control Acts
- 1902 Reclamation Act
- USACE: flood control reservoirs (Jemez and Cochiti) and levees
- Reclamation:
 - <u>Repayment</u> required: repair and rehab of MRGCD's infrastructure [title]
 - No repayment: river channel maintenance, water and sediment conveyance [no title]
- Current system: 150 river miles, 200+ miles of levees, 1,200+ miles of canals and drains



Reclamation and MRGCD Contract

- 1951 Repayment Contract
 - U.S. assumed debts and invested in infrastructure
 - MRGCD provided title (mostly easements/Rights-of-Ways) to all "Project Works"
 - Project infrastructure and lands owned or in easement
 - 1,000s-10,000s individual records
 - MRGCD repayment of \$16M completed in full December 13, 1999
- 1970s Operations and Maintenance (O&M)
 Transfer to MRGCD
 - Did: transfer O&M to majority of Project Works (remainder transferred in Phase 1 August 1, 2021)
 - Did Not: alter repayment terms or title held by U.S.
- Congressional approval needed for title transfer



2019 Legislation P.L. 116-9

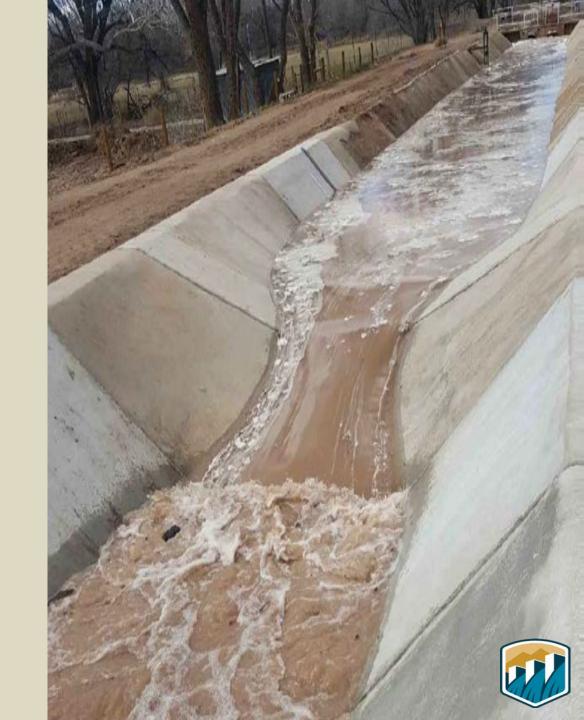
- Broadly allows for transfer of Reclamation projects without separate authorization from Congress
- Eligibility requirements:

Facility eligibility

✓ Transferred Works = O&M performed by MRGCD (Reserved Works are ineligible)

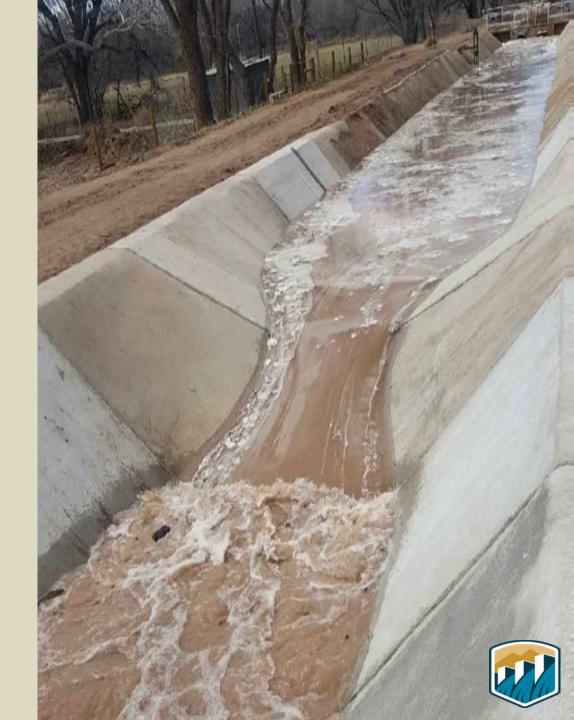
District eligibility

- ✓ Operates the requested facility
- ✓ Is capable of, and agrees to continue, operating and managing the facility for the same purposes after title transfer



2019 Legislation P.L. 116-9

- Eligibility also based on determination that:
 - ✓ The transfer is in the financial interest of the U.S.
 - significant liability and cost reduction to U.S.
 - ✓ There will not be a significant, unmitigated effect on the environment
 - no changes to operations due to title transfer
 - MRGCD is a 2016 Biological Opinion Partner
 - ✓ Public and Tribal interests will be protected
 - no changes to operations due to title transfer
 - no impact to Pueblos
 - ✓ Existing water delivery obligations will be fulfilled
 - ✓ Compliance with Federal and State laws, as relevant



Streamlining Title Transfer: A New Categorical Exclusion (CE)

- The National Environmental Policy Act of 1969 (NEPA) applies to all title transfers
- The new CE can be used if the scope of the requested transfer is consistent with qualification factors of the CE
- If a requested title transfer does not qualify under the factors of a CE or would involve extraordinary circumstances (43 CFR 46.215), additional analysis such as an Environmental Assessment or Environmental Impact Statement would be required



Streamlining Title Transfer: A New Categorical Exclusion

The proposed title transfer may qualify for the new categorical exclusion if:

- District affirms no change in O&M or land/water use
- District assumes responsibility for all commitments and agreements into the future
- No competing demands or unresolved issues
- Meets the Secretary's responsibilities for Indian trust, treaties and international agreements
- No extraordinary circumstances triggered



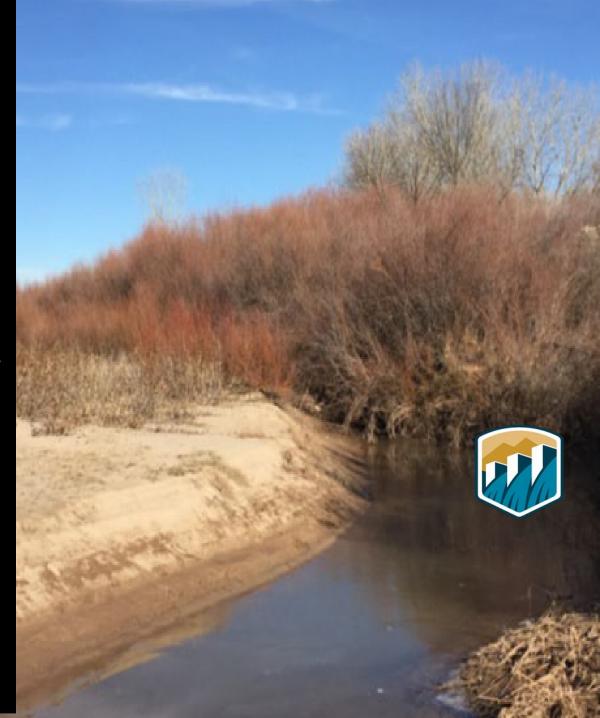
Phase 2 Agreement Overview

- Title Transfer: Reclamation will transfer ownership of Project Works (excluding Pueblo lands) to the District via quitclaim deed.
- District Obligations: The District must draft, file, and record the deed, accept the facilities "as-is," and assume liability from the date of signing.
- Public and Legal Notice: The District must post the transfer map online and acknowledge Reclamation's ongoing floodway responsibilities.
- Access and Use Commitments: Reclamation retains access for maintenance, and the District must continue current uses, including habitat restoration.
- Existing Agreements and Pueblo Rights: Prior agreements remain in effect for non-transferred works, and Pueblo-related obligations are unchanged.



Phase 2 Agreement Overview

- Modifications Allowed Before Notice to Congress: Changes to the Agreement must be mutually agreed upon in writing before submission to Congress.
- Federal Role Ends After Transfer: Once transferred, the Project Works are no longer federally owned or eligible for federal project benefits.
- District Assumes Rights and Liability: The District takes over licenses and responsibilities, and the U.S. is no longer liable except for pre-transfer negligence.
- No Automatic or Future Funding: The Agreement doesn't authorize funding or future financial obligations beyond legal appropriations.
- No Third-Party or Official Benefits: The Agreement grants no enforceable rights to outsiders and prohibits special benefits to officials.



Compliance Status

- NEPA eligible to use CE.
- Endangered Species Act "no effect" memorandum to US Fish and Wildlife Service.
- National Historic Preservation Act consultation underway with NM State Historic Preservation Office (SHPO) and will complete a Memorandum of Agreement.
- MRGCD is establishing its own Memorandum of Understanding with NM SHPO on cultural compliance post-transfer.



Timeline to Completion

- Public meeting October 14, 2025
- Finalize compliance October 2025
- Finalize Title Transfer Agreement October 2025
- Notice to Congress November 2025 December 2025
- Sign Transfer Agreement January March 2026





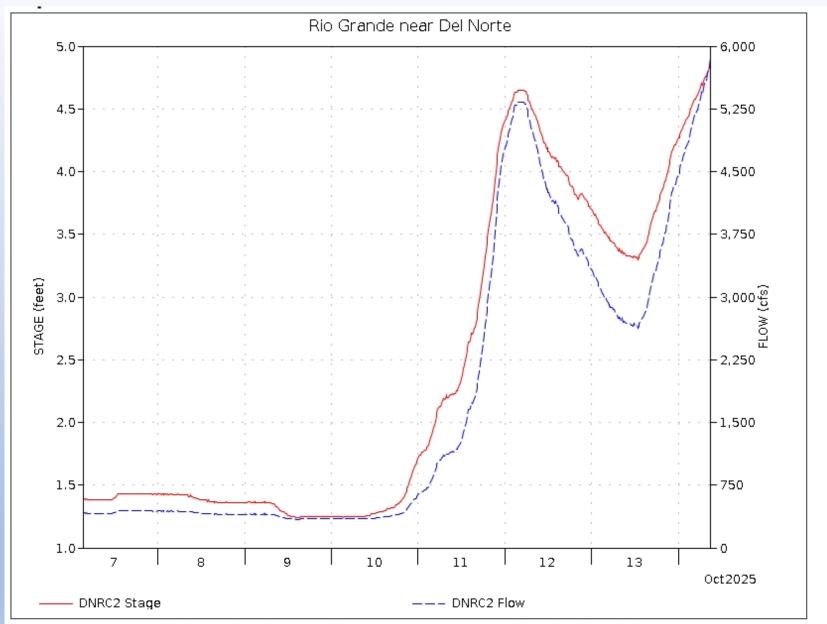
Water Supply Update

Middle Rio Grande Conservancy District Board of Directors Meeting

Prepared and Presented by: Anne Marken

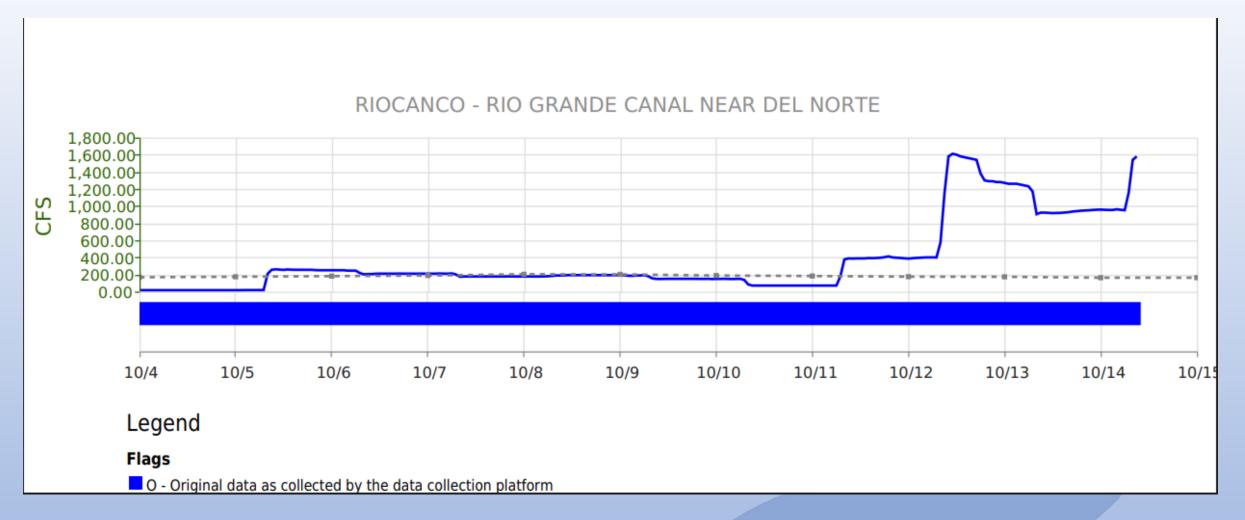
Date: 10/14/2025





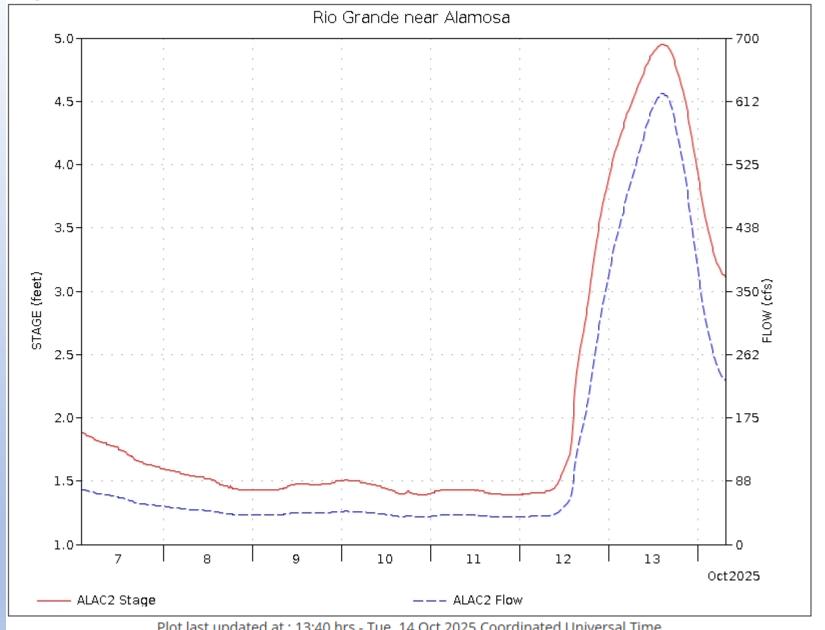
Plot last updated at : 15:26 hrs - Tue, 14 Oct 2025 Coordinated Universal Time







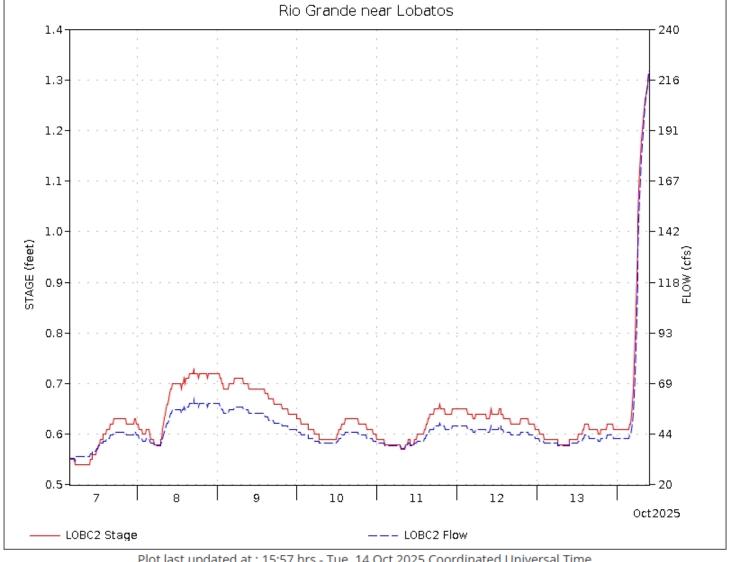




Plot last updated at: 13:40 hrs - Tue, 14 Oct 2025 Coordinated Universal Time





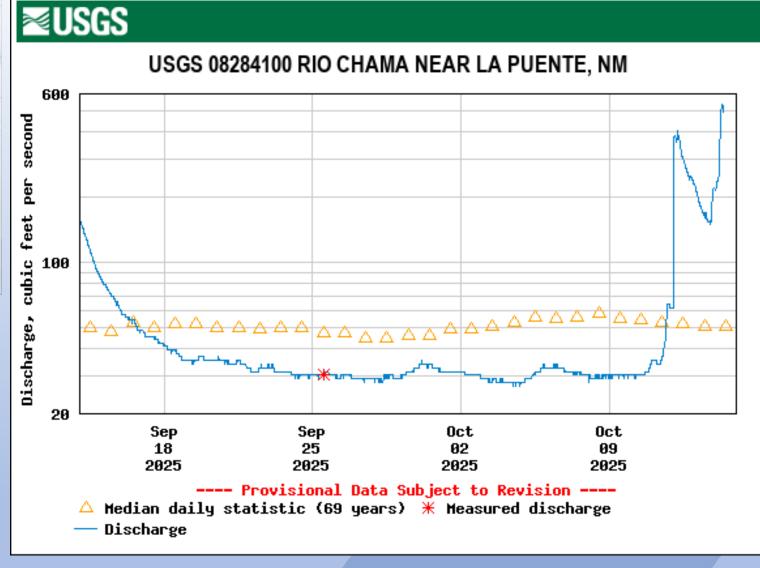


Plot last updated at: 15:57 hrs - Tue, 14 Oct 2025 Coordinated Universal Time

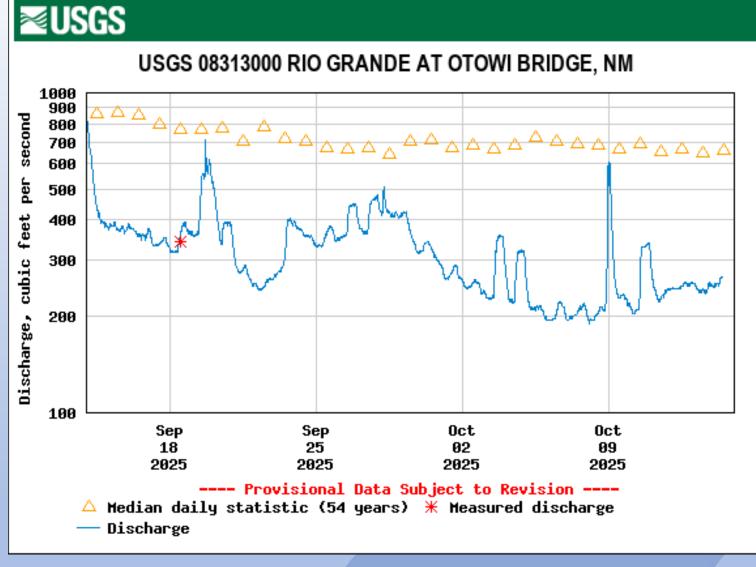
https://w3.spa.usace.army.mil/wcscripts/rt_plot1.pl?LOBC2









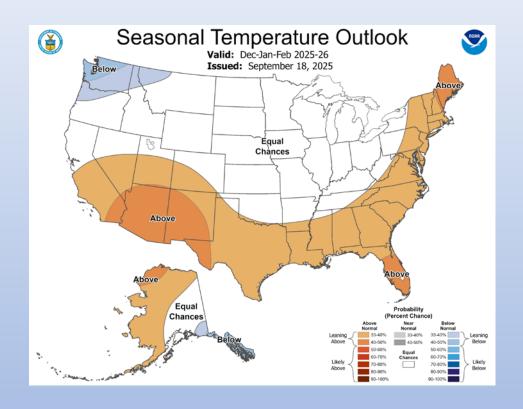


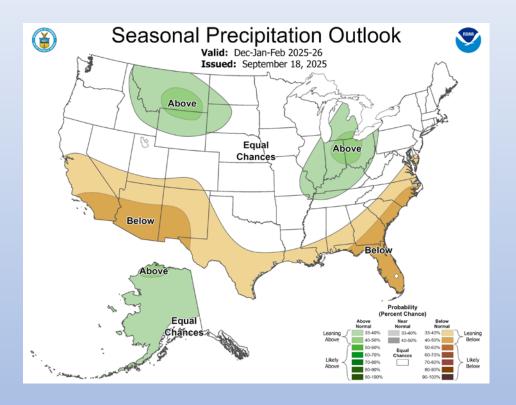
https://waterdata.usgs.gov/nwis/uv/?ts_id=101151&format=img_default&site_no=08313000&begin_date=20250701&end_date=20250811

NWS Forecast

ENTHER	Maximum Temperature							Probability of Precipitation						
	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon
Location	10/14	10/15	10/16	10/17	10/18	10/19	10/20	10/14	10/15	10/16	10/17	10/18	10/19	10/20
Albuquerque	74	76	70	68	70	73	75	50	30	10	0	0	0	0
Santa Fe	71	72	67	65	67	70	72	60	50	20	0	0	0	0
Farmington	71	71	60	60	64	69	71	20	20	0	0	0	0	20
Gallup	70	69	59	61	65	71	69	10	0	0	0	0	0	10
Grants	71	73	63	63	66	72	71	20	20	0	0	0	0	10
Clayton	69	75	73	70	71	74	79	60	20	10	0	0	0	0
Raton	66	68	70	67	68	72	74	50	30	10	0	0	0	0
Las Vegas	62	62	65	64	65	70	70	80	50	20	0	0	0	0
Moriarty	70	72	68	65	66	72	72	70	40	10	0	0	0	0
Tucumcari	77	77	78	76	75	79	83	60	20	10	0	0	0	0
Clovis	77	77	79	78	77	78	81	40	10	10	0	0	0	0
Roswell	80	79	82	79	80	79	84	30	10	10	0	0	0	0
Socorro	76	78	76	72	75	77	79	50	10	0	0	0	0	0
Chama	61	60	56	55	57	64	63	50	60	20	0	0	0	20
Taos	67	67	63	62	63	67	67	50	50	20	0	0	0	10
Angel Fire	63	63	59	58	59	64	62	50	50	20	0	0	0	10
Los Alamos	65	65	62	59	62	65	66	60	60	20	0	0	0	10
Ruidoso	67	70	66	61	64	68	68	70	20	10	0	0	0	0
Quemado	69	71	63	62	65	72	71	10	10	0	0	0	0	0

NWS Seasonal Outlook







Questions?



Appendix III

From: <u>Elaine Hebard</u>
To: <u>Tarah Jaramillo</u>

Subject: Re: MRGCD Board Meeting -- 10/14/25 -- Public Comment

Date: Tuesday, October 14, 2025 3:05:41 PM

MRGCD Board Meeting - October 13, 2025 Public Comment -- Elaine Hebard

Thank you for the opportunity to comment on the draft Urban Advisory Committee Charter. When I ran for the Board some 14 years ago, one of the proposals I ran on was to involve the urban rate payers more, hoping to foster a better understanding of the benefits the District brings to all.

I agree with the need statement that "The urban areas of the MRGCD generate more than two thirds of the MRGCD total revenues. Among those constituents, the majority do not irrigate." I thought that was the purpose of the Urban Advisory Committee -- to give a voice to those urban areas.

But the draft charter goes on to open Committee membership to all "users and stakeholders within Bernalillo, Valencia, Sandoval, and Socorro Counties." That will dilute the voices of the urban rate payers and it may reduce the value of the advice given to the Board. Like the irrigation advisory board, those who live within the District have a vested interest in the fulfillment of its mission statement.

Certainly there are more than enough issues for those of us who reside in the urban section of the benefited areas to address. Not one of the mentioned items, but clearly of great concern to the Board, is the reduction of depletions in the MRG. The committee could provide feedback and make recommendations as to what that might mean (such as via coordination with other entities, pushing for a greater understanding of the relationship of surface and groundwater, and/or an effort to educate us better). Another example would be coordinating with the Bernalillo County on its new Water Conservation Plan.

And now a comment about the various meetings reported on by Board members. Since Board members receive a stipend to attend, Chair Kelly began these reports years ago, with a lesson learned as a minimum. The current reports don't provide such information. For instance, rather than learning that many folks attended a gathering at the Rio Grande Users Conference, we would benefit from knowing what issues were discussed and what steps toward collaboration were explored. We know depletions must be reduced -- what if any, solutions were presented?

Thank you.

CANVAS OF ELECTION RESULTS

ACEQUIA OFFICERS; VOTES; CANVASS (NMSA 1978 73-3-3). The Commissioners of the Atrisco, Arenal, Armijo, Los Padillas and Pajarito Acequias held the biennial elections in accordance with Chapter 73. Water Laws and Special Districts of New Mexico. Monday October 6, 2025, at La Plazita Institute, 831 Isleta Blvd. SW, Albuquerque, NM 87105. The officers of community ditches or acequias elected consist of three commissioners and one mayordomo:

- 11 Atrisco Acequia: Mayordomo, Santiago Candelaria.
- 12 Commissioners: Diana Pino, Liz Montoya, Edward Eric Baca
- 13 (has Stephen R. Saenz's proxy).
- 14 Arenal Acequia: Mayordomo, Brad Lagorio, Commissioners:
- 15 Andrea Lopez, Rip Anderson
- 16 Armijo Acequia: Mayordomo, Eddie Baca. Commissioners:
- 17 Maya Garcia, Nate Smith, Xazziel Martinez
- 18 Los Padillas Acequia: Mayordomo, Luke Esquivel.
- 19 Commissioners: John Lopez, Patricia Dan, Daniel Berg.
- 20 Pajarito Acequia: Mayordomo, Herman Trujillo,
- 21 Commissioners: Santiago Maestas, Thomas Powell,

22 Louie Tampia.

SVRAA PRESIDENT

SVRAA SECRETARY

To: Chairman and Members of the Board Middle Rio Grande Conservancy District
Dear Chairman and Members of the Board, Attached please find my statement and
supporting documentation regarding the Cabezon Channel easement at 140 Camino Vega
Verde, Corrales, New Mexico. I am submitting this on behalf of myself and my neighbors,
Dennis and Debra Mayes who share the easement.

This packet includes:

- 1 A concise statement prepared for the public comment portion of the MRGCD board meeting, summarizing key points regarding easement use, public access, and liability concerns.
- 2 Three minute speech
- 3 An extended written submission detailing the legal basis, documented incidents, and proposed corrective actions to ensure that easement rights are respected and private property is protected.
- 4 Letter from Casey Ish
- 5 ABQ Journal Article
- 6 MRGCD permissible parking lot on Mayes and my private properties
- 7 Statement regarding easement language

We respectfully request that the Board review this submission, formally acknowledge that the easement does not grant public access, and take action to mitigate ongoing unauthorized use. Our goal is to resolve these matters cooperatively, while protecting the safety, rights, and responsibilities of the property owners and the District alike. Thank you for your attention and consideration.

Sincerely, Kristy LaMariana On behalf of myself and my neighbors, Dennis and Debra Mayes Property Owners – 140 Camino Vega Verde & Bazan Loop Corrales NM

Judy Jamanana 10/14/2025

Public Comment - MRGCD Board Meeting

Speaker: Kristy LaMariana, 140 Camino Vega Verde, Corrales

Good afternoon, Chairman and members of the Board.

My name is Kristy LaMariana, and I'm the owner of 140 Camino Vega Verde. I'm also speaking on behalf of my neighbors, Dennis and Debra Mayes, who share the same easement along the Cabezon Channel.

We're here because the District recently ordered us to remove fencing that was approved by your own field representative, Michael Padilla, and has never interfered with MRGCD maintenance or access. At the same time, the District has allowed—or even encouraged—public use of this maintenance easement for recreation. That use is outside the lawful scope of the recorded easement, which authorizes MRGCD to operate and maintain channels and flood control improvements—not to provide public access or recreation.

In the October 7 Albuquerque Journal, a board member acknowledged that MRGCD is **not insured for recreational use** and now relies on State Risk Management. This leaves landowners like us bearing liability for injuries that might occur on our deeded property. We pay the taxes, but we carry the risk.

Meanwhile, unauthorized public use has led to vandalism, graffiti, drug activity, homeless encampments, and even gunfire—including a bullet through my bedroom window. Police have responded many times, yet I was told by your CEO that he personally asked Corrales Police to stop responding to trespass calls on MRGCD easements. That is unacceptable.

We respectfully request that the Board take the following actions:

- 1. Acknowledge in writing that this easement does **not** grant public access.
- 2. Withdraw the fencing removal directive.
- 3. At MRGCD's expense, install or support fencing, gates, and signage at both ends of the easement to prevent unauthorized public entry.
- 4. Work collaboratively with landowners to define easement boundaries and ensure mutual protection.

We respect the District's mission and the need for maintenance access. Our request is simple: protect property rights, reduce liability, and restore safety.

Thank you for your time and consideration.

Full Written Statement for Submission for MRGCD BOARD

Submitted by: Kristy LaMariana

On behalf of: Dennis and Debra Mayes

Properties: 140 Camino Vega Verde & Bazan Loop, Corrales, NM

Introduction

Good evening, Chairman and members of the board.

My name is Kristy LaMariana, and I am the owner of the property located at 140 Camino Vega Verde, which lies adjacent to the MRGCD easement in question.

I am also speaking on behalf of my neighbors, Dennis and Debra Mayes, who share this same easement from their property on Bazan Loop.

We appreciate your time and ask to highlight serious legal and practical concerns arising from your recent letter demanding removal of our fence and from public statements regarding access, liability, and easement boundaries.

Michael Padilla, your field representative, explicitly approved our fence placement and has always had unobstructed access for MRGCD operations. As a result of being told to move the fencing, my property has once again become a parking lot. This is unauthorized use of the land/easement.

The fencing in no way interfered with ingress, egress, or maintenance.

Your letter directs us to remove fencing at our cost while you tolerate or even encourage the public's use of this easement for walking, biking, and horseback riding.

That use is outside the lawful scope of this easement.

The easement grants MRGCD the permanent right:

"to construct, reconstruct, operate, and maintain roads, channel improvements, embankments, and other irrigation, drainage, or flood control improvements."

It does not authorize recreational or public access of any kind.

Insurance and Liability Concerns

In the October 7, 2025 Albuquerque Journal, a MRGCD board member admitted MRGCD is not insured for recreation and that private insurers have dropped the District.

The District now relies on the State Risk Management Division.

If you lack recreation liability coverage, you cannot claim to cover or protect landowners from public access injury claims.

The result is that the liability rests on us, the private deeded property owners, who pay the property taxes.

For years, public use of this easement has caused damage, risk, and disturbance, including:

- Vandalism
- Graffiti
- Public indecency
- Drug activity
- Homeless encampments
- Littering
- Gunfire, including a bullet hole in my bedroom window

Police have responded multiple times.

Yet I was told by Jason, your CEO, on October 8 that he has personally advised the Corrales Police to stop responding to calls for trespass enforcement.

That is deeply concerning.

Someone within MRGCD even gave equestrians permission to use the easement for Bosque access — the riders were caught in the act of taking down my fencing — despite its private ownership and legal limits.

This misuse must stop.

Legal Position

The following points summarize our legal position:

- 1. **No public access rights exist.** This is a maintenance and operations easement only. Public recreation or access is not permitted.
- 2. "Successors and assigns" does not mean the public. It refers to future agencies or contractors maintaining MRGCD's facilities.

- 3. Liability is on the landowner, not the District. Since MRGCD admits it lacks recreational insurance, you cannot claim to bear liability for injuries occurring during unauthorized public use.
- 4. Trespass is occurring. Under New Mexico law, MRGCD cannot expand an easement's scope beyond its express grant. Public use cannot be created through custom or practice.
- 5. Fairness requires MRGCD to secure its own right-of-way. If the District insists on unobstructed maintenance access, it should, at its own expense, fence, gate, or sign the easement to prevent public intrusion and clarify boundaries.

Legal Foundation

- Martinez v. Martinez, 93 N.M. 673, 604 P.2d 366 (1979): A servient owner retains all rights not inconsistent with the easement's express purpose.
- Algermissen v. Sutin, 133 N.M. 50, 61 P.3d 176 (2003): Prescriptive easement rights cannot arise from permissive use or lack of adversity.
- Mimbres Hot Springs Ranch, Inc. v. Vargas, N.M. Ct. App.: A landowner may restrict or gate access when public or third-party use exceeds the easement's scope.

Demands

- 1. Immediately cease using, storing, or staging heavy MRGCD equipment on my property except for direct maintenance access as allowed by the easement.
- 2. Acknowledge in writing that the easement does not grant public access.
- 3. Withdraw the fencing removal directive and support fencing or gating at MRGCD's cost to prevent unauthorized public entry.
- 4. Work collaboratively with landowners to define proper easement limits and signage.
- 5. Immediately install gates and fencing to prevent parking lot.

Conclusion

We are not opposing MRGCD's mission.

We value your work and understand the importance of maintaining the channels.

But we also deserve protection and respect for our deeded property rights.

The District's lack of recreational insurance, combined with increasing public use and law enforcement disengagement, has left us exposed and unsafe.

We ask that you correct this imbalance and work with us toward a lawful and equitable solution.

Respectfully submitted,

Kristy LaMariana

Dennis and Debra Mayes, deeded property owners

Camino Vega Verde and Bazan Loop



1931 SECOND ST. SW . ALBUQUERQUE, NM 87102 . 505.247.0234

September 18, 2025

Kristy LaMariana Trustee of Kristy LaMariana Revocable Trust 140 Camino Vega Verde Corrales, NM 87048

RE: Unauthorized Fencing within MRGCD's Cabezon Channel Easement

Dear Kristy LaMariana,

The Middle Rio Grande Conservancy District ("MRGCD") has reviewed the fencing installed within the Cabezon Channel Easement ("Easement"). Please be aware that landowners may not place fences or other impediments within MRGCD easements if they interfere with ingress, egress, or the District's ability to operate and maintain its facilities.

Under New Mexico law, MRGCD's rights as a co-dominant easement holder with AMAFCA are superior to those of the servient landowner. The landowner's use is secondary and cannot unreasonably interfere with MRGCD's ability to operate, inspect, repair, and maintain its facilities. MRGCD policy further prohibits fences, walls, or structures within ditch bank easements without express written permission and requires removal of unauthorized obstructions.

Accordingly, MRGCD hereby directs you to remove the fencing within fifteen (15) calendar days of the date of this letter. If you do not comply, MRGCD will proceed with removal to restore full access to its easement and facilities, the cost of which may be assess to you.

Your prompt attention to this matter is required. Should you wish to discuss this further, you may contact me at 505-247-0234.

Sincerely,

Casey Ish

Director of Lands and Conservation Middle Rio Grande Conservancy District

Cc China Bills - AMAFCA

Journal Article Exhibit

Election: MRGCD board that oversees irrigation, flood control in Middle Rio Grande gets new member

by Cathy Cook/Journal Staff Writer Oct 7, 2025

A board that oversees irrigation releases and flood prevention for the Middle Rio Grande will have one new member after a Tuesday election.

Three incumbent board members were reelected, and one new member, J. Chris Lopez, will fill the Socorro seat being left vacant by Glen Duggins. All four were running unopposed, making the outcome predictable.

People who own property within the conservancy district's benefited area are eligible to vote in MRGCD elections. According to unofficial election results, the candidates each received fewer than 80 votes.

Board members serve four-year terms, so they will be in office until 2029.

The Middle Rio Grande Conservancy District offers irrigation, flood control and water conservation services to farmers and irrigators in the Middle Rio Grande Valley. An elected board of seven directors oversees the entity.

In the coming year, the board will take on issues like upgrading aging infrastructure and trying to reduce New Mexico's water debt to Texas so river water can be stored, which can help farmers during times of drought.

The election results are scheduled to be certified Friday, and board members will be sworn in for their new terms on Oct. 14.

On Tuesday afternoon, Lopez was working on his 700-acre family farm south of Socorro, gathering chile from the fields. Lopez's grandfather started farming in the area in the 1950s, and his father, brother, one daughter and young grandsons still farm.

Lopez already serves on the Socorro Soil and Water Conservation District but wanted to run for the MRGCD board to be a voice for farmers.

"I'm worried about our water. I'm worried about our farmers. Farming and ranching are slowly dying off," Lopez said.

Meanwhile, Karen Dunning won reelection to one of the Bernalillo County positions after serving on the board for 16 years. One of the big issues she expects the board to grapple with in the coming year is insurance.

Many people in the North Valley area particularly like to walk on irrigation ditches, but since MRGCD is not insured for recreation, that's not an activity it can encourage.

"That's a really big deal, because right now, our private insurers have all dropped us, and so we have to use the state," she said. MRGCD does not have the resources to be self-insured.

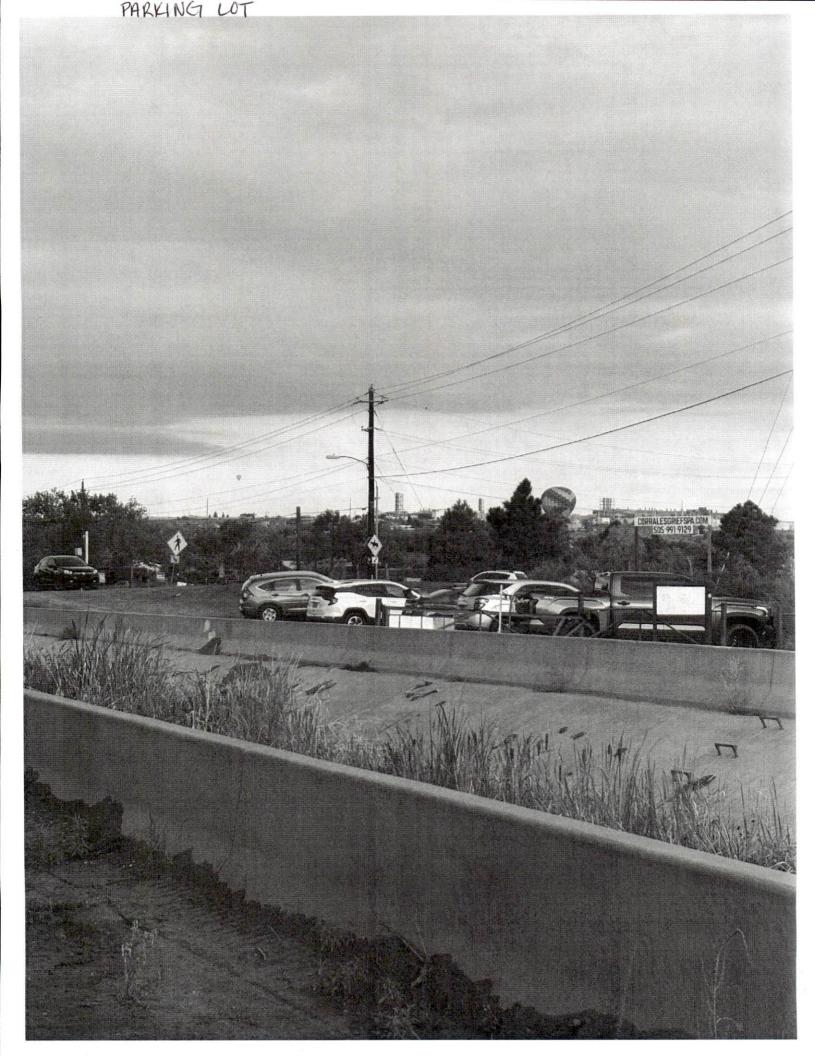
MRGCD is turning 100 this year, and much of the infrastructure it manages needs to be upgraded. The board is looking at rebuilding the Corrales siphon, part of irrigation infrastructure in the Corrales area, which at the high end could cost \$15 million, Dunning said.

"We've been really good about writing grants and getting grants, or low-interest loans. But a lot of those have come from the federal government, and I think that spigot is going to dry up," Dunning said.

Occupational therapist and the board's present vice chair, Colin Baugh was reelected to Position 4, also representing Bernalillo County. Baugh helped reestablish an acequia association in the North Valley in 2008 and was mayordomo for the Pierce Lateral Acequia Association in 2019.

The Sandoval County seat will continue to be filled by the former governor of the San Felipe Pueblo, Michael Sandoval. Sandoval has worked as a water resources specialist for the pueblo and as a civil engineering technician for the Bureau of Indian Affairs.

The other board members are John Kelly, who also represents Bernalillo County; at-large Director Stephanie Russo Baca; and Valencia County Director Brian Jiron. Their terms run through 2027.



Statement Regarding Easement Language: "Successors and Assigns"

The recorded MRGCD easement includes the phrase:

"Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, do grant, bargain, sell, and convey unto grantee and its successors and assigns the permanent right and easement to construct, reconstruct, operate, and maintain roads, channel improvements, embankments, and other irrigation, drainage, or flood control improvements and facilities on, under, over, and across the described real estate."

Explanation:

The term "successors and assigns" refers only to entities or individuals who lawfully assume or perform the Middle Rio Grande Conservancy District's official duties—such as maintenance, construction, or repair of flood control or irrigation structures.

This language ensures continuity of MRGCD's operational authority if its responsibilities are later carried out by a successor agency, contractor, or authorized designee.

It does not extend easement rights to the general public, recreational users, or any third party not acting directly under the authority of MRGCD.

In plain terms, "successors and assigns" preserves MRGCD's operational access but does **not** create or imply any public access, recreational rights, or general passage across private property.

That is a direct violation of private ownership.

We ask the Board to take four simple, lawful actions:

- 1. Acknowledge in writing that this easement does not grant public access.
- 2. Withdraw the fencing removal directive.
- 3. At MRGCD's expense, install or support fencing, gates, and signage to prevent unauthorized public use at both ends of both easement accesses.
- 4. Collaborate with landowners to clearly define easement boundaries and protect both your operations and our property rights.
- 5. Immediately install gates and fencing to prevent parking lot.

We value MRGCD's mission and respect the need for maintenance access.

But the District's current stance leaves us unprotected, uninsured, and unsafe.

We are asking simply for a lawful, fair, and cooperative resolution.

Thank you for your time.

*3 minute speech MRGCD

Good afternoon, Chairman and members of the board.

My name is Kristy LaMariana, and I'm the owner of 140 Camino Vega Verde, which borders the MRGCD easement in question.

I'm also speaking on behalf of my neighbors, Dennis and Debra Mayes on Bazan Loop, who share this same easement.

We are here today because of the District's recent letter ordering us to remove our fencing — fencing that was approved by your own field representative, Michael Padilla, and has never blocked or interfered with MRGCD operations.

Yet the District now demands removal while allowing or even encouraging public use of this maintenance easement for walking, biking, and horseback riding.

That use is outside the lawful scope of the easement.

The recorded grant allows MRGCD to maintain and operate channels and flood control improvements.

It does not authorize recreation or public access of any kind.

In the October 7 Albuquerque Journal, a board member acknowledged that MRGCD is not insured for recreation — and now relies on the State Risk Management Division.

That means landowners like us bear the liability for injuries that might occur on our deeded property.

We pay the property taxes, yet we carry the risk.

Meanwhile, public use has brought real harm: vandalism, graffiti, drug activity, homeless encampments, and even gunfire — including a bullet hole through my bedroom window.

Police have responded many times, yet your CEO recently told me he personally asked Corrales Police to stop responding to trespass calls on MRGCD easements.

That is unacceptable.

Someone within the District even gave equestrians permission to enter through my property, and they were caught tearing down my fencing to access the Bosque.

Appendix VI 2025 PROTEST INSPECTION FORM



0 190 380 760 Feet



CUSTOMER ID: 16398

PROPCD: 100903614223000000

MRGCD MAP: 80 ISOLOGID: N/A

LEGAL DESCRIPTION: MAP 80 TR 1A3B1B = 10.0980 AC

TOTAL ACRES (AC): 10.10 IRRIGABLE AC: 6.10

ASSESSED AC: 10.10 NOT IRRIGABLE AC: 3.70

PROTESTED AC: 10.10

WATER BANK AC: 0

FIELD INSPECTION: NO

TURNOUT: YES

EVALUATION: ACCESS TO IRRIGATION EXISTS PER PROTEST APPLICATION.

FIELD INSPECTION **REQUESTED**. NON IRRIGABLE AREAS HAVE BEEN IDENTIFIED FROM FIELD INSPECTION NOTES

AND AERIAL IMAGERY.

Legend

Non Irrigable

Irrigable

Surface Water Current

Status,WR_Type

Water Right

No Pre-1907 Water Right

Not Evaluated

". " Supplemental

Cancelled/Expired No Right

Other

DATE: 9/26/2025 2:09 PM

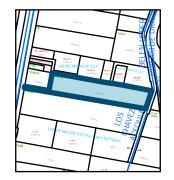


2025 FIELD INSPECTION REPORT

STAFF INITIALS: AM

INSPECTION DATE: 9/23/2025 2: 36: 00 PM

CUSTOMER ID: 16398



ACCESS

Adjacent to MRGCD Facility: Yes

Access Type: MRGCD Facility

Private Ditch Exists: Yes

TURNOUT (TO)

TO Exists: No

TO Condition:

Access with TO installation:

COMMENTS: Property is adjacent to the Los Chavez Acequia. Property dose not currently have a

turnout. An existing private ditch runs along the north boundary of property but it dose

not appear to be in active use. Access can be gained if turnout is installed .

PHOTOS

Photo 1 Comments:

Photo 2 Comments:

SEE ATTACHED PHOTOS EXHIBIT

Photo 3 Comments:

Photo 4 Comments:

Protest Property lot #1



Figure 1: Existing private ditch located on the north boundary of the property



Figure 2: East extent of property adjacent to the Los Chavez Acequia



Figure 3: Existing structure within the property

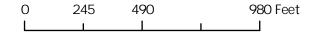


Figure 4: Portions of the property are paved



2025 PROTEST INSPECTION FORM







CUSTOMER ID: 16398

PROPCD: 100903620518300000

MRGCD MAP: 80 ISOLOG ID: N/A

LEGAL DESCRIPTION: MAP 80 TR 1A3B2 = 18.9200 AC

TOTAL ACRES (AC): 18.92 IRRIGABLE AC: 11.70

ASSESSED AC: 18.92 NOT IRRIGABLE AC: 7.10

PROTESTED AC: 18.92

WATER BANK AC: O

FIELD INSPECTION: NO

TURNOUT: YES

EVALUATION: ACCESS TO IRRIGATION EXISTS PER PROTEST APPLICATION.

FIELD INSPECTION REQUESTED. NON IRRIGABLE AREAS HAVE BEEN IDENTIFIED FROM FIELD INSPECTION NOTES

AND AERIAL IMAGERY.

Legend

Irrigable

Non Irrigable

Surface Water Current

Status,WR_Type

Water Right

No Pre-1907 Water Right

Not Evaluated
Supplemental

Cancelled/Expired

No Right
Other

DATE: 9/26/2025 2:42 PM



2025 FIELD INSPECTION REPORT

STAFF INITIALS: AM

INSPECTION DATE: 9/23/2025 3: 09: 00 PM

CUSTOMER ID: 16398



ACCESS

Adjacent to MRGCD Facility: Yes

Access Type: MRGCD Facility

Private Ditch Exists: No

TURNOUT (TO)

TO Exists: Yes

TO Condition: Disrepair

Access with TO installation:

COMMENTS: Exiting turnout located on the adjacent Los Chavez Acequia is not in current use and

dose not appear to be used in some time. There is exiting pond and property has several paved roads on property as well as concrete slabs along cattle fence.

PHOTOS

Photo 1 Comments:

Photo 2 Comments:

SEE ATTACHED PHOTOS EXHIBIT

Photo 3 Comments:

Photo 4 Comments:



Figure 1: Existing abandoned turnout adjacent to the property



Figure 2: Property adjacent to Los Chavez Acequia.

Photos Exhibit for Customer ID 16398, Map 80 Tract 1A3B2 Photos by A. Madera



Figure 3: Existing paved road within property.



Figure 4: Extent of paved road.



Figure 5: Existing concrete slab along cattle fence.

Appendix VII

Director Russo Baca Board Reports October 2025

Report on the Middle Rio Grande Urban Waters Meeting, September 9, 2025

This is a quarterly meeting. The presentations this month were by Dustin Chavez-Davis with Albuquerque Open Space on Bosque Project Updates, Megan Marsee from Bernalillo County on their water conservation program, and Ricky Reedy from Ciudad Soil and Water Conservation District on Forestry Projects.

Report on the New Mexico Water Law 32nd Annual Conference, September 11-12, 2025

This two-day conference included interesting legal presentations on water law topics specific to NM. Presentations included Views from the State Engineers Office, Enforcement of Existing Water Rights, Texas v. New Mexico, Management of the Middle Rio Grande Reservoirs, Conservation of Water in NM, and Offsets in the Middle Rio Grande —specifically about the Pueblo of Sandia and Downstream Water Rights.

Report on the ISC Meeting, September 18, 2025

UPPER AND MIDDLE RIO GRANDE BASIN KEY UPDATES

Rio Grande Compact Status – New Mexico's cumulative Compact debit status is 124,000 acre-feet and Article VII restrictions continue to be in effect. Usable Water in Project Storage was about 65,000 acre-feet as of September 7.

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 – Releases from the dam are being monitored to evaluate downstream channel capacity. Under a temporary NMOSE permit, Reclamation currently has about 11,000 acre-feet of P&P water in Abiquiu. The Coalition of Six Middle Rio Grande Basin Pueblos requested a P&P release (the first in many years) on July 10 and since then, releases from Abiquiu and El Vado for P&P needs have occurred on 34 days. Depending on precipitation and P&P demand, P&P releases could begin again before November 15.

INTERSTATE COMPACTS Article VII restrictions remain in effect.

WATER OPERATIONS

El Vado – Currently, about 9,700 acre-feet of SJCP and 15,700 acre-feet of P&P water are being stored in the reservoir, for a total of approximately 25,400 acre-feet of storage in El Vado. This volume is near the maximum that Reclamation plans to store until the dam can be rehabilitated. The reassessment and development of new alternatives to address the safety concerns could take several years to complete.

Abiquiu – The final P&P storage requirement for the 2025 season is 32,668 acre-feet. In addition to the P&P water stored in El Vado, Reclamation is storing about 11,000 acre-feet of P&P water in Abiquiu under a temporary emergency permit that expires at the end of 2025. Due to sedimentation in the lower Rio Chama, the US Army Corps of Engineers (USACE) plans to make incremental releases from Abiquiu Dam during high rainfall events and will monitor channel conditions downstream. There has been no reporting of overbanking or saturation of lands adjacent to the river in the lower Rio Chama this season.

Rio Chama – The NMISC is collaborating with partners at the USACE, Reclamation, and the Albuquerque Bernalillo County Water Utility Authority to study the basin and increase channel capacity in the lower Rio Chama. The NMISC is also pursuing various programs to provide technical and planning assistance, as well as

educational opportunities for local communities in the basin. While those activities are on-going, the NMISC is prepared to respond to emergency flooding or sediment plugs in the Rio Chama to ensure water is conveyed downstream for water users and Compact purposes.

Middle Rio Grande Conservancy District – Models are predicting the allocation for all SJCP contractors will be between 35 and 40 percent of a full allocation. This is a historic low. As of September 7, a total of 30,000 acrefeet of SJCP water has been allocated, which is 31% of a normal allocation.

Report on the Meeting with CHAMP, September 20, 2025

Meeting with Corrales Horse and Mule People at their desensitization clinic with hot air balloons, and there was a discussion about how MRGCD could work with CHAMP to host a clinic about ditch bank safety and possibly bring heavy equipment so riders can work with their animals around heavy equipment that they might encounter on the ditches.

Report on the Farmer Survey Advisory Committee Meeting, September 22, 2025

If you're a producer in the Middle Rio Grande Conservancy District, here's a great opportunity to have your voice heard about water and farming in the district. These small-group conversations are a chance for you to share your experiences, ideas, and concerns directly with those shaping local programs and policies. Participants will receive a \$50 Amazon gift card as a thank-you, along with coffee and donuts during the discussion.

Two sessions are available:

• Wednesday, October 22 | 10–11:30 AM

Raymond G. Sanchez Community Center, 9800 4th St NW, Albuquerque, NM

• Wednesday, October 29 | 2–3:30 PM

New Mexico Tech campus, 801 Leroy Pl, Socorro, NM Space is limited, so please reserve your spot by emailing mrgsurvey@unm.edu or calling/texting Professor Wang at 505-456-0638.



HELP SHAPE THE FUTURE OF WATER & FARMING

We're bringing farmers together to talk honestly about water challenges and the future of agriculture in the Middle Rio Grande Basin. This project is brought to you by the UNM Research Team.

Questions? Contact Professor Wang (505)456-0638

WHAT'S IN IT FOR YOU

- \$50 Amazon gift card for participating
- Coffee & donuts
- Direct line to folks shaping programs & policy
- Connect with other local farmers & share what's working (and what's not)

WHAT TO EXPECT

- One 90-min, small group discussion with fellow farmers
- Share feedback on a draft survey for MRGCD farmers
- No prep required

Your water. Your fields. Your say.

Join our Middle Valley Farmers Discussion Group!

WHO:

Farmers/irrigators in the Middle Rio Grande Conservancy District (MRGCD), 18 yrs. +

WHEN:

Wed, Oct. 22 (10am-11:30am) at Raymond G. Sanchez Community Center: 9800 4th St NW, ABQ, NNM

Wed, Oct. 29 (2pm-3:30pm) at NM Tech Campus: 801 Leroy Pl, Socorro, NM

SPACE IS LIMITED!

FOR QUESTIONS OR TO RESERVE YOUR SPOT CONTACT (CALL OR TEXT): PROFESSOR WANG (UNM PROJECT LEAD) (505)456-0638

Report on the MRGESCP Executive Committee Meeting, September 23, 2025

The Middle Rio Grande Endangered Species Collaborative Program Committee Meeting provides a collaborative forum to support scientific analysis and implementation of adaptive management to the benefit and recovery of the listed species pursuant to the Endangered Species Act within the Program Area, and to protect existing and future water uses while complying with applicable state, federal, and tribal laws, rules, and regulations. The Middle Rio Grande Endangered Species Collaborative Program (MRGESCP or Collaborative Program) is a partnership of 17 signatory entities that support actions in the Middle Rio Grande aimed at protecting and recovering five federally listed species with a focus on science and adaptive management.

Report on the Village of Corrales Public Meeting, September 25, 2025

This meeting was held for the Middle Rio Grande Conservancy District and the Pueblo of Sandia to sign the agreement to move forward on the Corrales Siphon.

Report on the Corrales Harvest Festival, September 28, 2025

The Corrales Harvest Festival celebrates the heritage of farming in Corrales with various stops at historical sites and community booths, making it a fun community event for all to celebrate the rich history and heritage of Corrales.

Report on the MRGCD Presentation at Alvarado Elementary, September 29, 2025

Laura Richards, Nature Teacher at Alvarado Elementary School, invited MRGCD board members Colin Baugh, Karen Dunning, and Stephanie Russo Baca to present to her class about water issues in the Middle Valley. The students were inquisitive and asked many essential questions about water, including those related to the Rio Grande Compact.

Report on the Coalition of Rio Grande Water Users Conference, September 30 – October 2, 2025

This year's conference was titled "Cooperating on the Rio Grande." There were engaging presentations centered around the Rio Grande, including presentations from the Six Middle Rio Grande Pueblo Coalition, Case Study on Canal Lining, MRGCD Pilot Project by Concrete Canvas, and MRGCD's Eric Zamora, as well as Canal Hydropower with Emrgy and Casey Ish.

Report on the Centennial Committee Meeting, October 6, 2025

The Centennial Committee discussed the 100th anniversary movie screening and fundraiser event as well as the employee appreciation event and equipment rodeo.

Report on the Rio Grande 6 Pueblo Coalition Meeting, October 9, 2025

Eric Zamora presented the MRGCD water report as well as the work plan. I reminded the coalition that the MRGCD will be hosting the 100-year anniversary film screening and to keep an eye out for the invitations. Even though there is a government shutdown, the federal employees working on Pueblo water issues were still able to attend.

Report on the Personnel/Finance Committee, October 10, 2025, MRGCD Main Office.

The Personnel and Finance Committee discussed budget issues regarding ad valorem payments.