

**MINUTES OF THE
REGULAR MEETING
OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT
MARCH 11, 2019**

Directors having been duly notified, Chairman Duggins called the regular meeting to order at 3:05 pm at the MRGCD General Office. The following Directors and Staff were present:

DIRECTORS		STAFF	
Glen Duggins	Chairman	Mike Hamman	Chief Engineer/CEO
John Kelly	Vice Chair	Dr. DuMars	Chief Water Counsel
Karen Dunning	Director	Lorna Wiggins	General Counsel
Joaquin Baca	Director	Bruce Wiggins	General Counsel
Beverly Romero	Director	David M. Ferguson	Secretary-Treasurer
Valerie Moore	Director	Jeanette Bustamante	Administrative Officer/CPO
Michael T. Sandoval	Director	David Gensler	Water Operations Manager
		Becky Burnham	Budget Analyst
		Alicia Lopez	Engineer 1
		Rebecca Thompson	Assessment Clerk II
		Yasmeen Najmi	Planner/RRA
		Doug Strech	GIS/Mapping Manager
		Jason Casuga	Engineer Manager
		Lorenzo Benavidez	Socorro Division Manager
		Adrienne Martinez	Engineer 1
		Mike Montano	
		Sarah Avallone	
		Matt Martinez	
		Richard Deloia	Purchasing Agent

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

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Mike Hamman led the Pledge of Allegiance. Mr. Hamman is the Chief Executive Officer and Chief Engineer for MRGCD. His responsibilities is to provide the necessary tools, training, safety materials, equipment, and anything else it takes to do an outstanding job for MRGCD constituents. MRGCD is concerned with water supply; weed control, and scheduling of water to farmers on a timely basis. MRGCD also has a responsibility to its constituents to manage the District to keep the valley green, keeps its environmental commitments, and to collaborate with all local, state, and federal agencies regarding endeavors to maintain a nice environment.

Director Kelly recognized Mr. Hamman for his managerial and leadership skills but wanted to also point out Mr. Hamman's great technical and engineering skills. Director Kelly also recognized the developing of MRGCD's engineering staff by Mr. Hamman.

Chairman Duggins also thanked Mr. Hamman and stated he appreciates Mr. Hamman's honesty and willingness to work with the people of the District in a friendly, professional way.

Director Romero reiterated and thanked Mr. Hamman.

Chairman Duggins welcomed the guests and declared a quorum.

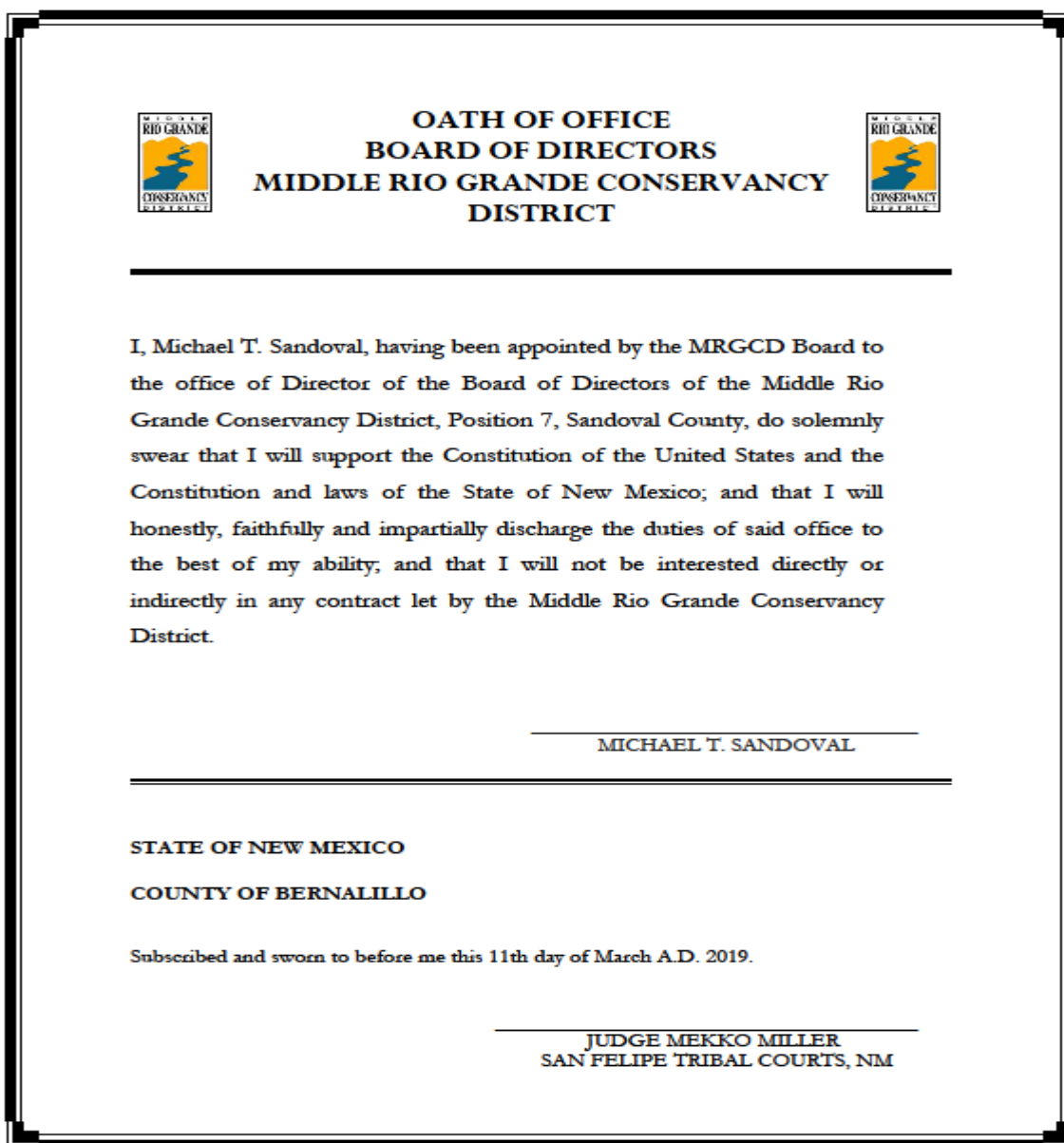
AGENDA ITEM NO. 2 – MOMENT OF SILENCE IN HONOR AND MEMORY OF HECTOR GONZALES

After the Pledge was recited, everyone was asked to stand in a moment of silence in memory of Mr. Hector Gonzales, who was a former Board Member of the MRGCD.

AGENDA ITEM NO. 3 – CALL TO ORDER

- a. **Michael T. Sandoval Oath of Office - The Honorable Judge Mekko Miller, San Felipe Tribal Courts, New Mexico**

Judge Miller administered the oath of office to Michael T. Sandoval, and introduced him as MRGCD Director Michael T. Sandoval, Board Member, Position No. 7, Sandoval County.



- b. **Reception followed for Director Sandoval, then the meeting resumed.**

AGENDA ITEM NO. 4 – APPROVAL OF THE MEETING AGENDA

Mike Hamman noted that, in the interest of time, the portion of Item 12.c., which is the Status of Construction Projects, will be postponed to a future date.

Mr. Hamman requested that the remainder of Item 12.c., which is the Irrigation Startup, move up to 12.a.1., which will be delivered by David Gensler right after the Water Supply Conditions.

Mr. Hamman also requested adding an item between 12.i. and 12.j., which is an announcement of the Law of the Rio Grande CLE in Santa Fe, April 11-12.

Director Baca made the **MOTION TO APPROVE THE MEETING AGENDA WITH THE ABOVE CHANGES**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO. 5 – ELECTION OF VICE CHAIR - Lorna Wiggins, MRGCD General Counsel

Lorna Wiggins called on all Board Members for nominations for the position of Vice Chair of the MRGCD Board of Directors. She reminded the Board Members that nominations do not need to be seconded, but there may be multiple seconds in order to show support of the nominee.

Director Dunning nominated Director Kelly with no seconds. Director Moore nominated Director Romero with no seconds.

Director Moore made the **MOTION TO CLOSE THE NOMINATIONS**. Director Baca seconded the motion. The **MOTION CARRIED** unanimously.

Lorna Wiggins asked, by show of hands, regarding those in favor of Director Kelly as Vice Chair. She then asked, by show of hands, regarding those in favor of Director Romero as Vice Chair. By a vote of 4 to 3, Director Kelly is the new Vice Chair.

AGENDA ITEM NO. 6 – FY 18-19 MRGCD AUDIT REPORT - Mark Santiago, CPA, Ricci & Company

Mark Santiago noted that there are two places in the audit report with the Ricci & Company stamp on it, which are pages 4 and 64. The rest of the report is data produced by MRGCD. MRGCD Management is responsible for internal control and designing the process that keeps the integrity of the financial data sound. The auditors come in and look at internal control. The auditors' opinion reflected a grade of A (scale A to F) with no findings on internal control.

MRGCD took a hit on financials based on pensions (COLA). Some of the new government auditing standards that went into place put a liability up on the books for pension. Operations from the standpoint of revenues and expenditure weren't different than prior years. There were no real financial highlights to speak up.

There was, however, one finding, which was a compliance issue. It dealt with a government vehicle that was totaled in an accident. Typically, you cannot plan for accidents. Mr. Santiago reported that this was not a significant finding and did not affect the nature of the report.

Mr. Santiago congratulated MRGCD for a great audit, and said he is looking forward to their sixth and final audit.

Director Dunning wanted to point out that this year's audit is the best that has ever occurred in the past ten years, and she thanked the staff for a job well done. She asked Mr. Santiago how the

PERA liability was calculated. Mr. Santiago said it is hard to pinpoint how the liability is calculated because many of the factors are floating and representative of a snapshot of that particular time period. The State Auditor audits the PERA liability, and information is pulled from various tables. Ricci & Company does not audit the PERA liability. They simply use what has already been audited from the State Auditor.

Director Dunning noted that she was surprised that MRGCD raised the ad valorem rate, yet it did not meet projections. David Ferguson responded that it is mostly coming from one county, which he is working on. He will be looking at all four counties. Socorro stayed in check, but the other counties are down slightly. He said it also depends on collections and the delinquency rate, which is different in all counties.

Director Dunning also asked about revenues being down due to grant income. David Ferguson noted that there are several grants that MRGCD is working with. It is a timing issue on when expenses occur, when MRGCD can bill, and when MRGCD gets the full revenue.

Director Kelly made the **MOTION TO ACCEPT THE FY18-19 AUDIT AS PRESENTED BY RICCI & COMPANY**. Director Moore seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO. 7 – DISCUSSION AND APPOINTMENT OF MEMBERS TO VACANT COMMITTEE POSITIONS - Chairman Duggins

Chairman Kelly requested, and Director Sandoval agreed, for Director Sandoval to backfill the committees wherein Derrick Lente was sitting prior to him resigning from the Board.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT BOARD COMMITTEES 2018-2019

IRRIGATION/WATER BANK AND ILLEGAL IRRIGATORS COMMITTEE

Director Duggins
Director Moore
Director Sandoval

PERSONNEL COMMITTEE

Director Dunning
Director Moore
Director Romero

LEGISLATIVE COMMITTEE

John Thompson, MRGCD Lobbyist
Director Kelly
Director Dunning
Director Duggins

BUDGET COMMITTEE

All Board members attend Budget Sessions

FINANCE/AUDIT EXIT COMMITTEE AND ENDOWMENT FUND

Director Moore
Director Kelly
Director Romero

BIA NEGOTIATIONS COMMITTEE

Dissolved 06-26-17

ELECTION COMMITTEE

Director Dunning
Director Moore
Director Baca

WATER PROTECTION /USBOR / FWS & ESA COMMITTEE

Director Sandoval
Director Duggins
Director Baca

DISTRICT URBAN ISSUES COMMITTEE

Director Dunning
Director Baca
Director Duggins

BIA NEGOTIATION COMMITTEE (REINSTATED)

Director Duggins
Director Sandoval
Director Baca

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG) REPRESENTATIVES

Director Dunning, Executive Committee
Director Baca, Alternate
Mike Hamman, TPTG

Revised 03-11-19

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AGENDA ITEM NO. 8 – APPROVAL OF MRGCD PAYMENT RATIFICATION AND ATTORNEY INVOICES

a. Consideration/Approval of Payment Ratification for March 11, 2019

No discussion or comments ensued for the March 11, 2019, Payment Ratification.

Director Romero made the **MOTION TO APPROVE THE MRGCD PAYMENT RATIFICATION FOR MARCH 11, 2019**. Director More seconded the motion. The **MOTION CARRIED** unanimously.

b. Consideration/Approval of February 2019 Invoice for Law & Resource Planning Associates

No discussion or comments ensued for the February 2019 Invoice for Law & Resource Planning Associates.

Director Romero made the **MOTION TO APPROVE THE FEBRUARY 2019 INVOICE FOR LAW & RESOURCE PLANNING ASSOCIATES**. Director Moore seconded the motion. The **MOTION CARRIED** unanimously.

c. Consideration/Approval of February 2019 Invoice for Wiggins, Williams & Wiggins

No discussion or comments ensued for the February 2019 Invoice for Wiggins, Williams & Wiggins.

Director Moore made the **MOTION TO APPROVE THE FEBRUARY 2019 INVOICE FOR WIGGINS, WILLIAMS & WIGGINS**. Director Romero seconded the motion. The **MOTION CARRIED** unanimously.

d. Discussion and Concurrence - First Six-Month Summary Financial Report - David M. Ferguson, Secretary-Treasurer

David Ferguson did not get into full detail of the Report since it was handed out in advance. However, he did want to point out that revenue is up for the first six months; however, it is due to loan money that was received. He also pointed out that although Valencia County was down in revenue for the first half of the fiscal year, they more than offset themselves in January (they have exceeded their loss from the first half of the fiscal year).

Mr. Ferguson wanted to point out a couple of things. Interest rates have gone up on what MRGCD has earned at the State Treasurer from 1.15% December 2017 to 2.31% December 2018. Expenses are up due to Socorro Main Hub of \$225,000, as well as the debt payments on the loan with NMFA. From a budget to actual standpoint, MRGCD is in very good shape, sitting at slightly less than half of the budget remaining for the remainder of the fiscal year.

Overall, nothing earthshattering to discuss insofar as the budget. MRGCD is where it needs to be.

Director Kelly reported that the Finance Committee (comprised of Directors Kelly, Moore, and Romero) reviewed the report and concur with it. He added that as a Director on the Board, he feels it is incumbent on each Board Member to periodically review the status of the finances, with or without DFA requiring the Board to concur with the quarterly reports. He would like the Board to continue receiving Mr. Ferguson's quarterly reports.

M E M O R A N D U M

To: Finance Committee and MRGCD Board of Directors
From: David M. Ferguson CPA, CGMA – Secretary/Treasurer
Date: March 11, 2019
Subject: Amended FY 18/19 Operating Budget

When the FY 18/19 budget was presented to the board, repayment of the receivable from the Corps of Engineers was not part of the budget. Through Mr. Hamman's effort, we received a payment of \$1,053,895 in the current fiscal year and since the amount of money received is significant, we must amend our budget and submit the amended budget to DFA for their approval. Ironically, in the FY 17/18 budget, over \$500 K was included in the budget with the understanding the Corps of Engineers would reimburse us and then we would fund some of their projects that were under consideration. That never materialized and it created a variance in the budget. In this year's budget, a more conservative approach was taken which did not include any revenues or expenditures related to the Corps of Engineers.

I have amended the budget to reflect only this change. There are two areas that have been amended, the Corps of Engineers repayment account (a revenue account) and the consulting services account (an expenditure account). The amounts offset so there is no change to the anticipated surplus at year-end. It remains at \$69,617.

On the expenditures, we have paid the Corps of Engineers \$225,500 on the Bernalillo to Belen project which can be attributed to the use of these funds. In addition, we owe Bernalillo County and AMAFCA 30.94% of this money or \$326,075. This leaves \$502,320 that can be paid to the Corps of Engineers for their ongoing projects.

The obvious question is: Why does the payment of a receivable impact the budget? The budget is prepared on a current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized when they are both measurable and available. Since these funds became available in the current fiscal year, we must account for them in this fiscal year. I have discussed with our outside audit firm and they concur that the budget must be adjusted.

Therefore, I am respectfully submitting the attached amended budget for your consideration and hopefully you will approve the request.

Thank you for your consideration.

Director Kelly made the **MOTION TO ACCEPT THE SECOND QUARTER FINANCIAL REPORT AS PRESENTED**. Director Moore seconded the motion. The **MOTION CARRIED** unanimously.

e. Discussion and Approval of Resolution BA-03-11-19-76, Adoption of Amended Budget for Fiscal Year 07-01-18 to 06-30-19

David Ferguson reported that MRGCD received \$1,053,000 from the Corps of Engineers that was not anticipated in the original budget. Since it is a significant amount, DFA requires that the budget be amended.

Director Kelly noted that the Finance Committee looked at this. If anyone would like to see more detail, it is located on page 36 of the audit. This receivable goes back to 2007. There was no way for MRGCD to anticipate this change in the budget. This was an IOU for the Albuquerque West Levee. Mr. Ferguson added that this particular receivable is now down from \$2.6-million over the past couple of years to \$1,009,000 currently.

Director Dunning asked if MRGCD was going to reimburse either/both AMAFCA and/or Bernalillo County. Mike Hamman responded that MRGCD has been working closely with both entities. The upcoming Mountain View Levee is up in the air on whether the Corps is going to include it in the Bernalillo to Belen project. Therefore, MRGCD has not decided on whether it would require action from AMAFCA and Bernalillo County (if they wanted to continue to participate). There is another program, Rio Grande Environmental Management Program for Sandia to Isleta, which is also not currently funded by the Corps. Therefore, movement of funds has not been decided.

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

ADOPTION OF AMENDED BUDGET FOR FISCAL YEAR 2019 (07-01-18 TO 06-30-19)

No. BA-03-11-19-75

WHEREAS, the Governing Body of the Middle Rio Grande Conservancy District, State of New Mexico, developed a budget for fiscal year 2019; and

WHEREAS, said budget was adopted by the Governing Body of the Middle Rio Grande Conservancy District on May 21, 2018; and

WHEREAS, the Local Government Division of the Department of Finance and Administration approved said budget; and

WHEREAS, the Middle Rio Grande Conservancy District received \$1,053,895 from the US Department of the Army Corps of Engineers that had not been included in the original budget as to the uncertainty of the timing of the payment; and

WHEREAS, the monies received have a substantial impact on the budget and requires an amendment to the original budget;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Middle Rio Grande Conservancy District, approves the amendment to the Fiscal Year 2019 budget and instructs the Chief Executive Officer and the Treasurer to submit the amended budget to the Local Government Division of the Department of Finance and Administration for approval.

RESOLVED: In session this 11th day of March, 2019.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Glen Duggins, Chairman

John Kelly, Vice-Chair

Joaquin Baca, Director

Karan Dunning, Director

Valerie Moore, Director

Michael T. Sandoval

Beverly Romero, Director

ATTEST:

David M. Ferguson, Secretary/Treasurer

Director Kelly made the **MOTION TO APPROVE RESOLUTION BA-03-11-19-76, ADOPTION OF AMENDED BUDGET FOR FISCAL YEAR 07-01-18 TO 06-30-19**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously

AGENDA ITEM NO. 9 – APPROVAL OF MRGCD MEETING MINUTES

a. Consideration/Approval of Minutes for Regular Board Meeting - February 11, 2019

Director Dunning noted the following edits to the Minutes:

- 461: It said, "We should have a little bit stress in March this year." Insert "less" between "bit" and "stress."
- 504: Change "conversation program" to "conservation program."
- Report from New Mexico Legislation section: Text refers to ISE, which should be ISC. Global replacement is required from ISE to ISC.
- 1053: Add "seconded" to "the motion."
- 1063: Add "seconded" to "the motion."

Director Kelly made the **MOTION TO APPROVE THE MEETING MINUTES FOR THE REGULAR BOARD MEETING, FEBRUARY 11, 2019, WITH THE ABOVE CHANGES**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

b. Consideration/Approval of Minutes for Special Board Meeting - February 25, 2019

Director Dunning noted the following edits to the Minutes:

- Line 17: Add "Former" in front of "Director."
- Line 114: "Nothing" should be "noting."

Director Moore made the **MOTION TO APPROVE THE MEETING MINUTES FOR THE SPECIAL BOARD MEETING, FEBRUARY 25, 2019, WITH THE ABOVE CHANGES**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO. 10 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)

There were no public comments at today's meeting.

AGENDA ITEM NO. 11 – REPORT(S) FROM THE U.S. DEPARTMENT OF THE INTERIOR

a. U.S. Bureau of Reclamation – Art Valverde

Art Valverde filled in for Jennifer Faler at today's meeting.

Current content at Heron is 58,235acre feet with no starting of diversions. Three tunnels are ready to go. As soon as runoff begins and there are no more freezing conditions, diversions will begin. Currently, releasing 100 CFS out of Heron. There is no District storage of San Juan-Chama water left in Heron.

El Vado, currently, 20,010acre feet of storage, most of which is District native storage, and San Juan-Chama. There is also some San Juan-Chama contractor water stored there. Releasing about 24 CFS. Some runoff inflow, estimated between 100 and 200 CFS each day.

Abiquiu, currently 74,124acre feet in storage. There is no District San Juan-Chama water stored at this time.

Elephant Butte and Caballo (total storage) is about 206,000acre feet, keeping it still under Article 7.

Insofar as snowpack data, as of this week, estimated Rio Chama Basin snowpack is at 129% of median. That is flow estimated to come through El Vado. Upper Rio Grande Basin is 120% of median. Jemez is at 97% of median. San Juan River Basin impacts Heron, and its current snowpack is at 132% of median. These are all good numbers

Regarding streamflow forecasts, Rio Grande at Del Norte is about 580,000 (total estimated for the runoff season). El Vado (inflow estimated between March and July) 250,000 acre feet, which is 111% of median. Rio Grande at Otowi (affects the Compact delivery) estimated to be 755,000 acre feet, about 105% of average. Inflow to Elephant Butte (measured at San Marcial) estimated at 540,000 acre feet, median number, or 106% of average. So, there is a good likelihood that Article 7 restrictions will be lifted for a portion of the year at some point.

Director Kelly asked Mr. Valverde what his best guess was at being out of Article VII. Mr. Valverde responded that he has not been advised of when that may be; however, people are starting to look at it. He received a report from the National Weather Service, and they are concerned about potential flooding as a result of rain on snow this week.

Director Moore asked if Mr. Valverde had any projections about how much it will take to get out of Article VII. Mr. Valverde responded that Article 7 is based on Rio Grande Project storage of 400,000-acre feet. Current content is 206,000. We need another 200,000 to remove the restriction. It is currently estimated we will get 540,000-acre feet on top of the 206,000. There is no irrigation taking place at Elephant Butte currently. It looks like it will be lifted at some point.

Chairman Duggins noted that the 97% at Jemez Basin is the highest it has been in a while. Mr. Valverde concurred that we have seen very low snowpack at Jemez in recent years. This 100% of average is the highest in quite a while.

Chuck DuMars announced that Jennifer Faler is now up in Boulder City, Colorado, as acting Deputy to Terry Fulp for the next couple of months, after a sudden retirement of Jennifer McCloskey. She wanted to let everyone know she has the same cell phone number if anyone would like to contact her.

Art Valverde continued with his report, giving an update on title transfer legislation. Legislation kind of failed to keep on moving forward, but Reclamation is continuing to be prepared for potential legislation to move on. The District and Reclamation have formulated a Memorandum of Understanding of how this may work, if it gets passed. Reclamation has been identifying its assets and trying to make decisions regarding what they would prefer to maintain and what they may want to give up in the title transfer process. There are assets that Reclamation definitely would like to get out of, which the District may benefit from. Things are progressing.

Reclamation has committed to have dialogue with the pueblos, including MRGCD, in regard to future legislation that addresses their concerns.

Lastly, Reclamation is doing some work on the apron at the San Acacia Diversion Dam. The District has acquired Riprap and delivered it to the site. Reclamation is working with its crews to haul the Riprap and repair the apron. Status of that portion of the job is about 75% complete. They are about ready to ship the flows from the south side (intake side) to the north side. They are about 25% percent complete with installing the bed material from the islands that were downstream on top of the Riprap to help with stability. Current estimate is to have it completed by the end of the month.

MRGCD BOARD MEETING (3-11-19)

1. Heron Summary

Content = 58,235 ac-ft (3/7)
 Azotea tunnel: 0 cfs
 Total SJC inflow year-to-date: 0 a.f.
 Currently releasing 100 cfs
 Current MRGCD storage: 0 ac-ft

2. El Vado Summary

- A. Total storage (all contractors and natural) in El Vado as of 3/7:
20,010 ac-ft.
 - B. Native in El Vado
9,173 ac-ft.
 - C. MRGCD's SJ-C storage in El Vado
1,263 ac-ft.
 - D. P & P: 0 ac-ft
 - E. EDWA: 0 ac-ft
 - F. All other SJ-C contractors: 9,574 ac-ft
- Current release is 24 cfs RG Inflow is 100-200 cfs

3. Storage in Abiquiu

Content = 74,124 ac-ft (3/7)
 MRGCD's SJ-C storage= 0 ac-ft

Total water released for minnow to date in 2019: 0 ac-ft

Snowpack Data:

As of 3/8/19 (% of median)

Rio Chama Basin.....	129%
Upper Rio Grande Basin.....	129%
Sangre de Cristo Basin.....	108%
Jemez Basin.....	97%
San Juan River Basin.....	132%

March Streamflow Forecast

Rio Grande @ Del Norte CO	580,000 ac-ft (113%)
El Vado Reservoir Inflow (Mar-Jul)	250,000 ac-ft (111%)
Rio Grande @ Otowi	755,000 ac-ft (105%)
Jemez R. below dam	35,000 ac-ft (103%)
Rio Grande @ San Marcial	540,000 ac-ft (106%)

b. U.S. Bureau of Indian Affairs – Ms. Viola Sanchez, Designated Engineer

Viola Sanchez reported that storage requirement, based on the March 1st forecast, is 755,000 acre feet at Otowi Gauge between March and July, which is 105% of average, and gives us a surge requirement for P&P land this year of 13,845-acre feet. Ms. Sanchez threw in 500 acre feet for evaporation, although she will not make that computation until May. The 13,845 acre feet is the minimum that would be stored on any given year for August and September. Runoff carries us

through the end of July. There is no storage needed because they anticipate having plenty of runoff this year.

This year, so far, they began storage of Native flows into El Vado on January 1st. That water can be designated for P&P, credit water relinquishments, or for Article 7 Restrictions. If we come out of Article VII Restrictions, we would have to wait until that time to decide what to do with it. If things continue as it has been so far, and we use the water that has already been stored thus far, it would be stored under Article VII Restrictions.

Ms. Sanchez went on to report that we are coming to an end of the off-season work. She commended Jason Casuga and the division heads at Cochiti, Albuquerque, and Belen for doing really excellent work and doing a lot of it this winter. Ms. Sanchez has been working with the tribes now for 20 years, and she has never seen the quality of work and engineering that is being currently done.

AGENDA ITEM NO. 12 – REPORT(S) FROM THE MRGCD CHIEF ENGINEER - Mike Hamman, CE/CEO

NEW BUSINESS

a. Water Report

1. Water Supply Conditions - David Gensler, Water Operations Manager

David Gensler reported that a couple of good storm systems came through since our last meeting. Snowpack in the Sangre de Cristo's is about 120% of average. Jemez is just a little over 100% of average. The best news is up in the San Juan's, where most of our water comes from. Early in the winter, the San Juan's were lagging behind. As of today, the San Juan's caught up. Cumbres Trestle SNOTEL is sitting at 121% of average, with snow-water equivalent of nearly 29" of water. Cumbres peaks in a normal year around 28". That's the highest it ever gets during the year, and it usually gets to that point about the end of the first, sometimes the second, week in April. We have already passed where it normally peaks, and we've got about five to six weeks' worth of good winter left. Other SNOTELs in the Chama and Rio Grande headwaters are in similar shape or better. Up north, Wolf Creek is at 141%, and Bear Town is 145%. The week appears to be bringing in other good chance for snows in the mountains, as well as some showers here in the Valley.

The official March 1 forecast is out. It's not quite as optimistic as today's SNOTEL numbers, but quite a bit of snow fell after March 1. El Vado inflows currently forecast at 250,000acre feet, 111% of average. Otowi is estimated at 755,000acre feet, 105% of average. With this much water up in the mountains, it seems probable that we will store what we expect this spring. As of this morning, there's about 10,500-acre feet of Rio Grande water in El Vado. It's going up about 400-acre feet a day, and every day, that rate of increase is rising too.

We are still under Rio Grande Compact Article VII Restrictions. Elephant Butte is just a bit over 200,000acre feet now. We're 200,000-acre feet away from getting out of the restrictions. Even with the improved forecast, Mr. Gensler does not think we will get above the 400,000acre foot number. It will not depend so much on the water that goes in, but, rather, the water that the Districts down south take out. There are some new options on the table worth considering. Mr. Gensler, Mr. Hamman, and Reclamation will probably be talking about those options in the next few weeks.

Mr. Gensler believes there will be a full San Juan-Chama allocation this year due to the snowpack in the San Juan's. He still thinks we will go into the summer with a little bit over 60,000acre feet in storage. With the runoff shaping up the way it is, if it forces flood waters into Abiquiu for a while,

which will drain out slowly, Mr. Gensler thinks are will be good through June and probably into July, with pretty good flows in the river. So, 60,000 acre feet ought to be enough to get us through the summer pretty comfortably.

Water bank guys should be aware of the storage numbers this year. They will guide the curtailment triggers for water bank users. Even with the good runoff year, Mr. Gensler think it's likely we will see some periods of curtailment this year for water bank, although he thinks it will not happen until July or August. It is out there, and people should be aware of it.

One downside of a good water year is that we have to deliver an increasingly larger portion of that to Elephant Butte. New Mexico is sitting on a small credit now, 5,400-acre feet. It actually turned out a little higher than what we expected. David Gensler noted that the District's operation and management has contributed a lot to that credit last year and in many previous years now. The District has become very aware of the effect we can have, good or bad, on the Rio Grande Compact delivery, by how and when we operate and what we do with our facilities.

Director Baca is meeting with the South Valley Acequia Associations and asked Mr. Gensler if he could email him a handout with what to expect, dates, etc. Director Moore asked that she receive the update as well for her constituents.

2. Rio Grande Compact and 2016 BO Operational Considerations - Mike Hamman, CE/CEO, and David Gensler, Water Operations Manager

Mike Hamman presented the board with hydrographs that showed years 2016 to present regarding the Compact deliveries. He also showed the under and over Compact deliveries, dating back to 1996. There were a lot of big credit years. Typically, when it rains in the middle valley below Otowi that really creates the surplus situation. New Mexico will offer these residual credits to Texas, and if they accept them, we have relinquished credits that we can use. We are coming to the tail end now of all these credits from 2006 forward. All those credits are now winding down.

In the more recent years, we've been doing really good on trying to keep the deviations as close to zero as possible. It is difficult, but we end up having a little bit of a deficit in 2016. Because we delivered a lot of water in 2017 directly out of the reservoir, we still had enough left over to help us through 2018. Because we got some rain in the middle valley in the late monsoon period, a lot of that showed up down at Elephant Butte, and we ended up with a little credit in 2018.

We will try to manage this year that same way the best that we can to try to hit zero or a little credit down at Elephant Butte. It could be a little difficult if we don't get good rains. But it also will be telling for us the following year because we're not going to have a whole lot of carryover storage unless rains carry us enough to where we don't have to release a lot of storage water. The only way that we'll be able to retain a lot of that is if we do get rains in the summer.

Chairman Duggins asked if in 2017 the ground was wet (similar to now) or dry. David Gensler responded that it was dry. He thinks we are in better shape now. Chairman Duggins was hoping for a little more water. Mr. Gensler explained that there other variables. The operations up in Colorado have a great impact on what's going to come down, and how they operate their diversions and their storage system up there can change things too. Mike Hamman added that we expect to see a lot of sediment at Isleta Diversion Dam this year.

Vice Chair Kelly clarified the relinquishments credits were at about 18,000 remaining a few months ago, but now we have 5,000 from this year, so remaining about 25,000-acre feet in relinquishment credits going forward. David Gensler reported that we are sitting at just under 53,000 total now. With the Rio Chama acequias from last year, he expects to see about 40,000 this year, so 16,000 remaining going forward.

Vice Chair Kelly raised his concern that we were going to become a run-of-the-river irrigation district, being able to supply water in April, May, June, and maybe into July, and folks are going to have to look at different crops that can mature over a 90-day period. David Gensler responded that there are a lot of possible outcomes, and that is one of them. He further explained if we are really doing a good job managing, taking advantage of everything we can to stay ahead on these Compact deliveries, we can expect to continue to accrue some credits. With luck, maybe the State of New Mexico will choose to allocate some of those credits, assuming Texas accepts some of them. And don't forget that we get 21,000-acre feet out of the San Juan-Chama project every year. Mr. Gensler thinks the future may look a little bit different, but he doesn't think it's necessarily dire, doom and gloom. He thinks we are going to have to get a little smarter and continue to stay on the track that we've been on now for quite a few years in fine-tuning, finding ways to squeeze a little bit more blood out of the turnip every year.

Vice Chair Kelly asked what was the biggest thing we could do to ensure we're able to store under Article 7? Should we be up buying and drying up farmland in the San Luis Valley to get more water down the top? He didn't think buying farmland in EBID did any good because the flow requirements are at the reservoir, not down on the farm. What is the grand solution we have? David Gensler responded that he thinks grand solution is to minimize evaporative and unintentional uses of water. He thinks the other thing we have to be aware of is a lot of the water gets consumed here in the middle valley is not by farms or cities. It is by the natural system. We may need to look carefully at that. The only non-human uses out there that are going on are the losses, evaporation and evapotranspiration.

Vice Chair Kelly added nobody wants our Bosque to look like the conveyance channel down there through Las Cruces, where they mow it to keep the trees out. Mr. Gensler concurred. There is stuff going on up in the head waters in the watersheds with nature conservancy and things, making the forest better condition and saving water at the same time. Improving water yield is something that may translate down through the system. If climate goes the way people talk about it going and just with normal pressures and development and expanding population, we are all just going to be forced to keep getting smarter and smarter about our water use until we get to the limit. Mr. Hamman added that we could take a look at retention, temporary storage areas for thunderstorm events and possible recharge and reuse when we do have extra water, a little more conjunctive use strategies to help farmers get through a season. Our leasing program can also help us.

Chairman Duggins asked about the water operations going on now. Socorro is being charged up. What about Valencia County? David Gensler responded that we have started up. It's been a little more leisurely start-up because it's been a fairly cool and wet winter. There is good moisture in the ground. Another reason this is the consideration of the Compact. David Gensler has kind of lobbied to keep the start-up flexible instead of a steadfast date. It's March, so it's not drying very fast, but you are taking a lot of water out and moving it out of the river system, which, at that point in time, is kind of fully charged and efficiently moving water down to Elephant Butte. We started leaning on our guys pretty heavily back in the early 2000s to stop just running out there and opening everything up wide open because, at that time, we were concerned about hitting 400,000-acre feet at the Butte. Also trying to keep those early season diversions as low as possible and late season diversions, to try and tip that balance to get more of that water down into the Butte in the early season and the late season, when the river is working efficiently to transport. Its running 1,000 or 1,500 CFS, it's all within the floodway, and not spread out into the Bosque. The channel is fully wet. Virtually, every drop that comes in, comes out the bottom at Elephant Butte. So, this is a good time of year for us to be delivering water, yet it changes once you get to mid-April/May.

He has also given it a lot of thought, and we've grown really comfortable with the naturally occurring flow. In a way that kind of masks this problem for us because the river is naturally flowing heavily in March and April and May. We don't have to be conservative with water. Well, we have the same limited supply as those guys down in Hatch and Las Cruces that are depending

on an allocation for the reservoir. In our case, we've got all this water coming down, so, we've been trying to start moving in that direction, really push more water down.

Therefore, he's been urging them to not start up quite as early. We got some grief last year down at the Valencia County meeting from some farmers who were rightfully concerned. They were ready to start farming around March 12th or 13th, and they didn't have water in the San Juan Main so, there is a tradeoff there. Mr. Gensler will be conservative the first two weeks in March. He would like to push our startup date further and further back and maybe our ending date moving forward, as a matter of adapting to the conditions that Director Kelly was just talking about.

After the discussion, Chairman Duggins noted that just being able to move and adapt to the current conditions on the ground and when you can save and delay in a wet winter is a good thing. He felt setting a hard date would be pretty tough

Director Romero suggested staff return to eight-hour days with overtime. Mike Hamman responded that if we went to an eight-hour day in the winter, we'd be using up valuable daylight coming and going. With the winter months, you're traveling in the dark, you're leaving in the dark, and you're already set up and ready to go when the daylight is there. So, you're optimizing the light you have. If we returned to an eight-hour day, we would use an hour of the morning and some time of the evening getting back and forth and setting up for the job. He has productivity numbers that he can share relative to actual productive hours on the jobsite that we can again revisit.

Vice Chair Kelly had a couple of last comments. He is sure the guys on the construction crews would like an extra two weeks in the end of October when it's nice and warm and the dirt is not frozen and then a couple of weeks the first of March. His other note was there are some tribal issues we need to deal with that are cultural issues.

Mr. Gensler had referred to setting the start-up date is at the whim of the Board. Vice Chair Kelly believes it could be a seasonal decision, but, certainly, we don't want to have the Board involved making political decisions on when is the best time to manage the limited amount of water we have for a given year. It would be a decision of the Board, based on the recommendation of our capable staff in consultation with our friends at the Bureau, the NRCS, users, and everybody else up and down the valley. Mr. Gensler agreed whole heartedly. As we're going through the winter and we're watching the forecasts and looking at our storage conditions, maybe we should have a decision made about when we were going to start up formally by the Board, rather than just remain at March 1st. It's an option, but Mr. Gensler thinks that just the way things are going, we are going to have to continually become smarter and more flexible in how we manage water supplies to stay ahead of the game on the Compact and deal with climate change, if it happens to be an issue for us.

Director Moore added that she likes where this is going, where, when we do have a little wetter winters, we can maybe wait just a little while longer to start the irrigation system. And also, when we do have a dry season, we can have that water come a little bit early, if we have people with a lot of fall crops. She asked if maybe there was some type of criteria to set for when the system would start up. David Gensler reported that he thinks there are different criteria's out there that we could use. He also thinks that ending the season a little bit sooner is another way to help balance.

Director Romero asked if this could be on a year-to-year basis because people plant crops thinking their water is coming at a certain time. Mr. Gensler responded that all of these are good points, and it's all possible discussion. He doesn't know 's the right way to do is, but he does know that we are going to be facing tighter and tighter circumstances, and we have to get smarter about it.

b. Recommendation to the Board of Directors Regarding the FY2020 Charges for Water Service to the La Joya Acequia Association - Mike Hamman, CE/CEO

Mike Hamman's recommendation is that this year MRGCD charge the current rate of \$6/acre and not \$10.25/acre. MRGCD would then this year get a sense of where La Joya Acequia sits insofar as meeting with their community, looking at their system, discussing options with them staying in their current situation versus the options of coming to the District, with the understanding that eventually the rates would be raised.

Vice Chair Kelly made the **MOTION TO SUPPORT MIKE HAMMAN'S RECOMMENDATION ON THE LA JOYA ACEQUIA AGREEMENT**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

c. Status of Construction Projects and Irrigation Startup - Jason Casuga, Engineering Division Manager, and David Gensler - Water Operations Manager

The portion of the status of the construction projects by Jason Casuga was postponed to a future Board Meeting.

David Gensler delivered the other portion of the Irrigation Startup right after his Water Supply Conditions (Item 12.a.1.).

d. Report on the MRGCD Pueblos Coalition Meeting, March 7, 2019 - Mike Hamman, CE/CEO

Mike Hamman reported that he, Chairman Duggins, and Director Sandoval attended the March 7th meeting. They provided a report to the Coalition about what has been presented at today's board meeting (water supply, operations, construction wrap-up, service, and start-up schedule). They also updated them on the proof of beneficial use and schedule process and discussed title transfer, election procedures, and the legislative agenda (various bills MRGCD is looking at).

For this particular meeting Director Sandoval was sitting in as the Chair of the Coalition. Director Sandoval reported that he respectfully resigned his seat on the Coalition because of his seat on the MRGCD Board.

Chairman Duggins noted that he was treated with great hospitality and shared a story of his dad teaching about the Native culture. Representing the Pueblos is very touching for Chairman Duggins.

e. Report on First Elk Hunt on MRGCD Lands - Mike Hamman, CE/CEO

Two hunts occurred this year. Ten permits were issued with each hunt to an at-large hunter list. Game and Fish handles a waiting list for deprivation hunts (in the event one occurs throughout the year). Game and Fish calls down the list and issue permits. Because MRGCD is considered the landowner, it was given one permit per hunt. MRGCD issued a lottery for its eligible hunters throughout the District. One of MRGCD's maintenance workers from Albuquerque Division won the first permit and was successful with a cow in the Bernardo area. The second MRGCD permit was one by a gentleman out of the Cochiti Division, who was also successful snagging a spike bull behind Chairman Duggins' farm.

For the upcoming 2019-2010 season, there will be an effort to expand the hunt lands from south of Belen to Bosque Del Apache. Landowners can either designate their land as private hunt for themselves or join in the "hunt zone." A new hunt zone will be developed, and hunting can begin as early as September and can go as late as mid-March.

MRGCD will have to decide how the hunt is run, either sex hunts, trophy bulls, etc. MRGCD will also have to decide how many permits it takes for itself. Mike Hamman felt it was a great morale booster to have the lottery of District staff. Since everything was a scramble to get things done this

past year, he made the decision to have the lottery for employees. If the Board decides to continue doing so, he would like to get a Resolution from the Board. He hopes that over time there will be winners from all of the Districts.

Director Moore asked who received the money from the permits. Mike Hamman responded that the State receives all moneys from the hunt.

Yasmeen Najmi wanted to recognize the staff for the success of the hunt. She explained the coordination that it takes from the folks at GIS with the mapping, to people at assessments, to people who sold keys, and staff who advised hunters where the elk were.

Director Baca asked if the hunts were socialized anywhere. He would like to be able to put the information out on his social media. Mike Hamman reported that for this upcoming season he would like to do a mailout and socialize how successful the last year's hunts were and the set up of this year's hunts.

f. Report on New Mexico Legislature - John Thompson, MRGCD Lobbyist, and Mike Hamman, CE/CEO

Due to John Thompson being in Santa Fe, Mike Hamman delivered the report. The Board has been receiving updates from Mr. Thompson, so Mr. Hamman did not want to belabor all the points. The Bills Mr. Hamman is tracking are the ones that directly impact the District. House Bill 174 morphed into Senate Bill 558, which was a bill that was telling the State Engineer how to do his job associated with the Middle Valley, to provide a like amount of funding to help them do it, and really elevate the regional planning process. Dr. DuMars added that he thought the process was interesting and was a good start.

Vice Chair Kelly asked isn't that the kind of bill that should have been in front of multiple committees during the interim session, so all that input could come in and instead of jumping through hoops on week two of the session? Dr. DuMars responded absolutely. It did not go through the interim committee, so it was dead on arrival, but that should have been done.

Director Dunning asked that since it had money attached to it, if it could be introduced next year. Mr. Hamman responded potentially, yes, and maybe the Governor will put it on her call.

House Bill 266 (watershed bill) looks like it is going to get all the way through to the Governor's desk. It has gone through the House and the Senate. This bill takes some funding out of two funds that we benefit from directly and indirectly. Mr. Hamman had slight disappointment in the way we had originally opposed it because it was taking those funds with no replacement funding. The State should have steady funding for it, and we don't disagree with that. But we did disagree, initially, on the source of the funding coming out of the permanent funds that Rio Grande and irrigation works construction fund. The compromise was that they would add money in House Bill 2 to offset that loss with funding directly to the agencies. They asked the State to come up with a plan to wean themselves off of it, and then the Governor would insert the funds in her budget, apparently. So, it's in a weird space, and it's hard for us to support it directly with the Governor's office at this point

John has been tracking other periphery bills that may impact us, including the Local Elections Act. That bill is morphing into a different direction that we're keeping an eye on, where there would be no responsibility for the local governments to pay for the election at all. Before, they were going to assess us. Now, they've taken that away, and they're saying that the State should pay for all the elections. The County Clerks and the Assessor's Offices don't know what's going to hit them yet. The Secretary of State said that she would still hold that workshop. Secretary of State wants Mr. Hamman to send her an email after the session is over to try to get that workshop set up for the

counties to come together, talk about this. The only option really is they force us into a general election status with residential voting in our benefitted area, or they let us out.

Director Dunning asked if the watershed bill was a permanent funding source. Mr. Hamman agreed with that.

Dr. DuMars added one other bill that he felt was interesting, which was a bill that would try to attack the State Engineer's ability under the Leasing Act to give temporary permits at the beginning when a person applies to transfer a water right. The argument was that it was unconstitutional because it didn't probably invite due process to the people outside the sector. That bill was important to the southeastern part of the state, where people try to get going right away to support oil and gas operations. It was also important to the District because we're trying to ensure that people in a short time period could engage in leasing, and they didn't have to go through the full State Engineer process in order to do that. Otherwise, it would make leasing among surface users impossible. They modified the bill and made it only as applicable to acequias, which is a good outcome.

It was interesting, like I was reading in the paper today ... I get a list of all the transfers, and one of the more recent ones is a surface-to-surface lease within the District, you know, I mean, who decided they wanted to not use their water this year; they're going to let somebody else do it. They publish it in the paper, and then it's a done deal, whereas, if you had to go to the State Engineer, you could never get that done. And that's sort of short-term leasing period. So, it was interesting that it still ... it's already bearing some proof there. Dr. DuMars had no sense if that bill was going through, however.

David Ferguson added a bill that he has been watching, House Bill 501, which could hit us on the budget. It's one of four solvency bills going through, which takes our percentage up a half percent, which is about 50,000 dollars, 45,000 to 50,000 in the process for PERA. It is currently in the Senate Finance Committee but does not have a sense for how it will go.

g. Report on 4th Annual Rio Chama Congreso, February 23, 2019 - Mike Hamman, CE/CEO, and Director Kelly

Vice Chair Kelly reported that they had a good meeting up at the Ghost Ranch. The focus of the meeting was on the Lower Chama Acequia Association and their issues with flows coming out of Abiquiu Dam and their substandard irrigation headings that get wiped out every year. The Corps then needed to be able to transfer 1,800 CFS down that channel as a normal conveyance flow, which helps us do our Minnow spikes. So, we have interest with the Corps in keeping the channel capacity up to where it should be.

They should do a recon study (feasibility study) and take a good look at it. It is probably a project that we've already done some assistance on with the storage agreement in El Vado, but we've got some other interests there. At some point, we might come back and be one of the multiple local sponsors on that.

At the meeting, Mr. Hamman spoke about the El Vado project with representatives of the Bureau. Vice Chair Kelly feels that a lot of people up in that part of the state have no idea this \$60-million project is coming. One of the big issues is going to be sediment control and construction access during the job. The Bureau is still working up their final designs, so they can take it into the environmental documents, and they still say they're going to be in construction in 2020. We have a decision coming our way on how we're going to fund our share. It is Vice Chair Kelly's understanding is we are able to look at a 0% repayment agreement for our 15% over 40 years.

h. Rio Grande Compact Commission Meeting, April 3-4, 2019, in Alamosa, Colorado - Mike Hamman, CE/CEO

Mike Hamman brought this up because we generally have some representatives from the District attend this meeting, and many are going to be in D.C. that week. He wanted to poll the Board and see if there was anyone that might be available to attend. Mr. Casuga and Mr. Gensler are interested, so we will have some staff attendance. If any Board Members are interested, please let Mr. Hamman know.

i. NWRA Washington DC Conference and Congressional/Agencies Meetings, April 1-5, 2019 - Mike Hamman, CE/CEO

Mike Hamman reported that we're making progress and getting our delegation set up and getting agency response, at least to initial emails. He is working on the detail for that meeting currently. Chairman Duggins, Director Moore, Dr. DuMars, and Mike Hamman will attend the meeting.

j. Notification of Reclassification of Land (Informational Purposes)

Mike Hamman thinks it is interesting that we're getting such a good response to this. People have been on the water bank and in the benefitted area for a long time. The authority that the Board granted Mr. Hamman to go out and take care of this issue is really starting to pay off for a lot of landowners. We will have about 35 or so new members.

Director Moore asked for clarification regarding number 9. The parcel was 125 acres, but then it says, "extensive irrigation are limited to 12 acres per conditions placed by the Chief Engineer." Mike Hamman responded that we have several of those lands that he is worried about, what he calls "irrigatable land creep," that if they continue to make improvements that we could be irrigating the west mesa. We want to limit it to what they are currently irrigating and have been irrigating and not authorize through actions that they could take, either with leveling land or putting in pumping plant, to start creeping on out of what we consider to be the true benefitted area.



MEMORANDUM GIS/MAPPING DEPARTMENT

F.Y.I.

TO: Mike Hamman, Chief Executive Officer
 FROM: Doug Strech, Mapping/GIS Supervisor
 DATE: March 11, 2019
 RE: Properties omitted or excluded from the Appraisal Record and now recognized as within the Benefited Area of the MRGCD

SANDOVAL COUNTY

1. **Tract C = 2.4183 ac., as shown on the Summary Plat Tracts A, B, C and D Tierras de Martinez y Frogue (filed on 12/28/2015), on MRGCD Map 18.**
 Ownership: Tomasita M. and Dwight F. Frogue Division:
 Albuquerque
2. **Tract A1 = 6.9870 ac., as shown on the Boundary Survey Plat Tract A-1 Tenorio Tracts (filed on 8/4/2016), on MRGCD Map 14.**
 Ownership: Kerri E. Greene Division:
 Albuquerque
3. **Parcel P1 = 1.8800 ac., as shown on the Replat of Parcel "P" Consolidation of Tract 112A2, 11 16. B2, 112C1A, 112C2A, 116, and 117A2 (filed on 9/15/1994), on MRGCD Map**

&

MRGCD Map 16 Tract 112A1 = 0.5600 ac., Tract 112B1 = 1.9400 ac. & Tract 117A1 = 0.7100 ac. (3.2100 AC TOT)

Ownership: Gilbert Lopez Living Trust – Gilbert Lopez
Division: Albuquerque

4. **Lot 1 = 1.0710 ac., as shown on the Plat of Lots 1, 2, 3 and 4 Striblings Orchards of Old Church (filed on 1/16/2001), on MRGCD Map 16.**

Ownership: Paul J. Pacheco Trust – Paul J. and Judy A. Pacheco
Division: Albuquerque

5. **Tract A1 = 0.9470 ac., as shown on the Replat of Tract A Lands of Froula (filed on 3/25/1987), on MRGCD Map 15.**

Ownership: William D. Teel and Tanya L. Scott Division:
Albuquerque

BERNALILLO COUNTY

6. **Tract B2 = 0.6029 ac., as shown on the plat Tracts A and B Lands of Hodgson & Schrier (filed on 2/13/1990) and split by Revision 91-24B-03, on MRGCD Map 24.**

Ownership: Fanaraze
LLC Division:
Albuquerque

7. **Lot X1 = 3.1110 ac., as shown on the Replat Lot "X" of The Land of Hubert Smith (filed on 4/24/1979), on MRGCD Map 54.**

&

Lot Y1A = 1.0000 ac., as shown on the Land Division Plat Summary Subdivision Replat Lot Y-1, Land of Hubert Smith (filed on 12/12/1979), on MRGCD Map 54.

Ownership: Euselio & Freda M.
Marquez Division: Albuquerque

VALENCIA COUNTY

8. **Tract A = 1.5550 ac. and Tract B = 5.0040 ac., as shown on the Plat Showing Lands of Elias Calles (filed on 10/8/1986), on MRGCD Map 89.**

Ownership: The Calles Living Trust – Elias and Elena G.
Calles Division: Belen

9. **The Madrone Parcel = 125.2350 ac., as shown on the Plat Showing Lands of Ron Gentry (filed on 4/10/1991), on MRGCD Map 107. Extents of irrigation are limited to 12 acres per conditions placed by the Chief Engineer.**

Ownership: Ron Gentry
Division: Belen

10. **MRGCD Map 89 Tract 86A = 7.8400 ac. & Tract 86B2 = 0.1700 ac. (8.0100 AC TOT)**

Ownership: Manuel Jr. and Flora
Perea Division: Belen

11. **Tract 2B1 = 2.0000 ac. & Tract 2B2 = 23.7500 ac., as shown on the Land Division Plat of Tract "2-B" Land of William H. & Irene Lefevre & Vicente & Mary Lou Chavez (filed on 5/2/2005), on MRGCD Map 116. Extents of Irrigation are limited to 8 acres without further application per conditions placed by the Chief Engineer.**

Ownership: Joshua A.
Sanchez Division: Belen

12. **MRGCD Map 89 Tract 87A = 0.6400 ac., Tract 87B = 1.7600 ac., Tract 88A1 = 17.7600 ac., Tract 88A2A = 6.9300 ac. & Tract 89A1 = 2.6300 ac. (29.7200 AC TOT)**

Ownership: Lyle H. Schultz
Division: Belen

SOCORRO COUNTY

13. **MRGCD Map 120 Tract 125 = 26.9900 ac., Tract 126 = 5.0650 ac., Tract 127A = 2.0900 ac. & Tract 134A1B3 = 14.7250 ac. (48.8700 AC TOT)**

- Ownership: Baca Revocable Trust – Paulita Z.
Baca Division: Belen
- 14. MRGCD Map 120 Tract 128 = 2.4700 ac. & Tract 129A = 10.4600 ac. (12.9300 AC TOT)**
Ownership: Johnny D.
Chavez Division: Belen
- 15. Tract A = 9.7575 ac., as shown the Plat of Division of Tract 66, M.R.G.C.D. Map No. 124 (filed on 2/23/1988)**
Ownership: Charles L. and Yolanda
Gabaldon Division: Belen
- 16. MRGCD Map 154 Tract 91A = 49.5400 ac. & MRGCD Map 156 Tract 34A = 5.0000 ac., Tract 34B = 5.0000 ac. & Tract 34C = 6.5300 ac. (66.0700 AC TOT)**
Ownership: Casey and Cindi
Cordova Division: Socorro
- 17. MRGCD Map 152 Tract 25A1 = 17.3000 ac.**
Ownership: Dana and Jerry
Gum Division: Socorro
- 18. Lot 1 = 1.0550 ac., Lot 15 = 1.0840 ac. & Portion of area for r/w for Avenida de Lopez & Calle de la Sangrada Familia = 1.6650 ac., as shown on the Candelaria Subdivision (Revised) (filed on 6/15/1993), on MRGCD Map 153.**
Ownership: Michael R. and Tawsha R.
Jacobs Division: Socorro
- 19. MRGCD Map 156 Tract 45A1C3 = 3.5190 ac. & Tract 45A1D1 = 8.7730 ac.**
Ownership: Robert R. Lewis
Division: Socorro
- 20. MRGCD Map 169 Tract 8C = 12.8700 ac. & Tract 9B = 25.3800 ac. (38.2500 AC TOT)**
Ownership: Henry Max & Darla A.
Perkins Division: Socorro
- 21. Tract A = 6.7630 ac., as shown on the Plat of Division of Land Standing in the names of Robert T. & Kim R Hignight (filed on 9/17/1997), on MRGCD Map 156.**
Ownership: Richard T. and Linda Ritter
Division: Socorro
- 22. MRGCD Map 150 Tract 55 = 1.4200 ac.**
Ownership: Pablo A. Savedra
Division: Socorro
- 23. MRGCD Map 159 Tract 33C2B2 = 0.2240 ac. & Tract 33C2C = 3.0760 ac. (3.3000 AC TOT)**
Ownership: Christina & Dominic
Tenorio Division: Socorro
- 24. MRGCD Map 169 Tract 8A2 = 2.3530 ac.**
Ownership: Lindsay Rae & Calvin & Mary E.
Cryer Division: Socorro

k. Approved Licenses for January 2019 (Informational Purposes)

Director Dunning asked if MRGCD could add signage near the trees being removed in the Corrales Main Canal to say that AMAFCA is removing the trees and not MRGCD.

Director Dunning also asked about Tinnin Farms Homeowners Association providing decorative upgrades to existing culverts. There were other people that wanted to do decorative things on crossings, and we told them no because they were ours. Jason Casuga responded, yes, that when MRGCD licenses out, they own, operate, and maintain the culverts.



MEMORANDUM ENGINEERING DEPARTMENT

F.Y.I.

TO: Mike Hamman, Chief Executive Officer

FROM: Matt Martinez, Licensing and Land Sales

Coordinator DATE: March 7, 2019

RE: MRGCD Licenses

The following license requests were approved by staff for the month of February 2019.

1. SP-055-2018_Amd1(2019) License amendment with Salls Brothers Construction, Inc. to extend the expiration date for the construction of the "Barr Main Canal Wall Addition" within the Barr Main Canal right-of-way.
2. SP-002-2019 License with Harold's Grading and Trucking Inc. to construct a private culvert crossing on behalf of private landowner Eddie Gutierrez within the Bernalillo Acequia right-of-way.
3. SP-003-2019—License with Terracon Consultants, Inc. to drill geotechnical soil borings for soil sampling in support of the Bernalillo County Public Works "Alameda Drain and Trail Improvements Phase II" project within the Alameda Interior Drain right-of-way.
4. SP-004-2019—License with Sichler Construction to temporarily pump out of Unit 7. Drain for dust control and compaction of the Bernardo Waterfowl Management Area "Irrigation Systems Construction" project.
5. SP-005-2019—License with Salls Brothers Construction, Inc. to remove trees and conduct shotcrete repairs within the Corrales Main Canal right-of-way per the AMAFCA "Agency and Area-Wide Flood Control Facility Rehabilitation Phase VIII" project.
6. SP-008-2019— License with Sun State Mechanical, Inc. to install a buried utility crossing within the Corrales Main Canal right-of-way per the Village of Corrales Fire Department "Fire Line and Hydrant" project.
7. SP-009-2019—License with CF Padilla, LLC. to install 2—72"Ø corrugated metal pipe culverts and 2 buried utility crossings within the Belen Highline Canal right-of-way per the Pueblo of Isleta "Lagoon Transfer" project.

8. SP-010-2019—License with Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) for tree trimming within the Gun Club Lateral right-of-way in preparation of the next phase of the “Black Mesa 3 Dam Outlet Raymac to Don Felipe Dam” project.
9. 2-068-2018—License with Tinnin Farms Homeowners Association to access & maintain existing private culvert crossings and to install & maintain decorative upgrades to the existing culvert crossings within the Griegos Lateral right-of-way.
10. 2-103-2018—License with the County of Bernalillo for access and access maintenance of the east side ditch maintenance road within the Armijo Acequia right-of-way.
11. 2-106-2018—License with Unite Private Networks to install and maintain a telecommunications buried utility crossing within the Alameda Interior Drain right-of-way.
12. 2-107-2018—License with Unite Private Networks to install and maintain a telecommunications buried utility crossing within the Pajarito Lateral right-of-way.
13. 2-110-2018—License with Savage Community Development, LLC. to access and maintain an existing private culvert crossing to serve Vista Azul Subdivision within the Alameda Interior Drain right-of-way.
14. 2-113-2018—License with Sunset Seva Farm, LLC to maintain and existing steel fence encroachment within the Beckham Lateral right-of-way.
15. 2-114-2018—License with Century Link to install and maintain a fiber optic cable buried utility crossing within the Corrales Acequia right-of-way.
16. 4-115-2018—License with the City of Socorro to install and maintain a buried gas utility paralleling and crossing the Socorro Ditch right-of-way.
17. 2-004-2019—License with Zayo Group to install and maintain a fiber optic cable buried utility within the Chamisal Lateral right-of-way.

Added Item: Law of the Rio Grande CLE in Santa Fe, April 11-12, Mike Hamman, CEO/CE

Mike Hamman announced the Annual Law of the Rio Grande Conference, April 11-12, held at the La Fonda. Keynote speakers include Mike Connor and a gentleman from the Texas Commission on Environmental Quality. Four staff members are attending. Any Board Member interested in attending should contact either Mike Hamman or Jeanette Bustamante.

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

a. Status of Water Right Protest Settlement - Dr. Chuck DuMars, Chief Water Counsel, and Mike Hamman, CE/CEO

Chuck DuMars and Mike Hamman have been working on this together for the last three weeks. This process evolved from just a simple protest to a process that we're looking forward in working with Rio Rancho to develop a sort of mutual set of plans, and, at the end of the day, have Rio Rancho become integrated into the entire planning process within the valley. Rio Rancho seems to be interested in participating in the water planning process and putting up some money and doing some things to get involved with the river, which is a really good direction.

After three or four sessions of discussions, the document now says that the only thing it applies to is protests and that we reserve all our rights and remedies in the event we're injured by something, we still maintain our right to go to court.

The big issue that's developed now is that the pueblos and the United States are wondering what they're getting out of this process because the pueblos are protestants. At meetings, they talked about the cultural consequences to the pueblos, of making this deal with Rio Rancho. It is still up in the air what's going to happen with them, whether they will agree to defer their right to protest or not. The United States is, of course, immune from suit.

Mike Hamman agreed with Dr. DuMars assessment and said more could be discussed in Executive Session.

Director Moore asked if any of the farmers have settled on this issue. Mike Hamman responded that, no, all the ones that got swept up into this are still in it. Everybody is being patient. They think this is going well. They keep getting feedback from their attorneys that things are going well and that at the end of the day, it'll be good for all of us if we can get to that one situation where we're all agreeing to the settlement and moving forward with the implementation.

Director Romero asked if anyone has decided to drop it because they've spent more in attorney's fees than they were going to make. DuMars didn't think so.

AGENDA ITEM NO. 14 – REPORT(S) FROM THE MRGCD BOARD OF DIRECTORS

a. Report on Meeting with Mayor Tim Keller and Staff, February 14, 2019, Chairman Duggins, Directors Kelly, Baca, Dunning, and Moore

The Board Members had a very good social visit with the Mayor and some of his senior staff; one of the big things that came out of this meeting is that the City Park and Recreation Department is an active buyer of water rights to do farm-to-farm transfers to their Anderson Fields Open Space property.

Director Dunning noted that the MRGCD staff that attended did a wonderful job representing MRGCD.

Director Dunning made the **MOTION TO APPROVE THE REPORT ON MEETING WITH MAYOR TIM KELLER AND STAFF, FEBRUARY 14, 2019**. Director Moore the motion. The **MOTION CARRIED** unanimously.

b. Report on the Land and Water Summit Meeting, February 28 and March 1, 2019 - Directors Kelly and Moore

Director Moore reported that at this meeting, they talked about left brain logical and right brain creative, trying to bring these together to deal with issues of storm water. They mostly talked about green storm water infrastructure, GSI, in trying to turn this runoff water, trying to do different things that would help utilize it and keep it from bringing gray storm water, which is not good for us and not good for the river.

In Albuquerque, there are a lot of pavement and high temperatures, and we create heat islands that evaporate the water even faster than normal. They discussed trying to set up sediment traps, minimize the sediment transportation, adapt to changes in the climate, increase the tree canopy, and promote infiltration.

They also talked about the Valle de Oro National Wildlife, just right here, south of Albuquerque and how the Fish and Wildlife bought 390 acres. They are cooperating with different types of agencies and have quite a few partners. They're going to have a playa with wetlands, and plants will be part of that. Director Moore would like to see MRGCD work with them however it can.

They also discussed wells drying up in Union County and how they're trying to self-correct that themselves, without having been mandated.

All in all, Director Moore felt it was an interesting and good conference.

Director Baca made the **MOTION TO APPROVE REPORT ON THE LAND AND WATER SUMMIT MEETING, FEBRUARY 28 AND MARCH 1, 2019**. Director Romero the motion. The **MOTION CARRIED UNANIMOUSLY**.

c. Report on Finance Committee Meeting, March 1, 2019 - Directors Moore, Kelly, and Romero

This topic was included in discussion in above Agenda items. No further discussion necessary.

AGENDA ITEM NO. 15 – EXECUTIVE SESSION

Director Kelly made the **MOTION TO GO TO INTO EXECUTIVE SESSION**. Director Dunning seconded the motion. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

- a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7**
 - 1. Threatened or Pending Litigation**
 - i. Water Rights Protest Settlement**

Discussion ensued during executive session with no decisions made.

Director Baca made the **MOTION TO RETURN TO REGULAR SESSION**. Director Dunning seconded the motion. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

With no further comments, questions or concerns, Director Baca made the **MOTION TO ADJOURN THE MEETING**. Director Moore seconded the motion and the **MOTION CARRIED** unanimously.

The meeting was adjourned at 6:45 p.m.

Approved to be the correct Minutes of the Board of Directors of March 11, 2019.

ATTESTED:

David M. Fergeson
Secretary/Treasurer

Glen Duggins, Chairman of the Board
Middle Rio Grande Conservancy District