# ANNUAL REPORT 2025

Photo Credit: Ben Kalminson, USBR

## Elephant Butte Irrigation District Board of Directors

# ELEPHANT BUTTE IRRIGATION DISTRICT

## Annual Board of Directors' Report

**OUR MISSION**

For over 100 years EBID has been the steward of the surface water of New Mexico's portion of the Rio Grande Project. We operate and maintain the system for EBID members in the Rincon and Mesilla Valleys, continually improving efficiencies to meet the needs of those we serve and keep costs low, while our commitment to protecting the interests of our members remains steadfast. Our mission is – and always has been – to efficiently deliver surface water to our members with professionalism and respect.

**EXCELLENCE**

- We are committed to the efficient delivery of water to all water-righted land in our District.
- We strive for excellence at every level of the District.
- We focus on delivering exceptional customer service to our members both small and farm tracts.
- We will fight to keep farmers farming as long as they want to farm.

**STEWARDSHIP**

- We are committed to maximizing the benefit of the limited water we are blessed with.
- We maintain the canals, drains, and dams of our system to extend the life of the Project into the future.
- We seek innovative solutions for water delivery, efficiency, and revenue streams to keep member costs low.
- We contribute to the conservation of our water and natural resources.
- We constantly improve our techniques for delivery and measurement through technology and hard work.
- We operate with a farmers mentality to keep costs as low as possible.

**UNITY**

- We are valuable contributors to agriculture in the Mesilla and Rincon Valleys and to the communities we live in.
- We are committed to diligently protecting the resources and rights of all of EBID members.
- We value the contributions of every employee and support their personal and professional growth.
- We grow through the principles of teamwork and continuous improvement.

**RESPECT**

- We value and respect our farmers as individuals and care for the health of the Rincon and Mesilla Valleys.
- We strive for transparency to build the trust of our members and community.
- We are focused on irrigated agriculture in our philosophy of service.

## BOARD OF DIRECTORS

**Officers:**

**President, Greg Daviet | Vice President, Rafael Rovirosa | Secretary, Randy Garay**

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| **Precinct 1** | **Randy Garay** | **Precinct 4** | **Greg Daviet** | **Precinct 7** | **John K. Clayshulte Jr** |
| **Precinct 2** | **Casey Crist** | **Precinct 5** | **James Sloan** | **Precinct 8** | **Prescott K Colquitt III** |
| **Precinct 3** | **Preston Tharp** | **Precinct 6** | **Rafael Rovirosa** | **Precinct 9** | **Henry Ludwig** |

# Board of Directors' Annual Report for 2025
## Table of Contents


| | |
|---|---|
| 2025 Board of Directors Meeting Dates | 2 |
| 2025 Approved Minutes | 4 |
| 2025 Board Resolutions | 57 |
| 2025 Water Suspension Hearings | 96 |
| 2025 Special Use Permits | 105 |
| 2025 Cash Balance Reports | 127 |
| 2025 Board of Directors Election | 140 |

**Elephant Butte Irrigation District 2025 Meeting Dates**

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| **1/8/2025** | • **Election of Officers:** Greg Daviet elected President; Rafael Rovirosa as Vice President; Randy Garay as Secretary.<br>• **Resolutions Approved: 2025-01** Open Meetings Act, **2025-02** Election of Board of Directors' Officers.<br>• **Water Outlook:** Very low storage; forecast for June 1 release and 4–6 inch allotment.<br>• **Financial Report:** $7.8M cash balance.<br>• **Contracts Approved:** Legal services and Control Design, Inc. |
| **2/12/2025** | • **Constituent Complaint:** Work schedule concern referred to management.<br>• **Water Outlook:** Storage improved to 259,672 AF; still low, June 1 release likely.<br>• **Financial Report:** $11M cash balance. |
| **3/12/2025** | • **Water Outlook:** Storage at 286,146 AF; allotment expected 5–6 inches.<br>• **Financial Report:** $10.3M cash balance.<br>• **Resolutions Approved: 2025-03** Budget amendment, **2025-04** DFA report, and **2025-05** travel/per diem policy update.<br>• **Contract Approved:** Lobbyist Water Strategies.<br>• **Maintenance Dashboard** Introduced. |
| **3/26/2025** | • **Closed Session Only:** Litigation and water rights protests. |
| **4/9/2025** | • **Water Outlook:** Storage at 298,207 AF; allotment likely 5–6 inches; release expected early June.<br>• **Financial Report:** $10.1M cash balance; 90% assessment collection. |
| **4/23/2025** | • **Contract Amendment:** Libbin Underwood Engineering & Surveying. |
| **4/28/2025 Emergency** | • **Closed Session:** Texas v. NM litigation. |
| **5/14/2025** | • **Water Outlook:** Allotment set at 6 inches, Initial release from Caballo May 30.<br>• **Resolutions Approved: 2025-06** Budget adoption and **2025-07** In memory of James Salopek.<br>• **Growers' Meetings Scheduled:** May 19–20.<br>• **Financial Report:** $10.1M cash balance. |
| **5/28/2025** | • **Release Date Approved:** May 29–30.<br>• **ICIP Plan:** 11 priority projects identified. |
| **6/11/2025** | • **Resolutions Approved: 2025-01A** Open Meetings Act Amendment, and **2025-08** ICIP Approved.<br>• **Water Update:** Release ongoing; season expected to end July 8.<br>• **Financial Report:** $9.9M cash balance. |
| **6/25/2025** | • **Resolution 2025-09 Asset Disposition Approved.**<br>• **Contract Approved:** Contech ES for corrugated pipe.<br>• **Water Orders Deadline Clarified:** June 27. |
| **7/9/2025** | • **Water Season Ended:** July 8; Caballo outlet obstruction reported.<br>• **Irrigation Systems Summary for June 2025.**<br>• **Resolutions Approved: 2025-01B** Open Meetings Act Ammendment, and **2025-10** Asset Disposition.<br>• **NM WRRI Ag Water Resilience Program application opportunity.**<br>• **Financial Report:** $10.1M cash balance. |
| **8/13/2025** | • **Water Update:** Storage at 79,764 AF; possibility of no irrigation season in 2026.<br>• **Contracts Approved:** Expert witness, engineering services, and legal services personnel.<br>• **Financial Report:** $8.7M cash balance.<br>• **EQIP Application Contract Approved:** Rincon Lateral piping project. |

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| **8/21/2025 Special** | • **Texas v. NM Settlement Agreements Approved (3):**<br>• Miscellaneous Purposes Act Master Contract<br>• Miscellaneous Purposes Act Implementing Contract for Allocation Transfers<br>• Operations Settlement Agreement. |
| **9/10/2025** | • **Resolutions Approved: 2025-12** FY 2026 adopted.<br>• **Water Update:** Storage at 75,683 AF; 2026 allotment forecast 3–4 inches.<br>• **Financial Report:** $7.8M cash balance.<br>• **Contract Approved:** CliftonLarsonAllen for financial services.<br>• **Board Election Date Announced:** Dec 2. |
| **10/8/2025** | • **Policy Approved:** Amended 1997-ENG10 Land Relinquishment Policy.<br>• **Water Update:** Storage at 86,412 AF; 2026 expected critically short.<br>• **Resolutions Approved: 2025-11** Lifting the Moratorium, **2025-13** Asset Dispositon.<br>• **Financial Report:** $7.2M cash balance. |
| **11/12/2025** | • **Designate Alternate FFA Advisory Member** - Joah Franzoy<br>• **Appointment of Board Election Chair** - Marilyn Crawford<br>• **Approved First Amended MOU with City of Las Cruces** for multi-use, non-motorized pathways along EBID drains and canals.<br>• **Financial Report:** $6.5M cash balance.<br>• **Resolution Approved: 2025-14** Submission to NM Finance Authority for planning grant. |
| **12/8/2025** | • **Election Certification**: The Board canvassed and certified the December 2, 2025 election results for Precincts 2, 4, 6, and 8; all candidates were confirmed unanimously. |
| | • **Water Update**: Storage at 39,596 AF; expect late May/early June 2026 release and allotment of 4 inches or less. |
| | • **Financial Report**: $7.6M cash balance. |
| | • **Contracts Approved:** State lobbyists Devore/Aragon and FY2025 audit contract with SJT Group approved and delegated for signature. |
| | • **EBID Winter shutdown** scheduled Dec 23–Jan 4. |
| **12/10/2025** | No Agenda Items/Business at this meeting. |

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**January 8, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday January 8, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Preston Tharp, Greg Daviet, Rafael Rovirosa, James Sloan, John Clayshulte Jr., and Director Colquitt III. Board member Henry Ludwig was absent.

The Invocation was given by Gary Esslinger followed by the Pledge of Allegiance led by Randy Garay

EBID personnel present were Joshua Smith, EBID Treasurer-Manager; Joah Franzoy, Assistant Manager; Karin Byrum, Finance Director; David Lutz, Legal Counsel; Gary Esslinger, EBID Consultant; Naomi Ontiveros Executive Assistant; Alex Rubio, Senior Engineering Manager; Scott Gamboa. Delyce Maciel, HR/Safety Director, AJ Carlson, EBID; DL Sanders, Legal Counsel; and Dr. Phil King appeared virtually. Introductic Guests

EBID Guests present were: Mike Riley, OSE, Jerry Schickedanz, Sammy Singh, Jr, EBID members. .

Virtual attend: Steve Hernandez, CID; Ethan Wright, NM Farm Jerry Melendrez,, Catilyn Owens, , Ryan Serrano, ISC. Anthony Collins, NMDA; Jr. Hennessey; Craig Cathy, OSE; Juan Fernandez, BOR; Skye Devore; EBID Consultant; Liz Verdecchia, Yesenia Castro, IBWC; ,

President Daviet presented and read Election of Officers Resolution 2025-02.. Director Sloan moved; Director Clayshulte seconded. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed. Election Of Officers Resolutior 2025-02

Director Rovirosa nominated Director Daviet for President; Director Clayshulte seconded. Director Daviet nominated Director Rovirosa for President; Director Colquitt III seconded. Four ballots were conducted to determine the President, listed below are the open ballots casted in order: Director Daviet was elected for President. Election Of Officers

Director Garay voted Director Daviet
Director Crist voted Director Daviet
Director Tharp voted Director Rovirosa
Director Daviet voted Director Rovirosa
Director Sloan voted Rafael Rovirosa
Director Rovirosa voted Director Daviet
Director Clayshulte, Jr voted Director Daviet
Director Colquitt III voted Director Rovirosa

Director Garay voted Director Daviet
Director Crist voted Director Daviet
Director Tharp voted Director Rovirosa
Director Daviet voted Director Rovirosa
Director Sloan voted Rafael Rovirosa
Director Rovirosa voted Director Daviet
Director Clayshulte, Jr voted Director Daviet
Director Colquitt III voted Director Rovirosa

Director Garay voted Director Daviet
Director Crist voted Director Daviet
Director Tharp voted Director Rovirosa
Director Daviet voted Director Rovirosa
Director Sloan voted Rafael Rovirosa
Director Rovirosa voted Director Daviet
Director Clayshulte, Jr voted Director Daviet
Director Colquitt III voted Director Rovirosa

Director Colquitt III voted Director Rovirosa
Director Clayshulte, Jr voted Director Daviet
Director Rovirosa voted Director Daviet
Director Sloan voted Director Daviet
Director Daviet voted Director Rovirosa
Director Tharp voted Director Daviet
Director Crist voted Director Daviet
Director Garay voted Director Daviet

Director Garay motioned to open nominations for Vice President, Director Clayshulte Jr. seconded. Director Garay nominated Director Rovirosa for Vice President. President Daviet nominated Director Garay. Director Colquitt nominated Director Sloan. A ballot was conducted to determine the Vice President, listed below are the open ballot casted. Director Rovirosa was elected as Vice President.

Director Garay voted Director Rovirosa
Director Crist voted Director Rovirosa
Director Tharp voted Director Rovirosa
Director Daviet voted Director Rovirosa
Director Sloan voted Director Rovirosa
Director Rovirosa voted Director Sloan
Director Clayshulte, Jr voted Director Rovirosa
Director Colquitt III voted Director Sloan

Director Garay motioned to open nominations for Secretary, Director Colquitt III seconded. Vice President Rovirosa nominated Director Garay for Secretary. President Daviet nominated Director Sloan. A ballot was conducted to determine the Secretary, listed below are the open ballot casted. Director Garay was elected as Vice President.

Director Garay voted Director Garay
Director Crist voted Director Garay
Director Tharp voted Director Garay

Director Daviet voted Director Garay
Director Sloan voted Director Garay
Director Rovirosa voted Director Garay
Director Clayshulte, Jr voted Director Garay

Opens Meeting Act Resolutio 2025-01

Legal Counsel David Lutz presented the 2025-01 Open Meetings Act Resolution. There was discussions on one meeting or two meetings a month. The drafted resolution notes only one meeting a month with the expectation it may be amended to reflect two meetings a month after board discussions. Josh requested if the board approves two meetings a month one meeting be for all business and the second meeting held be only for business that has to be conducted for closed session items. Vice President Rovirosa moved; Director Clayshulte Jr., seconded to accept the resolution as presented. After discussion and review the upcoming events for the next couple of months. Vice President Rovirosa moved, Director Clayshulte Jr., seconded to amend the resolution to reflect two regular board meetings the second and fourth meeting of the month beginning in March 2025. Directors Garay, Crist, Sloan, Rovirosa, and Colquitt III aye the motion. Director Clayshulte Jr. nay the motion because he believes the amendment should begin in April. President Daviet expressed his opposition to the amendment and believes it should remain to only one meeting a month. Motion passed.

Ratificatic August 1 2024

David Lutz also presented for approval ratification of August 1, 2024 candidate finalist in the selection of Treasurer-Manager Hector Gonzalez and Josh Smith. Director Clayshulte Jr. moved, and Director Garay seconded the motion for the ratification. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr. and Colquitt III aye the motion. Motion passed.

Minutes Approval

Director Clayshulte and President Daviet noted minor corrections on the December 11, 2024 minutes. Director Garay moved; Director Clayshulte seconded to approve the December 4, 2024 special board meeting minutes and the December 11, 2024 regular scheduled board meeting minutes. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

Calendar Events

Josh Smith presented the calendar of events:
January 16th- Stormwater Coalition Meeting
January 21st -23rd Irrigation Leader Workshop
February 5th & 6th Legislative Ag Day- EBID Water Trailer will be presented
February 12th EBID Regular Scheduled Board Meeting
February 24th -28th TX v NM Mediation, Pittsburgh, PA
Vice President Rovirosa moved; Director Garay seconded to approval travel to the Legislative Ag Day event for up to four board members and four staff including all expenses incurred. Directors Garay, Christ, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.
Director Colquitt III moved; Director Garay second to approve of travel and all expenses incurred for up to three board members, Manager, Consultant Dr. King and two legal counsel for the Mediation.

Water Outlook

Dr. King updated the board on the current supply conditions. Storage in EB was 197, 285 acre-feet, Caballo 19, 086 acre-feet for a total project storage of 216,371 acre-feet and seasonal supply of 211, 835 acre-feet. The project storage has gained 82,418 acre-feet net inflow since October 31, 2024. There has been little gain in snowpack since November but there still is a lot of snow season to go; forecasts are for conditions that are warmer and drier than average. Very low available storage in January strongly suggests a June 1 initial release and low final allotment of 4-6inches. EP#1 concurs with this start date assessment.

James Narvaez, Irrigation Director, had no update at this meeting.

Financial Review

Karin Byrum, Finance Director, presents the cash balances financial report as of January 6, 2024. Totals for cash in the bank and investments are $7,845,932 an increase of $101,207 over 2023. No major or uncommon transactions has occurred.

Contract Approvals

Karin presented for approval professional legal services contract for Martin & Lutz, P.C. Director Clayshulte Jr., moved; Vice President Rovirosa seconded to approve the presented professional legal services contract. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

Karin presented for approval of services contract for Control Design, Inc. Director Sloan moved, Director Clayshulte Jr. seconded to approve the presented contract. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

Special Use Perm

Alex advised there is no out of the ordinary update at this time.

President Daviet requested that 2024-L-036 Dona Ana County Facilities & Parks be pulled from the consent agenda. Director Clayshulte Jr. requested that 2024-L-139 4 Rivers Equipment, LLC be pulled from the consent agenda. Director Clayshulte Jr;, moved; Director Garay second to approve the consent agenda. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. President Daviet asked if permit 2024-L-036 Dona Ana County Facilities & Parks permit for the existing park of the Vado area and location of the MOU. Scott advised that was correct. Director Rovirosa states he is opposed to waiving fees if EBID property is being used. Staff advised that it is part of the MOU, it is a beneficial use, and it is an effort to work well/in good faith with the County. Director Sloan stated he believes the project is beneficial to the district. Director Clayshulte Jr. moved, Director Sloan seconded to approve permit 2024-L-036 as presented by staff. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Director Sloan moved; Vice President Rovirosa seconded to approve permit 2024-L-036. Directors Garay, Crist, Tharp, Sloan, Rovirosa, and Colquitt III aye the motion. Director Clayshulte, Jr. nay the motion. Vice President Rovirosa stated he believes the fee structure and what circumstances on waiver of fees should be waived. He refers to the discussion to the Land Use Committee. Currently the only Director on the land use committee is Director Tharp. President Daviet stated he will appoint members to the Committee. The following has been referred to the land use committee for further review: fee structure, waiver of fees, and the moratorium and relinquishment of real property.

Josh advised the HR report is in the Board's packet for review.

Closed Session

Vice President Rovirosa moved; Director Garay. seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte, Jr. and Colquitt III aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Moratorium and Relinquishment of Real Property
D. Other Threatened/Pending Litigation

E. Motion to come out of closed session

Director Garay moved; Director Sloan seconded to come out of closed session. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

There being no further business, Director Garay moved, Director Sloan seconded to adjourn the meeting Directors Garay, Christ, Tharp, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

Adjourn

The next meeting of the Board of Directors will be held on February 12, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**February 12, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, February 12, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, Rafael Rovirosa, James Sloan, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig. Board member Preston Tharp was absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Randy Garay

Introduction Guests

EBID personnel present were Joah Franzoy, Assistant Manager; Karin Byrum, Finance Director; David Lutz, Legal Counsel; Gary Esslinger, EBID Consultant; Naomi Ontiveros Executive Assistant; Juan Caballo, EBID GIS & Licensing Administrator. Josh Smith, Treasurer-Manager; Delyce Maciel, HR/Safety Director, AJ Carlson, EBID; DL Sanders, Legal Counsel; James Narvaez, Irrigations Director; Leah Diaz, Finance Accountant; and Dr. Phil King appeared virtually.

EBID Guests present were: Mike Riley, OSE, Jerry Schickedanz, EBID members, Ryan Serrano, ISC, Alfred Perrault; OSE; Ethan Brown, Larry Vasquez, BOR; Skye Devore; EBID Consultant .

Virtual attend: Steve Hernandez, CID; Ethan Wright, NM Farm Jerry Melendrez,, Catilyn Owens, Anthony Collins, NMDA; Jr. Hennessey; Craig Cathy, OSE; Juan Fernandez, BOR; Skye Devore; EBID Consultant; Kay Maynard, Amanda Lara, OSE

Minutes Approval

President Daviet noted that the January 8, 2025 minutes were missing his motion to nominate Director Rovirosa for President and correcting a reference to Legal Counsel, David Lutz, from Daviet Lutz. Director Clayshulte Jr. stated that ISC, Ryan Serrano, and OSE, Craig Cathey were noted incorrectly as to the entities they represent. Director Garay moved and Director Colquitt III seconded to approve the minutes with corrections. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

Calendar Events

Joah Franzoy presented the calendar of events:
Legislative Session is ongoing until March 22, 2025
February 17 EBID Office Closed in observance of Presidents Day
February 20th Stormwater Coalition meeting
February 24th -28th TX v NM Mediation, Pittsburgh, PA
March 5th Soil Water Conservation Day in Santa Fe at the Roundhouse
March 12th EBID Regular Scheduled Board Meeting
March 26th EBID Second Regular Scheduled Board Meeting
March 6th Lower Rio Grande Water Alliance meeting at 10 am

Constituent Complaint

President Daviet stated there was a constituent concern regarding the EBID work schedule. Director Sloan advised Constituent Andy Jaquez had an emergency and is unable to attend. Director Sloan stated that he spoke with Mr. Jaquez and suggested the concern be referred to the maintenance committee. President Daviet noted that he has not spoken with Mr. Jaquez but his understanding was there was a concern regarding the 4/10hr work week and its effectiveness for the District. President Daviet stated his general opinion is the determination of who works, when they work and how the work schedule is implemented is clearly the Management role and beyond the scope of the Board of Directors. He is hesitant to send this concern to a committee of board members instead of sending it to management. Legal Counsel David Lutz stated that under the personnel manual, the Treasurer Manager has the authority to make those decisions. Director Colquitt III stated he spoke with Mr. Jaquez, and he was concerned with a 4/10hr work schedule, which allowed for more standing around in the morning. Director Colquitt III stated it is his opinion that if a regular schedule 5 days a week is done, the same thing can occur. Director Sloan stated Mr. Jaquez's main concern was work getting done in the morning when it was dark. Director Clayshulte Jr. suggested 5/8 hours in the winter and 4/10hrs in the summer. Vice President Rovirosa stated he agrees that it should be referred to management. Assistant Naomi Ontiveros noted that, unfortunately, Leo is out in the field and unable to address the concern, but from what she understands, the employees do not stand around. They conduct their morning tailgates and safety meetings and prep for the plan of the day. Unfortunately, constituents do pass by and EBID is always under a microscope and notes she doesn't like the illusion and it being expressed that employees are just standing around. The board referred the concern to management.

Water Outlook

Dr. King updated the board on the current supply conditions. Storage in EB was 239,957 acre-feet, Caballo 19,715 acre-feet for a total project storage of 259,672 acre-feet and seasonal supply of 232,672 acre-feet. There are not final numbers for the upcoming compact meeting. There is about 900 acre-feet per day of inflow into EB. Project Storage has gained 127,000 acre-feet net inflow since October 31, 2024. There has been little gain in snowpack since November, but there still is a lot of snow season to go; forecasts are for conditions that are warmer and drier than average. Very low available storage in January strongly suggests a June 1 initial release and low final allotment of 4-6inches. EP#1 concurs with this start date assessment. James Narvaez added that he attended a meeting with BOR and other entities along the river. The main topic was the start up dates so everyone can update their ERGOM model.

Financial Review

Karin Byrum, Finance Director, presented the cash balances financial report as of February 10, 2025. Totals for cash in bank and investments are $11,047,714, an increase of $549,044 over 2024. Karin noted that back-ordered parts

for SCADA were ordered through Control Design for $45,776.00. That was the only uncommon cash transaction in January and February to date.
Alex advised that there is no out-of-the-ordinary update at this time. Joah advised the board that the Financial ERP system has gone live using the inventory and is expected to go completely live by the end of March.

Land Use Committee Report

President Daviet requested that agenda item 10, Discussion and Potential Approval of Policy Amendments to Policy 1997-ENG10-Relinquishment of EBID Property Interests, be moved to after item 12, Discussion and Potential Approval of a minimum sale price-per-acre for sales of EBID property. No objection was given.

Director Colquitt II provided the committee report below:

***Elephant Butte Irrigation District***
***Land Use Committee***

***February 10, 2025***
***Committee Report***

*A meeting of the Land Use Committee took place on February 10, 2025. Director PK Colquitt, Gary Esslinger, and David Lutz, legal counsel, attended the meeting.*

*The Committee discussed proposed amendments to Policy 1997-ENG 10. The Committee will present the proposed amendments to the Board of Directors at the February 12, 2025 meeting. The amendments presume the moratorium on land relinquishments has been lifted by the Board of Directors. The amendments allow the Board of Directors to look at a proposed sale of land twice and provide language to make the process consistent with what is required for State approval if and as applicable. Additionally, the Committee discussed the history behind the minimum price of $18,565.00 an acre. This figure derived from a comparable appraisal from EPCWID1. The Committee discussed an option to refer to procurement staff having a small procurement for a similar New Mexico appraisal whereby this figure might be revised (presumably upwards), given that the City of Las Cruces has in the past requested something to this effect.*

*As for additional items for future Committee and Board of Directors meetings, the Committee discussed the blanket agreement with Zia Gas as well as the historical background of the Right of Use Policy. These will be reviewed in more detail in the coming weeks.*

Director Colquitt III stated that he met with Gary Esslinger to see the Montoya Lateral, where a recreation center is planned for the future. In 2019, the Board created a minimum price sale per acre for property relinquishment. Director Colquitt III requested that the board consider the relinquishment policy amendment presented in the board packet, an under-60k contract for a land appraiser who would help appraise EBID property and increase the minimum sale of property currently in the policy. Director Sloan asked if the option of long-term leasing is available. Mr. Lutz stated that is an option with a right of use lease and options are open for leasing. Director Sloan stated the future is unknown and would be willing to lease instead of selling. Director Sloan motioned to refer the policy back to committee, seconded by Director Garay.

Min. Sale Price Per Acre

Director Colquitt III requested the board approve amendments to Policy 1997-ENG10-Relinquishment of EBID Property Interests. David advised the amendments there were amendments done in 2011 and proposed amendments in 2019, which he did not change but did add further material to update the Policy. After review and discussion, the board referred to the relinquishment policy back to the Land Use Committee. The following revisions/additions were asked to be included or considered: exclusion of water rights, properly defining excess property, whether that is through an exhibit or a sub-policy, increasing application fee, striking the last sentence in section 2 under the procedure for easements, and how to define costs of administrative and legal work. ISC, Ryan Serrano, reminded the board the district recently entered into a cooperative agreement with the State of NM specific to improvement to stormwater infrastructure that includes drains. He adds when selling drains to a private property owner, there is potential for discharge off the private property into EBID facilities, and it can affect the exemptions under the Clean Water Act. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

Policy 1997-ENG10-Relinquishment Of EBID Property

Director Colquitt III stated that in 2019, the Board adopted a minimum price per acre of $18,565.00. He notes that this was based on a comparable drain ditch in El Paso, TX. Director Colquitt suggested the board approve an increase in the minimum sale per acre. Gary Esslinger suggests the district hire an appraiser to handle the district's appraisals. The board requested staff to prepare a small procurement $60k contract for an appraiser. Manager Josh stated it might need to be considered further if obtaining a $60k appraiser on the contract is the best option at the time. Vice President Rovirosa motioned to refer the discussion on a minimum sale price-per-acre back to the land committee, Director Colquitt III seconded. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed.

Vice President Rovirosa moved, and Director Sloan seconded, to postpone the agenda item regarding the discussion and potential approval of lifting the Moratorium on Land Relinquishments until the March 12, 2025, board meeting. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed.

Joah advised the board that the Irrigation Leaders Workshop was a great networking opportunity, and Naomi and Joah presented at the conference.

Naomi advised the board that she, along with AJ Carlson and Juan Caballero, attended AgFest in Santa Fe, where they brought along the EBID water trailer. She commended AJ and Juan for how well they represented the district. She noted there was a lot of appreciation for the district, showing a representation of the district. Vice President Rovirosa stated that many productive conversations were had with executives, legislators and other entities. A dinner was held in Santa Fe with legislators that EBID lobbyist Skye Devore put together.

AgFest Santa Fe

Joah advised that maintenance has 60 ongoing projects, which do not include weed control, canal maintenance, or grant projects. Large-scale grant projects are expected to begin this fall.

Maintenance Projects

President Daviet requested that 2024-L-145 NTS Communications dba Vexus Fiber and 202-L-002 City of Las Cruces be pulled from the consent agenda. Director Clayshulte Jr. requested that 2024-L-139 4 Rivers Equipment, LLC be pulled from the consent agenda. Vice President Rovirosa moved; Director Garay seconded the motion to approve the consent agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Ludwig, and Colquitt III aye the motion. Motion passed.

President Daviet stated he doesn't understand where the fiber optic line is coming across on permit 145 NTS Communications dba Vexus Fiber. It was noted that it was crossing at the heading of the Mayfield Lateral and the continuance of the Armijo Lateral. President Daviet stated he has no opposition to the permit but doesn't understand how it is going under the EBID facility. President Daviet asked if the crossing would run parallel on permit 2025-L-002 City of Las Cruces. Director Clayshulte Jr. moved, and Director Garay, second to approve permits 2024-L-0145 and 2025-L-002 as presented by staff. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Ludwig, and Colquitt III aye the motion. Motion passed.

Special Use Permits

Josh advised the HR report is in the Board's packet for review.

President Greg Daviet called to order the Suspension/Transfer Hearing. AJ Carlson presented a total of 2.92 acres for suspension and transfer. Jeffrey S Smith to Mary H & Barry W Smith 2.00 acres. Steve Warren to Rodney Krauskopf .92 acres. Director Clayshulte Jr. moved; Director Garay second to approve the water transfer total of 2.92 acres. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed. President Daviet asked that Resolutions be formalized as called for by Section 73-13-5 of the New Mexico Statutes Annotated and that the Secretary of the Board certify and file with the State Engineer a true copy of the Resolution and action of the Board. President Daviet also announced that if there is a protestant who disagrees with the action of the Board, he/she may appeal this decision directly to the District Court as provided under Section 73-13-4 of the New Mexico Statutes. Motion to adjourn the Board sitting for water transfer hearing by Director Clayshulte Jr. seconded by Director Garay. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Ludwig, and Colquitt III aye the motion. Motion passed.

Water Transfer Hearing

Director Clayshulte Jr. moved; Director Colquitt III seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte, Jr. and Colquitt III aye the motion. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Discussion regarding purchase, acquisition, or disposal of real property of water rights
E. Discussion regarding the issuance, suspension, renewal, or revocation of a license pertaining to use of EBID property
F. Limited Personnel Matters
G. Other Threatened/Pending Litigation
H. Motion to come out of closed session

Closed Session

Director Garay moved; Director Colquitt III seconded to come out of closed session. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

Vice President Rovirosa stated that it was not addressed in the calendar of events if the board would like to send a delegation with Josh to Santa Fe on March 5th for the Soil and Water Conservation Day. Director Colquitt III motioned to authorize travel for two board members and the Manager to the Soil and Water Conservation Day in Santa Fe on

March 5, 2025, for all actual expenses incurred. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed

Adjour

There being no further business, Vice President Rovirosa moved, and Director Colquitt III seconded, to adjourn the meeting. Directors Garay, Christ, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

The next meeting of the Board of Directors will be held on March 12, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

Water Transfer Hearing

Director Clayshulte Jr. moved; Director Colquitt III seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte, Jr. and Colquitt III aye the motion. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
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E. Discussion regarding the issuance, suspension, renewal, or revocation of a license pertaining to use of EBID property
F. Limited Personnel Matters
G. Other Threatened/Pending Litigation
H. Motion to come out of closed session

Closed Session

Director Garay moved; Director Colquitt III seconded to come out of closed session. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

Vice President Rovirosa stated that it was not addressed in the calendar of events if the board would like to send a delegation with Josh to Santa Fe on March 5th for the Soil and Water Conservation Day. Director Colquitt III motioned to authorize travel for two board members and the Manager to the Soil and Water Conservation Day in Santa Fe on March 5, 2025, for all actual expenses incurred. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed

Adjourn

There being no further business, Vice President Rovirosa moved, and Director Colquitt III seconded, to adjourn the meeting. Directors Garay, Christ, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion.

The next meeting of the Board of Directors will be held on March 12, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**March 12, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, March 12, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Preston Tharp, Greg Daviet, Rafael Rovirosa, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig. Board member James Sloan was absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Director Clayshulte Jr.

EBID personnel present were Joshua Smith, Treasurer-Manager, Joah Franzoy, Assistant Manager; Karin Byrum, Finance Director; David Lutz, Legal Counsel; Gary Esslinger, EBID Consultant; Naomi Ontiveros Executive Assistant; Juan Caballero, EBID GIS & Licensing Administrator. Delyce Maciel, HR/Safety Director, AJ Carlson, EBID; DL Sanders, Legal Counsel; James Narvaez, Irrigations Director; Leah Diaz, Finance Accountant; and Dr. Phil King appeared virtually.

Introduction Guests

EBID Guests present were: Jerry Schickedanz, David Madrid, EBID members.

Virtual attend: Steve Hernandez, CID; Sherryl Smith, OSE, Jerry Melendez, BOR; Ryan Serrano, ISC; Catilyn Owens, OSE; Anthony Collins, NMDA; Jr. Hennessey; Craig Cathy, OSE; Christina Hernandez; Wesley Dutton, EBID Member.

Minutes Approval

Director Garay moved and Director Clayshulte Jr. seconded to approve the February 12, 2025 minutes. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

Calendar Events

Josh Smith presented the calendar of events:
March 13-14th TX v NM Mediation
March 26th EBID Second Regular Scheduled Board Meeting
April 9th EBID Regular Scheduled Meeting
April 28-30th NWRA Conference

Director Clayshulte Jr. advised the Board that on Monday, March 10th on Calle de Norte, where the Mesilla Lateral goes under, concrete pipe was being unloaded by the Town of Mesilla. Director Clayshulte Jr advised that he spoke with Maintenance Director Leo Barrett and Senior Engineer Alex Rubio, who were unaware of the situation. Alex did mention the Town of Mesilla had mentioned it previously, but no formal request was made. Director Clayshulte Jr then called President Daviet to inform him of the situation.

Water Outlook

Dr. King updated the board on the current supply conditions. Storage in EB was 266,318 acre-feet, Caballo 19,828 acre-feet for a total project storage of 286,146 acre-feet, usable project supply 281,332 acre-feet seasonal supply of 259,146 acre-feet. Project Storage has gained 153,00 acre-feet net inflow since October 31, 2024; EB is now at 13 percent of capacity. There has been little gain in snowpack since November. Snow season is winding down and forecasts are for conditions that are warmer and drier than average. Very low available storage in March strongly suggests a June 1 initial release and low final allotment of 5-6inches. EP#1 concurs with this start date assessment.

Financial Review

Karin Byrum, Finance Director, presented the cash balances financial report as of March 11, 2025. Totals for cash in bank and investments are $10,332,447, an increase of $528,505 over 2024. Karin noted that there were no uncommon cash transaction in February and March to date.

Calendar Year Budget Resolution 2025-03

Karin presented Resolution 2025-03 Calendar Year Budget Amendment for approval. Director Garay moved and Director Colquitt III seconded to approve Resolution 2025-03 as presented. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

4th Qtr DFA Report Resolution 202-04

Karin presented Resolution 2025-04 approving the 4th Quarter DFA Report. Vice President Rovirosa moved and Director Garay second to approve Resolution 2025-04 as presented. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

Per Diem, Milage Policy Resolution 2025-05

Karin presented Resolution 2025-05 Approval of Amended Policy on Compensation, Per Diem, and Milage. There were no changes to board member compensation. In the travel section, the rules and regulations are more detailed for the expenditures that can be reimbursed. Examples included the maximum amount set for hotels, mileage, per diem set by the State that are changed every year. Tips will not be reimbursed above 20%. Karin notes travel for anyone not an employee, director or contractor of the district will no longer be paid upfront by the district and reimbursed later. She also advised that Joah is currently working on a new travel form to help make reporting travel easier. All travel must have a travel report and turned into management. Legal Counsel David Lutz notes that a deadline has been created of five business days for travel reports to be turned into management. Discussions between the board and management went back and forth to have a deadline of two weeks or one month. Josh advised during the busy travel season receipts tend to build up and are easily misplaced. Director Colquitt III moved to approve the policy with an amendment to reflect a 30-day deadline, Director Clayshulte Jr. seconded. Karin noted that it is beneficial to have everything turned in within two weeks so reimbursements can be handled in a timelier manner. It was decided the most efficient amount of time would be five business days. Motion to amend the policy was withdrawn. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

Karin presented for approval of Professional Lobbyist Services contract for Water Strategies Lobbyist. This RFP had only one submittal for approval and will be year one of four. There were no changes in fees from the previous contract. Director Colquitt III moved and Director Garay seconded approving the presented contract. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

Lobbyist Contract

Josh advised the board the NWRA on Capitol Hill conference will be in Washington, DC from April 28th to 30th. He expects travel dates to be April 27th and May 1st. Vice President Rovirosa moved, and Director Garay seconded to approve travel and all actual expenses incurred for two board members and one staff member to the NWRA conference in Washington, DC. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed. President Daviet referred who will be attending the conference to the Government Affairs committee.

NWRA Conference

Josh advised at the TX v NM Status conference that was held in Pittsburgh, PA the Judge had ordered all parties to participate in in-person mediation every three weeks beginning on March 13th in Albuquerque, NM. Josh is requesting himself and board members to attend when appropriately needed. Josh notes EBID attorneys and experts are in Albuquerque. President Daviet requested it be approved as scheduled. Director Colquitt III moved, and Director Ludwig seconded to approve travel to Albuquerque regarding TX v NM mediation as ordered and necessary by the district for one staff, one legal counsel, technical experts, and four board members for all actual expenses incurred. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed. President Daviet notes trial has been ordered for June 9, 2025 and the location will be ordered at a later date.

TX v NM Travel

Alex advised the district was notified about a structure the Town of Mesilla was looking to replace. The Town of Mesilla will be extending the culvert at Calle de Norte over the Mesilla Lateral. They had reached out in 2021 asking for multiple culverts to be extended. Under the 1973 agreement with BOR and DOT the structure is covered. EBID will need a temporary construction permit for the extension that will need to be provided by the Town of Mesilla. The permit is expected to be provided by end of day.

Maintenance Projects

Joah presented an overview of the maintenance dashboard and gave a season project overview. The maintenance dashboard model can track the total miles of completed maintenance across our canals and drains. The model categorizes the work into several types, including bank raising, bush removal, dipping, reshaping, scraping and sediment removal. The data provided offers valuable insights into the scope and progress of these projects, allowing us to monitor the effectiveness of the maintenance team's efforts over time. This will help to better assess the overall impact and efficiency in maintaining the integrity of our water infrastructure. In addition, this will allow maintenance to plan and forecast for each construction season going forward. Joah adds he welcomes any feedback from the board.

Special Use Permits

Director Garay moved; Director Clayshulte Jr. seconded the motion to approve the consent agenda. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

Josh advised the HR report is in the Board's packet for review.

President Greg Daviet called to order the Suspension/Transfer Hearing. AJ Carlson presented a total of 6.34 acres for suspension and transfer. Roman S & Susan S Garcia to Diane H Dutton 1.13 acres. Brady C & Holly Williams to Brady C & Holly Williams 4.00 acres. Conlee Farm to Gregory & Cristen C Ball 1.21 acres. Director Colquitt III moved; Director Garay seconded to approve the water transfer total of 6.34 acres. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed. President Daviet asked that Resolutions be formalized as called for by Section 73-13-5 of the New Mexico Statutes Annotated and that the Secretary of the Board certify and file with the State Engineer a true copy of the Resolution and action of the Board. President Daviet also announced that if there is a protestant who disagrees with the action of the Board, he/she may appeal this decision directly to the District Court as provided under Section 73-13-4 of the New Mexico Statutes. Motion to adjourn the Board sitting for water transfer hearing by Vice President Rovirosa seconded by Director Garay. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

Water Transfer Hearing

Vice President Rovirosa moved; Director Garay seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Other Threatened/Pending Litigation
E. Motion to come out of closed session

Closed Session

Director Garay moved; Director Clayshulte Jr. seconded to come out of closed session. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

There being no further business, Director Clayshulte Jr. moved, and Director Garay seconded, to adjourn the meeting. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

The next meeting of the Board of Directors will be held on March 26, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Adjourn

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**March 26, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, March 26, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig. Board member Preston Tharp was absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Director Casey Crist.

EBID personnel present were Joah Franzoy, Assistant Manager; David Lutz, Legal Counsel; and Gary Esslinger, EBID Consultant. Leah Diaz, Finance Accountant, Pete Domenici, Jr., Legal Counsel, DL Sanders, Legal Counsel and Dr. Phil King appeared virtually.

Introductic Guests

Virtual attend: L. Vasquez.

Director Clayshulte Jr. moved and Director Garay seconded to approve the March 12, 2025 minutes. Directors Garay, Crist, Rovirosa, Clayshulte Jr., and Ludwig aye the motion (Director Colquitt III and Director Sloan were out of the room at time of passage). Motion passed.

Minutes Approval

Vice President Rovirosa moved; Director Garay seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Crist, Rovirosa, Clayshulte Jr., and Ludwig aye the motion (Director Colquitt III and Director Sloan were out of the room at time of passage). Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

Closed Session

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Other Threatened/Pending Litigation
E. Motion to come out of closed session

Director Garay moved; Director Colquitt III seconded to come out of closed session. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

Adjourn

There being no further business, Director Rovirosa moved, and Director Ludwig seconded, to adjourn the meeting. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

The next meeting of the Board of Directors will be held on April 9, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**April 9, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, April 9, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Preston Tharp, Greg Daviet, Rafael Rovirosa, James Sloan, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Casey Crist.

Introduction Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Karin Byrum, Finance Director; David Lutz, Legal Counsel; Gary Esslinger, EBID Consultant; Alex Rubio, Senior Engineering Manager; Scott Gamboa, Engineering Licensing and Land Technician. Delyce Maciel, HR/Safety Director, AJ Carlson, EBID; Pete Domenici, Jr. Legal Counsel, DL Sanders, Legal Counsel; James Narvaez, EBID Systems Director; and Dr. Phil King appeared virtually.

EBID Guests present were: Ernesto Perez; Estella Perez; Jerry Schickedanz; Bruce [last name unclear]; EBID members; Alfred Perrault, OSE/ISC; Ryan Serrano ISC.

Virtual attend: AJ Carlson; F. Borunda; Caitlyn Owens, OSE; T. Deon; J. Astorga; Sheryl Smith; Steve Hernandez, CID; Christina Hernandez; JR Hennessey; I. Alvaro.

Minutes Approval

President Daviet indicated the next item was review and approval of the March 26, 2025 Board Meeting minutes. Director Colquitt III moved and Director Ludwig seconded to approve the minutes. Directors Garay, Crist, Ludwig, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Directors Tharp and Sloan were not in the room at the time of voting. The Motion passed unanimously.

Calendar Events

Josh Smith presented the calendar of events:
Dates for Grower's Meetings have been set.
North Meeting will be Monday May 19, 2025 at the Hatch Community Center from 8:00 A.M. – 10:00 A.M.
Central Meeting will be Monday May 19, 2025 at the EBID Main Office from 2:00 P.M. – 4:00 P.M..
South Meeting will be Tuesday May 20, 2025 at Anthony Country Club at 8:00 A.M. – 10:00 A.M..
Next Board Meeting will be Wednesday April 23, 2025 at 9:00 A.M..
President Daviet noted that a mediation session will be held in Denver on April 22, 2025 but it is believed that attending Board and other personnel would be back in time. Vice President Rovirosa indicated he would not be at the meeting and that Director Sloan would be unlikely to attend. Director Colquitt indicated he would not be at the meeting as well but could potentially attend by Zoom. Director Clayshulte asked the purpose of the meeting. President Daviet indicated a closed session update of Texas v. New Mexico would likely occur. President Daviet indicated to the attendees that it was not expected that significant open session business would occur and that a portion of the Board would not be present.

Water Outlook

Dr. King updated the board on the current supply conditions. Storage in EB was 278,740 acre-feet, Caballo 19,467 acre-feet for a total project storage of 298,207 acre-feet and seasonal supply of 271,207 acre-feet. There is about a 100 acre-feet per day of inflow into EB. Dr. King indicated it was not the worst of years but a pretty bad year in terms of water supply. The figures are close to 2022 which followed a worse year and is on the pretty low end of things. Inflow to EB is about done. Other than a flash of monsoon, Dr. King does not expect further significant inflow until October. Dr. King went over the river gages. The precipitation figures remained relatively dry even with the precipitation last week. It was not a good snowpack year. Dr. King expects a quick meltdown. Some new minimums were set this year for minimums in the upper Rio Grande reach and lower Rio Grande/EB reach. Dr. King went over the Unregulated Flow Forecasts for April through July. The figures were not the worst that have been seen but is a bad year. Dr. King went over the U.S. Drought Monitor. New Mexico is all in some level of drought condition. Very low available storage suggests a May 30 initial release and low final allotment of 5-6 inches, leaning towards 6 inches. The allotment at the May Board of Directors Meeting will be expected to be both the initial and final allotment for the season. Director Colquitt III asked about the recent snow's effect on the charts presented. Dr. King explained how it would not make it to EB, noting that MRGCD is currently on. Dr. King discussed the concept of dead pools to prevent fish kill and portions that are not released. President Daviet indicated he expected a quorum to be in attendance at the first May Board of Directors meeting. President Daviet indicated to the public that a meeting would occur by Reclamation at its Operations and Planning Meeting on April 11. Dr. King indicated he would confirm whether that was open to the public and would send it to the Treasurer-Manager. James Narvaez provided what a 5 – 6 inch allotment would look like in terms of calendar dates for various options. Mr. Narvaez discussed some of the lessons learned from the 2022 water year to get the water where it is needed at what time and on what date. President Daviet summarized it would be an expected 5 – 6 week season with expected water deliveries some time in the first week of June. The allotment will be set at the first May Board of Directors Meeting followed by the Growers Meeting. Director Sloan asked what EP#1 planned to do. Dr. King and Mr. Narvaez confirmed EP#1 will have a similar start date and will probably get through the month of July with its water season.

General & Admin./ Financial Review

Joah Franzoy indicated that at the next meeting it was expected that the first Budget adjustment would be done for the year. Karin Byrum, Finance Director, presented the cash balances financial report as of Friday, April 4, 2025. The District is still ahead compared to last year and is up to 90% of its assessment collection.

Manager's Update

Treasurer-Manager Josh Smith indicated that the NM Water Leaders Workshop will be April 14 – 16 in Silver City. The District's Lobbyist will attend. The NWRA Policy Conference will take place April 18 – 30 in Washington DC. Previously, travel was approved. The Government Affairs Committee recommends that with all going on, the District would not attend. President Daviet inquired if any Board members had already made commitments to attend. No Board members indicated that was the case. A trip for lobbying purposes would likely occur later in the year. Mr. Smith indicated that Mediation in Texas v. New Mexico would continue in Denver on April 22 at a hotel at the Denver airport. Counsel DL Sanders indicated an Order had been entered on the subject of the mediation. Travel for these sessions has already been approved. By way of legal update, Mr. Smith indicated that since mediation in Pittsburgh, the parties and the District amici are working diligently towards a settlement. A meeting occurs roughly every day. A better picture will exist after April 22.

Mr. Gamboa indicated that there was no specific Engineering and Maintenance Update at this time.

Engineering Maintenance

President Daviet turned to the Consent Agenda. President Daviet inquired as to whether any specific permit requests should be pulled from the Consent Agenda for general consideration. Director Clayshulte asked about the identify of Black Calyx, LLC. Vice President Rovirosa requested to act upon Black Calyx, LLC Permit Requests separately to discuss further.

Director Clayshulte moved and Director Garay seconded to approve the Consent Agenda. . Directors Garay, Crist, Ludwig, Rovirosa, Clayshulte Jr., Sloan, Tharp and Colquitt III aye the motion. The Motion passed unanimously.

Special Use Permits

Mr. Gamboa gave a general presentation regarding 2025-L-029 and 2025-L-030. Counsel David Lutz discussed the background filing of the LLC with the New Mexico Secretary of State. President Daviet noted the address is near agricultural property where the permits are located. Mr. Gamboa indicated the crossings were for agricultural use. President Daviet indicated no evidence of development that would suggest a residential, non-agricultural use. Director Sloan moved to approve Permits 2025-L-029 and 2025-L-030. Director Tharp seconded the Motion. Directors Garay, Crist, Ludwig, Rovirosa, Clayshulte Jr., Sloan, Tharp and Colquitt III aye the motion. The Motion passed unanimously.

The list of approved Special Use Permits is as follows:

| EBID Job # | Board Response | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval ? |
|---|---|---|---|---|---|---|
| EBID ROU LICENSE LIST - APRIL 9, 2025 BOARD MEETING | | | | | | |
| 2025-053 | | N | **2025-L-025 CHAMBERINO MDWC & SC / JOSE LUIS SEGURA** TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED 8" WATERLINE CROSSING UNDER THE WEST DRAIN AT APPROXIMATE STATION 761+00 | $4,180.00 | N | Y |
| 2025-054 | | N | **2025-L-026 CHAMBERINO MDWC & SC / JOSE LUIS SEGURA** TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED 8" WATERLINE CROSSING UNDER THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 80+75 | $3,420.00 | N | Y |
| 2025-063 | | Y | **2025-L-029 BLACK CALYX, LLC_X-REF 2008-007 / 2008-L-058** TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE ALAMO LATERAL AT APPROXIMATE STATION 35+40 | $3,420.00 | Y | Y |
| 2025-064 | | Y | **2025-L-030 BLACK CALYX, LLC_X-REF 2008-007 / 2008-L-058** TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE DEL RIO DRAIN AT APPROXIMATE STATION 1054+84 | $3,800.00 | Y | Y |
| 2025-066 | | N | **2025-L-031 EL PASO ELECTRIC CO.** TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE COLORADO DRAIN AT APPROXIMATE STATION 34+98 | $4,180.00 | N | Y |
| 2025-067 | | N | **2025-L-032 ESTELLA PEREZ** TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE PICACHO MAIN AT | $3,420.00 | Y | Y |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | APPROXIMATE STATION 310+00 | | | |
| 2025-076 | | Y | **2025-L-033 HOLBROOK & PRITCHETT FARMS INC. X-REF 2012-199 / 2012-L-116** TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE LAKE SPUR DRAIN AT APPROXIMATE STATION 1+00 | $3,800.00 | Y | Y |
| | | | **TOTAL CHARGED $ (N)** | $11,780.00 | N | Y |
| | | | **TOTAL WAIVED $ (Y)** | $14,440.00 | Y | Y |
| | | | **TOTAL** | $26,220.00 | Y | Y |

The Treasurer - Manager gave the HR/Safety Update. Mr. Smith indicated the District was back up to 82 employees. Mr. Smith indicated interest and interviewing for the Administrative Assistant position. The Board of Directors recognized Leah Diaz for 20 years of service. The Board of Directors recognized Kurt Geiser for ten years of service. President Daviet suggested that recognition be moved in future agendas to just after Introduction of Guests. HR/Safety Update

Vice President Rovirosa moved; Director Garay seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte, Jr., Tharp, Ludwig and Colquitt III aye the motion. Directors Garay, Crist, Ludwig, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session: Closed Session

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Discussion regarding purchase, acquisition, or disposal of real property of water rights
E. Motion to come out of closed session

Vice President moved; Director Colquitt III seconded to come out of closed session. Directors Garay, Crist, Ludwig, Rovirosa, Clayshulte Jr., Sloan, Tharp and Colquitt III aye the motion. The Motion passed unanimously. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

President Daviet noted that the Rio Grande Compact Commission will be meeting on April 25 in Alamosa, Colorado. EBID Personnel will travel on April 24. Approval of the travel will occur at the April 23 Board meeting. There will be one night in Alamosa with a return the next day.

There being no further business, Director Garay moved; Vice President Rovirosa seconded, to adjourn the meeting. Directors Garay, Crist, Ludwig, Rovirosa, Clayshulte Jr., Sloan, Tharp and Colquitt III aye the motion. The Motion passed unanimously. Adjourn

The next meeting of the Board of Directors will be held on April 23, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**April 23, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, April 23, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, John Clayshulte Jr., Prescott Colquitt III (virtually), and Henry Ludwig. Board member Preston Tharp, Board Member James Sloan, and Vice-President Rafael Rovirosa were absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Treasurer-Manager Josh Smith.

Introduction Guests

EBID personnel present were Joah Franzoy, Assistant Manager; David Lutz, Legal Counsel; Karin Byrum, Finance Director and Gary Esslinger. Pete Domenici, Jr., Legal Counsel, DL Sanders, Legal Counsel and Dr. Phil King appeared virtually.

Virtual attend: Jerry Melendrez, Ryan Serrano, ISC.

Minutes Approval

Director Garay moved; Director Clayshulte Jr. seconded to approve the April 9, 2025, minutes. Directors Garay, Clayshulte, Jr., Colquitt, and Ludwig aye the motion (Director Crist had not yet arrived). Motion passed.

Calendar of Events

Treasurer-Manager Smith indicated the Rio Grande Compact Commission is set for April 24 - 25, 2025 in Alamosa, Colorado. President Daviet, Director Garay, Director Ludwig, Director Colquitt, Treasurer-Manager Josh Smith, Dr. King, Legal Counsel D.L. Sanders, and Legal Counsel Pete Domenici. Director Colquitt moved. Director Garay seconded to approve all actual expenses for 4 Board Members, the Treasurer-Manager, and 3 Consultants for travel to Alamosa, Colorado for the Rio Grande Compact Commission. Directors Garay, Clayshulte, Jr., Colquitt, and Ludwig aye the motion (Director Crist had not yet arrived). Motion passed.

General/ Administrati

Finance Director Byrum presented a Contract Amendment for Libbin Underwood Engineering & Surveying to add subcontractors. Alamosa Land Institute is being added to assist with habitat and watershed projects associated with Federal funding opportunities. Freese and Nichols, Inc. assists with Flood Control and Dam Engineering Efforts. The Board of Directors confirmed the State of New Mexico government rate for mileage. Director Garay moved. Director Clayshulte, Jr., seconded to approve the Contract Amendment. Directors Garay, Clayshulte, Jr., Colquitt, and Ludwig aye the motion (Director Crist had not yet arrived). Motion passed.

The Board of Directors confirmed the first quarter budget adjustment will occur at the first May Regular Board of Directors Meeting.

Closed Session

Director Clayshulte Jr. moved; Director Colquitt seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Clayshulte, Jr., Colquitt, and Ludwig aye the motion (Director Crist had not yet arrived). Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Other Threatened/Pending Litigation
E. Motion to come out of closed session

Adjourn

Director Garay moved; Director Ludwig seconded to come out of closed session. Directors Garay, Crist, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session. Some discussion of carpooling to the Rio Grande Compact Commission Meeting occurred.

There being no further business, Director Garay moved, and Director Clayshulte, Jr. seconded, to adjourn the meeting. Directors Garay, Crist, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed.

The next meeting of the Board of Directors will be held on May 14, 2025, beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**April 28, 2025**

An Emergency Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, March 26, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig. Board member Preston Tharp was absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Vice-President Rafael Rovirosa.

EBID personnel present were Josh Smith, Treasurer-Manager; David Lutz, Legal Counsel; and Gary Esslinger, EBID Consultant. Pete Domenici, Jr., Legal Counsel, DL Sanders, Legal Counsel and Dr. Phil King appeared virtually. Introductic Guests

Director Garay moved; Director Colquitt seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Colquitt, Garay, Crist, Rovirosa, Clayshulte Jr., Sloan and Ludwig aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session: Closed Session

A. Texas v. NM (USSC)
B. Motion to come out of closed session

Director Garay moved; Director Colquitt III seconded to come out of closed session. Directors Garay, Crist, Sloan, Rovirosa, Colquitt III and Ludwig aye the motion (Director Clayshulte, Jr. had to leave the meeting early while still in session). Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

There being no further business, Director Ludwig moved, and Director Colquitt seconded, to adjourn the meeting. Directors Garay, Crist, Sloan, Rovirosa, Colquitt III and Ludwig aye the motion (Director Clayshulte, Jr. had to leave the meeting early while still in session). Motion passed. Adjourn

The next meeting of the Board of Directors will be held on May 14, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**May 14, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, May 14, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig. Board member Preston Tharp arrived during closed session.

The Invocation was given by Board Secretary Randy Garay, followed by the Pledge of Allegiance led by Director James Sloan.

Introductic of Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Karin Byrum, Finance Director; James Narvaez, Director of Irrigation; Alex Rubio, Senior Engineering Manager; Scott Gamboa, Land and Licensing Technician; and Dr. Phil King appeared virtually.

EBID guests present were J. Dwight Bell Jr, Farmer; Jerry Schickedanz, Collaborator; Alfred Perault, OSE; Ryan Serrano, Interstate Stream Commission; Beth Bardwell, Resident; Ralph Lucero, Farmer; and Nicole Chavez, NRCS.

Virtual attendees present were Leah Diaz, EBID; Steven Henandez, CID; Tammie Deon, EBID; Anthony Collins, NMDA; Delyce Maciel, EBID; Elizabeth Verdecchia; Ina Alvarado, EBID; Jr. Hennessey; Juan Hernandez; Marc T.; Sherryl Smith; Skye Devore; Scott Gamboa, EBID; K. Maynard; and Max Henkles.

Minutes Approval

Director Colquitt moved, and the motion was seconded by Director Ludwig to approve the April 23, 2025 regular board meeting minutes and the April 28, 2025 emergency board meeting minutes. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.

Calendar Events

Josh Smith stated that the Growers' Meetings will be held next week. On May 19, 2025, the North Area will meet at 8 AM at the Hatch Community Center and the Central Area will meet at 2 PM at the EBID Office. The South Area meeting will be on May 20, 2025, at 8 AM at the Anthony Country Club.

Honoring Anthony James Salopek Resolutior

President Daviet presented the Resolution in Memory of Anthony James Salopek for approval and asked that the Board accept the motion and to include a contribution in lieu of flowers to the Family Farm Alliance. Director Colquitt III moved to adopt the motion and to include a contribution to $100 to the Family Farm Alliance in memory of James Salopek, and the motion was seconded by Director Clayshulte Jr. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.

Water Resources Report

Dr. King presented the water supply update. As of May 12, 2025, current supply in Elephant Butte (EB) and Caballo reservoirs were 301,115 acre-feet (AF). The release from EB began at the end of April. Since the initial allocation on April 10, 2025, project storage has picked up 1,800 AF in storage. The Rio Grande Compact (RGC) credit is at 7,200 AF that will be set aside for the entire season. San Juan-Chama is at 4,672 AF. Minimum pools that are not releasable are being held in EB at 10,000 and 12,000 in Caballo. There is a total seasonal supply of 269,115 AF. We are gaining about 300 AF per day, but that number is not completely accurate. It reflects the reservoir level dropping in EB, and the bank storage coming out, so essentially it is at zero at this point. The spring runoff is about to be done and will not make it to EB. There hasn't been any new inflow into EB reservoir from the beginning of this month to now. Dr. King will be tracking project storage throughout the year.

Weather/ Runoff Forecast

Dr. King reported that total precipitation has improved since last month. Upper Rio Grande is at 75% of average, Rio Chama 75%, Sangre de Cristo 89%, and Jemez at 72%. He discussed the Rio Grande headwaters and noted we are in the lower 20th percentile for this snow year. It was a dismal snow year, and there was basically no spring runoff. The precipitation forecast is neutral. There is a high probability of warmer than average temperatures. The US drought monitor indicates that drought is intensifying in the southern part of the state. There is extreme drought through much of the upper and middle Rio Grande in New Mexico. That isn't expected to change unless there is a significant monsoon season. There is some improvement in the seasonal drought outlook on the east side of the state, however, the Rio Grande basin remains unchanged, and drought persists.

Allotment 2025 Wate Season

Dr. King went over the allocation and potential allotment for the 2025 water season. The first initial allocations were made to EBID, EP#1, and Mexico on April 10, 2025. On this date the seasonal supply was at 267,312 AF. Mexico was allocated 13,450 AF, based on seasonal supply. This year's allocation to the two Districts is based on the 2025 water which is 144,124 AF. EP#1 had 58,772 AF in carryover. They will be allocated 40,910 AF (43.2%). Total allocation of 99,682 AF. EBID had 33,619 AF in carryover. They will be allocated 53,733 AF (56.8%). Total allocation of 87,352 AF. The division of EBID's 2025 allocation and EP#1's allocation is exactly the 57/43 proportions of the district authorized acreage. EBID's total allocation of 87,352 AF spread out over 90,640 acres and an assumed 55% conveyance factor from diversion to farm head gate delivery results in a potential allotment of 6.36 inches. The recommended initial and likely final allotment is at 6 inches. The EB release began at the end of April. Caballo gates will open on the morning of May 30, 2025. There is nothing to indicate that there will be enough water coming in to make an additional allocation this season.

James Narvaez stated he did not have any additions regarding the weather and runoff forecast, and he agrees with the allotment of 6 inches.

Vice President Rovirosa moved; Secretary Garay seconded to approve the initial allotment for the 2025 water season. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed. The allotment is set at 6 inches.

Release dates

James Narvaez discussed the 2025 Irrigation Season announcement and release schedule. The water order desk will open on May 19, 2025, and take pre-orders through May 23, 2025. The first initial release from Caballo will be on May 30, 2025. Estimated date of diversion into main canals is between June 1-3, 2025. Estimated date of delivery to farms is between June 3-5, 2025. Based on the allotment, EBID will be able to provide one flat-rate weekend. Mr. Narvaez proposed the dates of June 14-15, 2025, for the flat rate weekend. The estimated length of the irrigation season is 35-40 days.

Director Clayshulte Jr. moved; Vice President Rovirosa seconded to approve a single flat rate weekend for June 14th and 15th. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.

Action Item: Mr. Smith will put out an announcement that water orders will begin May 19, 2025, with expected deliveries beginning June 5, 2025.

Financial Review

Joah Franzoy presented the financial report. He provided a high-level overview of the budget, noting that EBID is currently under budget by $835,811. This is primarily due to grant expenses, labor and fringe benefits, fuel, repairs and maintenance, fleet vehicles and lease expenses. Grant revenue/expenses and other categories are expected to pick up later in the year. Mr. Franzoy described the proposed budget adjustments and presented the Amended Budget Resolution 2025-06. President Daviet asked for clarification on the attachment to the resolution. Franzoy explained that the first column in the attachment is the original budget for the year, the second column is budget adjustments

that have been necessary as we continue to monitor the budget throughout the year. The last column lists all the final adjustments to the budget. The adjusted budget shows a surplus of $136,344 for the year. Franzoy went over major drivers for the budget adjustments.

Calendar Year Budget Resolutior 2025-06

Vice President Rovirosa moved; Director Garay seconded to approve Resolution 2025-06, Budget Adoption Amended Fiscal Year 11/01/2024 to 10/31/2025 and Calendar Year 1/1/2025 to 12/31/2025. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.

Cash Flow Report

Karin Byrum discussed the cash flow for EBID. There is $10,138,495 between investments and cash in the bank as of May 9, 2025. Earnings from interest on investments have gone down slightly because interest rates have decreased. The rate is currently at 4.2%. She mentioned that we made and received grant proceeds from the Delivery and Conservation grant of $400,000.

Manger's Update

Josh Smith introduced Marilyn Crawford, the new Executive Assistant for EBID.

Mr. Smith reported on the Rio Grande Compact Commission Meeting in Alamosa, CO in late April. Much of the meeting was spent negotiating settlement in Texas v. New Mexico, and hearing from representatives from the three states about their concerns.

Mr. Smith announced that last week he attended the New Mexico Watershed and Dam Waters Coalition annual conference with Engineering Supervisor, Alex Rubio and Casey McGuire from Hatch. He presented at the conference on Expo and National Association of Conservation Districts, as well as what EBID is doing.

Mr. Smith reported on the Rio Grande Trail Stake Holder's Meeting. Mr. Smith and Engineering staff attended the meeting two weeks ago in Hatch, NM. The meeting was to discuss legislation that was brought forth by Senator Steinborn in 2012 to establish a Rio Grande Trail. This trail will be modeled similarly to the Continental Divide Trail. It does not require construction or signage but would provide a map of the location along the Rio Grande corridor, from Colorado to Texas. The intent, at least through the lower Rio Grande Basin, is to utilize the IBWC Levee Roads as the trail will go through all our District. Engineering has a file that shows where they are going to cross EBID structures, and Mr. Smith does not foresee any issues. It is still early in the planning stages, but EBID will be working with them as this project continues. Mr. Smith stated access to this trail will be allowed to hikers, bikers, and horseback. No motorized vehicles will be allowed.

Mr. Smith stated he and Delyce Maciel have secured a contractor to provide harassment training for the Board and Management. Mr. Smith proposed scheduling the training after one of the second board meetings, and recommended the date of June 25, 2025 and noted that this training has been approved in the budget.
Action Item: President Daviet instructed Mr. Smith to go forward with the harassment training on June 25, 2025.

Mr. Smith stated that he and Delyce Maciel will be attending an Active Killer, De-escalation, and Situational Awareness Training provided by Phillip Ball at the Farm and Ranch Heritage Museum in Las Cruces tomorrow. The training will be from 9 AM to 4 PM. After the training Mr. Smith will consider if we should do this training for our staff as well.

Maint/Proj Update

Alex Rubio, Senior Engineering Manager, had no update at this meeting.

Permits

Approval of the Consent Agenda. President Daviet addressed Director Sloan and asked if Monte Vista Farms was his operation. Director Sloan stated that it is. President Daviet requested that 2025-L-036 Monte Vista Farms/Sloan, 2025-L-037 Monte Vista Farms/Sloan, and 2025-L-038 Monte Vista Farms/Sloan be pulled from the consent agenda to be acted on separately. Vice President Rovirosa moved; Secretary Garay seconded to approve the consent agenda, noting that the Monte Vista Farms items are not included. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.

Scott Gamboa, Land and Licensing Technician, presented the Monte Vista Farms Right of Use License applications. License 2025-L-036 is to construct, operate and maintain two harvest gates on the right and left banks of the upper Chamberino lateral. License 2025-L-037 is to construct, operate, and maintain a new vehicle culvert crossing the upper Chamberino lateral. License is 2025-L-38 is to construct, operate, and maintain a new vehicle culvert crossing the Castillo Lateral. Staff recommends approval. President Daviet noted that the land use fees have been requested to be waived on those three permits in compliance with policy.

Director Colquitt III moved; Director Crist seconded to approve the three applications (2025-L-036, 2025-L-037, 2025-L-038) and waive the fees for Monte Vista Farms. Director Sloan abstained. Directors Garay, Crist, Clayshulte Jr., Ludwig, Colquitt III, and Rovirosa aye the motion. Motion passed with one abstention.

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval ? |
|---|---|---|---|---|---|---|
| | | | EBID ROU LICENSE LIST - MAY 14, 2025 BOARD MEETING | | | |
| 1 | 2025-078 | N | 2025-L-034 NTS COMMUNICATIONS dba VEXUS FIBER<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 7+75 | $3,800.00 | N | Y |
| 2 | 2025-091 | N | 2025-L-036 MONTE VISTA FARMS / SLOAN<br>TO CONSTRUCT, OPERATE, AND MAINTAIN TWO HARVEST GATES ON THE RIGHT AND LEFT BANKS OF THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 158+90 | $3,800.00 | Y | Y |
| 3 | 2025-092 | N | 2025-L-037 MONTE VISTA FARMS / SLOAN<br>TO CONSTRUCT,OPERATE AND MAINTAIN A NEW VEHICLE CULVERT CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 124+50 | $3,800.00 | Y | Y |
| 4 | 2025-093 | N | 2025-L-038 MONTE VISTA FARMS / SLOAN<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A NEW VEHICLE CULVERT CROSSING THE CASTILLO LATERAL AT APPROXIMATE STATION 15+42 | $3,420.00 | Y | Y |
| 5 | 2025-133 | N | 2025-L-078 COMCAST / CABLECOM<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE MESILLA LATERAL AT APPROXIMATE STATION 283+80 | $3,800.00 | N | Y |
| | | | TOTAL CHARGED $ (NO) | $7,600.00 | N | Y |
| | | | TOTAL WAIVED $ (YES) | $11,020.00 | Y | Y |
| | | | TOTAL | $18,620.00 | Y | |

Josh Smith presented the HR/Safety update noting the current employee count is 81 with one recent hire. Currently testing and interviewing for an equipment operator in the south. There is an upcoming holiday, Memorial Day, Monday, May 26, 2025. HR/Safety Report

President Daviet called to order the Suspension/Transfer Hearing. Mr. Rubio stated there are no water transfers this month. There are 12 voluntary suspensions that total 7.68 water righted acres to suspend, and staff recommends approval on all. Director Sloan asked if this was going to EBID. Mr. Rubio stated yes. Vice President Rovirosa moved; Secretary Garay seconded to approve the water transfer total of 7.68 acres. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed. President Daviet asked that Resolutions be formalized as called for by Section 73-13-5 in New Mexico Statutes, and that the Secretary of the Board certify and file with the State Engineer a true copy of the Resolution and action of the Board. President Daviet also announced that if there is a protestant who disagrees with the action of the Board, they may appeal this decision directly to the District Court as provided under Section 73-13-4 of the New Mexico Statutes. Motion to adjourn the Board sitting for water transfer hearing by Secretary Garay; Director Colquitt III seconded. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed. Water Transfer Hearing

Director Colquitt III moved; Vice President Rovirosa seconded to go into closed session. Motion passed. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session: Closed Session

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Discussion regarding purchase, acquisition, or disposal of real property or water rights
E. Motion to come out of closed session

Vice President Rovirosa moved; Secretary Garay seconded to come out of closed session. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III and Ludwig aye the motion. Motion passed. President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

There being no further business, Director Colquitt III moved, and Secretary Garay seconded to adjourn the meeting. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed. Adjourn

The next meeting of the Board of Directors will be held on May 28, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**May 28, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9 am on Wednesday, May 28, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, Rafael Rovirosa, Prescott Colquitt III, and Henry Ludwig. Board members Preston Tharp, John Clayshulte Jr., and James Sloan were absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Director Prescott Colquitt III.

Introduction of Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Gary Esslinger, Consultant; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Joah Franzoy, Assistant Manager appeared virtually; Delyce Maciel, Director of HR & Safety appeared virtually; Leah Diaz, Chief Procurement Officer appeared virtually; Dr. Phil King appeared virtually; DL Sanders, Legal Counsel appeared virtually; and Pete Domenici, Legal Counsel appeared virtually.

EBID guests present were Rita Crites, IBWC; Alfred Perault, OSE; and Jeremy Miller, Reporter.

Virtual attendees present were Anthony Collin, NMDA; Tia Cavender, Dig Deep; Ryan Serrano, NMISC; and L. Vasquez; and Marc T.

Minutes Approval

Director Colquitt moved, and the motion was seconded by Director Crist to approve the May 14, 2025 regular board meeting minutes. Directors Garay, Crist, Rovirosa, Colquitt III, and Ludwig aye the motion. Motion passed.

Tia Cavender presented on Dig Deep Research a grant system advisory service.

Release Date Approval

Approval of May 30, 2025 Release Date. Vice President Rovirosa moved, and the motion was seconded by Secretary Garay to approve the May 30, 2025, release date and season start. Dr. King reported that the Bureau of Reclamation has requested a delay in the release start time from 6 am to 8 am on May 30, 2025. Additionally, there is a possibility of initiating a preliminary low release of 200 cubic feet per second (CFS) on the afternoon of May 29, 2025, to test the system and facilitate the filling of the area between Caballo Dam and Percha Dam. The full release would then proceed at 8 am on May 30, 2025. Vice President Rovirosa amended the motion to approve a release date of May 29th or 30th to be determined by the Bureau of Reclamation; motion was seconded by Secretary Garay. Directors Garay, Crist, Rovirosa, Colquitt III, and Ludwig aye the motion. Motion passed.

Infrastruct. Capital Impr. Plan (ICIP)

Secretary Garay reported on the Committee for Capital Improvement. The committee met on May 21, 2025, to discuss plans for the development of the EBID Infrastructure Capital Improvement Plan (ICIP). The ICIP is a funding application process established by the State of New Mexico to support needs beyond the District's regular budget. It sets planning priorities for anticipated projects for the 2027–2031 period. The committee established a list of 11 projects/priorities for EBID. The deadline to submit the ICIP is June 13, 2025.

Josh Smith noted the requirement to hold a public input session for the ICIP. He then reviewed the list of priorities. No public comments were received.

| Priority | Project |
|---|---|
| 1 | Upgrades of Mesilla diversion dam including automation, emergency back-up power, etc. |
| 2 | Equipment for water conservation, infrastructure projects, and public safety. |
| 3 | Repeater building on Robledo Mountain with 40-foot tower. |
| 4 | Upgraded Fabrication Shop, Office extension, and bathrooms. |
| 5 | New mechanic shop. |
| 6 | Lining and automation of Leasburg Canal. |
| 7 | Piping laterals that are close to roads, important intersections, or in highly populated areas (12.5mi) |
| 8 | Early warning system for floods. |
| 9 | Upgrade flume at Picacho with a siphon. |
| 10 | Sediment capture and water holding ponds. |
| 11 | Public safety notices and signage. |

President Daviet supports sending the ICIP Project Priority List as presented, which will be reviewed annually, with adjustments made to projects and priorities as necessary.

Manager's Update

Josh Smith stated that photographs of board members are needed for the website and the lobby. He requested that members submit photos and bios to Marilyn Crawford prior to the next board meeting. If photos are not received by that time, they will be taken at the meeting scheduled for June 11, 2025.

Mr. Smith reported that the next hearing for TX v. NM will be held on or after September 18, 2025. The specific date and location have not yet been determined.

Mr. Smith announced that NMED has initiated the rulemaking process for the New Mexico Heat Illness and Injury Prevention Rule. The public comment period is currently open and will remain so until May 30, 2025. EBID and Carlsbad Irrigation District are collaborating on comment development, and Mr. Smith will submit comments on behalf of EBID. President Daviet asked if it would be appropriate to inform constituents about this proposed rule and the public comment process via our website. David Lutz stated that it would be acceptable, provided that members are not encouraged to take a specific stance on the matter. President Daviet deferred to Mr. Smith for the decision on whether to publish the content to the website.

Calendar of Events

Mr. Smith presented the calendar of events.

A. Tour with Special Master for TX v. NM - June 17-18, 2025. The Special Master will fly into El Paso. The tour itinerary has not been finalized; however, preliminary details indicate that the tour will start at Elephant Butte on the morning of the 17th and conclude at the EBID District that same afternoon. The tour will then proceed to EP#1 on the 18th. Mr. Smith expressed concern that, if the Legal Review Committee attends the tour and stops are made at Board Members' farms, a Notice of Potential Quorum would need to be posted. David Lutz advised that there would be time to post this notice after the board meeting on June 11, 2025. President Daviet stated that the decision to post the Notice of Potential Quorum before or after the next board meeting would be left to Mr. Smith's discretion. Pete Domenici noted that the other parties are sending one attorney on the tour. DL Sanders stated that he will be available to attend. President Daviet emphasized the need to determine the number of attendees for the tour and identify those best suited to effectively inform the Special Master. He requested that board members remain available on June 17–18, noting that as the itinerary develops, decisions can be made regarding necessary attendees.
B. Mandatory Harassment Training for Board - June 25, 2025, 11am – 1pm. Board members unable to attend this training will have the opportunity to participate in a training session for Management scheduled for July 17, 2025.
C. NWRA Western Water Seminar - July 29-31, 2025 in Park City, Utah
   Action Item: Include NWRA Western Water Seminar Agenda in packet for next board meeting (if

available)

Closed Session

Vice President Rovirosa moved; Director Colquitt III seconded to go into closed session. Directors Garay, Crist, Rovirosa, Colquitt III, and Ludwig aye the motion. Motion passed. Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Discussion regarding purchase, acquisition, or disposal of real property or water rights
E. Report on Kinder Morgan Matter and CRRUA – Dr. K.C. Carroll
F. Motion to come out of closed session

At 10:30 AM, President Daviet departed the meeting, and Vice President Rovirosa assumed presiding duties for the remainder of the session.

Director Colquitt III moved; Director Ludwig seconded to come out of closed session. Directors Garay, Crist, Rovirosa, Colquitt III, and Ludwig aye the motion. Motion passed. Vice President Rovirosa noted the only matters discussed in closed session were the items identified in the motion to go into closed session and no actions were taken.

Adjourn

There being no further business, Secretary Garay moved, and Director Colquitt III seconded to adjourn the meeting. Directors Garay, Crist, Rovirosa, Colquitt III, and Ludwig aye the motion. Motion passed.

The next meeting of the Board of Directors will be held on June 11, 2025 beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS MEETING**
**June 11, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, June 11, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, Rafael Rovirosa, John Clayshulte Jr., Preston Tharp, and Henry Ludwig. Board members James Sloan and Prescott Colquitt III were absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Secretary Randy Garay.

Introductior of Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Karin Byrum, Finance Director; James Narvaez, Director of Irrigation, appeared virtually; Alex Rubio, Senior Engineering Manager, appeared virtually and in-person; Leah Diaz, Chief Procurement Officer, appeared virtually; AJ Carlson, Land Records Admin, appeared virtually and in-person, Scott Gamboa, Land and Licensing Technician, appeared virtually and in-person; Delyce Maciel, Director of HR and Safety, appeared virtually; Tammie Deon, Administrative Assistant, appeared virtually; DL Sanders, Legal Counsel, appeared virtually; and Dr. Phil King appeared virtually.

EBID guests present were Alfred Perrault, OSE; Michael Riley, OSE; Gabriela Rodriguez, OSE; Juan Fernandez, USBR; KC Carroll, NMSU; and Rose Fierro, Fierro & Fierro.

Virtual attendees present were Christina Hernandez; K Maynard; Sherryl Smith, OSE; Steven Henandez, CID; and Skye Devore.

Minutes Approval

**Secretary Garay moved, and the motion was seconded by Director Crist to approve the May 28, 2025, regular board meeting minutes. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

Resolution 2025-01A

Josh Smith presented Resolution 2025-01A, an amendment to the Open Meetings Act Resolution 2025-01 which removes the requirement of holding a second board meeting on the 4th Wednesday of each month starting in July 2025. **Vice President Rovirosa moved, and the motion was seconded by Director Clayshulte Jr. to approve Resolution 2025-01A. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

Calendar of Events

Josh Smith presented the Calendar of Events.

- Tour with the Special Master (TX v. NM) - June 17-18, 2025; Mr. Smith announced that he, President Daviet, and Vice President Rovirosa will participate in the upcoming tour. Mr. Smith noted that Director Garay is slated to present on the 17th, and that he, and his wife, also arranged for lunch for the participants that day. Daviet asked if any other Board members planned to attend the tour on the 17th; none indicated they would. He emphasized that no quorum may be present during the tour and stated that any Board member who changes his mind and attends will be asked to leave to remain in compliance. A request was made to approve travel expenses for the Manager and one Board member on June 17, including an overnight stay in El Paso, TX on June 17th. **Director Clayshulte Jr. moved, and the motion was seconded by Director Ludwig to approve travel expenses for the Manager and one Board member. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**
- Harassment Training - June 25, 2025; Mandatory Harassment Training for the Board is scheduled for June 25, 2025, immediately following the board meeting, from 11:00 a.m. to 1:00 p.m. If a Board member is unable to attend, he must notify Mr. Smith or Marilyn Crawford as soon as possible to coordinate alternative arrangements.
- NWRA 2025 Western Water Seminar - July 29-31, 2025, in Park City, Utah; **Vice President Rovirosa moved, and the motion was seconded by Director Clayshulte to approve travel for the Manager to attend the NWRA 2025 Western Water Seminar to include all actual expenses. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

2024 Audit Report

Rose Fierro, representing Fierro & Fierro, presented the Fiscal Year 2024 Audit Report. It is the firm's professional opinion that EBID's financial statements fairly present the organization's financial position in accordance with applicable accounting standards.

Water Update

Dr. King presented the water supply update. The release started on May 30, 2025. As of June 10, 2025, current supply in Elephant Butte (EB) and Caballo reservoirs were 244,848 acre-feet (AF). The Rio Grande Compact (RGC) credit is at 7,200 AF. San Juan-Chama is at 4,525 AF. There is currently 233,123 AF in in remaining project storage. The RGC and San Juan-Chama waters are not releasable, and neither are minimum pools of 10,000 in EB and 12,000 in Caballo. There is a total seasonal supply of 279,907 AF. Net inflow is at about 500 AF per day.

Dr. King reported that total precipitation has stayed constant since last month. Upper Rio Grande is at 77% of average, Rio Chama 75%, Sangre de Cristo 90%, and Jemez at 75%. The US drought monitor report remains unchanged from last month indicating that the Rio Grande watershed remains in drought conditions.

Dr. King reported that there has been 10,000 AF inflow since last month. The Caballo release began May 30, 2025 and is proceeding according to plans. He reiterated that the April 10, 2025, allocation and 6-inch allotment is likely to be the final distribution for the current irrigation season. He expects very low storage in Elephant Butte by the end of the release, with projections ranging from between 25,000 and 40,000 AF. Given these levels, water supply for 2026 will be highly dependent on snowpack and spring runoff from the upcoming snow season.

James Narvaez provided an update on water orders and the diversion schedule. He reported that as of June 11, 2025, Arrey has 1,174 acres on order with the diversion of 260CFS or 516AF; Leasburg has 3,163 acres on order, diversion of 290CFS or 575AF; The Eastside has 2,525 acres on order, diversion of 200CFS or 397AF; The Westside has 6,121 acres on order, diversion of 540CFS (includes 130CFS for Texas) or 1,071AF. Total demand is at 1,290CFS or 2,559AF per day. Diversion operations are on track, and capacity is anticipated this weekend during the flat-rate period. Arrey is at 280CFS; Leasburg is at 320CFS; Eastside at 220CFS; and Westside at 580CFS. The allocation will be exhausted by July 8, 2025; he estimates that the last date to place water orders will be June 27, 2025.

Action Item: Post a website announcement indicating that the anticipated final order date for the season will be on or around June 27, 2025.

Financial Report

Karin Byrum presented the financial report, noting a total of $9,936,682 held across investments and cash in the bank as of June 4, 2025. There have been no unusual transactions since the previous report. The current investment rate stands at 4.32%.

Resolution 2025-08

Josh Smith presented Resolution 2025-08, along with a list of 11 projects identified by the Capital Improvement Committee as top priorities for inclusion in the Infrastructure Capital Improvement Plan (ICIP). The total estimated cost of these projects is approximately $55 million. The ICIP must be submitted by June 13, 2025.**Vice President Rovirosa moved, and the motion was seconded by Director Garay to approve Resolution 2025-08. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

Manger's Update

Josh Smith reported he was invited to attend and present at the New Mexico Water Leader's Rio Chama Experience. President Daviet noted this is a good opportunity for Mr. Smith to network. **Vice President Rovirosa moved, and the motion was seconded by Director Crist to approve travel and all actual expenses incurred for the 2025 New Mexico Water Leader's Rio Chama Experience. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

Engineering Maintenanc Update

Alex Rubio, Senior Engineering Manager, reported no updates at this meeting. In response to President Daviet's inquiry, Mr. Rubio confirmed that work on the Mesilla Lateral has been completed. When asked about the status of the University construction project, Mr. Rubio stated that the work is still ongoing.

Permits

Approval of the Consent Agenda. President Daviet requested that 2025-L-082 Comcast Cable/MTC be pulled from the consent agenda to be acted on separately. **Vice President Rovirosa moved; Secretary Garay seconded to approve the consent agenda noting the 2025-L-082 Comcast Cable/MTC Right of Use License application is not included. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

Scott Gamboa, Land and Licensing Technician, presented the 2025-L-082 Comcast Cable/MTC Right of Use License application. License 2025-L-082 is to construct, operate and maintain a buried fiber optic line crossing the Eastside Drain. President Daviet inquired about the width and invert elevation of the Eastside Drain, expressing concern that the licensee fully understands the depth requirements. He emphasized that per district standards, the fiber optic line must be installed at least five feet below the drain's design invert, which may result in a total buried depth of 20 feet or more. Mr. Gamboa confirmed that the licensee is aware of all design and depth requirements. Mr. Rubio added that staff will be onsite during installation to verify compliance with the required depth. Staff recommend approval of the license.

**Vice President Rovirosa moved; Secretary Garay seconded to approve application 2025-L-082 Comcast Cable/ MTC. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval ? |
|---|---|---|---|---|---|---|
| | | | **EBID ROU LICENSE LIST - June 11, 2025 BOARD MEETING** | | | |
| 1 | 2025-055 | N | **2025-L-027 QWEST CORPORATION**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL TELEPHONE LINE CROSSING THE WALTER LATERAL AT APPROXIMATE STATION 0+40 | $3,420.00 | N | Y |
| 2 | 2025-056 | N | **2025-L-028 QWEST CORPORATION**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL TELEPHONE LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 280+10 | $3,420.00 | N | Y |
| 3 | 2025-079 | N | **2025-L-035 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 00+75 | $4,180.00 | N | Y |
| 4 | 2025-094 | N | **2025-L-039 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 164+75 | $4,180.00 | N | Y |
| 5 | 2025-095 | N | **2025-L-040 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 585+46 | $3,800.00 | N | Y |
| 6 | 2025-096 | N | **2025-L-041 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE TORTUGAS LATERAL AT APPROXIMATE STATION 15+00 | $3,420.00 | N | Y |
| 7 | 2025-097 | N | **2025-L-042 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DEL RIO DRAIN AT APPROXIMATE STATION 127+50 | $4,180.00 | N | Y |
| 8 | 2025-098 | N | **2025-L-043 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 165+10 | $4,180.00 | N | Y |
| 9 | 2025-099 | N | **2025-L-044 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 573+65 | $4,180.00 | N | Y |
| 10 | 2025-100 | N | **2025-L-045 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE THREE SAINTS LATERAL AT APPROXIMATE STATION 20+50 | $3,800.00 | N | Y |
| 11 | 2025-101 | N | **2025-L-046 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 104+60 | $4,180.00 | N | Y |
| 12 | 2025-102 | N | **2025-L-047 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 392+40 | $4,180.00 | N | Y |
| 13 | 2025-103 | N | **2025-L-048 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 277+00 | $4,180.00 | N | Y |
| 14 | 2025-104 | N | **2025-L-049 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 671+20 | $3,800.00 | N | Y |
| 15 | 2025-105 | N | **2025-L-050 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THREE SAINTS EAST LATERAL AT APPROXIMATE STATION 139+00 | $3,420.00 | N | Y |
| 16 | 2025-106 | N | **2025-L-051 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 533+72 | $4,180.00 | N | Y |

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|---|---|---|---|---|---|---|
| 17 | 2025-107 | N | **2025-L-052 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 523+75 | $4,180.00 | N | Y |
| 18 | 2025-108 | N | **2025-L-053 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 11+77 | $3,800.00 | N | Y |
| 19 | 2025-109 | N | **2025-L-054 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THREE SAINTS MAIN CANAL AT APPROXIMATE STATION 16+88 | $3,800.00 | N | Y |
| 20 | 2025-110 | N | **2025-L-055 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 0+25 | $4,180.00 | N | Y |
| 21 | 2025-111 | N | **2025-L-056 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 31+78 | $3,420.00 | N | Y |
| 22 | 2025-112 | N | **2025-L-057 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 656+82 | $3,800.00 | N | Y |
| 23 | 2025-113 | N | **2025-L-058 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 166+83 | $4,180.00 | N | Y |
| 24 | 2025-114 | N | **2025-L-059 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MITCHELL LATERAL AT APPROXIMATE STATION 12+00 | $3,420.00 | N | Y |
| 25 | 2025-115 | N | **2025-L-060 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 539+97 | $3,800.00 | N | Y |
| 26 | 2025-116 | N | **2025-L-061 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DEL RIO DRAIN AT APPROXIMATE STATION 54+60 | $4,560.00 | N | Y |
| 27 | 2025-117 | N | **2025-L-062 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 516+70 | $4,180.00 | N | Y |
| 28 | 2025-118 | N | **2025-L-063 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAKE LATERAL CANAL AT APPROXIMATE STATION 11+21 | $3,420.00 | N | Y |
| 29 | 2025-119 | N | **2025-L-064 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 299+53 | $3,800.00 | N | Y |
| 30 | 2025-120 | N | **2025-L-065 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 294+23 | $3,420.00 | N | Y |
| 31 | 2025-121 | N | **2025-L-066 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 721+44 | $4,180.00 | N | Y |
| 32 | 2025-122 | N | **2025-L-067 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 719+70 | $4,180.00 | N | Y |
| 33 | 2025-123 | N | **2025-L-068 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 27+75 | $4,180.00 | N | Y |
| 34 | 2025-124 | N | **2025-L-069 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO MAIN LATERAL AT APPROXIMATE STATION 370+70 | $3,420.00 | N | Y |
| 35 | 2025-125 | N | **2025-L-070 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 58+00 | $4,180.00 | N | Y |
| 36 | 2025-126 | N | **2025-L-071 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 128+70 | $3,420.00 | N | Y |
| 37 | 2025-127 | N | **2025-L-072 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 39+00 | $3,420.00 | N | Y |
| 38 | 2025-129 | N | **2025-L-074 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE NEMEXAS DRAIN AT APPROXIMATE STATION 965+00 | $4,180.00 | N | Y |
| 39 | 2025-130 | N | **2025-L-075 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING SAN MIGUEL LATERAL AT APPROXIMATE STATION 279+75 | $3,420.00 | N | Y |
| 40 | 2025-131 | N | **2025-L-076 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 137+10 | $3,800.00 | N | Y |
| 41 | 2025-132 | N | **2025-L-077 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 237+42 | $3,420.00 | N | Y |
| 42 | 2025-134 | N | **2025-L-079 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 77+32 | $3,800.00 | N | Y |
| 43 | 2025-136 | N | **2025-L-080 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 603+25 | $4,180.00 | N | Y |
| 44 | 2025-145 | N | **2025-L-081 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 573+50 | $4,180.00 | N | Y |
| 45 | 2025-146 | N | **2025-L-082 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 515+50 | $4,180.00 | N | Y |

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| 46 | 2025-147 | N | **2025-L-083 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE HOUGHTON LATERAL AT APPROXIMATE STATION 29+97 | $3,420.00 | N | Y |
| 47 | 2025-148 | N | **2025-L-084 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 579+48 | $3,420.00 | N | Y |
| 48 | 2025-149 | N | **2025-L-085 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 60+76 | $3,800.00 | N | Y |
| 49 | 2025-150 | N | **2025-L-086 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSIING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 628+00 | $3,800.00 | N | Y |
| 50 | 2025-151 | N | **2025-L-087 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 135+00 | $4,180.00 | N | Y |
| 51 | 2025-152 | N | **2025-L-088 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO EAST LATERAL AT APPROXIMATE STATION 146+45 | $3,800.00 | N | Y |
| 52 | 2025-155 | N | **2025-L-089 JERRY / SHANE FRANZOY**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 16" FLUME CROSSING THE GARFIELD LATERAL AT APPROXIMATE STATION 91+51 | $3,420.00 | Y | Y |
| 53 | 2025-156 | N | **2025-L-090 JERRY / SHANE FRANZOY**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 16" FLUME CROSSING THE GARFIELD LATERAL AT APPROXIMATE STATION 134+43 | $3,420.00 | Y | Y |
| 54 | 2025-157 | Y | **2025-L-091 GARETT AND ALEJANDRA HANNO / ALTA VISTA FARMS_X-REF 1999-290 / 1999-L-067**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE OSHEA LATERAL AT APPROXIMATE STATION 14+30 | $3,420.00 | Y | Y |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $197,220.00 | Y | Y |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $10,260.00 | Y | Y |
| | | | **TOTAL $** | $207,480.00 | | |

Josh Smith presented the HR and Safety update, reporting a current employee count of 81. He noted an open position for a Customer Service Representative, along with pending openings for a Diesel Mechanic and several upcoming roles within the Dam and Drain Maintenance Crews. HR/Safety Report

The Board recognized Sergio Salinas for an outstanding 30 years of dedicated service to EBID. Additionally, Joah Franzoy was acknowledged for reaching his two-year anniversary.

President Daviet called to order the Suspension/Transfer Hearing. AJ Carlson presented Water Right Transfer 2025-WTS-006, in which Jonathan and Kelly Satriana are transferring 2.93 acres of water rights to themselves under a separate parcel. As a result, the front parcel will be left without water rights, and the receiving parcel will now hold a total of 9.28 acres of water rights. Staff recommends approval of the transfer. **Director Clayshulte Jr. moved; Secretary Garay seconded to approve 2025-S&T-06 water transfer total of 2.93 acres. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.** President Daviet asked that Resolution be formalized as called for by Section 73-13-5 in New Mexico Statutes, and that the Secretary of the Board certify and file with the State Engineer a true copy of the Resolution and action of the Board. President Daviet also announced that if there is a protestant who disagrees with the action of the Board, they may appeal this decision directly to the District Court as provided under Section 73-13-4 of the New Mexico Statutes. **Motion to adjourn the Board sitting for water transfer hearing by Director Clayshulte Jr.; Secretary Garay seconded. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.** Water Transfer Hearing

**Vice President Rovirosa; Director Clayshulte Jr. seconded to go into closed session. Motion passed. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session: Closed Session

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Discussion regarding purchase, acquisition, or disposal of real property or water rights
E. Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
F. Report on Kinder Morgan Matter and CRRUA – Dr. K.C. Carroll
G. Motion to come out of closed session

**Secretary Garay moved; Director Ludwig seconded to come out of closed session. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.**

**There being no further business, Director Clayshulte Jr. moved, and Secretary Crist seconded to adjourn the meeting. Directors Garay, Crist, Tharp, Rovirosa, Clayshulte Jr., and Ludwig aye the motion. Motion passed.** Adjourn

The next meeting of the Board of Directors will be held on June 25, 2025, beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**June 25, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, June 25, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., and Henry Ludwig. Board members Prescott Colquitt III and Preston Tharp were absent.

The Invocation was given by Director Sloan, followed by the Pledge of Allegiance led by Vice President Rovirosa.

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Karin Byrum, Finance Director; DL Sanders, Legal Counsel, appeared virtually; Pete Domenici Jr., Legal Counsel, appeared virtually; and Dr. Phil King appeared virtually. Introductior of Guests

EBID guests present were Jerry Schickedanz, flat-rate constituent; and Alfred Perault, OSE.

Virtual attendee present was Jerry Melendez.

President Daviet stated that the closed session discussion at the June 11, 2025 board meeting was limited to the items listed on the meeting agenda, although he did not mention that at the close of the last meeting. **Director Clayshulte Jr. moved, and the motion was seconded by Secretary Garay to approve the June 11, 2025, regular board meeting minutes. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.** Minutes Approval

Karin Byrum presented Resolution 2025-09 Approval of Disposition of Assets with Exhibit A (estimated resale value less than $5,000) and Exhibit B (estimated resale value greater than $5,000). She noted that for items exceeding $5,000, approval must be obtained from the New Mexico Department of Finance and Administration. Additionally, a 30-day notice is required to be submitted to the Office of the State Auditor for all property dispositions. **Secretary Garay moved, and the motion was seconded by Director Clayshulte Jr. to approve Resolution 2025-09. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.** Resolution 2025-09

Karin Byrum presented the Contech ES 2025-26 Contract. She stated the contract is for corrugated metal pipe, bands, and ends, noting that only one responsive bid was received. She stated the contract is for four years, subject to annual renewal, and includes a 31% price increase. Concerns were raised regarding the shipping rate specified in the contract—$5.10 per pound per mile—which was considered excessive. **Vice President Rovirosa moved to amend the contract language for the three shipping items to be per loaded mile, and the motion was seconded by Director Crist. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.** The contract, subject to approval, is amended. **Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion to approve the amended contract. Motion passed.** Contech ES 2025-26 Contract

President Daviet noted that, during the last board meeting, June 27 was announced as the final date for placing water orders; however, a subsequent email listed June 26. Josh Smith clarified that the email contained a typo and confirmed that water orders will be accepted through Friday, June 27, 2025.

**Vice President Rovirosa moved; Director Clayshulte Jr. seconded to go into closed session. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session: Closed Session

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Discussion regarding purchase, acquisition, or disposal of real property or water rights
E. Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
F. Limited Personnel Matters
G. Other Threatened/Pending Litigation
H. Motion to come out of closed sessionMotion to come out of closed session

**Vice President Rovirosa moved; Secretary Garay seconded to come out of closed session. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.** President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

**There being no further business, Secretary Garay moved, and Director Clayshulte Jr. seconded to adjourn the meeting. Directors Garay, Crist, Sloan, Rovirosa, and Clayshulte Jr., and Ludwig aye the motion. Motion passed.** Adjourn

The next meeting of the Board of Directors will be held on July 9, 2025, beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**July 9, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, July 9, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., Preston Tharp, Prescott Colquitt III, and Henry Ludwig. Board member Casey Crist was absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Director Sloan.

Introductior of Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Gary Esslinger, Consultant; Karin Byrum, Finance Director, appeared virtually; James Narvaez, Director of Irrigation, appeared virtually; Alex Rubio, Senior Engineering Manager; Leah Diaz, Chief Procurement Office, appeared virtually; AJ Carlson, Land Records Admin, appeared virtually and in-person, Scott Gamboa, Land and Licensing Technician, appeared virtually and in-person; Delyce Maciel, Director of HR and Safety, appeared virtually; Tammie Deon, Administrative Assistant, appeared virtually; DL Sanders, Legal Counsel, appeared virtually; Pete Domenici, Legal Counsel, appeared virtually; and Dr. Phil King appeared virtually.

EBID guests present were Alfred Perrault, OSE; Samantha Stiffler, USIBWC; Sarah McCartney, USIBWC; Valeria Quintero, USIBWC; Lisabeth Arellano, USIBWC; Jerry Schickedanz, flat-rate constituent; Larry Vasquez, USBR; Marty Pillar, Pillar Engineering; Eric Garcia, Doña Ana County; and Austin Tharp, constituent.

Virtual attendees present were Anthony Collin and JR Hennessy.

Recognitior of Service

Josh Smith presented the recognition of service. The Board recognized Chris Holguin, Maintenance Foreman, for 30 years of service and Marty Lucero, Customer Service Representative, for 10 years of service to EBID.

President Daviet proposed a revision to the agenda, requesting that Item 12, Water Update, be moved to follow Item 5, Approval of Board Minutes. As there were no objections, the agenda was amended accordingly.

Minutes Approval

**Director Colquitt III moved, and the motion was seconded by Director Clayshulte Jr. to approve the June 25, 2025, regular board meeting minutes. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Water Update

Dr. King presented the water supply update. The irrigation season for EBID ended on July 8, 2025, but EP#1 and Mexico are still running water. As of July 7, 2025, current supply in Elephant Butte (EB) and Caballo reservoirs were 139,764 acre-feet (AF). The Rio Grande Compact (RGC) credit is at 7,200 AF. San Juan-Chama is at an estimated 4,000 AF. There is currently 128,564 AF in in remaining project storage. Not releasable is 13,300 AF; According to Dr. King the calculation was based on lowering Caballo's reserved deadpool from 12,000 to 4,500 AF due to the obstruction in Caballo. We anticipate a drawdown to dead storage in Caballo to allow the outlet works to be cleaned out. A total of 180,280 AF was released from Caballo. There is a total seasonal supply of 295,544 AF. Net inflow is at about 200 AF per day, which is negligible as it consists of water coming out of bank storage. The river is running below the median.

Dr. King reported that total precipitation has stayed constant since last month. Upper Rio Grande is at 76% of average, Rio Chama 75%, Sangre de Cristo 91%, and Jemez at 78%. The US drought monitor projects above average temperatures and indicates that the Rio Grande watershed remains in drought conditions; however, the seasonal drought outlook did improve, the forecast has gone from drought persists to drought remains but improves.

Dr. King provided an update on the Caballo Outlet Plug issue. Around June 25th–26th, severe storms in the Black Range caused significant runoff, particularly along Percha Creek, carrying substantial woody debris. This debris blocked the main outlet works at Caballo Reservoir, reducing flow by approximately 500 CFS. Reclamation crews removed much of the obstruction, but flow is 200 CFS less than normal unobstructed flow. Dr. King noted that a similar event occurred in 2016, when Caballo Reservoir had to be drawn down to dead storage to expose and fully clear the outlet works. EP#1 and Mexico deliveries will continue into August, after which Caballo releases are expected to end. Due to the debris plug, Elephant Butte Reservoir may retain more water than originally projected. However, he cautioned that we are entering the next water year with critically low storage, and the 2026 water supply will be heavily reliant on snowpack and spring runoff from the upcoming snow season.

James Narvaez presented the Irrigation Systems summary for June 2025. As of July 9, the only active order is Texas 6CT. The Westside order totals 160 CFS, consisting of 130 CFS for La Union East and 30 CFS for La Union West (6CT). Mr. Narvaez shared the acres on demand for June, noting a peak of 21,100 acres on the final water order day, June 27. On average, the district delivered 3,000 acres per day. During the flat-rate weekend of June 14–15, 1,400 AF was delivered. He reported two ditch breaks during this irrigation season: one on the Clark Lateral in Leasburg and another on the west side of the Chamberino Lateral.
June deliveries summary:

- Arrey: Delivered 1,026 to 19,648 acres; charged 7,021 AF
- Leasburg: Delivered 1,659 to 18,066 acres; charged 7,858 AF
- Eastside: Delivered 450 to 10,230 acres; charged 5,610 AF
- Westside: Delivered 714 to 18,337 acres; charged 9,302 AF

Total charges across all areas for June were 3,849 deliveries to 66,283 acres, with a combined charge of 31,620 AF. The district diverted a total of 66,629 AF from an allocation of 87,342 AF. Projected usage for July is 14,679 AF, leaving an estimated ending balance of 6,000–8,000 AF, due to late rains in June. Final water delivery and diversion operations closed on July 8, 2025.

Mr. Narvaez also previewed a new interactive dashboard that will be launched and shared on the website in the future.

Resolution 2025-01B

Josh Smith presented Resolution 2025-01B, an amendment to the Open Meetings Act Resolution 2025-01 which changed the language to remove "Naomi Ontiveros" and replace with "Executive Assistant." **Vice President Rovirosa moved, and the motion was seconded by Director Colquitt III to approve Resolution 2025-01B. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Amendmen to CLC MO

David Lutz presented the second amendment to the Memorandum of Understanding (MOU) between EBID and the City of Las Cruces for the use of District Drains, Canals, and Laterals as Multi-use Non-motorized Pathways. The existing MOU expired in 2024, and Mr. Lutz noted that a valid MOU is required as a condition for the City of Las Cruces Special Use Permit. **Vice President Rovirosa moved to accept the amendment to the existing MOU, with the motion seconded by Director Sloan. During discussion, Director Sloan proposed referring the matter to the Land Use Committee. President Daviet ruled that motion out of order, noting that the motion to approve the Second Amendment remained on the floor. Vice President Rovirosa then withdrew his original motion and introduced a new motion to refer the amendment to the Land Use Committee for further review. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion**

**passed.**

Director Colquitt III and David Lutz presented the Land Use Committee report. The committee met on June 13 and July 2, 2025, to review proposed revisions to the 1997-ENG10 policy regarding the Relinquishment of EBID Property Interests. The committee recommends that the Board approve the revised policy. Mr. Lutz explained that the proposed changes would grant the Board greater discretion in the sale of unused district land. While the committee chose not to establish a fixed minimum price per acre, the revisions do include an increase in the application fee. Additional items discussed included the historical context of the blanket agreement with Zia Gas, as well as potential future land use considerations involving other governmental entities.

Land Use Committee Report

Josh Smith and David Lutz presented the proposed amendments to Policy 1997-ENG 10: Relinquishment of EBID Property Interests. Mr. Lutz noted that the policy had previously been reviewed by the Board in February, but was referred to the Land Use Committee for further consideration. The committee attempted to define "excess real property" and recommended increasing the application fee from $300 to $1,000. The proposed revisions would replace the current blanket moratorium on relinquishment with a policy that grants the Board discretionary authority to evaluate requests on a case-by-case basis. **Vice President Rovirosa moved, and the motion was seconded by Director Colquitt III to approve the Amendment to Policy 1997-ENG 10.** During discussion, concerns were raised about Exhibit A, which does not clearly define property that may not be sold under any circumstances. President Daviet questioned how the Board should interpret Exhibit A and expressed concern over the level of discretion placed on the Board for individual transactions. Mr. Smith clarified that requests must first be reviewed and approved by staff before being presented to the Board, although President Daviet noted that this step is not explicitly outlined in the policy.

Amendmen to Policy 1997-ENG1

Vice President Rovirosa recommended formalizing the relinquishment process and emphasized the need for:

- Further definition within Exhibit A
- Clear policy language stating that staff determines whether requests advance to Board review
- Clarification of item B2 to restate eligible property criteria (i.e., not needed for EBID purposes and in the district's best interest)
- A checklist for Board considerations before approval
- A method for establishing and amending a minimum property value

**Vice President Rovirosa amended his original motion to refer the revised policy back to the Land Use Committee for further review and specific revisions, and the motion was seconded by Director Colquitt III. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Josh Smith presented Resolution 2025-11 regarding the potential lifting of the moratorium on land transfers. He recommended postponing a vote on the resolution, noting its direct connection to the proposed amendments to Policy 1997-ENG 10, which were not approved. **Vice President Rovirosa moved, and the motion was seconded by Director Sloan, to postpone a vote on Resolution 2025-11 until the next Board meeting in which the Amendment to Policy 1997-ENG 10 is reconsidered. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Resolution 2025-11

Josh Smith presented the Calendar of Events.

Calendar of Events

- Rio Chama Experience - July 11-13, 2025: Mr. Smith will attend alongside state legislators and water managers. Travel approved at a prior Board meeting.
- Harassment Training for Managers - July 17, 2025, 9:00-11:00 AM: Directors Colquitt III and Tharp are required to attend, as they missed the prior Board Training.
- Groundwater Management Districts Association (GMDA) 2025 Summer Conference - July 21-23, 2025, Idaho Fall, ID: Mr. Smith and Board members will not attend this year.
- NWRA Western Water Seminar, July 29-31, 2025: Mr. Smith will attend. Travel approved at a prior Board meeting.
- Meeting with States (TX v. NM), Tentatively August 7-8, Denver, CO: **Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to approve travel to Denver, Colorado to include all actual expenses for the Manager, two Board members, Dr. King (Hydrologist), and two legal counselors. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**
- New Mexico Water Law Conference - September 11-12, 2025, Santa Fe, NM: **Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to approve travel to The New Mexico Water Law Conference to include all actual expenses for the Manager, four Board members, Dr. King (Hydrologist), and two legal counselors. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**
- Coalition of Rio Grande Water Users 2025 Conference - September 30 - October 2, 2025, Santa Fe, NM: Mr. Smith noted a potential conflict with a Supreme Court hearing.

Karin Byrum presented the financial report, noting a total of $10,103,002 held across investments and cash in the bank as of July 2, 2025. She highlighted a few non-routine expenses, such as a pump repair, the purchase of pipe for a project, annual financial software renewal, and payment to EPE for an electrical hookup. The June investment report was not yet available; therefore, the May investment rate of 4.32% remains in effect for reporting purposes.

Financial Report

Karin Byrum presented Resolution 2025-10 Approval of Disposition of Assets with Exhibit A (estimated resale value less than $5,000) and Exhibit B (estimated resale value greater than $5,000). She noted that for items exceeding $5,000, acknowledgement must be obtained from the New Mexico Department of Finance and Administration. **Director Sloan moved, and the motion was seconded by Director Clayshulte Jr. to approve Resolution 2025-10. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Resolution 2025-10

Joah Franzoy reported on the NM WRRI Agricultural Water Resilience Program. He stated that New Mexico Legislature has appropriated 4.5 million dollars for individual projects, with a maximum award of $250,000. The grant is open to soil and water, irrigation and conservancy, and watershed districts; acequia and community ditch associations; and tribal and local governments. Applicants must be partnered with farmers or ranchers to qualify. He encouraged Board members to reach out to constituents who may be interested in participating. He will distribute informational materials for outreach and will serve as the point of contact to assist constituents with the application process. Project funds must be expended from September 15, 2025, to June 30, 2026. Applications are due on July 28, 2025. Projects must align with the Office of the State Engineer's Fifty-Year Water Plan and support water conservation efforts.

WRRI Grant Information

Josh Smith reported successfully completing his first water season with no major issues. With the irrigation season concluded, EBID is transitioning into its maintenance and construction phase. A meeting is scheduled for next week to establish priority projects. Mr. Smith noted that the District is awaiting funding confirmation. While EBID anticipates receiving $30 million from the Farm Service Agency (FSA), final confirmation of the allocation is still pending.

Manger's Update

Alex Rubio, Senior Engineering Manager, reported no new updates at this meeting. He noted that the Engineering and Maintenance departments will coordinate to develop a list of pending projects and establish priorities moving forward.

Maint/Proj Update

Approval of the Consent Agenda. President Daviet requested that the permits 2025-L-094 LCL Holdings, LLC/Tharp, 2025-L-098 Comcast Cable/MTC, and 2025-L-114 City of Las Cruces be pulled from the consent agenda to be acted on separately. Director Tharp requested to recuse himself from permits 2025-L-093 LCL Holdings, LLC/Tharp and 2025-L-094 LCL Holdings, LLC/Tharp. President Daviet requested that 2025-L-093 LCL Holdings, LLC/Tharp also be pulled from the consent agenda. **Vice President Rovirosa moved; Secretary Garay seconded to approve the consent agenda. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Permits

Permit 2025-L-094 LCL Holdings, LLC/Tharp: **Director Colquitt III moved; Secretary Garay seconded to approve application 2025-L-094 LCL Holdings, LLC/Tharp. Director Tharp abstained. Directors Garay, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed with one abstention.**

Alex Rubio presented the 2025-L-093 LCL Holdings, LLC/Tharp application. License 2025-L-093 is to construct, operate and maintain a 6" PVC force main paralleling the right bank of the Mesilla Drain. **Director Rovirosa moved** to postpone the permit pending a review and update of District policy regarding utilities—including force mains—that cross or run parallel to EBID facilities. **The motion failed for lack of a second.** Discussion followed, with President Daviet expressing concern about potential wash-in/wash-out issues. He noted that utilities should be installed below the invert of EBID drains to prevent exposure and potential rupture into the drain system. In this case, the required depth would be 25 feet. The Board also discussed the current functionality and relevance of the Mesilla Drain to EBID operations. The applicant was present and addressed the Board. **Vice President Rovirosa moved; Director Clayshulte Jr. seconded to postpone Permit 2025-L-093 and refer the engineering policy to the Land Use Committee for review and revision of the standards for utilities crossing and paralleling facilities—particularly force mains. Director Tharp abstained. Directors Garay, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed with one abstention.**

Mr. Rubio presented the 2025-L-098 COMCAST / MTC. The permit is to construct, operate, and maintain a buried fiber optic line crossing the Walters Lateral. President Daviet asked for confirmation that the fiber optic line will be buried at an appropriate depth below facilities. Mr. Rubio confirmed that the fiber line will be buried at a depth that is in compliance with EBID policy. **Director Clayshulte Jr. moved; Vice President Rovirosa seconded to approve Permit 2025-L-098. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Mr. Rubio presented the 2025-L-114 CITY OF LAS CRUCES. The permit is to construct, operate, and maintain a piped portion and an existing culvert crossing the Las Cruces Lateral. The city intends to pipe a portion of the lateral to accommodate a proposed trail. Vice President Rovirosa asked whether the piping was exclusively for the trail. Mr. Rubio confirmed that the trail was the primary purpose. Rovirosa further questioned if the city would still pursue piping if the trail were not approved. Mr. Rubio indicated that it was unlikely. He clarified that the current permit pertains only to the piping; the trail would be addressed under a separate Memorandum of Understanding (MOU) previously presented to the Board. Mr. Lutz asked if the city was aware that a separate permit would be required for the trail itself. Mr. Rubio confirmed that they are aware. President Daviet raised a question regarding the land use fee, which was listed as "MOU" in the permit. Mr. Gamboa explained that while the fee would normally fall under the parallel fee category, it had been waived in this case, leaving only the administrative application fee. Mr. Smith stated that he did not believe a land use fee should be charged for improvements to the EBID system. President Daviet and Mr. Esslinger agreed. **Director Sloan moved; Director Tharp seconded to approve Permit 2025-L-114. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N |
|---|---|---|---|---|---|---|
| | | | EBID ROU LICENSE LIST - JULY 9, 2025 BOARD MEETING | | | |
| 1 | 2025-161 | N | 2025-L-092 FRANK PAUL SALOPEK<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A CULVERT CROSSING THE COZINE SPUR DRAIN AT APPROXIMATE STATION 64+50 | $3,800.00 | Y | Y |
| 2 | 2025-162 | N | 2025-L-093 LCL HOLDINGS, LLC / THARP<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 6" PVC FORCEMAIN PARALLELING THE RIGHT BANK OF THE MESILLA DRAIN FROM APPROXIMATE STATIONS 479+30 TO 513+90 | $8,197.43 | N | Y |
| 3 | 2025-163 | N | 2025-L-094 LCL HOLDINGS, LLC / THARP<br>TO CONSTRUCT, OPERATE, AND MAINTAIN TWO GATES ON THE RIGHT BANK OF THE MESILLA DRAIN AT APPROXIMATE STATIONS 479+30 AND 513+90 | $8,360.00 | N | Y |
| 4 | 2025-166 | N | 2025-L-095 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST LA MESA SPUR DRAIN AT APPROXIMATE STATION 24+33 | $3,800.00 | N | Y |
| 5 | 2025-167 | N | 2025-L-096 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 467+00 | $3,800.00 | N | Y |
| 6 | 2025-169 | N | 2025-L-097 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 280+70 | $3,420.00 | N | Y |
| 7 | 2025-170 | N | 2025-L-098 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE WALTERS LATERAL AT APPROXIMATE STATION 16+10 | $3,420.00 | N | Y |
| 8 | 2025-171 | N | 2025-L-099 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 240+53 | $3,420.00 | N | Y |
| 9 | 2025-172 | N | 2025-L-100 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 104+21 | $3,800.00 | N | Y |
| 10 | 2025-173 | N | 2025-L-101 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 715+38 | $4,180.00 | N | Y |
| 11 | 2025-174 | N | 2025-L-102 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 781+63 | $4,180.00 | N | Y |

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|---|---|---|---|---|---|---|
| 12 | 2025-175 | N | **2025-L-103 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 103+61 | $3,800.00 | N | Y |
| 13 | 2025-176 | N | **2025-L-104 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 134+83 | $3,800.00 | N | Y |
| 14 | 2025-177 | N | **2025-L-105 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 64+09 | $3,420.00 | N | Y |
| 15 | 2025-178 | N | **2025-L-106 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE NEMEXAS DRAIN AT APPROXIMATE STATION 931+64 | $4,180.00 | N | Y |
| 16 | 2025-179 | N | **2025-L-107 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO AT APPROXIMATE STATION 44+34 | $3,420.00 | N | Y |
| 17 | 2025-180 | N | **2025-L-108 JUAN ARMANDO MARTINEZ**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE CENTRAL DRAIN AT APPROXIMATE STATION 5+00 | $4,180.00 | N | Y |
| 18 | 2025-181 | N | **2025-L-109 ARGELIA LLANZ**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE BRIDGE CROSSING THE THREE SAINTS WEST LATERAL AT APPROXIMATE STATION 80+93 | $3,800.00 | Y | Y |
| 19 | 2025-189 | N | **2025-L-114 CITY OF LAS CRUCES**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A PIPED PORTION AND AN EXISITING CULVERT CROSSING THE LAS CRUCES LATERAL FROM APPROXIMATE STATIONS 334+04 TO 346+52 | $6,693.86 | MOU | Y |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $69,377.43 | N | Y |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $14,293.86 | Y | Y |
| | | | **TOTAL $** | $83,671.29 | | Y |

HR/Safety Report

Josh Smith presented the HR and Safety update; he reported a current employee count of 81 and noted that a customer service representative was recently hired. He stated that that there will be a Professionalism and Harassment Training on July 17, 2025, mandatory for Board members that were unable to attend the first training.

Water Transfer Hearing

President Daviet called to order the Suspension/Transfer Hearing. AJ Carlson presented Water Right Transfer 2025-WTS-007, in which JD 780 Valley LLC is transferring 7.24 acres of water rights to JD IV Farms LLC. As a result, JD 780 Valley LLC will no longer hold water rights, and JD IV Farms LLC will hold a new total of 27.11 acres of water rights. She also presented on 2025-WTS-008, in which Juan and Maria Olvera are transferring 3.43 acres of water rights to Adams Produce Inc. As a result, Mr. and Mrs. Olvera will no longer hold water rights, and Adams Produce, Inc will hold a new total of 83.46 of water rights. Staff recommends approval of the transfer. **Vice President Rovirosa moved, Director Clayshulte Jr. seconded to approve 2025-S&T-07 water transfer total of 10.67 acres. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.** President Daviet asked that Resolution be formalized as called for by Section 73-13-5 in New Mexico Statutes, and that the Secretary of the Board certify and file with the State Engineer a true copy of the Resolution and action of the Board. President Daviet also announced that if there is a protestant who disagrees with the action of the Board, they may appeal this decision directly to the District Court as provided under Section 73-13-4 of the New Mexico Statutes. **Motion to adjourn the Board sitting for water transfer hearing by Vice President Rovirosa; Director Clayshulte Jr. seconded. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

Closed Session

**Director Colquitt III moved; Director Ludwig seconded to go into closed session. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. NM ex. Rel. OSE vs. EBID CV 96-888 (Stream Adj.)
C. Discussion regarding all pending Water Right Protests before the Office of the State Engineer
D. Discussion regarding purchase, acquisition, or disposal of real property or water rights
E. Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
F. Other threatened/pending litigation
G. Motion to come out of closed session

**Secretary Garay moved; Director Ludwig seconded to come out of closed session. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.** President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

Adjourn

**There being no further business, Secretary Garay moved, and Director Clayshulte Jr. seconded to adjourn the meeting. Directors Garay, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed.**

The next meeting of the Board of Directors will be held on August 13, 2025, beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**August 13, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, August 13, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., Prescott Colquitt III, Henry Ludwig, and Preston Tharp (arrived at 9:10 AM).

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Director Colquitt III.

Introduction of Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Gary Esslinger, Consultant; Karin Byrum, Finance Director; Chris Holguin, EBID; Charles Gray, EBID; James Narvaez, Director of Irrigation, appeared virtually; Alex Rubio, Senior Engineering Manager; Leah Diaz, Chief Procurement Officer, appeared virtually; AJ Carlson, Land Records Admin, appeared virtually; Scott Gamboa, Land and Licensing Technician, appeared virtually and in-person; Delyce Maciel, Director of HR and Safety, appeared virtually; Tammie Deon, Administrative Assistant, appeared virtually; DL Sanders, Legal Counsel, appeared virtually; and Dr. Phil King appeared virtually.

EBID guests present were Ryan Serrano, New Mexico Interstate Commission; Michelle Estrada Lopez, Bureau of Reclamation; Genevieve Allan, Bureau of Reclamation; Ray Hartwell, Summit Conservation Strategies; Kirstin Neff, National Fish and Wildlife Foundation, Michael Riley, OSE, Joel Gonzales, OSE Intern; Marty Pillar, Pillar Engineering; and Austin Tharp, constituent.

Virtual attendees present were Anthony Collin, NMDA; Alfred Perrault, OSE; Jerry Melendez; JR Hennessy; Rita Crites, IBWC; and Skye DeVore, Lobbyist.

Recognition of Service

Josh Smith presented the recognition of service. The Board recognized Charles Gray, Equipment Operator - Drain Crew, for five years of service and Nicolas Garris-Heath, Equipment Operator - Basic, for five years of service to EBID.

Agenda Approval

The agenda was approved as presented.

Minutes Approval

President Daviet noted two corrections to the minutes. The first correction pertains to the paragraph where Dr. King provided an update on the Caballo Outlet Plug; the fourth line should read: *"...but flow is 200 CFS less than normal unobstructed flow."* The second correction is in the subsequent paragraph, where the second-to-last sentence should be revised by replacing *"allotment"* with *"allocation."* **Director Colquitt III moved, and the motion was seconded by Secretary Garay to approve the July 9, 2025, regular board meeting minutes as corrected. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Presentation:

Dr. Kirstin Neff, Southwest Program Director for the National Fish and Wildlife Foundation (NFWF), provided an overview of the Rio Grande Project Drought Resilience Efforts Program. Funded by Reclamation, the initiative supports multi-benefit projects aimed at mitigating stormwater and sediment damage, enhancing aquifer recharge, improving water infrastructure, and preserving native riparian bird habitats. Sixty-three project proposals were submitted and are under evaluation. The current timeline targets completion by 2028, with potential for extension.

Dr. Neff also highlighted a separate collaboration with Reclamation, the Rio Grande Bird Habitat Implementation Plan (BHIP) which will guide habitat restoration efforts in the Middle Rio Grande and broader project areas.

Michelle Estrada-Lopez, Special Projects Officer with the Bureau of Reclamation (BOR), provided an update of what is happening in the Middle Valley. She reported that approximately 68.5 miles of the Middle Rio Grande are currently dry. Reclamation is operating under "prior and paramount" protocols, limiting irrigation to Pueblo farmers only.

The El Vado Dam construction contract was terminated on May 2, 2024, due to unforeseen and unresolvable issues. Demobilization was completed by September 16, 2024. A preliminary fill test using 25,000 acre-feet of San Juan-Chama water began in October 2024. Reclamation is conducting a Corrective Action Study to determine the best repair approach. Final design of embankment and spillway solutions is projected for 2030, with construction anticipated to take an additional six years.

Water Update

Dr. King reported that the irrigation season has officially concluded. Residual water remains in an isolated upper pool at the reservoir, slowly seeping through a sandbar.

As of August 11, 2025, total project storage stands at 79,764 acre-feet (AF), with 73,974 AF in Elephant Butte and 5,790 AF in Caballo. Usable project storage is 68,564 AF; 12,900 AF is not releasable. Estimated Rio Grande Compact credit is 7,200 AF, and San Juan-Chama water is at 4,000 AF. Based on the cable flow, approximately 248,806 AF was released from Caballo in 2025. Net inflow into Elephant Butte is negligible. Total seasonal supply reached 304,470 AF.

Dr. King reported that total precipitation has stayed constant since last month. As of August 12, 2025, the Upper Rio Grande is at 74% of average, Rio Chama 77%, Sangre de Cristo 90%, and Jemez at 75%. The NOAA NWS Climate Prediction Center projects below average precipitation September 2025 through February 2026 in the Upper Rio Grande, and above average temperatures throughout. The US drought monitor projects drought is forecast to persist throughout.

End-of-Season Water Operations Summary. Elephant Butte Dam ceased operations on July 28, 2025, with a minimum storage of 72,666 acre-feet (AF). Mexico shut down on August 10, and EPCWID is off charges. Caballo outlet clean-up is scheduled to begin August 18, with gates remaining open during the process, which is anticipated to take a few days to complete.

End-of-year usable storage is expected to be critically low, increasing reliance on the 2026 snowpack and runoff. Forecasts suggest minimal water availability next year, potentially under 4–8 inches. President Daviet emphasized preparing for the possibility of no irrigation season in 2026. The District will do everything it can to maximize the utility of the resources, but there is an amount of allocation where it makes sense not to try to deliver it, but to keep it in storage for the following year.

James Narvaez, Director of Irrigation, reported no updates at this meeting.

Financial Report

Karin Byrum presented the financial report, noting a total of $8,766,530 held across investments and cash in the bank as of August 7, 2025. There were a few uncommon expenses such as the quarterly payment to Bureau of Reclamation and EBID's annual insurance payment. She also noted that we received some large receipts during this period. The investment rate for July was at 4.35%.

Contract Approvals

Karin Byrum presented the Professional Services Contract for Expert Witness and Consulting Services for Dr. Phil King for approval. Ms. Byrum noted that it is an annual renewal contract with no changes, and that this contract is for year two of four. **Director Sloan moved, and the motion was seconded by Director Colquitt III to approve the Professional Services Contract for Expert Witness and Consulting Services for Dr. King. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Karin Byrum presented the Professional Services Contract for Expert Witness and Consulting Services for Dr. KC Carroll for approval. Ms. Byrum noted that it is an annual renewal contract, and there were no changes other than a 3% increase in rates due to inflation. This is the second year of the contract. **Director Sloan moved, and the motion was seconded by Director Colquitt III to approve the Professional Services Contract for Expert Witness and Consulting Services for Dr. KC Carroll. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Karin Byrum presented the Professional Services Contract for Hydrologic Engineering Services for Libbin Underwood Engineering & Surveying for approval. Ms. Byrum noted that it is an annual renewal contract with no rate changes; however, three subcontractors were added (Dr. Blair Stringham for canal modeling, control and automation; COZ Engineering for geotechnical engineering, and GeoSystems Analysis Inc. for soil, water, and ecological sciences assistance.) This contract is for year two of four. **Director Colquitt III moved, and the motion was seconded by Director Ludwig to approve Professional Services Contract for the Hydrologic Engineering Services for Libbin Underwood Engineering & Surveying. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Karin Byrum presented the Professional Services Contract for Legal Services Personnel for Kennedy, Moulton, & Wells, P.C. for approval. Ms. Byrum noted that this is a professional services contract under $60,000. It is an annual renewal contract with no rate changes and is for year two of four. **Director Sloan moved, and the motion was seconded by Secretary Garay to approve the Professional Services Contract for Legal Services Personnel for Kennedy, Moulton, & Wells, P.C. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

EQIP Application Contract Approval

Joah Franzoy provided an update on the EQIP application. He confirmed that the Board provided signature authority to both he and Josh Smith for these contracts to proceed. The project covers Phases 2-4 of the Rincon Lateral Piping Project, totaling approximately $1.5 million. Phase 1, construction with the Bureau of Reclamation (BOR) and National Fish and Wildlife Foundation (NFWF) is scheduled to begin this fall, pending notice to proceed.

Mr. Franzoy discussed the NRCS contract, noting that participants agree to implement and/or maintain specific conservation practices in exchange for scheduled payments from NRCS. EBID is responsible for maintaining all practices for the two-year duration of the agreement in compliance with the approved plan and NRCS standards. Noncompliance may result in forfeiture or repayment of funds, or payment reductions, depending on the severity of the violation.

Mr. Franzoy summarized the purpose of the contract with NRCS and its appendices. The purpose of the contract is that the participants enter into this contract with NRCS to implement and/or maintain specific conservation practices. In exchange, NRCS will make payments to the participants in the amounts listed in the schedule according to the terms of the contract appendix. EBID's obligation is to implement and maintain all conservation practices for the entire life of the agreement, (two years) in compliance with the approved plan and NRCS standards. If EBID violates material terms of the agreement, we may have to forfeit future payments and refund previous payments as determined by NRCS or accept a payment reduction if NRCS decides the violation isn't severe enough to cancel the contract. In summary the District agrees to:

- Install and maintain conservation practices as planned. (EBID may lose payments and owe funds if the agreement is violated or the land is transferred).
- Enroll land in the program for the contract period starting from NRCS's execution date, follow all terms and conditions of the contract, establish, maintain, and replace conservation practices as listed in the required forms.
- Start at least one conservation practice within twelve months unless NRCS grants an extension due to uncontrollable circumstances.
- Follow all technical standards and plans for installing practices.
- Obtain all necessary legal permits for implementing practices.
- Stop work and notify NRCS if unexpected endangered species or cultural/historical sites are encountered.
- Avoid actions that would undermine the purpose of the contract.
- Not begin any conservation practice before the contract execution unless NRCS grants a waiver.
- Submit additional payment eligibility forms required by NRCS.
- Retain all records for three years post-contract and allow NRCS or auditors to inspect them.
- Allow NRCS access for land monitoring with prior notice.
- Treat NRCS staff respectfully and ensure their safety during site visits.

Mr. Franzoy explained that the NRCS contract operates as a cost-share agreement, with the District responsible for approximately 50% of funding. NRCS will partially cover supplies and equipment but not labor costs. He noted that the District can leverage state funding and explore additional partnerships to potentially complete the project at no cost. He asked that the Board provide approval to move forward with this contract. **Vice President Rovirosa moved, and the motion was seconded by Director Clayshulte Jr. to delegate signatory authority to the EQIP Application Contract. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Manger's Update

Josh Smith reported that budget preparation for the upcoming year is underway and will ask the Budget Committee to schedule a meeting next week. He and Joah Franzoy have met with department heads to develop the proposed budgets. The District is currently in its construction and maintenance season, prioritizing projects accordingly. Due to delayed funding, some fall projects have also been postponed. Staff are consolidating all existing contracts, MOUs, and MOAs into a central database for improved organization and tracking. James and Joah are developing a system to monitor expiration dates and ensure timely renewals.

Mr. Smith attended the NACD Conference in Milwaukee, where USDA restructuring, relocating personnel to six satellite offices, was a key topic. He met with NRCS Chief Aubrey Bettencourt, who is familiar with western water issues and the EBID Project. He also attended the NWRA Western Water Conference in Utah, where discussions focused on USDA changes and the Colorado River Basin.

Mr. Smith also provided an update on the Kinder Morgan matter, noting that air sparging has begun and is expected to be completed by the end of August.

Calendar of Events

Mr. Smith presented the calendar of events.

- NM Legislative Water and Natural Resources Interim Committee Meeting: August 18-19, 2025, in Las Cruces, NM at the Stan Fulton Center at NMSU. He will speak on a panel about the Lower Rio Grande on Tuesday at 10:45 am. He was also invited to join a Monday afternoon panel but may ask a Board member to participate instead, as the organizers are seeking a farmer's perspective on drought and how it's affecting operations in the Lower Rio Grande.
- Special Board Meeting: August 21, 2025, at 1:00 PM, EBID Office
- New Mexico Water Law Conference: September 11-12, 2025, in Santa Fe, NM. Travel has been pre-approved for the Manager and four Board members. Attendance needs to be confirmed to proceed with arrangements.
- Coalition of Rio Grande Water Users Conference: September 30-October 2, 2025, in Santa Fe, NM. This will conflict with a Hearing scheduled in Philadelphia, PA for Texas v. New Mexico, which was not listed on the calendar of events. President Daviet noted that travel should also be approved for the hearing.
    - **Vice President Rovirosa moved, and the motion was seconded by Director Ludwig to approve travel to Philadelphia, PA for the Hearing in the Texas v New Mexico case for three consultants (Dr. King, DL Sanders, and Pete Dominici), one staff (Manager) and up to four Board Members to include all actual expenses. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**
    - **Vice President Rovirosa moved, and the motion was seconded by Director Colquitt III to approve travel to Santa Fe for the Coalition of Rio Grande Water Users Conference for two staff and two Board Members to include all actual expenses. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**
- 70th Annual NM WRRI Annual Water Conference: October 21-23, 2025, in Las Cruces, NM
- SAVE THE DATE: EBID Board Election - 12/2/2025
    - **Action Item:** Have the nomination process in place by the next regularly scheduled Board Meeting.

HR/Safety Report

Delyce Maciel, Director of HR and Safety, presented the HR and Safety update; she reported a current employee count of 80 and noted that we are currently interviewing for ditch riders for backfill positions that have been moved to other departments (one position in Central, two in the South and two in the North). The office will be closed for the upcoming holiday, Labor Day, September 1, 2025.

Maint/Proj Update

Alex Rubio, Senior Engineering Manager, reported that the Engineering department purchased a drone equipped with a LiDAR (Light Detection and Ranging) and a new camera, and completed associated training. The equipment was used for post-flood aerial assessments in Vado, NM, and for inspections of dams in the northern area. The department finalized cost estimates for grant funding and continued infrastructure data collection, including lifespan tracking for turnouts and checking structures. A five-year strategic plan is in development. Additionally, the department is hosting an intern focused on design work and is preparing for upcoming activities at Rodey Dam.

Land Use Committee Report

Director Colquitt III and David Lutz reported that the Land Use Committee met three times since the last board meeting. On July 10, 2025, the committee reviewed the EBID Right of Use Policy and identified the need for input from Zach Libbin. A follow-up meeting on July 30, 2025, with Mr. Libbin focused on utility placements near drains and the lack of variance procedures in the current policy. Mr. Lutz drafted proposed language to address variance requests and an amendment to the Land Relinquishment Policy. These drafts were reviewed at the August 4, 2025, meeting, where the committee discussed the proposed Amendment to the Relinquishment of EBID Property Interests (Draft 1997-ENG10) and revisions to Section VII of the Right of Use Policy. The committee recommends Board approval of both amendments.

Amendment to Policy 1997-ENG10

David Lutz presented proposed amendments to Policy 1997-ENG 10, Relinquishment of EBID Property Interests. A clarifying sentence was added to state the policy does not pertain to water rights. Section B was revised to require interested buyers to submit a letter of interest to staff, who will assess eligibility before presenting the request to the Board. At that stage, a $1,000 application fee applies for all property interests, including easements. New criteria were added to guide Board decisions. A minimum sales price of $18,565 per acre was proposed, based on appraisal and consultation with El Paso, to establish a negotiation baseline. Exhibit A now includes an additional bullet point in the definition of "excess real property."

Discussion included whether adjacent landowners should have purchase priority or right of first refusal. Mr. Smith opposed restricting purchases to adjacent owners, while Mr. Franzoy noted the policy prohibits relinquishing any functioning District property. Mr. Lutz clarified that easements may only be purchased by adjacent property owners. The Board also discussed implementing a Notice Process and procedures for handling multiple purchase offers. **Vice President Rovirosa moved, and the motion was seconded by Director Tharp to approve the Amendment to Policy 1997-ENG 10, Relinquishment of EBID Property Interests.** Discussion ensued. President Daviet inquired about an appeal process for applicants whose requests do not pass staff screening. Mr. Lutz clarified that while no formal appeal process exists, applicants may request to be added to a Board Meeting agenda to present concerns. However, without a specific action item, the Board cannot act. Mr. Franzoy noted that applicants may speak in opposition to any permit or sale per policy. The Board discussed notification procedures for affected landowners, including direct mail and website postings. Mr. Smith recommended initiating notice after staff screening and fee acceptance. Sealed bids were proposed in cases involving multiple interested applicants. Mr. Lutz explained that additional applicants may submit separate requests following public notice, allowing the Board to evaluate multiple offers. There was consensus on the need to incorporate a formal Notice Process and guidance for handling multiple offers into the policy amendments. **Director Sloan moved, and the motion was seconded by Director Garay to postpone approval of the Amendment to Policy 1997-ENG 10, Relinquishment of EBID Property Interests (which takes precedence over the motion on the floor).**
**Mr. Smith called the vote roll:**

- **Secretary Garay – aye**
- **Director Crist – aye**

- **Director Tharp – nay**
- **Director Sloan – aye**
- **Director Rovirosa – nay**
- **Director Clayshulte Jr. – aye**
- **Director Colquitt III – nay**
- **Director Ludwig – nay**
- **Director Daviet – aye**

**Motion passed.**

President Daviet referred the proposed Amendment to Policy 1997-ENG 10, Relinquishment of EBID Property Interests to the Land Use Committee with the following direction for revision:

- Incorporate a notice provision for adjacent EBID landowners upon initial staff approval, including options for website posting and delivery via postal mail or email.
- Add guidance for managing multiple requests, including clarification on the offering price requirement.
- Submit the revised draft for Board review at the September 10, 2025, meeting.

Resolution 2025-11

Josh Smith presented Resolution 2025-11 regarding the potential lifting of the moratorium on land transfers. He recommended postponing a vote on the resolution. **Vice President Rovirosa moved, and the motion was seconded by Director Crist, to postpone a vote on Resolution 2025-11 until the September Board meeting. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Approval of Right of Use Policy Amendment, Variance Requests

Mr. Lutz presented the Right of Use Policy Amendment, Procedure for Variance Requests for approval. He reported that the Land Use Committee reviewed the policy, specifically regarding requests related to utility lines. The committee enlisted input from the District's Engineering Department and Zach Libbin, the engineer on contract, to discuss utility lines and sewage lines in particular. The committee addressed the fact that there is no variance procedure within the policy, as to how the Board will consider a request to vary the District's policy. The draft was composed by modeling it on zoning variance procedures and is meant to be consistent with the Exhibit proposed in the Relinquishment of EBID Property Policy. The idea was to accommodate the various goals of use of land, economic benefit the district can receive, and ensure that it protects against potential dangers to members of the District and public, and/or prevent anything detrimental to the District's interests. **Vice President Rovirosa moved; Director Tharp seconded to approve the amendment to the EBID Right of Use and License policy, specifically the procedure for Variance Requests. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

President Daviet called for a five-minute recess. The meeting reconvened after five minutes.

Inter-Governmental MOUs

Mr. Smith and Mr. Lutz presented on the Status of Inter-Governmental MOU's. Mr. Smith stated that staff is in the process of organizing all of the District's existing agreements, and considering agreements that we will need in the future. Mr. Lutz reported that there are a number of agreements in various stages. As the organization of these existing agreements proceeds, if something is prepared, and the District has talked to the counterparty about it, can these agreements be referred to the Land Use Committee for review? President Daviet stated that agreements may be referred to the Land Use Committee for discussion, if they are appropriate to the committee. He asked that if an Agreement comes up that does not fit into the scope of the Land Use Committee, to report back to the Board and it will be assigned to the appropriate committee.

Board Rules and Ethics Committee Report

President Daviet reported that the Board Rules and Ethics Committee met on August 5, 2025 to discuss a Board member that didn't attend the mandatory professionalism and harassment training. The committee did not believe that the Board Member was in violation of the code of conduct. The committee directed legal counsel to discuss options with the Treasurer Manager to have the Board Member attend an equivalent training.

Consent Agenda Permits

Approval of the Consent Agenda. President Daviet requested that the permit 2025-L-093 LCL Holdings, LLC/Tharp, be pulled from the consent agenda to be acted on separately. Director Tharp asked to recuse himself from permit 2025-L-093 LCL Holdings, LLC/Tharp. **Vice President Rovirosa moved; Secretary Garay seconded to approve the remaining permits in the Consent Agenda. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Scott Gamboa presented the 2025-L-093 LCL Holdings, LLC/Tharp permit application. Director Tharp asked to recuse himself from this permit. License 2025-L-093 is to construct, operate and maintain a 6" PVC force main paralleling the right bank of the Mesilla Drain. It is the second review of this license. Mr. Lutz noted that the Board just approved an amendment to the Right of Use Policy for Variance Requests, this permit does involve a variance request. He believes that the permit should be considered under the policy that was in place at the time it was submitted. The applicant would have to reapply in order to be considered under the new variance request policy. President Daviet stated that he doesn't believe that this license is actually requesting a variance of the policy. It has been the *standard* of the Board that utilities that are paralleling the District's facilities be placed five feet below the invert of that facility, however; that is not written in policy. Mr. Gamboa confirmed that utilities must be placed five feet below the invert, when they are crossing the facility, not paralleling. The policy for paralleling utilities states it must be five feet outside of the EBID Right of Way at a minimum depth of three feet. He stated that there is a variance request in this license because there is an existing water line that is currently buried at five feet. He explained that the force main would be installed approximately fifteen feet outside of the Right of Way, at a depth of seven feet. **Vice President Rovirosa moved; Director Sloan seconded to approve License 2025-L-093 LCL Holdings, LLC/Tharp.** Marty Pillar, Engineer from Pillar Engineering stated that there will be a minimum of one-foot separation between the bottom of the water line and the top of the sewer line. He also noted that considering the distance from the sewer line to the actual drain and the slope of the drain, it would require a significant head cut to get back to drain in the event of heavy rainfall. Mr. Franzoy added that the drain is retired and is no longer in us for the District. Mr. Esslinger stated that in his forty years with the District he has never seen that drain used for flood control. Vice President Rovirosa stated that he does not like the idea of a sewer line parallelling EBID property. He believes the District needs a policy to address sewer lines. He would like to see a risk mitigation plan in place before approving.

**Marilyn Crawford called the vote roll:**

- **Secretary Garay – aye**
- **Director Crist – aye**
- **Director Tharp – abstained**
- **Director Sloan – aye**
- **Director Rovirosa – nay**
- **Director Clayshulte Jr. – aye**
- **Director Colquitt III – aye**

- **Director Ludwig – aye**

**Motion passed.**

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N |
|---|---|---|---|---|---|---|
| | | | **EBID ROU LICENSE LIST - AUGUST 11, 2025 BOARD MEETING** | | | |
| 1 | 2025-162 | N | **2025-L-093 LCL HOLDINGS, LLC / THARP / 2ND REVIEW**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 6" PVC FORCEMAIN PARALLELING THE RIGHT BANK OF THE MESILLA DRAIN FROM APPROXIMATE STATIONS 479+30 TO 513+90 | $8,197.43 | N | Y |
| 2 | 2025-187 | N | **2025-L-112 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE NEMEXAS DRAIN AT APPROXIMATE STATION 838+00 | $4,180.00 | N | Y |
| 3 | 2025-188 | N | **2025-L-113 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 103+89 | $3,420.00 | N | Y |
| 4 | 2025-190 | N | **2025-L-115 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MITCHELL LATERAL AT APPROXIMATE STATION 11+75 | $3,420.00 | N | Y |
| 5 | 2025-191 | N | **2025-L-116 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 455+60 | $4,180.00 | N | Y |
| 6 | 2025-192 | N | **2025-L-117 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 135+10 | $3,800.00 | N | Y |
| 7 | 2025-194 | N | **2025-L-119 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE THREE SAINTS LATERAL AT APPROXIMATE STATION 102+75 | $3,800.00 | N | Y |
| 8 | 2025-196 | N | **2025-L-120 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 238+50 | $3,420.00 | N | Y |
| 9 | 2025-197 | N | **2025-L-121 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE PAXTON LATERAL AT APPROXIMATE STATION 89+00 | $3,420.00 | N | Y |
| 10 | 2025-198 | N | **2025-L-122 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA UNION WEST LATERAL AT APPROXIMATE STATION 89+34 | $3,420.00 | N | Y |
| 11 | 2025-202 | N | **2025-L-126 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 155+71 | $3,420.00 | N | Y |
| 12 | 2025-206 | N | **2025-L-127 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE LAKE LATERAL CANAL AT APPROXIMATE STATION 12+75 | $3,420.00 | N | Y |
| 13 | 2025-207 | N | **2025-L-128 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 610+70 | $4,180.00 | N | Y |
| 14 | 2025-208 | N | **2025-L-129 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 216+00 | $3,420.00 | N | Y |
| 15 | 2025-209 | N | **2025-L-130 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 167+68 | $3,420.00 | N | Y |
| 16 | 2025-210 | N | **2025-L-131 L+D FARMING / DAVID & MARY WOFFORD**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE MESILLA DRAIN AT APPROXIMATE STATION 514+50 | $4,180.00 | Y | Y |
| 17 | 2025-211 | N | **2025-L-132 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE HOUGHTON LATERAL AT APPROXIMATE STATION 61+00 | $3,420.00 | N | Y |
| 18 | 2025-212 | N | **2025-L-133 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE HOUGHTON LATERAL AT APPROXIMATE STATION 30+00 | $3,420.00 | N | Y |
| 19 | 2025-213 | N | **2025-L-134 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 579+60 | $3,800.00 | N | Y |
| 20 | 2025-214 | N | **2025-L-135 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 300+07 | $3,800.00 | N | Y |
| 21 | 2025-217 | N | **2025-L-137 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ALTA VISA LATERAL AT APPROXIMATE STATION 0+70 | $3,420.00 | N | Y |
| 22 | 2025-218 | N | **2025-L-138 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 629+10 | $4,180.00 | N | Y |
| 23 | 2025-219 | N | **2025-L-139 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DECK LATERAL AT APPROXIMATE STATION 45+20 | $3,420.00 | N | Y |
| 24 | 2025-220 | N | **2025-L-140 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 216+67 | $3,420.00 | N | Y |
| 25 | 2025-220 | Y | **2025-L-141 ORGANIC PECAN COMPANY / DR. TODD PARCC**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE HATCH DRAIN AT APPROXIMATE STATION 359+89 | $4,180.00 | Y | Y |
| | | | TOTAL CHARGED $ (NO LAND FEE WAIVER) | $87,997.43 | N | Y |
| | | | TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER) | $11,780.00 | Y | Y |
| | | | TOTAL $ | $99,777.43 | | Y |

Closed Sessi

**Director Garay moved; Director Sloan seconded to go into closed session. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

- Texas v. NM (USSC)
- Discussion regarding purchase, acquisition, or disposal of real property or water rights
- Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
- Limited Personnel Matters
- Other threatened/pending litigation
- Motion to come out of closed session

**Director Colquitt moved; Director Garay seconded to come out of closed session. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

Director Clayshulte Jr. announced that the New Mexico Water Quality Commission met on August 12, 2025. He provided information that came from the meeting to the Treasurer Manager to distribute.

Adjourn

**There being no further business, Secretary Garay moved, and Director Tharp seconded to adjourn the meeting. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** The meeting was adjourned at 1:50 PM.

The next meeting of the Board of Directors will be held on August 21, 2025, beginning at 1 PM at the EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**August 21, 2025**

A Special Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 1pm on Thursday, August 21, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, Rafael Rovirosa, James Sloan, John Clayshulte Jr., Prescott Colquitt III, Henry Ludwig, and Preston Tharp (arrived at 1:10pm).

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Casey Crist.

Introduction Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Bill Lutz, Legal Counsel; Gary Esslinger, EBID Consultant; Marilyn Crawford, Executive Assistant; DL Sanders, Legal Counsel appeared virtually; Pete Domenici, Legal Counsel appeared virtually; James Narvaez, Irrigations Director, appeared virtually; Delyce Maciel, Director of HR & Safety, appeared virtually; and Dr. Phil King appeared virtually.

No EBID Guests were present.

Virtual attendees present were Anthony Collin, NMDA, Genevieve Allan, BOR; Samantha Stifler, USIBWC; Sheryl Smith, OSE; Longworth; Marc Termil, OSE; MRiley; Susan Montoya; and Jerry Melendrez.

Agenda Approval

The agenda was approved as presented.

Minutes Approval

**Director Ludwig moved, and the motion was seconded by Director Clayshulte Jr. to approve August 13, 2025, regular board meeting minutes. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Texas v. New Mexico

President Daviet informed the Board that the deadline for finalizing the agreements and appendices related to the matter of *Texas v. New Mexico* had passed. He noted that there are three agreements requiring Board action and stated that he will request the Board to either approve or disapprove these agreements at the conclusion of the meeting. Due to the sensitive nature of the agreements, detailed discussion of their contents was not permitted during open session.

President Daviet expressed his appreciation to the Legal Review Committee, Board Members, and legal advisors for their significant time and effort devoted to this matter.

Closed Session

**Director Clayshulte Jr. moved; Director Colquitt III seconded to go in closed session to discuss those matters listed as pursuant to Section 10-15-1(H) on the agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Colquitt III aye the motion. Motion passed unanimously.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

A. Texas v. NM (USSC)
B. Motion to come out of closed session

**Vice President Rovirosa moved; Secretary Garay seconded to come out of closed session. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

President Daviet called for a five-minute recess. The meeting was reconvened after five minutes.

Discussion and Approval of Agreements

Discussion and Approval of Agreements.

A. Agreement No.1 / Contract No. 25-WC-40-1028, which is otherwise known as the Miscellaneous Purposes Act, Master Contract. **Vice President Rovirosa moved; Secretary Garay seconded to approve the MPA Master Contract. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**
B. Agreement No.2 / Contract No. 25-WC-40-1029, which is otherwise known as the Miscellaneous Purposes Act Implementing Contract for Allocation Transfers. **Vice President Rovirosa moved; Director Colquitt seconded to approve the Miscellaneous Purposes Act Implementing Contract for Allocation Transfers. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**
C. Agreement No.3 / Operations Settlement Agreement, which is regarding the Rio Grande Project operations and related issues. **Vice President Rovirosa moved; Secretary Garay seconded to approve the Operation Settlement Agreement. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Adjourn

**There being no further business, Director Clayshulte Jr. moved, and Vice President Rovirosa seconded, to adjourn the meeting. Directors Garay, Crist, Tharp, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** The meeting was adjourned at 2:46 PM.

The next meeting of the Board of Directors will be held on September 10, 2025, beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**September 10, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, September 10, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, James Sloan, Rafael Rovirosa, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig. Board member Preston Tharp was absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Vice President Rovirosa.

Introduction of Guests

EBID personnel present were Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Gary Esslinger, Consultant; Karin Byrum, Finance Director; Scott Gamboa, Land and Licensing Technician, appeared virtually and in-person; Delyce Maciel, Director of HR and Safety, appeared virtually and in-person; and Dr. Phil King.

EBID guests present were Jerry Schickedanz, constituent; Sammy Singh, constituent; Alfred Perrault, OSE; Michael Riley, OSE; Joseph Kulib, OSE; and Larry Vasquez, USBR.

Virtual attendees and EBID personnel present were Anthony Collin, NMDA; AJ Carlson, EBID Land Records Admin; Delyce Maciel, EBID Director of HR and Safety; James Narvaez, EBID Director of Irrigation; Josh Smith, EBID Manager-Treasurer; JR Hennessy; Leah Diaz, EBID Chief Procurement Officer; Steven Hernandez; and Scott Gamboa, EBID Land and Licensing Technician.

Public Input

Dr. Jerry Schickedanz encouraged EBID to highlight the positive aspects of agriculture and water use. He suggested incorporating this focus into monthly agendas and sharing it via social media. He also recommended adding a "Public Input" item to the Monthly Board Meeting agenda and proposed that a Board Member be designated to represent small tract landowners.

Agenda Approval

The agenda was approved as presented.

Minutes Approval

President Daviet noted that in the section *Discussion and Approval of Agreements*, items A and B correctly state that the motions were passed unanimously. However, item C does not include this note. He clarified that the motion for item C was also passed unanimously and requested that this be added for consistency. **Secretary Garay moved, and the motion was seconded by Director Colquitt III to approve the August 21, 2025, Special Board Meeting minutes with the addition. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** President Daviet stated that the closed session discussion at the August 21, 2025, Special Board Meeting was limited to the items listed on the meeting agenda, although he did not mention that when coming out of closed session at the last meeting.

Budget Committee Report

Director Sloan reported that the Budget Committee met twice in the past two weeks and welcomed new constituent member, Josh Sanchez. The committee recommended maintaining the current assessment rate of $100. He suggested that one way the Board could support the budget is by reducing travel to conferences for Board Members.

Director Ludwig shared that local growers, upon hearing there may be little to no water next season, have asked whether the assessment could be lowered. President Daviet responded that the current assessment is insufficient to cover the District's maintenance needs. Mr. Franzoy clarified that the assessment is based on the use of District facilities to convey water, not on water availability.

President Daviet asked for specific recommendations on reducing travel expenses. Director Sloan proposed that Board Members who have previously attended a particular conference might skip it the following year. For staff, he recommended that the Manager attend and share key takeaways with the team, rather than sending multiple staff members.

Water Update

Dr. King reported on preliminary charges, release and diversion ratios for the 2025 season. He reported that EBID charges were 78,941 acre-feet (AF); EPCWID was at an estimated 104,000 AF; Mexico was at 13,463 AF; and Caballo Release was at 248,440 AF. The diversion ratio was 0.79. A "normal" release is 790,000 AF. Anything under 400,000 AF is considered extreme drought. There will be a follow-up allocation in the next few days. It will not change Mexico, but the two districts will change slightly. Then there will be the end-of-year allocation, which will be based on October 31 conditions.

As of September 9, 2025, total project storage stood at 75,683 acre-feet (AF), with 62,604 AF in Elephant Butte and 13,079 AF in Caballo. Usable project storage is 64,226 AF; 12,643 AF is not releasable. Estimated Rio Grande Compact credit is at 7,200 AF, and San Juan-Chama is at 4,257 AF (as of August 1). Total released from Caballo in 2025 was 248,440 AF. The seasonal supply was at 300,023 AF. The net inflow into Elephant Butte is -250 AF. The reason for a negative net inflow is the evaporation of the reservoir losses exceeds the inflow from the river. The Rio Grande at Albuquerque and San Marcial is essentially zero.

Dr. King reported that total precipitation improved slightly. As of September 9, 2025, the Upper Rio Grande is at 74% of average, Rio Chama 80%, Sangre de Cristo 96%, and Jemez at 86%. The NOAA NWS Climate Prediction Center projects below average precipitation and above average temperatures December 2025 through February 2026 throughout the Rio Grande watershed. According to the US drought monitor there was a slight improvement in the lower part of the watershed, but the upper remains in persistent drought. The current classification is ENSO (El Nino Southern Oscillation Index) neutral.

In conclusion, Reclamation successfully removed the clog at the Caballo outlet. The 2025 water year was marked by low supply and current storage levels heading into 2026 remain critically low. Forecasts predict a hot and dry season with continued drought conditions and limited snowpack accumulation. As a result, the initial release is anticipated to begin late, around June 1, with an expected allotment in the range of 4 to 6 inches. President Daviet noted that allotments below 4 inches make it extremely difficult to deliver water, and we should prepare to have hard conversations about the upcoming water season. Dr. King stated that in 2013 the allotment was 3.5 inches, this was the only time in the history of the District that the allotment was under 4 inches. He is confident that EBID facilities will work with a 3-3.5-inch allotment. James Narvaez agreed it could be done, but that it would be a short and focused water season. Director Ludwig asked how long the irrigation season would be with a 3-4 inch allotment. Mr. Narvaez estimated it would run close to 30 days.

Financial Report

Karin Byrum presented the financial report, noting a total of $7,830,145 held across investments and cash in the bank as of September 4, 2025. There were two uncommon expenses, which were the purchase of pipe for a constituent project and the quarterly payment to Bureau of Reclamation. She also noted that there were large receipts for right-of-way license payments during this period. The investment rate for August was 4.35%.

Contract Approval

Joah Franzoy presented the contract for Professional Financial Services for CliftonLarsonAllen, LLP (CLA). Mr. Franzoy noted that Karin Byrum will be retiring November 29, 2025, and this contract will facilitate in that transition. The contract includes financial services such as outsourced accounting, system implementation and support, consulting, internal controls review, audit assistance, and financial advisory. Mr. Franzoy clarified that CLA's services will be used temporarily through March 2026, while the team fills the Director of Finance position (anticipated in

December or January) and completes system setup and staff training. Director Clayshulte Jr. asked why we are not trying to fill the position now. Mr. Franzoy noted that a job posting is currently being drafted and will be released soon. **Director Sloan moved, and the motion was seconded by Director Colquitt III to approve the Professional Financial Services contract for CliftonLarsonAllen, LLP (CLA). Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Budget Presentation and Approval of Resolution 2025-12

Joah Franzoy presented the budget for Fiscal Year 11/01/2025 to 10/31/2026 and Calendar Year 1/01/2026 to 12/31/2026. He reviewed the District's revenue and expense categories and presented a forecasted net-zero, staff approved budget. President Daviet raised concerns regarding the District's continued reliance on asset depreciation to balance financial operations. He noted that industry standards suggest annual maintenance should be approximately 5% of the asset base, a threshold the District is currently not meeting. While acknowledging that this may not be the year to address the imbalance, he emphasized that ongoing reliance on depreciation is unsustainable. He underscored the importance of long-term planning and reinvestment in infrastructure maintenance as a priority for the current and future boards. Mr. Franzoy stated that he will put together the replacement cost and forecast for replacing all the structures for the District by the January 2026 Board Meeting. **Director Sloan moved, and the motion was seconded by Director Colquitt III to approve Resolution 2025-12, the budget adoption for Fiscal Year 11/01/2025 to 10/31/2026 and Calendar Year 1/01/2026 to 12/31/2026. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Update on Board Election

Marilyn Crawford provided an update on the upcoming 2025 Board Election. She reported that the Notice of Election has been published in the *Las Cruces Sun News* and posted on the EBID website. The election is scheduled to take place on Tuesday, December 2, 2025. As this is an even election year, elections will be held for Precincts 2, 4, 6, and 8. Petitions for director candidates are now available and may be obtained by contacting the Manager's office at the District. To qualify as a candidate, individuals must be legal adults, U.S. citizens, and own two or more acres of agricultural land within the District. The canvass of ballots will be conducted on Monday, December 8, 2025. The Board will need to determine whether to reschedule the regularly scheduled Board Meeting set for December 10, 2025, or to call a Special Board Meeting specifically for the canvass of votes.

Calendar of Events

Joah Franzoy presented the calendar of events.

- NM Water Law Conference: NWRA 2025 Annual Conference and Leadership Forum: September 11-12, 2025, in Santa Fe, NM.
- Southern New Mexico State Fair: September 24-26, 2025, in Las Cruces. EBID will be there with the water trailer under the pavilion.
- Coalition of Rio Grande Water Users Conference: September 30-October 2, 2025, in Santa Fe, NM. There are two slots available for Board Members. Director Clayshulte Jr. and Director Ludwig will attend. President Daviet asked both to make travel arrangements with Ms. Crawford.
- Hearing for TX v NM: September 28 - October 2, 2025, in Philadelphia, PA. Travel for four board members was approved on 8/13/25. President Daviet and Vice President Rovirosa were slated to attend, but Vice President Rovirosa cannot attend. Director Colquitt III stated that he would attend.
- Next Board of Directors Meeting: October 8, 2025.
- 70th Annual NM WRRI Annual Water Conference: October 21-23, 2025, at New Mexico Farm & Ranch Heritage Museum in Las Cruces, NM. If there is a quorum present, notice will need to be posted.
    - **Action Item:** Register President Daviet for this conference.
- Family Farm Alliance Annual Meeting and Conference: October 30-31, 2025, in Reno, NV.
    - **Vice President Rovirosa moved, and the motion was seconded by Director Colquitt III to approve travel to Reno, NV for the Family Farm Alliance Annual Meeting for one staff to include all actual expenses. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**
- Election Petitions DUE: October 31, 2025.
- Chamber of Commerce Horseshoe Tournament hosted by Joah Franzoy: November 1, 2025, at the Las Cruces Fairgrounds Rodeo Arena.
- NWRA 2025 Annual Conference and Leadership Forum: November 5-7, 2025, in Tucson, AZ.
    - **Vice President Rovirosa moved, and the motion was seconded by Director Sloan to approve travel to Tucson, AZ for the NWRA 2025 Conference for two Board Members and two staff to include all actual expenses. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**
- SAVE THE DATE: EBID Board Election, December 2, 2025

HR/Safety Report

Delyce Maciel presented the HR and Safety update. She reported a current employee count of 83 and noted that there are two employees on FMLA or disability and five employees on intermittent FMLA. Mr. Franzoy noted that he had been instructed by Josh Smith to open a position for Public Relations, which will go through the RFQ/RFP process.

Maint/Proj Update

Joah Franzoy reported that the Engineering and Maintenance departments are busy with facilities maintenance, working on estimates for grant work, and recently submitted a bid to the City of Las Cruces to do work on their pipeline construction. They are preparing to start repairs on the Rincon Arroyo washout.

Permits

Approval of the Consent Agenda. Scott Gamboa presented seventeen licenses for approval. Fourteen Comcast Cable, new aerial fiber optic lines crossing multiple EBID ROWs; Two Comcast Cable, new buried fiber optic lines crossing the East Drain; and one Qwest/Lumen Corporation, new aerial fiber optic line crossing the Mesilla Drain. **Vice President Rovirosa moved; Secretary Garay seconded to approve the consent agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N |
|---|---|---|---|---|---|---|
| EBID ROU LICENSE LIST - SEPTEMBER 10, 2025 BOARD MEETING | | | | | | |
| 1 | 2025-185 | N | 2025-L-110 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 184+90 | $3,800.00 | N | Y |
| 2 | 2025-186 | N | 2025-L-111 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 211+85 | $3,800.00 | N | Y |
| 3 | 2025-193 | N | 2025-L-118 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 468+00 | $4,180.00 | N | Y |
| 4 | 2025-199 | N | 2025-L-123 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 296+85 | $3,800.00 | N | Y |
| 5 | 2025-227 | N | 2025-L-142 COMCAST / MTC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 347+90 | $4,180.00 | N | Y |

| | | | | | | |
|---|---|---|---|---|---|---|
| 6 | 2025-228 | N | **2025-L-143 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA MESA DRAIN AT APPROXIMATE STATION 359+00 | $4,180.00 | N | Y |
| 7 | 2025-229 | N | **2025-L-144 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 173+55 | $3,420.00 | N | Y |
| 8 | 2025-230 | N | **2025-L-145 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 156+38 | $3,420.00 | N | Y |
| 9 | 2025-231 | N | **2025-L-146 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 158+37 | $3,420.00 | N | Y |
| 10 | 2025-232 | N | **2025-L-147 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 177+53 | $3,420.00 | N | Y |
| 11 | 2025-233 | N | **2025-L-148 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 162+90 | $4,180.00 | N | Y |
| 12 | 2025-234 | N | **2025-L-149 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 297+26 | $3,800.00 | N | Y |
| 13 | 2025-235 | N | **2025-L-150 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA MESA DRAIN AT APPROXIMATE STATION 328+85 | $4,180.00 | N | Y |
| 14 | 2025-236 | N | **2025-L-151 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 354+15 | $3,800.00 | N | Y |
| 15 | 2025-237 | N | **2025-L-152 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 408+49 | $3,420.00 | N | Y |
| 16 | 2025-238 | N | **2025-L-153 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO EAST LATERAL AT APPROXIMATE STATION 261+60 | $3,800.00 | N | Y |
| 17 | 2025-254 | N | **2025-L-161 QWEST CORPORATION**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL TELEPHONE LINE CROSSING THE MESILLA DRAIN AT APPROXIMATE STATION 237+14 | $1,630.07 | N | Y |
| | | | TOTAL CHARGED $ (NO LAND FEE WAIVER) | $62,430.07 | N | Y |
| | | | TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER) | $0.00 | Y | Y |
| | | | TOTAL $ | $62,430.07 | | Y |

**Vice President Rovirosa moved, and the motion was seconded by Director Ludwig to go into closed session. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session: Closed Session

- Texas v. NM (USSC)
- Discussion regarding purchase, acquisition, or disposal of real property or water rights
- Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
- LRG Adjudication
- Limited Personnel Matters
- Other threatened/pending litigation
- Motion to come out of closed session

**Director Colquitt III moved, and the motion was seconded by Secretary Garay to come out of closed session. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

**There being no further business, Director Colquitt III moved, and the motion was seconded by Secretary Garay to adjourn the meeting. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** The meeting was adjourned at 12:48 PM. Adjourn

The next meeting of the Board of Directors will be held on October 8, 2025, beginning at 9:00 AM at the EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**October 8, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, October 8, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Casey Crist, Greg Daviet, Rafael Rovirosa, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig. Board members Randy Garay, Preston Tharp, and James Sloan were absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Director Crist.

Introduction of Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Gary Esslinger, Consultant; Karin Byrum, Finance Director; Juan Caballero, GIS and Licensing Administrator; AJ Carlson, Land Records Administrator, appeared virtually and in-person; Tammie Deon, Administrative Assistant, appeared virtually; James Narvaez, Director of Irrigation Systems, appeared virtually; Delyce Maciel, Director of HR and Safety, appeared virtually; Skye Devore, Lobbyist, appeared virtually; Pete Domenici, Legal Counsel, appeared virtually; and Dr. Phil King, Consultant, appeared virtually.

EBID guests present were Earl Greer, Elephant Butte Chamber of Commerce; Bruce Swingle, Elephant Butte Chamber of Commerce; James Prindamondo, Turtleback Mountain Golf & Resort; Ryan Serrano, NMISC; Steve Hernandez, CID; Larry Vasquez, USBR; and Alfred Perrault, OSE.

Virtual attendees present were Samantha Stiffler, IBWC; Christina Hernandez; Sherryl Smith, OSE; and Katherine Maynard, OSE.

Agenda Approval

The agenda was approved as presented.

Public Input

Steven Hernandez provided a brief update on the NWRA annual conference in November and noted that he invited Josh Smith to participate as a panelist in a discussion on Texas versus New Mexico. In turn, Mr. Smith extended invitations to President Daviet and Vice President Rovirosa to join the panel.

Minutes Approval

**Director Clayshulte moved, and the motion was seconded by Director Colquitt III to approve the September 10, 2025, Regular Board Meeting minutes. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Presentation

Mr. Bruce Swingle, accompanied by Mr. Earl Greer and Mr. James Prindamondo, addressed the board regarding ongoing efforts to establish a minimum pool at Elephant Butte Lake. The presenters emphasized the critical economic and recreational importance of the lake to the region and highlighted the long-standing issue of water shortages affecting southern New Mexico. The Elephant Butte Chamber of Commerce is advocating for a collaborative approach involving key stakeholders such as EBID, state parks, local communities, and the State Engineer's Office. State Parks has requested a minimum elevation of 4310 feet (approximately 178,000 AF of storage) to maintain recreational infrastructure. The presenters stressed that the goal is not to reallocate existing water rights but to ensure equitable access and sustainable management of water resources in southern New Mexico.

Committee Report

Director Colquitt and David Lutz reported that the Land Use Committee has been active and met twice since the September Board Meeting. The committee met on 9/9/25 to discuss the status of the moratorium and proposed amendments to the Land Relinquishment policy and the MOU with the City of Las Cruces. The committee met again the following week to approve the proposed amendments.

Amended Policy 1997-ENG10 Approval

David Lutz presented the amended Policy 1997-ENG10 for Board approval, noting that the policy had previously been revised in 2019 and that the Land Use Committee had addressed several concerns raised by the Board. The updated policy includes provisions for public notice, where proposed relinquishments will be published on the EBID website to ensure transparency. Additionally, adjacent EBID landowners will receive direct notification via their address on file, allowing them the opportunity to respond or submit offers. The Board also discussed how to proceed in the event of multiple offers, with consideration given to evaluating each offer individually and requesting best and final submissions. **Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to approve the amendment to Policy 1997-ENG10. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Resolution 2025-11 Approval

Josh Smith reported that staff located documentation indicating the Board lifted the Moratorium on the Conveyance of District property in 2019. David Lutz confirmed that according to the Board meeting minutes, amendments to the Relinquishment Policy were approved in November 2019. The minutes from that meeting reflect a motion passed by the Board to lift the moratorium, with one specific property listed on the agenda for relinquishment at that time. There remains some question as to whether the action taken was intended to lift the moratorium solely for that specific transfer or more broadly. Further review of meeting records revealed evidence of another relinquishment occurring in 2021. Based on this information, Mr. Lutz expressed his belief that the moratorium was fully lifted. President Daviet concurred with the discussion and expressed support for either adopting or denying Resolution 2025-11 in order to formally clarify the status of the moratorium on the conveyance of District property. **Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to approve Resolution 2025-11 Lifting the Moratorium on the Conveyance, Sale, and Transfer of District property. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Second Amendment to MOU with CLC Approval

Director Colquitt III stated that the City of Las Cruces has not responded to the proposed amendments to the Memorandum of Understanding (MOU) and recommended postponing the agenda item. David Lutz stated that the current MOU with the City of Las Cruces regarding the use of District drains, canals, and laterals is expired. There is a project that the city is currently working on which makes having the MOU in place essential. He noted that the second amended MOU has been sent to the city for their review, however, they have not yet responded. He agreed that it might be best to table the item until we hear back from the city as there was one key change in the MOU. This change was to not waive the land use fees because it is not an agricultural use of the property. The Board discussed whether land use fees should be charged to the City of Las Cruces for use of District facilities. The consensus was that, as the City is not an agricultural entity and will not use the land for agricultural purposes, fees should be assessed. Mr. Lutz added that municipalities, including the City of Las Cruces, charge franchise fees for

use of city property, and that EBID assessing fees would be consistent with that practice. **Director Rovirosa moved, and the motion was seconded by Director Colquitt III to postpone the approval of the second amended Memorandum of Understanding (MOU) with the City of Las Cruces until the November 12, 2025 Board Meeting. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Water Resources Update

Dr. King provided a water resources update. As of October 7, 2025, total project storage stands at 86,412 acre-feet (AF), with 71,377 AF in Elephant Butte and 15,035 AF in Caballo. Usable project storage is 74,955 AF; 20,543 AF is not releasable. Estimated Rio Grande Compact credit is 7,200 AF, and San Juan-Chama is at 4,257 AF. The seasonal supply is at 54,412 AF. The net inflow into Elephant Butte is at approximately 300 AF but is fading. The D1 curve goes to zero at 124,000 AF; the D2 curve goes to zero at 67,000 AF; So, we are below zero on both allocation functions that we use for allocation. The river gauges at Otowi, Albuquerque, and San Marcial are all below the median.

Dr. King reported as of October 7, 2025, the Upper Rio Grande is at 289% of average, Rio Chama 129%, Sangre de Cristo 87%, and Jemez at 67% for the water year 2026, which began October 1st. The NOAA NWS Climate Prediction Center projects below average precipitation and above average temperatures January 2026 through March 2026 throughout the Rio Grande watershed. According to the US drought monitor there was a slight improvement in the lower part of the watershed, but the entire Rio Grande remains in some level of drought. The seasonal drought outlook forecasts that Texas is going to be in drought and that there will be persistence of drought in the Lower Rio Grande. The current classification is ENSO (El Nino Southern Oscillation Index) neutral.

Dr. King provided an overview of the anticipated water supply conditions for the 2026 season. Based on current project storage levels and long-range forecasts indicating a warm and dry snow season, the upcoming year is expected to be a critically short supply year. In 2025, Caballo Dam released 248,449 AF, marking the seventh lowest release in the dam's history. This reduced release volume has direct implications for surface water availability in 2026. For context, the lowest historical release from Caballo occurred in 2013, totaling 168,558 AF. As of this date in 2012, project storage stood at approximately 119,000 AF. In contrast, current storage levels are significantly lower, at 86,412 AF. Given these conditions, he recommended initiating discussions with key project partners, EP#1, the Bureau of Reclamation, and the International Boundary and Water Commission, to explore potential response scenarios and collaborative strategies.

Manager's Update

Josh Smith provided a summary of recent activities and updates:

- Texas v. New Mexico Litigation: Mr. Smith, along with President Daviet, Director Colquitt, and EBID consultants, attended the hearing in Philadelphia last week. The proposed settlement was presented to the presiding judge. The review process is expected to begin in November, with a report from the Special Master anticipated in the spring.
- Dam Drain Maintenance: Capital and special agreements with the Interstate Stream Commission for dam drain maintenance crews have been finalized. Leah Diaz is overseeing the procurement of necessary equipment, and most crew positions have been filled.
- Flood Response – Vado Area: EBID is actively working with FEMA in response to recent flooding in Vado. Staff are compiling a damage inventory list with the goal of recovering costs associated with repairs to the Mesquite Drain.
- Construction Activities: The district is currently in construction mode, with several projects scheduled.
- Contracts Database Development: A centralized contracts database is being developed under the lead of Joah Franzoy and James Narvaez. This system will house all MOUs, MOAs, agreements, and contracts, and will include expiration tracking with automated notifications.
- Stormwater Utilization: The district has been utilizing stormwater resources. James Narvaez is collecting data and plans to present findings at an upcoming Board meeting.

Calendar of Events

Josh Smith presented the calendar of events:

- 70th Annual NM WRRI Annual Water Conference: October 21-23, 2025, at New Mexico Farm & Ranch Heritage Museum in Las Cruces, NM. If there is a quorum present, notice will need to be posted.
- Family Farm Alliance Annual Meeting and Conference: October 30-31, 2025, in Reno, NV. Unfortunately, no staff are available to attend.
- Election Petitions DUE: October 31, 2025.
- Chamber of Commerce Horseshoe Tournament hosted by Joah Franzoy: November 1, 2025, at the Las Cruces Fairgrounds Rodeo Arena.
- NWRA 2025 Annual Conference and Leadership Forum: November 5-7, 2025, in Tucson, AZ. (Travel approved 9/10/25 and reservations have been made)
- Next Board of Directors Meeting: November 12, 2025.
- SAVE THE DATE: EBID Board Election, December 2, 2025
    - **Action Item:** Add an agenda item to the November Board Meeting to determine whether an additional meeting is necessary to canvass the election results.

Financial Report

Karin Byrum presented the financial report, noting a total of $7,247,492 held across investments and cash in the bank as of October 2, 2025. She noted auction proceeds of approximately $25,000 were received, as well as a lump payment for a variety of use fees. The investment rate for September was 4.35%.

Resolution 2025-13 Approval

Karin Byrum presented Resolution 2025-13 Approval of Disposition of Assets with Exhibit A (estimated resale value less than $5,000) and Exhibit B (estimated resale value greater than $5,000). **Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to approved Resolution 2025-13. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Maint/Proj Update

There was no maintenance/project update at this meeting.

Josh Smith provided an HR and Safety update, reporting a current employee count of 83. He noted that interviews are underway for open ditch rider positions in both the North and South. Additionally, he announced that Karin Byrum will be retiring in November.

HR/Safety Report

Approval of the Consent Agenda.

Consent Agenda Approval

Two Professional Services Contracts were presented for approval:

- Domenici Law Firm, PC DL Sanders LLC and Law Offices of H. Nicole Werkmeister, LLC
- Jorgianna 'Jorgi" Ellis, Public Relations.

Seven Right of Use Licenses were presented:

- Two for Woodward / DeRuyter Farms / Sunset Farms / Farms El Consuelo (renewed licenses) - Existing culverts crossing the East Drain and Anthony Lateral (requesting land use fees to be waived due to agriculture use).
- Two for M&J Custom Farming - New harvest gates on right bank of the Leasburg Extension (requesting land use fees to be waived due to agriculture use).
- Carey and Patricia Wilson - Existing concrete bridge crossing the Eastside Main Canal
- Two for El Paso Electric - New aerial electrical lines crossing the Hatch Main Canal and Turney Lateral

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N |
|---|---|---|---|---|---|---|
| | | | EBID ROU LICENSE LIST - OCTOBER 8, 2025 BOARD MEETING | | | |
| 1 | 2025-200 | Y 2005-206 2005-L-079 | 2025-L-124 WOODWARD / DeRUYTER FARMS / SUNSET FARMS / FARMS EL CONSUELO<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE EAST DRAIN AT APPROXIMATE STATION 452+87 | $4,180.00 | Y | Y |
| 2 | 2025-201 | Y 2005-206 2005-L-079 | 2025-L-125 WOODWARD / DeRUYTER FARMS / SUNSET FARMS / FARMS EL CONSUELO<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 60+50 | $3,800.00 | Y | Y |
| 3 | 2025-252 | N | 2025-L-159 M&J CUSTOM FARMING / JOSEPH CENICEROS<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A HARVEST GATE ON THE RIGHT BANK OF THE LEASBURG EXTENSION AT APPROXIMATE STATION 720+43 | $3,800.00 | Y | Y |
| 4 | 2025-253 | N | 2025-L-160 M&J CUSTOM FARMING / JOSEPH CENICEROS<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A HARVEST GATE ON THE RIGHT BANK OF THE LEASBURG EXTENSION AT APPROXIMATE STATION 699+71 | $3,800.00 | Y | Y |
| 5 | 2025-258 | N | 2025-L-162 CAREY AND PATRICIA WILSON<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE BRIDGE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 278+10 | $3,800.00 | N | Y |
| 6 | 2025-259 | N | 2025-L-163 EL PASO ELECTRIC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE HATCH MAIN CANAL AT APPROXIMATE STATION 946+60 | $4,180.00 | N | Y |
| 7 | 2025-260 | N | 2025-L-164 EL PASO ELECTRIC<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE TURNEY LATERAL AT APPROXIMATE STATION 3+00 | $3,420.00 | N | Y |
| | | | TOTAL CHARGED $ (NO LAND FEE WAIVER) | $11,400.00 | N | Y |
| | | | TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER) | $15,580.00 | Y | Y |
| | | | TOTAL $ | $26,980.00 | | Y |

**Director Crist moved, and the motion was seconded by Director Colquitt III to approve the Consent Agenda. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Water Transfer Hearing

President Daviet recused himself from the Water Transfer Hearing. Vice President Rovirosa called to order the Suspension/Transfer Hearing. AJ Carlson presented Water Right Transfer **2025-WTS-009**, in which TBC Properties LLC is transferring 7 acres of water rights to Triple A Farms LLC. As a result, JD 780 Valley LLC will no longer hold water rights, and TBC Properties LLC will hold a new total of 40.62 acres of water rights. She presented **2025-WTS-010**, in which Michael and Karen Brockman are transferring 4.62 acres of water rights to Daviet Farms LLC. As a result, Michael and Karen Brockman will no longer hold water rights, and Daviet Farms LLC, Inc will hold a new total of 270.46 of water rights. She also presented **forty-five delinquent suspensions** to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 43.20 acres to EBID owned property. No protest was received. Staff recommends approval of the transfers. **Director Colquitt III moved, and the motion was seconded by Director Crist to approve said applications and Resolutions 2025-S&T-10. President Daviet abstained. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Adjourn Water Transfer Hearing

**Director Colquitt III moved, and the motion was seconded by Director Clayshulte to adjourn the Board sitting for water transfer hearing. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

Closed Session

**Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to go into closed session. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

- Texas v. NM (USSC)
- Discussion regarding purchase, acquisition, or disposal of real property or water rights
- Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property

- LRG Adjudication
- Limited Personnel Matters
- Other threatened/pending litigation
- Motion to come out of closed session

**Director Colquitt III moved, and the motion was seconded by Director Ludwig to come out of closed session. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.** President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

Adjourn

**There being no further business, Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to adjourn the meeting. Directors Crist, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously. Motion passed unanimously.** The meeting was adjourned at 12:30 PM.

The next meeting of the Board of Directors will be held on November 12, 2025, beginning at 9:00 AM at the EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, November 12, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Casey Crist, Greg Daviet, Rafael Rovirosa, Henry Ludwig (9:03 AM), John Clayshulte Jr. (9:08 AM), and James Sloan (9:09 AM). Board members Preston Tharp and Prescott Colquitt III were absent.

The Invocation was given by Gary Esslinger, followed by the Pledge of Allegiance led by Director Crist.

President Daviet announced that a quorum of directors was not present. He advised that the meeting would proceed with discussion of agenda items not requiring board approval. All items requiring board action were tabled and will be addressed once a quorum is established.

Introduction of Guests

EBID personnel present were Josh Smith, Treasurer-Manager; Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; David Lutz, Legal Counsel; Gary Esslinger, Consultant; Alex Rubio, Senior Engineering Manager (virtual); Scott Gamboa, Land and Licensing Technician, (in-person and virtual); AJ Carlson, Land Records Administrator(in-person and virtual); Delyce Maciel, Director of HR and Safety (virtual); Jorgianna (Jorgi) Ellis, PR Consultant; Pete Domenici, Legal Counsel (virtual); DL Sanders, Legal Counsel (virtual); and Dr. Phil King, Consultant (virtual).

EBID guests present were Brent Westmoreland, Visitor; Isela Jaquez, Constituent; Ryan Serrano, NMISC; Jerry Schickedanz, Constituent; Jerry Melendez, USBR; Alfred Perrault, OSE; and Fernando Ortiz, City of Las Cruces.

Virtual attendees present were Caitlyn Owens, NMOSE; JR Hennessy, State of NM; and Cesar Chavez, Las Cruces Public Schools.

President Daviet announced that a quorum was established with the arrival of Director Ludwig. He stated that all items previously tabled pending a quorum would now be addressed in the order listed on the agenda.

Agenda Approval

The agenda was approved as presented.

Public Input

Jerry Schickedanz expressed his appreciation for the Public Input Session being on the agenda.

Minutes Approval

**Secretary Garay moved, and Director Ludwig seconded, to approve the October 8, 2025, Regular Board Meeting minutes. Directors Garay, Crist, Rovirosa, and Ludwig voted in favor. Motion passed unanimously.**

Committee Report

President Daviet reported that the Water Resources Committee will meet monthly on the Monday following each Board Meeting. These meetings will focus on the upcoming water season and potential policies regarding the District's water resources. He noted that there is currently insufficient water in the reservoir to release and deliver water to the District in the coming year. The committee discussed the possibility of no release and its potential impacts. Additional meetings will be arranged between the District and Reclamation to address issues related to a season without a release. The committee also reviewed the release date for short-supply years but made no recommendation for changes.

Designate Alternate FFA Advisory Committee Member

Josh Smith reported Gary Esslinger has served as his alternate on the Family Farm Alliance Advisory Committee for the past year. He requested that Joah Franzoy be designated as the new alternate for this committee. **Vice President Rovirosa moved, and Director Crist seconded, to appoint Joah Franzoy as the alternate for the Family Farm Alliance Committee. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. Motion passed unanimously.**

President Daviet noted the arrival of Directors Clayshulte Jr. and Sloan.

Canvass of Votes for EBID Election and December Board Meeting

President Daviet stated that the Board must convene on December 8, 2025, to canvass the election. Historically, the District has moved its regularly scheduled board meeting to coincide with the canvass; however, in some years, canvassing has taken the entire day. He recommended that the Board meet twice - on December 8 for the canvass and on December 10 for the regularly scheduled meeting. **Director Clayshulte Jr. moved, and Director Sloan seconded, to amend the Open Meetings Act notice to move the regular meeting to December 8. During discussion, Vice President Rovirosa suggested amending the motion to include all regular business on December 8 but to open and close the meeting on December 10 to avoid modifying the Open Meetings Act. Directors Clayshulte Jr. and Sloan accepted the amendment. The motion, as amended, provides that the December 8 canvass will include regular December business and that the December 10 meeting will remain scheduled, with no agenda items anticipated. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.**

Appoint Election Chair

David Lutz stated that, by statute, the Board must appoint an Election Chair for the 2025 Board of Directors Election. **Vice President Rovirosa moved, and Director Sloan seconded, to appoint Marilyn Crawford as the Election Chair for the EBID Board of Directors Election. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.**

Approval of Amendment to MOU with CLC

David Lutz reported that work has been underway to amend the Memorandum of Understanding (MOU) with the City of Las Cruces. At the previous board meeting, input from the city had not yet been received; it has since been provided. Initially, the amendment was drafted as a second amendment; however, it was determined that the first amendment had never been approved, so the current proposal is presented as the first amendment. The original MOU remains as an exhibit, and pages 1 and 2 reflect the proposed changes. The City has agreed to a ten-year term and to pay the land use fees. **Vice President Rovirosa moved, and Secretary Garay seconded, to approve the First Amended Memorandum of Understanding between Elephant Butte Irrigation District and the City of Las Cruces for the use of district drains, canals, and laterals as multi-use, non-motorized pathways. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.**

Dr. King provided a water resources update. As of November 1, 2025, total project storage stands at 102,740 acre-feet (AF), with 87,942 AF in Elephant Butte and 14,798 AF in Caballo. Usable project storage is 91,283 AF; 20,543 AF is not releasable. Estimated Rio Grande Compact credit is 7,200 AF, and San Juan-Chama is at 4,257 AF. The seasonal supply is at 70,740 AF. The net inflow into Elephant Butte is at approximately 500 AF. The D1 curve, which is used for allocation to Mexico, reaches zero at 121,000 AF; therefore, current storage is below the allocation threshold for Mexico. The D2 curve reaches zero at 67,000 AF, and current storage is very close to that point. Dr. King presented and discussed data showing total storage in Elephant Butte and Caballo on November 1 and the corresponding final allotment for the following year for the period 2012–2025. Water Resources Update

Dr. King reported as of November 11, 2025, the Upper Rio Grande is at 206% of average, Rio Chama 119%, Sangre de Cristo 90%, and Jemez at 109% for the water year 2026, which began October 1st. The NOAA NWS Climate Prediction Center projects below average precipitation and above average temperatures January 2026 through March 2026 throughout the Rio Grande watershed. According to the US drought monitor most of the Rio Grande is in persistent drought. La Niña conditions are present and expected to persist through February.

Joah Franzoy presented the financial report, noting a total of $6,588,612 held across investments and cash in the bank as of November 5, 2025. He reported that cash in the investment account has grown year-over-year from approximately $5.4 million to $6.3 million, an increase of about 7.5%, supported by interest rates ranging from 4.5% to 6% earlier in the year. Year-to-date investment interest total is $319,223. Assessments received to date are at 96%, with 4% deemed uncollectable. Proceeds from the most recent auction totaled $49,008, bringing total auction revenue to approximately $140,000. Income from outside jobs was $56,305. With the City of Las Cruces MOU underway, the District anticipates receiving approximately $415,000 from that project. Additionally, $300,288 was received in grant proceeds from the Interstate Stream Commission. The current interest rate for November is 4.27%. Financial Report

Joah Franzoy presented Resolution 2025-14 Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority. This resolution is a submission to the NM Finance Authority for a planning grant to develop a long-term master plan and an economic development plan for the District. The maximum award for this grant is $100,000. **Vice President Rovirosa moved, and Director Sloan seconded, to approve Resolution 2025-14. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.** Resolution 2025-14 Approval

Josh Smith provided a summary of recent activities and updates: Manager's Update

- Mr. Smith, President Daviet, and Vice President Rovirosa, attended the NWRA Conference in Tucson last week and presented on the Texas v New Mexico settlement.
- Fuel Force is being installed on all our fuel systems. The District has been operating on paper fuel slips which this system will electronically replace.
- Joah Franzoy is working on the District's asset management plan.
- Welcomed Jorgi Ellis as the Public Relations consultant who will be managing the District's social media accounts and helping with publicity.

Josh Smith presented the calendar of events: Calendar of Events

- The EBID General Meeting will be held directly after this board meeting.
- Election Judges Training will be held tomorrow, November 13, 2025, at the EBID Office.
- The EBID Board Election will be held on December 2, 2025.
- The canvass of the EBID Board Election will be held on Monday, December 8, 2025, at the EBID Office.
- The next regularly scheduled EBID Board Meeting will be held on December 10, 2025 (with the possibility of no business items).
- EBID will be participating in a dinner and attending the LFC and Water and Natural Resources Committee in Santa Fe, November 17-19, 2025.

Delyce Maciel provided an HR and Safety update, reporting a current employee count of 83. She noted that there are some job openings coming up, but they are not yet posted. The District is in the process of obtaining a final quote for new cameras and security upgrades for all yards. One employee is currently out on Workers' Compensation and another on FMLA. The District will be closed November 27–28, 2025, for the Thanksgiving holiday. She also announced that Karin Byrum will retire at the end of November. Joah Franzoy reported that hiring for irrigation positions is currently on hold until the water outlook is determined. HR/Safety Report

Alex Rubio provided an Engineering and Maintenance update. Maint/Proj Update

- The District is exploring concrete recycling options, including the potential purchase of machinery or having a concrete plant to recycle and produce base course and riprap for projects.
- New survey equipment has been received, and staff training is complete.
- Several grant projects have been finalized and are awaiting the final seal.
- Drone licensing is in progress, with plans to license at least two staff members.
- The Las Cruces Lateral project is underway and progressing well.
- The District is working with NRCS on rehabilitation planning for Tortugas Dam and identifying dam and drain priorities for ISC crews.
- Over the past month, several water trailer display events were held to showcase EBID operations.
- The Engineering Department will have an open position for Engineering Technician I later this month.

Approval of the Consent Agenda. President Daviet requested that Encroachment Agreement (2025-L-154 for Isela Marie Jaquez) and the City of Las Cruces license (2025-L-170) be pulled from the Consent Agenda. Vice President Rovirosa asked that the two licenses for Diane Dutton (2025-L-166 and 2025-L-167) also be pulled from the Consent Agenda. Approval of Consent Agenda

- License 2025-L-169 for MoonDog LLC / Joe Garcia is to relocate a 16" flume crossing the Dona Ana Lateral (requesting land use fee to be waived due to agriculture use).

**Vice President Rovirosa moved, and Director Sloan seconded, to approve the Consent Agenda. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.**

Approval of License 2025-L-154

Scott Gamboa presented **License 2025-L-154 for Isela Marie Jaquez**. This is an encroachment agreement ROU license for an existing structure on the left bank of the Hatch Main Canal. Ms. Jaquez recently purchased the property. He stated that it doesn't disrupt any of EBID's operations. **Director Clayshulte Jr., moved, and Director Sloan seconded, to approve the Encroachment Agreement. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.**

Approval of Licenses 2025-L-166 & 2025-L-167

Scott Gamboa presented **Licenses 2025-L-166 and 2025-L-167 for Diane Dutton**. David Lutz noted that the property is subject to the Dutton/Pavia litigation and that the harvest gates have previously been licensed. Josh Smith confirmed that these licenses are renewals and stated he had no objections. **Director Clayshulte Jr., moved, and Secretary Garay seconded, to approve the two license renewals for harvest gates on the Nemexas Drain. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.**

Approval of License 2025-L-170

Scott Gamboa presented **License 2025-L-170** for **The City of Las Cruces**. The license authorizes the construction, operation, and maintenance of the Tortugas Trail, a paved, multi-purpose, non-motorized trail that will parallel portions of the right bank of the Las Cruces Lateral and the right bank of the Tortugas Lateral. President Daviet inquired whether non-agricultural land use fees would be assessed. Mr. Gamboa confirmed that such fees will apply, totaling approximately $7,900 for a ten-year period. Mr. Gamboa further explained that the trail will be constructed along the right bank and clarified that this section of the canal will not be piped. President Daviet asked when the adjacent farm tract, located to the right of the proposed trail, was last irrigated. Gary Esslinger responded that he could not recall the last occurrence and confirmed that it has been a very long time. **Vice President Rovirosa moved, and Director Crist seconded, to approve the license for the City of Las Cruces. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.**

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N |
|---|---|---|---|---|---|---|
| | | | EBID ROU LICENSE LIST - NOVEMBER 12, 2025 BOARD MEETING | | | |
| 1 | 2025-245 | N | 2025-L-154 ISELA MARIE JAQUEZ<br>ENCROACHMENT AGREEMENT ROU LICENSE FOR AN EXISTING STRUCTURE ON THE LEFT BANK OF THE HATCH MAIN CANAL AT APPROXIMATE STATION 1173+36 | ENCROACHMENT AGREEMENT | N/A | Y |
| 2 | 2025-265 | Y<br>2015-217<br>2015-L-069 | 2025-L166 DIANE DUTTON<br>TO OPERATE AND MAINTAIN AN EXISTING HARVEST GATE ON THE RIGHT BANK OF THE NEMEXAS DRAIN AT APPROXIMATE STATION 581+00 | $4,180.00 | Y | Y |
| 3 | 2025-266 | Y<br>2015-217<br>2015-L-069 | 2025-L-167 DIANE DUTTON<br>TO OPERATE AND MAINTAIN AN EXISTING HARVEST GATE ON THE RIGHT BANK OF THE NEMEXAS DRAIN AT APPROXIMATE STATION 595+00 | $4,180.00 | Y | Y |
| 4 | 2025-278 | N | 2025-L-169 JOE GARCIA / MOONDOG LLC.,<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 16" FLUME CROSSING THE DONA ANA LATERAL AT APPROXIMATE STATION 261+40 | $3,420.00 | Y | Y |
| 5 | 2025-279 | N | 2025-L-170 CITY OF LAS CRUCES<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A PAVED, MULTI-PURPOSE, NON-MOTORIZED TRAIL FOR PUBLIC USE (TORTUGAS TRAIL) PARALELLING THE RIGHT BANKS OF THE LAS CRUCES LATERAL FROM APPROXIMATE STATIONS 358+25 TO 362+50 AND TORTUGAS LATERAL FROM APPROXIMATE STATIONS 0+00 TO 14+90 AND CULVERT CROSSING AT APPROXIMATE STATION 7+00 | MEMORANDUM OF UNDERSTANDING (MOU) | N/A | Y |
| | | | TOTAL CHARGED $ (NO LAND FEE WAIVER) | $0.00 | N | Y |
| | | | TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER) | $11,780.00 | Y | Y |
| | | | TOTAL $ | $11,780.00 | | Y |

Water Transfer Hearing

President Daviet called to order the Suspension/Transfer Hearing. AJ Carlson presented Water Right Transfer **2025-WTS-011**, in which Las Cruces Public Schools is transferring 32.12 acres of water rights to the City of Las Cruces. As a result, Las Cruces Public Schools will have a new total of 31.20, the City of Las Cruces will hold a new total of 1,221.28 acres of water rights. Staff recommends approval of the transfers.

Director Clayshulte Jr. asked if the move to land can be profitably and advantageously irrigated. Dr. Phil King stated that the transfer appears to be occurring under the Special Water Users Association policy. Ms. Carlson confirmed. Director Clayshulte Jr. then asked whether the Special Water Users Association statute changes the standards by which the Board makes decisions on water transfers. David Lutz added that the statute states "...transferred to any other lands held by or within such district in which, in their judgment, may be profitably and advantageously irrigated." He clarified that the statute does not provide any further specific definition or criteria for exercising that judgment.

Fernando Ortiz testified on behalf of the City of Las Cruces, and Cesar Chavez testified on behalf of Las Cruces Public Schools.

**Vice President Rovirosa moved, and the motion was seconded by Director Sloan to approve Resolution 2025-S&T-011.** During discussion Vice President Rovirosa asked whether the land must be completely irrigable in order for the Board to approve the transfer. Josh Smith explained that this requirement is included in EBID policy to prevent speculation on water rights without putting them to use. He noted that the City is permitted to hold water rights without immediate use because, as a municipality and a forty-year planning entity, it is authorized by the state to acquire and retain water rights. **Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed**

**unanimously.**

**Director Clayshulte Jr. moved, and the motion was seconded by Vice President Rovirosa to adjourn the Board sitting for water transfer hearing. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.** Adjourn Water Transfer Hearing

**Action Item:** President Daviet referred the question regarding EBID's procedure for the City of Las Cruces' parked water rights to the Legal Review Committee. He requested that the committee provide a report at the December Board Meeting.

| WATER RIGHT "SUSPENSION FROM /TRANSFER TO PARCEL TRANSFER ON BOARD AGENDA: November 12, 2025 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| MOVE FROM: | | | | | MOVE TO: | | | PAGE 1 |
| TRANSFER# | NAME | MAP-SERIAL | PARCEL | ACRES | NAME | MAP-SERIAL | PARCEL | |
| 2025-WT-011 | Las Cruces Public Scool | 9B-111A2A, 111B1, TR 2, 111B2, 111B3 | 93900P | 16.06 | City of Las Cruces | 14-33A2, B2, 16-3B2 | 937999P | |
| 2025-WT-011 | Las Cruces Public Scool | 7-56B Tr 1, 73B, 9B-108 TR 3 | 813050P | 16.06 | City of Las Cruces | 14-33A2, B2, 16-3B2 | 937999P | |
| | | | | | | | | |
| TOTAL ACRES PAGE 1 | | | | 32.12 | | | | |

**Vice President Rovirosa moved, and the motion was seconded by Secretary Garay to go into closed session. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session: Closec Sessio

- Performance Evaluation of Treasurer-Manager
- Texas v. NM (USSC)
- Discussion regarding purchase, acquisition, or disposal of real property or water rights
- Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
- Limited Personnel Matters
- Other threatened/pending litigation
- Motion to come out of closed session

**Vice President Rovirosa, and the motion was seconded by Secretary Garay to come out of closed session. Directors Garay, Crist, Sloan, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. The motion passed unanimously.** President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

President Daviet called for a recess to attend the Annual General Staff Meeting. The meeting was reconvened after the employee meeting. President Daviet noted that there were no actions taken by the Board at the annual meeting. Recess

**There being no further business, Vice President Rovirosa, and the motion was seconded by Secretary Garay to adjourn the meeting. Directors Garay, Rovirosa, Clayshulte Jr., and Ludwig voted in favor. Motion passed unanimously.** The meeting was adjourned at 1:05 PM. Adjourn

The next meeting of the Board of Directors will be held on December 8, 2025, beginning at 9:00 AM at the EBID office located at 530 S Melendres St., Las Cruces, NM.

Gregory Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**December 8, 2025**

A Special Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Monday, December 8, 2025. The meeting was called to order by Board President Greg Daviet. Board members present were Randy Garay, Greg Daviet, Rafael Rovirosa, Henry Ludwig, Prescott Colquitt III (9:05 AM) and John Clayshulte Jr. (9:08 AM). Board members Casey Crist, Preston Tharp and James Sloan were absent.

The Invocation was given by Joah Franzoy, followed by the Pledge of Allegiance led by Secretary Garay.

President Daviet announced that a quorum of directors was not present. He advised that the meeting would proceed with discussion of agenda items not requiring board approval. All items requiring board action were tabled and will be addressed once a quorum is established.

Introduction of Guests

EBID personnel present were Josh Smith, Treasurer-Manager (virtual); Joah Franzoy, Assistant Manager; Marilyn Crawford, Executive Assistant; James Narvaez, Director of Irrigation Systems (virtual); Leah Diaz, Chief Procurement Officer; AJ Carlson, Land Records Administrator (in-person and virtual); William Lutz, Legal Counsel; David Lutz, Legal Counsel; Delyce Maciel, Director of HR and Safety (virtual); Jorgianna (Jorgi) Ellis, PR Consultant; Scott Gamboa, Land and Licensing Technician, (in-person and virtual); Juan Caballero, GIS and Licensing Administrator; Mariano Rodriguez, EBID; Pete Domenici, Legal Counsel (virtual); DL Sanders, Legal Counsel (virtual); and Dr. Phil King, Consultant (virtual).

EBID guests present were Alfred Perrault, OSE; Constituent; Ryan Serrano, NMISC; Larry Vasquez, BOR; and Jesus Moreno.

Virtual attendees present were Anthony Collin, NMDA; Caitlyn Owens, NMOSE; Matthew Vogel; Jerry Melendez, USBR; and Max Henkels, NMDA.

Committee Report

President Daviet reported that the Water Resources Committee met twice in November. A major topic discussed at both meetings was the Copper Flat Mine. On November 13, representatives from Copper Flat Mine presented to the committee. Attendees included the committee chair, Dr. King, Josh (virtually), Steve Crosby from the New Mexico Corporation, and Andrew Maloney from Tula Resources. The presentation focused on a proposed permit change from a wet tailings pond to a dry stacking tailings pond, which would reduce water usage from 6,000 acre-feet per year to approximately 1,000 acre-feet per year. The presenters expressed interest in EBID's support. This matter was discussed further at the committee meeting the following Monday, where numerous questions were raised. Attendees included members of the NM Pecan Growers and Dr. Maxier to address concerns about potential impacts on inflows into the Caballo Reservoir and the risk of contamination from tailings.

At the regular monthly meeting, the committee reviewed the draft end-of-year allocation and discussed carryover balances. The committee agreed that if the available supply is less than 100,000 acre-feet, EBID will not release water from the reservoir, and if the supply exceeds 200,000 acre-feet, EBID will likely release water. Current projections fall between these thresholds, and the committee continues to evaluate options to provide guidance to the board. At this time, no formal recommendations have been made regarding district policy or next year's allocation.

President Daviet announced that a quorum was established with the arrival of Director Colquitt III. He stated that all items previously tabled pending a quorum would now be addressed in the order listed on the agenda.

Agenda Approval

The agenda was approved as presented.

President Daviet noted the arrival of Director Clayshulte Jr.

Minutes Approval

President Daviet made a correction to the minutes. The correction was at the bottom of page three regarding the City of Las Cruces as a *four-year* planning entity, this should read *forty-year* planning entity. **Director Clayshulte Jr. moved, and Director Colquitt III seconded, to approve the November 12, 2025, Regular Board Meeting minutes as corrected. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.**

Canvass & Certification of the 2025 EBID Election

Canvass and Certification of 2025 Board of Directors Election.

| Precinct | Candidate | Total Votes |
|---|---|---|
| Precinct 2 | Casey Crist | 57 |
| Precinct 4 | Greg Daviet | 57 |
| Precinct 6 | Rafael Rovirosa | 58 |
| Precinct 8 | Prescott K (PK) Colquitt III | 56 |

**Director Ludwig moved, and Secretary Garay seconded, to confirm the results read by acclamation and approve the resolution certifying the results and the election held on December 2, 2025, for the Board of Directors. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.**

Water Resources Update

Dr. King provided a water resources update. He provided a preliminary 2025 end of year (not final or approved) accounting update. As of October 31, 2025, total project storage stands at 102,334 acre-feet (AF), with 87,536 AF in Elephant Butte and 14,798 AF in Caballo. Usable project storage was 91,022 AF; 10,688 AF was not releasable. Rio Grande Compact credit was 7,200 AF, and San Juan-Chama

was at 4,112 AF. Amount released from Caballo was 248,440 AF. Total usable available for release was 328,774 AF. EBID charges (including Mexico over-delivery of about 1,700 acre-feet, which was intentional to comply with treaty obligations) was at 79,953 AF. EPCWID charges (including Mexico over-delivery) was at 122,383 AF. Mexico delivery was as 13,463 AF. Total charges amounted to 214,017 acre-feet, and the diversion ratio was calculated at 0.861, significantly higher than the earlier estimate of 0.78. EBID's final allocation was at 113,191 AF, resulting in and carry over of 33,238 AF. EPCWID allocation was at 146,748 AF resulting in carry over of 24,365 AF.

Dr. King noted that as of December 4, 2025, total project storage stands at 139,596 acre-feet (AF), with 124,441 AF in Elephant Butte and 15,155 AF in Caballo. Usable project storage was 129,870 AF; 22,274 AF was not releasable. Estimated Rio Grande Compact credit was 5,614 AF, and San Juan-Chama (as of October 31) was at 4,112 AF. The seasonal supply was at 107,596 AF. The net inflow into Elephant Butte was at approximately 1,300 AF per day.

Dr. King reported as of December 7, 2025, the Upper Rio Grande was at 162% of average total precipitation, Rio Chama 165%, Sangre de Cristo 103%, and Jemez at 118%. The snow water equivalent has improved over the last two weeks.

Dr. King discussed the scheduled water release from Abiquiu to Elephant Butte Reservoir by the Army Corps of Engineers. The release began around November 30, following a stair-step increase in flow, peaking at approximately 1,400 CFS. The schedule indicates that the ramp-down will start soon, with the release process being completed by December 17 and intended to reach Elephant Butte by the end of the calendar year. Ryan Serrano with the NM Interstate Stream Commission confirmed the release and clarified that it would be 28,000 AF from upstream storage.

The NOAA NWS Climate Prediction Center projects below average precipitation and above average temperatures January 2026 through March 2026 throughout the Rio Grande watershed. According to the US drought monitor most of the Rio Grande watershed is in moderate drought. The seasonal forecast is anticipated as *drought development likely*. La Niña conditions are present and expected to persist through March.

In conclusion, anticipate an initial release date in late May or early June 2026 with an expected allotment of no more than 4 inches.

Financial Report

Joah Franzoy presented the financial report, noting a total of $7,603,617 held across investments and cash in the bank as of December 3, 2025. Cash flow continues to improve year over year, and we remain on track to reach the reserve target set by the Budget Committee (equivalent to one full year of cash flows) though this goal may be adjusted in the future. Current cash levels are high due to incoming assessments, pending grant-related expenditures, and payroll obligations. Approximately 25% of fiscal year 2026 assessments have been collected. There were no extraordinary revenues this month, aside from $67,590 in auction proceeds. We are also receiving reimbursements for ISC grant purchases; of roughly $3.2 million spent, about $2.5 million has been reimbursed. Additional purchases and reimbursements are expected soon.

Contract Approval for Devore/Aragon

Leah Diaz presented the contract for Professional Services for State Lobbyist Devore/Aragon. The contract is for year two of four, and is for a fixed fee of $40,000 per year. **Vice President Rovirosa moved, and the motion was seconded by Director Ludwig to approve the Professional Services contract for Devore/Aragon. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.**

Approval of FY2025 Audit Contract

Leah Diaz presented the FY2025 Audit Contract for approval. This is a new contract with a new firm, SJT Group, for audit services for the fiscal year 2025. The contract has been approved through the Office of the State Auditors. **Vice President Rovirosa moved, and the motion was seconded by Director Colquitt III to approve and delegate signature authority to the CPO of the District for the fiscal year 2025 audit contract. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.**

HR/Safety Report

Delyce Maciel provided an HR and Safety update and reported a current employee count of 83. She noted an open position for a Ditch Rider in the North, which is challenging to fill; therefore, the position is being actively posted. An internal posting for an Engineering Technician is also open, and one current Ditch Rider has applied. If selected, his position will not be backfilled. Joah is finalizing security upgrades for all yards. Two employees are on intermittent FMLA, and one employee is on continuous FMLA, with an expected return date at the beginning of the year. The District will close for the winter shutdown from December 23 at noon through January 2, 2026, reopening January 5, 2026.

Maint/Proj Update

Joah Franzoy provided an Engineering and Maintenance update.

- Rincon Arroyo work has been completed.
- The City of Las Cruces project is being finalized.
- Dam work is underway, with external engineering conducting a risk assessment and internal engineering focused on the Category A mission.
- Engineering designs for the Rincon Lateral Phase I project have been received, but on hold with SHPO. Work on Phases II and III is in progress, and those designs have been submitted to NRCS.

Calendar of Events

Joah Franzoy presented the calendar of events:

- Regularly Scheduled Board Meeting: December 10, 2025 (No Agenda Items).
- EBID Winter Shut Down: December 23, 2025 at Noon - January 4, 2026 (reopen 1/5/26).

- January Board Meeting: January 14, 2026.
- New Mexico Legislative Session: January 20 - February 19, 2026, in Santa Fe, NM. **Vice President Rovirosa moved, and the motion was seconded by Secretary Garay to approve travel for reasons related to the New Mexico Legislative Session for up to six trips, for up to two board members and one staff to include all actual expenses. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.**
- Irrigation Leaders Workshop: January 20-22, 2026, in Chandler, AZ. **Vice President Rovirosa moved, and the motion was seconded by Secretary Garay to approve travel for up to four board members and two staff to attend the Irrigation Leaders Workshop to include all actual expenses. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.**

Closed Session

**Director Colquitt III moved, and the motion was seconded by Vice President Rovirosa to go into closed session. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.** Pursuant to Section 10-15-1(H), NMSA of the New Mexico Open Meetings Act, the following topics were discussed in closed session:

- Performance Evaluation of Treasurer-Manager
- Texas v. NM (USSC)
- Discussion regarding all pending Water Right Protests before the Office of the State Engineer.
- Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
- Limited Personnel Matters
- Other threatened/pending litigation
- Motion to come out of closed session

**Secretary Garay moved, and the motion was seconded by Director Colquitt to come out of closed session. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.** President Daviet noted the only matters discussed in closed session were the items identified in the motion to go into closed session.

Adjourn

**There being no further business, Secretary Garay moved, and the motion was seconded by Director Colquitt III to adjourn the meeting. Directors Garay, Rovirosa, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. Motion passed unanimously.** The meeting was adjourned at 1:40 PM.

The next meeting of the Board of Directors will be held on December 10, 2025, beginning at 9:00 AM at the EBID office located at 530 S Melendres St., Las Cruces, NM.

EBID Board President

EBID Board Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**BOARD OF DIRECTORS' MEETING**
**December 10, 2025**

A Regular Board of Directors meeting of the Elephant Butte Irrigation District was held at 530 S Melendres, Las Cruces, NM at 9am on Wednesday, December 10, 2025. The meeting was called to order by Board President Greg Daviet. Board member present was Greg Daviet.

EBID personnel present were Marilyn Crawford, Executive Assistant, and David Lutz, Legal Counsel.

Virtual Attendees: None

There are no items on the agenda. The meeting was adjourned at 9:00 AM.

Adjourn

The next meeting of the Board of Directors will be held on January 14, 2026, beginning at 9:00 AM at the EBID office located at 530 S Melendres St., Las Cruces, NM.

EBID Board President

EBID Board Secretary

# 2025 EBID Board Resolutions

| Resolution # | Title |
|---|---|
| 2025-01 | Notice of Public Meeting and Participation Policy |
| 2025-01A | Amended Notice of Public Meeting and Participation Policy |
| 2025-01B | Amended Notice of Public Meeting and Participation Policy |
| 2025-02 | Election of Board of Directors' Officers |
| 2025-03 | Budget Adoption Amended Calendar Year |
| 2025-04 | Regarding Calendar Year Final Quarter Financial Report 1/1/2024-12/31/2024 |
| 2025-05 | Amended Policy on Compensation, Per Diem, and Mileage |
| 2025-06 | Budget Adoption Amended Fiscal Year 11/1/2024-10/31/2025 |
| 2025-07 | Resolution in Memory of Anthony James Salopek |
| 2025-08 | Adopting the FY 2027-2031 Infrastructure Capital Improvement Plan (ICIP) |
| 2025-09 | Authorizing the Disposition of Obsolete , Worn-out, or Unusable Tangible Personal Property |
| 2025-10 | Authorizing the Disposition of Obsolete , Worn-out, or Unusable Tangible Personal Property |
| 2025-11 | Moratorium on Conveyance of District Property lifted and terminated. |
| 2025-12 | Budget Adoption Fiscal Year 11/01/2025 - 10/31/2026 and Calendar Year 1/01/2026-12/31/2026 |
| 2025-13 | Authorizing the Disposition of Obsolete , Worn-out, or Unusable Tangible Personal Property |
| 2025-14 | Authorizing & Approving Submission of Application for Financial Assistance and Project Approval to NM Finance Authority |
| 2025-15 | Certification of Canvass Results and Election |

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**NOTICE OF PUBLIC MEETING AND PARTICIPATION POLICY**
**RESOLUTION 2025-01**

**WHEREAS**, the Elephant Butte Irrigation District (hereinafter referred to as "District") met in regular session at Elephant Butte Irrigation District Office located at 530 South Melendres, Las Cruces, New Mexico on Wednesday, January 8, 2025, at 9:00 a.m. as per law; and

**WHEREAS**, Section 10-15-1(C) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policy making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

**WHEREAS**, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

**WHEREAS**, Section 10-15-1(D) of the Open Meetings Act requires the Elephant Butte Irrigation District Board of Directors to determine annually what constitutes reasonable notice of its public meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. All meetings shall be held at the District office located at 530 South Melendres, Las Cruces, New Mexico at 9:00 a.m. or as indicated on the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the second Wednesday of the month and, beginning in March 2025, regular meetings shall be held the second Wednesday and fourth Wednesday of each month.
3. The agenda will be available at least seventy-two (72) hours prior to the meeting from the EBID office at the address stated above. The agenda will also be posted on the District's website at www.ebid-nm.org.
4. Notice of regular meetings other than those described in Paragraph 2 will be given ten days in advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the agenda will be available at least seventy-two hours before the meeting and posted on the District's website at www.ebid-nm.org.
5. Special meetings may be called by the Chairman or a majority of the members upon three (3) days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four hours before any special meeting and posted on the District's website at www.ebid-nm.org.
6. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens. The District will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hours' notice, unless threat of personal injury or property damage require less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the District will notify the Attorney General's Office.
7. For the purposes of regular meetings described in paragraph two of this resolution, notice requirements are met if notice of the date, time, and place of meeting is posted in a place and manner accessible to the public, which is hereby designated as the front door of the District office, located at 530 South Melendres, Las Cruces, New Mexico, and posted on the District's website at www.ebid-nm.org.
8. For the purposes of special meetings and emergency meetings described in paragraphs three and four of this resolution, notice requirements shall be met if notice of the date, place, time and information about where to obtain an agenda are posted on the front door of the District office, located at 530 South Melendres, Las Cruces, New Mexico, and posted on the District's website at www.ebid-nm.org. Telephone notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
9. In addition to the information specified above, all notices shall include the following language: "If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Naomi Ontiveros at the District office at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Naomi Ontiveros at the District office if a summary or other type of accessible format is needed.
10. The District may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.
    A. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the board taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting; and
    B. If the decision to hold a closed meeting is made when the board is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances and stating the specific provision of law authorizing the closed meeting and the subjects to be discussed, is given to the members and to the general public; and

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

D. Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the board in an open public meeting.

8. Reasonable efforts shall be made to accommodate the use of audio and video recording devices so long as such devices are not disruptive of the meeting.

9. Requests to place items on the agenda from the constituency or the public must be made in writing to the manager at least five business days prior to a regularly scheduled meeting. Presentations will be limited to five minutes unless further time is allowed by majority vote of the board. The request shall specify the topic to be discussed in detail and identify the person and/or group requesting time on the agenda. The group shall designate one spokesperson to address the board.

10. The board may adopt at each meeting, depending on the circumstances, rules necessary to conduct said meeting in a way to maintain public order, including but not limited to the removal of persons who are disruptive. The board may limit or not allow public debate and may take whatever steps are necessary to maintain public order.

**PASSED BY THE BOARD** this 8th day of January 2025.

Gregory Daviet, President

Randy Garay, Secretary
1/8/2025

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**AMENDED NOTICE OF PUBLIC MEETING AND PARTICIPATION POLICY**
**RESOLUTION 2025-01A**

**WHEREAS**, the Elephant Butte Irrigation District (hereinafter referred to as "District") adopted its Resolution 2025-01 – NOTICE OF PUBLIC MEETING AND PARTICIPATION POLICY on January 8, 2025; and

**WHEREAS**, the Board of Directors of the District, meeting in Regular Session this 11th day of June 2025, wishes to amend Resolution No. 2025-01 to remove the second Board of Directors Meeting the fourth Wednesday of each month beginning in July 2025;

**WHEREAS**, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

**WHEREAS,** Section 10-15-1(D) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) indicates that the District shall determine "at least annually" what constitutes reasonable notice of its public meetings, thus allowing for amendments during the course of the annual year;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. Section 2 of Resolution 2025-1 shall be and hereby is amended as follows:
2. Unless otherwise specified, regular meetings shall be held on the second Wednesday and fourth Wednesday of the month of June 2025 and then once each month from July 2025 thereafter on the second Wednesday of the month. The agenda will be available at least seventy-two (72) hours prior to the meeting from the EBID office at the address stated above. The agenda will also be posted on the District's website at www.ebid-nm.org.
3. All other provisions of Resolution 2025-01 shall remain unchanged.

**PASSED BY THE BOARD** this 11th day of June 2025.

Greg Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**AMENDED NOTICE OF PUBLIC MEETING AND PARTICIPATION POLICY**
**RESOLUTION 2025-01B**

**WHEREAS,** the Elephant Butte Irrigation District (hereinafter referred to as "District") adopted its Resolution 2025-01 – NOTICE OF PUBLIC MEETING AND PARTICIPATION POLICY on January 8, 2025; and

**WHEREAS**, the Board of Directors of the District, meeting in Regular Session this 9th day of July 2025, wishes to amend Resolution No. 2025-01 to remove the language "Naomi Ontiveros", and add "Executive Assistant";

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. Section 9 of Resolution 2025-01 shall be and hereby is amended as follows:

   In addition to the information specified above, all notices shall include the following language: "If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Executive Assistant at the District office at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Executive Assistant at the District office if a summary or other type of accessible format is needed.

2. All other provisions of Resolution 2025-01 shall remain unchanged.

**PASSED BY THE BOARD and effective** this 9th day of July 2025.

Greg Daviet, President

Randy Garay, Secretary

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**ELECTION OF BOARD OF DIRECTORS' OFFICERS**
**RESOLUTION 2025-02**

**WHEREAS**, the Elephant Butte Irrigation District (hereinafter referred to as "District") met in regular session at Elephant Butte Irrigation District Office located at 530 South Melendres, Las Cruces, New Mexico on Wednesday, January 8, 2025, at 9:00 a.m. as per law; and

**WHEREAS**, New Mexico Statutes, Section 73-10-16 provides that the Board of Directors of the District shall elect a president from their number and appoint a secretary without reference to any kind of time limit to said appointments; and

**WHEREAS**, the Board of Directors sees further benefit to the election of a Vice-President from among its numbers to serve as President in the President's absence.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. At the meeting indicated in the Recitals above, set for Wednesday, January 8, 2025, at 9:00 a.m., the Board of Directors shall elect a President, Vice-President, and Secretary from among its numbers by simple majority vote for reach respective position. The period of time between this election of Officers and the first regular meeting of January following the conclusion of any biennial election of Directors that occurs pursuant to New Mexico Statutes, Section 73-10-9 shall be considered a "term" as used herein.

2. Thereafter, the Board of Directors shall elect a President, Vice-President, and Secretary from among its numbers by simple majority vote at its first regular meeting in January following the conclusion of any biennial election of Directors that occurs pursuant to New Mexico Statutes, Section 73-10-9. The President, Vice-President, and Secretary shall serve in said role until the first regular meeting in January following the conclusion of the next biennial election of Directors that occurs pursuant to New Mexico Statutes, Section 73-10-9. Said two-year period shall be considered a "term" as used herein. A specific Director may serve as President for two succeeding terms, after which a break in tenure from the specific position of one term is required. This provision shall not apply to the position of Vice-President or Secretary.

3. In the event the President resigns, the Vice-President shall serve as the President until the Board of Directors elects a new President from among its numbers by simple majority vote. The Vice- President shall exercise the duties and assume the responsibilities of the President during the President's absence, disability, or disqualification. The Secretary shall exercise the duties and assume the responsibilities of the President during both the President and Vice-President's absence, disability, or disqualification. In the event of a vacancy in the position of Vice- President or Secretary for any reason, the Board of Directors shall elect a new Vice-President or Secretary by simple majority vote. Any successor President, Vice-President, or Secretary elected pursuant to this paragraph shall serve in said until the first regular meeting in January following the conclusion of the next biennial election of Directors that occurs pursuant to New Mexico Statutes, Section 73-10-9. If such successor President shall serve more than one year by way of election pursuant to this paragraph until the next regularly scheduled election of Officers, said period shall be considered a "term" as used herein.

4. The current President in place prior to the meeting and election of Officers indicated in Paragraph 1 for January 8, 2025 shall be considered to have served one "term" as of January 8, 2025.

**PASSED BY THE BOARD** this 8th day of January 2025.

_____, President

_____, Secretary

**STATE OF NEW MEXICO**

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**2025-03**

**RE:** Budget Adoption Amended Calendar Year 1/01/2024 to 12/31/2024.

**WHEREAS,** the Governing Body of the Elephant Butte Irrigation District, State of New Mexico has developed an amended budget for fiscal year 2023/2024 and calendar year 2024, and,

**WHEREAS,** said budget was developed on the basis of need and through cooperation with all user departments, elected officials and department supervisors, and,

**WHEREAS,** the official meetings for the review of said documents were duly advertised in the Las Cruces Sun News in compliance with the State Open Meetings Act, and,

**WHEREAS,** it is the majority opinion of this board that the proposed budget meets the requirements as currently determined for calendar year 2024.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Governing Body of the Elephant Butte Irrigation District, State of New Mexico hereby adopts the amended budget for calendar year 2024, attached as Exhibit "1", and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

**RESOLVED:** In session this 12th day of March 2025.

**GOVERNING BODY OF ELEPHANT BUTTE IRRIGATION DISTRICT, NEW MEXICO.**

**Greg Daviet, President**

**Randy Garay, Secretary**

**Karin Byrum**
**Notary Public**

**State of New Mexico**
**Notary Public**
**Karin Byrum**
**Commission # 1135673**
**Expiration: 10/7/2025**

Exhibit "1"

# EBID - Consolidated
## Calendar Year 2023-2024 Budget

| | | Total | Adjustment 1 | EOY Adj | EOY BUDGET |
|---|---|---|---|---|---|
| Assessments | Revenue | 9,559,292 | 60,708 | | 9,620,000 |
| License and Fees | Revenue | 339,100 | (146,000) | | 193,100 |
| Reimbursements | Revenue | - | 136,200 | | 136,200 |
| Grant Revenue | Revenue | 1,554,007 | (832,907) | | 721,100 |
| Capital Receipts | Revenue | - | 37,400 | | 37,400 |
| Other Receipts | Revenue | 85,900 | - | | 85,900 |
| Interest Income | Revenue | 175,000 | 232,300 | | 407,300 |
| Labor & Fringes | Expense | 6,552,173 | (545,873) | | 6,006,300 |
| Board Expenses | Expense | 6,585 | 5,115 | | 11,700 |
| Legal Expense | Expense | 459,600 | (26,300) | | 433,300 |
| Consulting Expense | Expense | 180,950 | (26,950) | | 154,000 |
| Bureau Of Reclamation Expense | Expense | 311,580 | (92,280) | | 219,300 |
| Audit | Expense | 15,000 | - | | 15,000 |
| Damage Claim Expense | Expense | 2,500 | (2,500) | | - |
| Election Expense | Expense | 115 | (115) | | - |
| Taxes-Gross Receipts | Expense | - | - | | - |
| Land Lease Expense | Expense | - | - | | - |
| Records Management | Expense | 16,070 | (3,770) | | 12,300 |
| Dues/Subscriptions | Expense | 9,970 | 15,630 | | 25,600 |
| Insurance Liability & D/O | Expense | 209,180 | (129,680) | | 79,500 |
| Network Expense | Expense | 208,650 | (46,450) | | 162,200 |
| Software Expense | Expense | 108,644 | 69,756 | | 178,400 |
| Telephone-Mobile | Expense | 52,796 | (7,496) | | 45,300 |
| Telephone-VOIP | Expense | 3,300 | 8,900 | | 12,200 |
| Printing & Office Expense | Expense | 21,547 | 35,653 | | 57,200 |
| Postage Expense | Expense | 22,862 | (9,262) | | 13,600 |
| Department Supplies | Expense | 180,775 | (118,075) | | 62,700 |
| Utilities | Expense | 65,460 | (17,660) | | 47,800 |
| Dam Expense/Flood Control | Expense | 51,100 | (46,200) | | 4,900 |
| Canal Maintenance Expense | Expense | 250,000 | 292,400 | | 542,400 |
| Building Maintenance | Expense | 48,925 | (19,525) | | 29,400 |
| Yard Maintenance | Expense | 11,000 | (5,500) | | 5,500 |
| Heavy Equipment Repairs & Maintenance | Expense | 200,140 | (139,140) | 78,000 | 139,000 |
| Heavy Equipment Fuel | Expense | 219,925 | (95,225) | | 124,700 |
| Fleet Equipment Repairs & Maintenance | Expense | 51,680 | 52,020 | | 103,700 |
| Fleet Equipment Fuel | Expense | 178,740 | (55,440) | | 123,300 |
| Mechanic Shop Expense | Expense | 15,000 | (7,000) | | 8,000 |
| Weed Control Expense | Expense | 121,770 | 5,630 | | 127,400 |
| Welding Shop Expense | Expense | 20,000 | (3,400) | | 16,600 |
| Safety Expense | Expense | 18,257 | (15,057) | | 3,200 |
| Uniform & Boot Expense | Expense | 32,375 | 1,825 | | 34,200 |
| Training & Travel Expense | Expense | 100,000 | 7,500 | | 107,500 |
| Miscellaneous | Expense | 6,450 | (1,750) | | 4,700 |
| Machinery and Equipment | Expense | 938,600 | (71,600) | | 867,000 |
| Computers and Printers | Expense | 64,900 | (64,900) | | - |
| Building and Improvements | Expense | 20,000 | 85,000 | | 105,000 |
| Grant Project Expense | Expense | 1,554,007 | (832,907) | | 721,100 |
| | Total Revenues | $ 11,713,299 | $ (512,299) | $ - | $ 11,201,000 |
| | Total Expenditu | $ 12,330,626 | $ (1,804,626) | $ 78,000 | $ 10,604,000 |
| | Budgeted Chan | $ (617,327) | $ 1,292,327 | $ (78,000) | $ 597,000 |

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**RESOLUTION 2025-04**
**REGARDING CALENDAR YEAR FINAL QUARTER**
**FINANCIAL REPORT 1/1/2024-12/31/2024**

**WHEREAS,** the Board of Directors of the Elephant Butte Irrigation District, State of New Mexico developed a budget for calendar year 2024; and,

**WHEREAS,** the Treasurer-Manager of the Elephant Butte Irrigation District has caused information to be presented to the Board of Directors to show that the final quarterly report has been reviewed to ensure the accuracy of the beginning balances used for the calendar year budget; and

**WHEREAS,** the Treasurer-Manager has certified to the Board of Directors that the contents in this report are true and correct to the best of his knowledge and that this report depicts all funds for the calendar year 2024.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Board of Directors of the Elephant Butte Irrigation District, State of New Mexico hereby approves the final quarterly report for calendar year 2024, attached as Exhibit "1" and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

**RESOLVED:** in session this 12th day of March, 2025.

GOVERNING BODY OF ELEPHANT BUTTE IRRIGATION DISTRICT, NEW MEXICO.

Greg Daviet, President

Randy Garay, Secretary

Karin Byrum

**State of New Mexico**
**Notary Public**
**Karin Byrum**
**Commission # 1135673**
**Expiration: 10/7/2025**

State of New Mexico Local Government Budget Management System (LGBMS)
Quarterly Reporting Summary - Elephant Butte Irrigation District - CY2024 Q4 - Entity
Summary Report Sorted by Fund and Department

## 11000 General Operating Fund

### 10000 Assets

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 10100 Cash Assets | | 915,041.00 | 0.00 | 915,041.00 | 915,041.00 | 0.00 | 100.00 |
| | Totals | 915,041.00 | 0.00 | 915,041.00 | 915,041.00 | 0.00 | 100.00 |

### 0001 No Department

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 10100 Cash Assets | | 3,175,629.00 | 0.00 | 3,175,629.00 | 5,362,855.00 | -2,187,226.00 | 168.88 |
| | 0001 Totals | 3,175,629.00 | 0.00 | 3,175,629.00 | 5,362,855.00 | -2,187,226.00 | 168.88 |
| | 10000 Totals | 4,090,670.00 | 0.00 | 4,090,670.00 | 6,277,896.00 | -2,187,226.00 | 153.47 |

### 40000 Revenues

### 0001 No Department

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 44000 Charges for Services | | 10,342,192.00 | -85,292.00 | 10,256,900.00 | 9,447,107.00 | 809,793.00 | 92.10 |
| 46000 Miscellaneous Revenues | | 175,000.00 | 485,900.00 | 660,900.00 | 460,017.00 | 120,883.00 | 79.19 |
| 47000 Intergovernmental Grants (Distributions) | | 1,554,007.00 | -832,907.00 | 721,100.00 | 1,239,530.00 | -518,430.00 | 171.89 |
| | 0001 Totals | 12,071,199.00 | -512,299.00 | 11,558,900.00 | 11,146,654.00 | 412,246.00 | 96.43 |
| | 40000 Totals | 12,071,199.00 | -512,299.00 | 11,558,900.00 | 11,146,654.00 | 412,246.00 | 96.43 |

### 50000 Expenditures

### 1001 Governing Body

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 51000 Salary & Wages (FTE required) | | 199,500.00 | -177,515.00 | 21,985.00 | 37,148.00 | -15,163.00 | 168.97 |
| 53000 Travel Costs | | 24,753.00 | 5,360.00 | 30,113.00 | 17,925.00 | 12,188.00 | 59.53 |
| 55000 Contractual Services | | 509,100.00 | -509,100.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 56000 Supplies | | 6,585.00 | 5,940.00 | 12,525.00 | 12,629.00 | -104.00 | 100.83 |
| 57000 Operating Costs | | 115.00 | 5,785.00 | 5,900.00 | 5,900.00 | 0.00 | 100.00 |
| | 1001 Totals | 740,063.00 | -669,540.00 | 70,523.00 | 73,602.00 | -3,079.00 | 104.37 |

### 2001 Manager

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 51000 Salary & Wages (FTE required) | | 392,738.00 | 8,000.00 | 400,738.00 | 224,308.00 | 176,430.00 | 55.97 |
| 52000 Employee Benefits | | 129,604.00 | 0.00 | 129,604.00 | 72,096.00 | 57,508.00 | 55.63 |
| | 2001 Totals | 522,342.00 | 8,000.00 | 530,342.00 | 296,404.00 | 233,938.00 | 55.89 |

### 2002 General Administration

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 51000 Salary & Wages (FTE required) | | 0.00 | 91,349.00 | 91,349.00 | 234,098.00 | -142,749.00 | 256.27 |
| 52000 Employee Benefits | | 0.00 | -19,224.00 | -19,224.00 | 136,532.00 | -155,758.00 | 0.00 |
| 53000 Travel Costs | | 20,000.00 | 27,660.00 | 47,660.00 | 94,195.00 | -46,535.00 | 197.64 |
| 54000 Purchased Property Services | | 31,645.00 | 25,304.00 | 56,949.00 | 259,729.00 | -202,780.00 | 456.07 |
| 55000 Contractual Services | | 268,650.00 | 469,565.00 | 738,215.00 | 690,193.00 | 48,022.00 | 93.49 |
| 56000 Supplies | | 494,137.00 | -170,937.00 | 323,200.00 | 229,347.00 | 93,853.00 | 70.96 |
| 57000 Operating Costs | | 290,600.00 | -138,655.00 | 151,945.00 | 208,485.00 | -56,540.00 | 137.21 |
| 58000 Capital Purchases | | 0.00 | 85,000.00 | 85,000.00 | 0.00 | 85,000.00 | 0.00 |
| | 2002 Totals | 1,105,032.00 | 370,062.00 | 1,475,094.00 | 1,852,579.00 | -377,485.00 | 125.59 |

### 2004 Finance/Budget/Accounting

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 51000 Salary & Wages (FTE required) | | 362,368.00 | -108,007.00 | 254,359.00 | 318,510.00 | -64,151.00 | 125.22 |
| 52000 Employee Benefits | | 117,197.00 | -1,813.00 | 115,384.00 | 73,397.00 | 41,987.00 | 63.61 |
| 53000 Travel Costs | | 600.00 | 0.00 | 600.00 | 0.00 | 600.00 | 0.00 |
| 54000 Purchased Property Services | | 500.00 | -311.00 | 189.00 | 44.00 | 145.00 | 23.28 |
| 55000 Contractual Services | | 16,850.00 | 1,989.00 | 18,839.00 | 16,465.00 | 2,374.00 | 87.40 |
| 56000 Supplies | | 131,410.00 | -29,452.00 | 101,958.00 | 110,115.00 | -8,157.00 | 108.00 |
| 57000 Operating Costs | | 2,220.00 | 438.00 | 2,658.00 | 2,732.00 | -74.00 | 102.78 |
| | 2004 Totals | 631,143.00 | -137,156.00 | 493,987.00 | 521,263.00 | -27,276.00 | 105.52 |

### 2008 Operations & Maintenance

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 51000 Salary & Wages (FTE required) | | 4,033,023.00 | -331,480.00 | 3,701,543.00 | 3,561,366.00 | 140,177.00 | 96.21 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 52000 Employee Benefits | | 1,134,764.00 | 21,162.00 | 1,155,926.00 | 961,394.00 | 194,532.00 | 83.17 |
| 53000 Travel Costs | | 11,010.00 | -7,336.00 | 3,674.00 | 7,642.00 | -3,968.00 | 208.00 |
| 54000 Purchased Property Services | | 268,600.00 | -131,638.00 | 136,962.00 | 116,296.00 | 20,666.00 | 84.91 |
| 55000 Contractual Services | | 64,100.00 | -64,100.00 | 0.00 | 49,892.00 | -49,892.00 | 0.00 |
| 56000 Supplies | | 249,020.00 | -50,501.00 | 198,519.00 | 127,809.00 | 70,710.00 | 64.38 |
| 57000 Operating Costs | | 825,966.00 | 146,813.00 | 972,779.00 | 433,872.00 | 538,907.00 | 44.60 |
| 58000 Capital Purchases | | 2,512,607.00 | -904,507.00 | 1,608,100.00 | 2,343,993.00 | -735,893.00 | 145.76 |
| | 2008 Totals | 9,099,090.00 | -1,321,587.00 | 7,777,503.00 | 7,602,264.00 | 175,239.00 | 97.75 |
| **2010 Human Resources/Payroll** | | **Original** | **Adjustments** | **Adjusted** | **Year-to-Date** | **Balance** | **% Realized** |
| 51000 Salary & Wages (FTE required) | | 137,580.00 | 0.00 | 137,580.00 | 177,321.00 | -39,741.00 | 128.89 |
| 52000 Employee Benefits | | 45,401.00 | -28,345.00 | 17,056.00 | 45,045.00 | -27,989.00 | 264.10 |
| 54000 Purchased Property Services | | 2,500.00 | -2,500.00 | 0.00 | 100.00 | -100.00 | 0.00 |
| 55000 Contractual Services | | 5,500.00 | 1,946.00 | 7,446.00 | 6,846.00 | 600.00 | 91.94 |
| 56000 Supplies | | 39,605.00 | -24,354.00 | 15,251.00 | 25,497.00 | -10,246.00 | 167.18 |
| 57000 Operating Costs | | 2,370.00 | -1,152.00 | 1,218.00 | 2,144.00 | -926.00 | 176.03 |
| | 2010 Totals | 232,956.00 | -54,405.00 | 178,551.00 | 256,953.00 | -78,402.00 | 143.91 |
| | 50000 Totals | 12,330,626.00 | -1,804,626.00 | 10,526,000.00 | 10,603,065.00 | -77,065.00 | 100.73 |

## 29900 Other Special Revenue

**10000 Assets**

| | | Original | Adjustments | Adjusted | Year-to-Date | Balance | % Realized |
|---|---|---|---|---|---|---|---|
| 10100 Cash Assets | | 58,125.00 | 0.00 | 58,125.00 | 58,125.00 | 0.00 | 100.00 |
| | Totals | 58,125.00 | 0.00 | 58,125.00 | 58,125.00 | 0.00 | 100.00 |
| **0001 No Department** | | **Original** | **Adjustments** | **Adjusted** | **Year-to-Date** | **Balance** | **% Realized** |
| 10100 Cash Assets | | 484,368.00 | 0.00 | 484,368.00 | 589,786.00 | -105,418.00 | 121.76 |
| | 0001 Totals | 484,368.00 | 0.00 | 484,368.00 | 589,786.00 | -105,418.00 | 121.76 |
| | 10000 Totals | 542,493.00 | 0.00 | 542,493.00 | 647,911.00 | -105,418.00 | 119.43 |
| **40000 Revenues** | | | | | | | |
| **0001 No Department** | | **Original** | **Adjustments** | **Adjusted** | **Year-to-Date** | **Balance** | **% Realized** |
| 44000 Charges for Services | | 20,883.00 | 0.00 | 20,883.00 | 20,954.00 | -71.00 | 100.34 |
| 46000 Miscellaneous Revenues | | 0.00 | 0.00 | 0.00 | 34,917.00 | -34,917.00 | 0.00 |
| | 0001 Totals | 20,883.00 | 0.00 | 20,883.00 | 55,871.00 | -34,988.00 | 267.54 |
| | 40000 Totals | 20,883.00 | 0.00 | 20,883.00 | 55,871.00 | -34,988.00 | 267.54 |
| **50000 Expenditures** | | | | | | | |
| **2002 General Administration** | | **Original** | **Adjustments** | **Adjusted** | **Year-to-Date** | **Balance** | **% Realized** |
| 54000 Purchased Property Services | | 500,000.00 | 0.00 | 500,000.00 | 19,967.00 | 480,033.00 | 3.99 |
| | 2002 Totals | 500,000.00 | 0.00 | 500,000.00 | 19,967.00 | 480,033.00 | 3.99 |
| | 50000 Totals | 500,000.00 | 0.00 | 500,000.00 | 19,967.00 | 480,033.00 | 3.99 |

| ALL FUNDS | Original | Adjustments | Adjusted | YTD | Balance | % Realized |
|---|---|---|---|---|---|---|
| 10000 Assets | 4,633,163.00 | 0.00 | 4,633,163.00 | 6,925,807.00 | -2,292,644.00 | 149.48 |
| 40000 Revenues | 12,092,082.00 | -512,299.00 | 11,579,783.00 | 11,202,525.00 | 377,258.00 | 96.74 |
| 50000 Expenditures | 12,830,626.00 | -1,804,626.00 | 11,026,000.00 | 10,623,032.00 | 402,968.00 | 96.35 |

Balance Sheet
Cash Basis
11000 General Operating Fund
December 31, 2024

| Assets | | |
|---|---|---|
| Cash | $ | 603,007 |
| Investments | | 6,218,478 |
| Total Assets | $ | 6,821,485 |
| **Net Position** | | |
| Unrestricted Net Position | $ | 6,821,485 |
| Total Net Position | $ | 6,821,485 |

Balance Sheet
Cash Basis
29900 Other Special Revenue Fund
December 31, 2024

| Assets | | |
|---|---|---|
| Cash | $ | 62,415 |
| Investments | | 621,400 |
| Total Assets | $ | 683,815 |
| **Net Position** | | |
| Restricted Fund Balance | $ | 683,815 |
| Total Fund Balance | $ | 683,815 |

Income Statement
Cash Basis
11000 General Operating Fund
December 31, 2024

| | | |
|---|---|---|
| Operating Revenues: | | |
| Charges for Services | $ | 9,447,107 |
| Operating Expenditures: | | |
| Personnel services | | 5,841,215 |
| Utilities | | 48,564 |
| Contractual services | | 132,633 |
| Professional services | | 580,871 |
| Repairs and maintenance | | 702,425 |
| General operating expenditures | | 1,051,984 |
| Insurance | | 107,874 |
| Travel | | 119,762 |
| Total operating expenditures | | 8,585,328 |
| Operating income | | 861,779 |
| Non-Operating Revenues (Expenditures): | | |
| Miscellaneous revenues | | 1,239,530 |
| Interest Income | | 460,017 |
| Interest Expense and other charges | | |
| Total non-operating revenues (expenditures) | | 1,699,547 |
| Income before capital expenditures | | 2,561,326 |
| Capital Expenditures | | (2,017,737) |
| Change in Net Position | | 543,589 |
| Net Position , beginning of year | | 6,277,896 |
| Net position, end of year | $ | 6,821,485 |

Income Statement
Cash Basis
29900 Other Special Revenue Fund
December 31, 2024

| | | |
|---|---|---|
| Operating Revenues: | | |
| Charges for Services | $ | 20,954 |
| Operating Expenditures: | | |
| Personnel services | | |
| Utilities | | |
| Contractual services | | |
| Professional services | | |
| Repairs and maintenance | | |
| General operating expenditures | | 19,967 |
| Insurance | | |
| Travel | | |
| Total operating expenditures | | 19,967 |
| Operating income | | 987 |
| Non-Operating Revenues (Expenditures): | | |
| Miscellaneous revenues | | |
| Interest Income | | 34,917 |
| Interest Expense and other charges | | |
| Total non-operating revenues (expe | | 34,917 |
| Income before capital expenditures | | 35,904 |
| Capital Expenditures | | |
| Change in Net Position | | 35,904 |
| Net Position , beginning of year | | 647,911 |
| Net position, end of year | $ | 683,815 |

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**AMENDED POLICY ON COMPENSATION, PER DIEM AND MILEAGE**
**RESOLUTION 2025-05**

**WHEREAS**, the Elephant Butte Irrigation District (hereinafter referred to as "District") adopted Policy 86-GA1 on April 2, 1986, as Amended on February 7, 1990, Amended by Resolution on September 17, 2003 and Amended by Resolution on September 11, 2024; and

**WHEREAS**, the Board of Directors of the District, meeting in Regular Session this 12th day of March, 2025, wishes to amend the Policy on Compensation, Per Diem and Mileage;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. Resolution 2025-05 shall be and hereby is adopted.
2. The attached Policy on Compensation, Per Diem and Mileage shall supersede and replace former Policy 86-GA1 effective immediately.
3. Policy 24-GA1 – POLICY ON COMPENSATION, PER DIEM AND MILEAGE is hereby adopted effective immediately.

**PASSED BY THE BOARD** this 12th day of March, 2025.

Greg Daviet, President

Randy Garay, Secretary

POLICY SUBJECT: POLICY ON COMPENSATION, PER DIEM AND MILEAGE

DATE APPROVED: March 12, 2025

SECTION I APPLICABILITY

A. This Policy on Compensation, Per Diem and Mileage shall apply to all employees and public officers of Elephant Butte Irrigation District. "Employee" shall mean any person who is in the employ of Elephant Butte Irrigation District whose salary is paid either completely or partially from public money, with public money including but is not limited to money received from the payment of assessments. Section 10-8-3 and 10-8-4 of New Mexico Statutes provide that members of the Board of Directors are "Public Officers" under the "Per Diem and Mileage Act" whether elected or appointed. The members of the Board of Directors do not receive a salary.

B. Any contractor with Elephant Butte Irrigation District not within definitions set forth in Section I(A) above shall be paid for expenses pursuant to the terms of the respective contract at issue with Elephant Butte Irrigation District.

C. Elephant Butte Irrigation District will not provide or reimburse travel arrangements, meals or transportation for non-Elephant Butte Irrigation District attendees. Only employees (pursuant to this Policy on Compensation, Per Diem and Mileage), public officers (pursuant to this Policy on Compensation, Per Diem and Mileage), and contractors (pursuant to the respective contract in place) may be provided or reimbursed for travel arrangements, meals or transportation.

D. In case of any perceived conflict between Section II or Section III and this Section I, this Section I shall control.

SECTION II COMPENSATION FOR MEETINGS

A. The Board of Directors has elected by this policy to receive reimbursement per diem and mileage for attending meetings in the following ways.

1. Each Board member will receive the maximum allowable compensation under New Mexico State law, as that law is currently in effect and may be amended, plus mileage at the rate set forth in Section 10-8-4(D), as that law is currently in effect and may be amended, for all scheduled Board Meetings, special Board Meetings, or Committee Meetings.

2. The President of the Board shall be entitled to per diem, mileage and travel expenses as set forth in the section above for Board members. Section 73-10-18 authorizes the president or chairman to receive compensation not to exceed $150 per annum for each 10,000 acres of land or major fraction thereof within the District. The President has not received the $125 per month allowable by statute in a number of years but the President and Board of Directors may mutually agree to continue that practice within their discretion at a future time.

B. No Board Member shall receive any other compensation or reimbursement for meetings, subject to Section II related to Travel.

SECTION III TRAVEL

1. The Board of Directors has elected by this policy to adopt the definition of "travel" for purposes of payment of per diem and mileage to be 50 miles from the place of legal residence consistent with the definition found in 2.42.2.7(O) NMAC.

2. Total mileage reimbursement for out-of-state travel by private conveyance shall not exceed the total coach class commercial airfare that would have been reimbursed for those traveling had they traveled by common carrier.

3. Subject to Section 4 below, the maximum allowable Per Diem under New Mexico State law, as that law is currently in effect and may be amended, is allowed for Board Members and employees.

4. The Board of Directors may approve, pursuant to Section 10-8-4(K) of New Mexico Statute that any public officer or employee of Elephant Butte Irrigation District receive reimbursement for actual expenses for lodging and reimbursement for actual expenses for meals and incidentals not to exceed the maximum amounts for in-state and out-of-state travel established by the New Mexico Department of Finance and Administration for the fiscal year in which the travel occurs.

5. Reimbursement for actual lodging costs exceeding the amount specified in 2.42.2.9 must be approved by the President or his designee before the reimbursement is requested. Lodging will be paid at the single occupancy rate or the governmental rate available.

6. The public officer or employee must submit itemized receipts of actual expenses incurred that include the vendor or business name, date of purchase or delivery, description of the item and/or service, and total cost along with any other documentation required to ensure compliance for the actual expense being requested for reimbursement.

7. The Board of Directors and employees may be reimbursed for the following expenses in addition to per diem rates.
   a. Taxi or other transportation fares at the destination of the traveler.
   b. Gratuities, not to exceed twenty percent per transaction.
   c. Parking Fees
   d. Actual costs for travel by common carrier
   e. Rental cars
   f. Registration fees for educational programs or conferences
   g. Professional fees or dues that are beneficial to the District's operations or mission.

8. Personal travel may be combined with District travel however, the District will not pay for any costs on days that do not pertain to District business.

9. Under circumstances where the loss of receipts would create a hardship, an Affidavit for Lost Receipts may be submitted detailing the date, type, and amount of expense.

10. The following items will not be considered for reimbursement under any circumstances:
    a. Alcohol purchases;
    b. Tobacco purchases;
    c. Personal items including clothing;
    d. Gifts or souvenirs; and
    e. Gasoline in a private vehicle.

11. The Board of Directors or their designee may approve a Board Member's or employee's request to be advanced up to eighty percent of per diem rates and mileage cost or for the actual cost of lodging and meals and for other travel expenses that may be reimbursed under 2.42.2.12 NMAC.

12. Elephant Butte Irrigation District may utilize any travel report forms, other forms, travel vouchers, and documentation currently in effect or amended to provide further accounting of expenses for Travel to ensure compliance with New Mexico State Law and this Policy. Any such travel report forms, other forms, travel vouchers, and documentation is required to be submitted within 5 business days from the last day of travel.

**STATE OF NEW MEXICO**

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**2025-06**

**RE:** Budget Adoption Amended Fiscal Year 11/01/2024 to 10/31/2025 and Calendar Year 1/1/2025 to 12/31/2025.

**WHEREAS,** the Governing Body of the Elephant Butte Irrigation District, State of New Mexico has developed an amended budget for fiscal year 2024/2025 and calendar year 2025, and,

**WHEREAS,** said budget was developed on the basis of need and through cooperation with all user departments, elected officials and department supervisors, and,

**WHEREAS,** the official meetings for the review of said documents were duly advertised in the Las Cruces Sun News in compliance with the State Open Meetings Act, and,

**WHEREAS,** it is the majority opinion of this board that the proposed budget meets the requirements as currently determined for fiscal year 2024/2025 and calendar year 2025.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Governing Body of the Elephant Butte Irrigation District, State of New Mexico hereby adopts the amended budget herein above described and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

**RESOLVED:** In session this 14th day of May, 2025.

**GOVERNING BODY OF ELEPHANT BUTTE IRRIGATION DISTRICT, NEW MEXICO.**

**Greg Daviet, President**

**Randy Garay, Secretary**

**Karin Byrum**
**Notary Public**

**State of New Mexico**
**Notary Public**
**Karin Byrum**
**Commission # 1135673**
**Expiration: 10/7/2025**

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**OPERATIONS AND MAINTENANCE FUND**
**FISCAL YEAR BUDGET 11/1/2024-10/31/2025**

| | Original budget | 1st Qtr Budget Adj. | Adjustment Notes | 1st Qtr Final Budget |
|---|---|---|---|---|
| BEGINNING CASH | | | | |
| Rollover Cash | $ - | $865,614 | Rollover Cash & encumbrances | $ 865,614 |
| REVENUE | | | | |
| **SUBTOTAL EBID REVENUE** | **$ 10,136,448** | **$865,614** | | **$ 11,002,062** |
| GRANT REVENUE | | | | |
| ISC Funding SA | $ - | $2,614,640 | ISC anticipated CA FY25 | $2,614,640 |
| ISC Funding CA | $ - | $183,597 | ISC anticipated SA FY25 | $183,597 |
| **SUBTOTAL GRANT INCOME** | **$ 1,656,398** | **$2,798,236** | | **$4,454,634** |
| **GRAND TOTAL REVENUES** | **$ 11,792,846** | **$3,663,850** | | **$ 15,456,696** |
| OPERATING EXPENDITURES | | | | |
| LABOR & FRINGES | $ 6,871,527 | ($136,362) | Salaries and Wages Adjustment | $6,735,165 |
| VEHICLE / EQUIPMENT LEASE EXPENSE | $ 90,000 | $120,819 | EFM Includes FY25 | $210,819 |
| BUILDING MAINTENANCE | $ 61,375 | ($5,200) | ISC Security/Janitorial Costs | $56,175 |
| DEPARTMENT OPERATING SUPPLIES | $ 131,910 | $26,500 | SCADA Equip/Eng. Drone. | $158,410 |
| LEGAL EXPENSE | $ 478,000 | ($100,000) | Decrease in legal services | $378,000 |
| OFFICE/POSTAGE/PRINTING/MAINT. | $ 98,267 | $40,000 | Increase in printing & office expense | $138,267 |
| NETWORK EXPENSE | $ 208,650 | $10,000 | Microsoft Suite Subscriptions | $218,650 |
| SOFTWARE | $ 114,304 | $16,900 | Savings from drone to software - add'l software fi | $131,204 |
| INSURANCE LIABILITY & D/O | $ 122,000 | $2,000 | Increase in payment | $124,000 |
| TRAVEL/Training | $ 100,000 | $136,362 | Transfer from Salaries & Wages | $236,362 |
| INTEREST EXPENSE | $ 35,000 | $35,000 | Enterprise Interest + FY25 Trucks Interest | $70,000 |
| **SUBTOTAL OPERATING EXPENDITURES** | **$ 10,193,617** | **$146,019** | | **$10,339,636** |
| BOR NFWF IRA GRANT | $ 400,000 | $200,468 | Adjustment for IRA budget amendments | $600,468 |
| ISC Funding SA | $ - | $2,614,640 | ISC anticipated CA FY25 | $2,614,640 |
| ISC Funding CA | $ - | $183,597 | ISC anticipated SA FY25 | $183,597 |
| CAPITAL OUTLAY MAINTENANCE EQUIPMENT | $ 240,000 | $480,614 | Mower & encumbrances (SCADA, Maintnance) | $720,614 |
| CAPITAL OUTLAY-BUILDINGS and IMPROVEMENTS | $ - | $105,000 | Roofing Expense | $105,000 |
| **SUBTOTAL CAPITAL EXPENDITURES** | **$ 1,396,398** | **$3,584,318** | | **$4,980,716** |
| **GRAND TOTAL EXPENDITURES** | **$ 11,590,015** | **$3,730,337** | | **$15,320,352** |
| **NET BUDGET** | **$202,831** | **($66,487)** | | **$136,344** |

# ELEPHANT BUTTE IRRIGATION DISTRICT

[Resolution 2025-07]

## RE: RESOLUTION IN MEMORY OF ANTHONY JAMES SALOPEK

WHEREAS, Anthony "James" Salopek was born on his family's farm in the Mesilla valley, New Mexico, and dedicated his life to the agricultural community; and,

WHEREAS, he served with distinction as the President of the Elephant Butte Irrigation District for 15 years and as a Board Member for nearly 25 years, demonstrating unwavering commitment to the sustainable management of water resources; and,

WHEREAS, he contributed to the agricultural diversity and prosperity of the region as a pecan farmer; and,

WHEREAS, he was actively involved with the New Mexico Pecan Growers, Western Pecan Growers Association, National Water Resources Association, and Family Farm Alliance; and,

WHEREAS, his leadership and advocacy have left a lasting impact on the agricultural and water management sectors in New Mexico; and,

WHEREAS, James Salopek passed away on May 1, 2025, at his home, surrounded by his loving family, leaving behind a legacy of service, dedication, and love; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Elephant Butte Irrigation District that we express our deepest sympathy to the family and friends of James Salopek; and,

BE IT FURTHER RESOLVED that we honor his memory by continuing his work in promoting sustainable agriculture and water management, and by supporting the causes he championed, including the Family Farm Alliance; and,

BE IT FURTHER RESOLVED that a copy of this resolution be presented to his family as a token of our respect, gratitude, and admiration for his contributions to our community.

Dated this 14th day of May 2025

**GOVERNING BODY OF ELEPHANT BUTTE IRRIGATION DISTRICT, NEW MEXICO.**

**Greg Daviet, President**

**Randy Garay, Secretary**

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**RESOLUTION 2025-08**
**ADOPTING THE FY 2027-2031 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)**

**WHEREAS**, the Elephant Butte Irrigation District recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

**WHEREAS**, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

**WHEREAS**, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary projects and development; and

**WHEREAS**, this process contributes to local and regional efforts in project identification and selection in short- and long-range capital planning efforts.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. The Elephant Butte Irrigation District has adopted the attached FY 2027-2031 Infrastructure Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.

**PASSED BY THE BOARD** this 11th day of June 2025.

Greg Daviet, President

Randy Garay, Secretary

## Elephant Butte Irrigation District (EBID)
## Project Summary

| ID | Year | Rank | Project Title | Category | Funded to date | 2027 | 2028 | 2029 | 2030 | 2031 | Total Project Cost | Amount Not Yet Funded | Phases? |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 43660 | 2027 | 001 | Mesilla Dam | Water - Storm/Surface Water Control | 0 | 90,700 | 907,000 | 0 | 0 | 0 | 997,700 | 997,700 | Yes |
| 43690 | 2027 | 002 | EBID Equipment | Equipment - Other | 0 | 4,500,000 | 0 | 0 | 0 | 0 | 4,500,000 | 4,500,000 | No |
| 43691 | 2027 | 003 | Robledo Repeater | Facilities - Other | 0 | 150,000 | 0 | 0 | 0 | 0 | 150,000 | 150,000 | No |
| 43692 | 2027 | 004 | EBID Fabrication Shop | Facilities - Other | 0 | 250,000 | 0 | 0 | 0 | 0 | 250,000 | 250,000 | No |
| 43697 | 2027 | 005 | EBID Mechanic Shop | Facilities - Administrative Facilities | 0 | 3,500,000 | 0 | 0 | 0 | 0 | 3,500,000 | 3,500,000 | No |
| 43700 | 2027 | 006 | Leasburg Canal | Water - Storm/Surface Water Control | 0 | 4,996,250 | 3,376,250 | 3,376,250 | 3,376,250 | 0 | 15,125,000 | 15,125,000 | Yes |
| 43702 | 2027 | 007 | Pipeline Projects | Water - Storm/Surface Water Control | 0 | 4,140,000 | 3,620,000 | 3,620,000 | 3,620,000 | 0 | 15,000,000 | 15,000,000 | Yes |
| 43703 | 2027 | 008 | Early Flood Warnings | Facilities - Public Safety Facilities | 0 | 1,210,240 | 0 | 0 | 0 | 0 | 1,210,240 | 1,210,240 | No |
| 43704 | 2027 | 009 | Picacho Flume | Facilities - Administrative Facilities | 0 | 0 | 10,030,000 | 0 | 0 | 0 | 10,030,000 | 10,030,000 | No |
| 43705 | 2027 | 010 | Sediment Capture Sites | Water - Other | 0 | 300,000 | 1,850,000 | 1,850,000 | 0 | 0 | 4,000,000 | 4,000,000 | Yes |
| 43706 | 2027 | 011 | Public Safety Signage | Facilities - Public Safety Facilities | 0 | 180,000 | 0 | 0 | 0 | 0 | 180,000 | 180,000 | No |

**Number of projects:** 11

| | Funded to date: | Year 1: | Year 2: | Year 3: | Year 4: | Year 5: | Total Project Cost: | Total Not Yet Funded: |
|---|---|---|---|---|---|---|---|---|
| **Grand Totals** | 0 | 19,317,190 | 19,783,250 | 8,846,250 | 6,996,250 | 0 | 54,942,940 | 54,942,940 |

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**AUTHORIZING THE DISPOSITION OF OBSOLETE, WORN-OUT, OR UNUSABLE TANGIBLE PERSONAL PROPERTY**

**RESOLUTION 2025-09**

**WHEREAS**, the governing body of Elephant Butte Irrigation District (hereinafter referred to as "District") is the owner of certain tangible personal property listed in Exhibit A and Exhibit B to this Resolution; and

**WHEREAS**, the District desires to dispose of multiple items of tangible personal property listed and identified in Exhibit A and Exhibit B; and

**WHEREAS,** NMSA 1978 Sections 13-6-1 and 13-6-2 authorize the District to dispose of obsolete, worn-out, or unusable tangible personal property by online public auction or by other allowable means of disposal; and

**WHEREAS**, the District has taken the appropriate steps to identify such tangible personal property; and

**WHEREAS**, the property described in Exhibit A has a current resale value of less than $5,000; and

**WHEREAS**, the property described in Exhibit B meets the requirements for disposal of the Local Government Division of the Department of Finance and Administration; and

**WHEREAS**, the property described in Exhibit A and Exhibit B meet the requirements to be submitted to the State Auditor's Office pursuant to Section 13-6-1 and 13-6-2 NMSA 1978; and

**WHEREAS**, the Local Government Division of the Department of Finance and Administration requires approval of the disposal of the tangible personal property listed in Exhibit A and Exhibit B by the full governing body.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. The property listed in Exhibit A and Exhibit B is obsolete, worn-out, or unusable tangible personal property no longer needed by the District.
2. Each item listed in Exhibit A and Exhibit B may be sold at public auction or disposed of by other allowable means pursuant to NMSA 1978 Section 13-6-1 and 13-6-2.
3. The Board respectfully requests approval from the Local Government Division of the Department of Finance and Administration for disposal of property listed in Exhibit B by public auction or by other allowable means.

**PASSED BY THE BOARD** this 25th day of June, 2025.

Greg Daviet, President

Randy Garay, Secretary

Karin Byrum, Notary Public

**State of New Mexico**
**Notary Public**
**Karin Byrum**
**Commission # 1135673**
**Expiration: 10/7/2025**

# Elephant Butte Irrigation District

Exhibit A

## Property Disposition Form

| Asset Tag Number | Description | Manufacturer | Model | Serial Number | Current Location | Reason for Disposition | Original Value | Current Value |
|---|---|---|---|---|---|---|---|---|
| 0730-0152 | 1998 Dodge Ram 1500, 4 x 4 | Dodge | Ram 1500 | 1B7HF16Y7WS767104 | Las Cruces | Worn Out | $3,000 | $2,300 |
| 0730-0149 | 1998 Dodge Ram 1500, 4 x 4 | Dodge | Ram 1500 | 1B7HF16Y7W5610091 | Las Cruces | Worn Out | $1,400 | $2,300 |
| 0730-0156 | 1998 Dodge Ram 1500, 4 x 4 | Dodge | Ram 1500 | 1B7HF16Y1WS617652 | Las Cruces | Worn Out | $3,000 | $2,300 |
| 0730-0161 | 1998 Chevrolet Cheyenne | Chevrolet | Cheyenne | 1GCEC14M9WZ180504 | Las Cruces | Worn Out | $3,400 | $2,000 |
| 0730-0164 | 1998 Dodge Ram 1500, 4 x 4 | Dodge | Ram 1500 | 1B7HF16Y3WS767097 | Las Cruces | Worn Out | $4,000 | $2,300 |
| 0730-0177 | 2001 Chevrolet Blazer | Chevrolet | Blazer | 1GNDT13W01K223117 | Las Cruces | Worn Out | $3,525 | $1,500 |
| 0730-0179 | 1998 Dodge Ram 1500, 4 x 4 | Dodge | Ram 1500 | 3B7HF16Y4WM298255 | Las Cruces | Worn Out | $2,575 | $2,300 |
| 0730-0180 | 2000 Dodge Ram 1500 | Dodge | Ram 1500 | 1B7HC16Z31S730030 | Las Cruces | Worn Out | $2,850 | $1,000 |
| 0730-0186 | 2001 Chevrolet Silverado 1500 | Chevrolet | Silverado | 1GCEC14W91Z238914 | Las Cruces | Worn Out | $2,700 | $4,200 |
| 0730-0187 | 2001 Dodge Ram 1500 Extended Cab 4 x 4 | Dodge | Ram 1500 | 1B7HF13Z21J601259 | Las Cruces | Worn Out | $2,000 | $1,000 |
| 0730-0204 | 2000 Chevrolet Silverado 1500 | Chevrolet | Silverado | 1GCEK14V3YZ223300 | Las Cruces | Worn Out | $3,300 | $3,800 |
| 0730-0189 | 2001 Dodge Durango | Dodge | Durango | 1B4H528Z51F644651 | Las Cruces | Worn Out | $2,500 | <$1,000 |
| none | 2014 HP Designjet 44" plotter | Hewlett Packard | T1300 postscript | CN48QkH05Q | Las Cruces | Obsolete | $6,300 | $1,300 |
| none | Electronic drafting table | | | | Las Cruces | Obsolete | unknown | <$500 |
| none | Pallets of conference room chairs | | | | Las Cruces | Worn Out | unknown | <$1,000 |
| none | Pallet of small solar panels | | | | Las Cruces | Obsolete | unknown | <$1,000 |
| none | Various computers and computer parts | | | | Las Cruces | Obsolete | unknown | <$1,000 |
| none | Various communication devices and parts | | | | Las Cruces | Obsolete | unknown | <$1,000 |
| none | Various vehicle filters and parts | | | | Las Cruces | Obsolete | unknown | <$1,000 |
| none | Various general office equipment | | | | Las Cruces | Obsolete | unknown | <$1,000 |
| none | 2 Metal desks | | | | Las Cruces | Worn Out | unknown | <$500 |
| none | Various small maintenance equipment | | | | Las Cruces | Worn Out | unknown | <$500 |

Approved by Treasurer-Manager

Signature Date

Approved by Assistant Manager

Signature Date

Approved by Finance

Signature Date

# Elephant Butte Irrigation District

Exhibit B

## Property Disposition Form

| Asset Tag Number | Description | Manufacturer | Model | Serial or VIN Number | Current Location | Reason for Disposition | Original Value | Estimated Current Value |
|---|---|---|---|---|---|---|---|---|
| 0730-0120 | 2003 FORD F-550 TRUCK/UTILITY BED | Ford | F550 | 1FDAF57P93EC91054 | Las Cruces | Worn Out | $50,224 | $10,000 |
| 0730-0192 | 2000 Chevrolet 1 ton 4 X 4 Flat Bed | Chevrolet | K3500 | 1GCHK39J2YF511745 | Las Cruces | Worn Out | $6,000 | $5,000 |
| 0730-0205 | 2016 Chevrolet Silverado 1500 | Chevrolet | Silverado | 1GCNCNEH5GZ211421 | Las Cruces | Worn Out | $21,224 | $11,000 |
| 0710-0173 | 1980 Internat'l Harvester Cabover Truck, Tractor | International Harvester | C01850 | 2HTD10353BCA12277 | Las Cruces | Worn Out | $0 | $10,000 |
| 0710-0190 | 1995 Internat'l Harvester 4900 Dump Truck | International Harvester | 4900 | 1HTSDAAN8SH617568 | Las Cruces | Worn Out | $36,199 | $5,000 |

Approved by Treasurer-Manager

Signature Date

Approved by Assistant Manager

Signature Date

Approved by Finance

Signature Date

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**AUTHORIZING THE DISPOSITION OF OBSOLETE, WORN-OUT, OR UNUSABLE TANGIBLE PERSONAL PROPERTY**

**RESOLUTION 2025-10**

**WHEREAS**, the governing body of Elephant Butte Irrigation District (hereinafter referred to as "District") is the owner of certain tangible personal property listed in Exhibit A and Exhibit B to this Resolution; and

**WHEREAS**, the District desires to dispose of multiple items of tangible personal property listed and identified in Exhibit A and Exhibit B; and

**WHEREAS,** NMSA 1978 Sections 13-6-1 and 13-6-2 authorize the District to dispose of obsolete, worn-out, or unusable tangible personal property by online public auction or by other allowable means of disposal; and

**WHEREAS**, the District has taken the appropriate steps to identify such tangible personal property; and

**WHEREAS**, the property described in Exhibit A has a current resale value of less than $5,000; and

**WHEREAS**, the property described in Exhibit B meets the requirements for disposal of the Local Government Division of the Department of Finance and Administration; and

**WHEREAS**, the property described in Exhibit A and Exhibit B meet the requirements to be submitted to the State Auditor's Office pursuant to Section 13-6-1 and 13-6-2 NMSA 1978; and

**WHEREAS**, the Local Government Division of the Department of Finance and Administration requires approval of the disposal of the tangible personal property listed in Exhibit A and Exhibit B by the full governing body.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. The property listed in Exhibit A and Exhibit B is obsolete, worn-out, or unusable tangible personal property no longer needed by the District.
2. Each item listed in Exhibit A and Exhibit B may be sold at public auction or disposed of by other allowable means pursuant to NMSA 1978 Section 13-6-1 and 13-6-2.
3. The Board respectfully requests approval from the Local Government Division of the Department of Finance and Administration for disposal of property listed in Exhibit B by public auction or by other allowable means.

**PASSED BY THE BOARD** this 9th day of July, 2025.

Greg Daviet, President

Randy Garay, Secretary

**State of New Mexico**
**Notary Public**
**Karin Byrum**
**Commission # 1135673**
**Expiration: 10/7/2025**

Karin Byrum, Notary Public

# Elephant Butte Irrigation District

Exhibit A

## Property Disposition Form

| Asset Tag Number | Description | Manufacturer | Model | Serial Number | Current Location | Reason for Disposition | Original Value | Current Value |
|---|---|---|---|---|---|---|---|---|
| 0710-0054 | Wrecker | Ford | | F37SKEE4032 | Las Cruces | Worn Out | $8,700 | <$1,000 |
| 0730-0146 | 2006 Ford F-150 Pickup Truck | Ford | F-150 | 1FTRF12256NB27123 | Las Cruces | Worn Out | $14,050 | $1,000 |
| 0730-0153 | 2007 Ford F-150 Pickup Truck | Ford | F-150 | 1FTRF12217NA58139 | Las Cruces | Worn Out | $14,100 | $1,350 |
| 0730-0154 | 2007 Ford F-150 Pickup Truck | Ford | F-150 | 1FTRF122X7KC69972 | Las Cruces | Worn Out | $14,100 | $1,350 |
| 0730-0155 | 2007 Ford F-150 Pickup Truck | Ford | F-150 | 1FTRF12217KC69973 | Las Cruces | Worn Out | $14,100 | $1,350 |
| 0730-0157 | 1998 Dodge Ram 1500 4x4 | Dodge | Ram 1500 | 3B7HF16YXWM298261 | Las Cruces | Worn Out | $3,000 | $2,300 |
| 0730-0168 | 2001 Chevrolet K15 Suburban | Chevrolet | K15 Suburban | 1GNFK16T01J256265 | Las Cruces | Worn Out | $4,200 | $1,300 |
| 0730-0169 | 2001 Chevrolet Silverado Pickp | Chevrolet | Silverado | 1GCEK14V81Z297639 | Las Cruces | Worn Out | $4,000 | $1,100 |
| 0730-0172 | 2002 Ford F-150 Pickup Truck | Ford | F-150 | 2FTRF17W53CA77112 | Las Cruces | Worn Out | $3,175 | $1,500 |
| 0730-0183 | 1994 Chevrolet GM4 Truck | Chevrolet | GM4 | 2GCEK19H6R1291510 | Las Cruces | Worn Out | $2,700 | $3,300 |
| 0730-0193 | 1998 Dodge Ram 1500 4x4 | Dodge | Ram 1500 | 1B7HF16Y6WS640683 | Las Cruces | Worn Out | $3,700 | $300 |
| 0730-0194 | 2001 Dodge Ram 1500 4x4 | Dodge | Ram 1500 | 1B7HF16Y41S751077 | Las Cruces | Worn Out | $4,125 | $2,900 |
| none | 6.0 engine from 2006 Ford 4x4 pickup | | | | Las Cruces | Worn Out | unknown | <$2,000 |
| none | 4.3 engine from 2016 Chevrolet 1500 4x4 | | | | Las Cruces | Worn Out | unknown | <$2,000 |
| none | Wet kit from 1999 Western Star Tractor Truck | | | | Las Cruces | Worn Out | unknown | <$750 |
| none | 4 cyl JD 550 Dozer engine & transmission | | | | Las Cruces | Worn Out | unknown | <$1,000 |
| 0741-0475 | HP Designjet T1120 Plotter | Hewlett Packard | T1120 | | Las Cruces | Obsolete | $6,400 | <$1,500 |
| 0741-0471 | HP T1100 PS Plotter | Hewlett Packard | T1100 postscript | | Las Cruces | Obsolete | $7,300 | <$1,300 |
| none | Metal shelving units | | | | Las Cruces | Worn Out | unknown | <$500 |

Approved by Treasurer-Manager — Signature — Date 7/9/25

Approved by Assistant Manager — Signature — Date 7/9/25

Approved by Finance — Signature — Date 7/9/25

# Elephant Butte Irrigation District

Exhibit B

## Property Disposition Form

| Asset Tag Number | Description | Manufacturer | Model | Serial or VIN Number | Current Location | Reason for Disposition | Original Value | Estimated Current Value |
|---|---|---|---|---|---|---|---|---|
| 0730-0197 | 2015 Chevrolet Silverado Pickup Truck | Chevrolet | Silverado | 1GCNCPEH5FZ249614 | Las Cruces | Worn Out | $21,700 | $5,800 |
| 0730-0199 | 2015 Chevrolet Silverado Pickup Truck | Chevrolet | Silverado | 1GCNCPEH8FZ251406 | Las Cruces | Worn Out | $22,000 | $5,800 |
| 0710-0128 | 1979 John Deere Tractor 2840 | John Deere | 2840 | 315392L | Las Cruces | Worn Out | $11,000 | $6,500 |
| 0710-0194 | 2000 Caterpillar Backhoe 446B | Caterpillar | 446B | 5BL02528 | Chamberino | Worn Out | $101,450 | $29,500 |
| 0710-0244 | 1990 Link Belt LS 4300 II Excavator | Link Belt | LS 4300 | C 8110136 | Las Cruces | Worn Out | $10,000 | $14,000 |

Approved by Treasurer-Manager _____ Signature 7/9/25 Date

Approved by Assistant Manager _____ Signature 7/9/25 Date

Approved by Finance _____ Signature 7/9/25 Date

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**MORATORIUM ON CONVEYANCE OF DISTRICT PROPERTY**
**RESOLUTION 2025-11**

**WHEREAS,** the Elephant Butte Irrigation District (hereinafter referred to as "District") approved a moratorium on the conveyance, sale or transfer of District Property; and

**WHEREAS**, the Board of Directors of the District, meeting in Regular Session this 8th day of October 2025, wishes to lift the moratorium on the conveyance, sale and transfer of District property;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. The moratorium on the conveyance, sale and transfer of District property approved by the Board of Directors of the District is hereby lifted and terminated.

**PASSED BY THE BOARD and effective** this 8th day of October 2025.

Greg Daviet, President

Randy Garay, Secretary

**STATE OF NEW MEXICO**

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**2025-12**

**RE:** Budget Adoption Fiscal Year 11/01/2025 to 10/31/2026 and Calendar Year 1/01/2026 to 12/31/2026

**WHEREAS,** the Governing Body of the Elephant Butte Irrigation District, State of New Mexico developed a budget for fiscal year 2026, and calendar year 2026 for purposes of DFA reporting for 12/31/2026, and,

**WHEREAS,** said budget was developed on the basis of need and through cooperation with EBID departments, and elected officials, and,

**WHEREAS,** the official meetings for the review of said documents were duly advertised in the Las Cruces Sun News in compliance with the State Open Meetings Act, and,

**WHEREAS,** it is the majority opinion of this board that the proposed budget meets the requirements as currently determined for fiscal and calendar year 2026.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Governing Body of the Elephant Butte Irrigation District, State of New Mexico hereby adopts the final budget herein above described and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

**RESOLVED:** In session this 10th day of September 2025.

**Gregory Daviet, President**

**Randy Garay, Secretary**

**Karin Byrum, Finance Director**
**Notary Public**

**State of New Mexico**
**Notary Public**
**Karin Byrum**
**Commission # 1135673**
**Expiration: 10/7/2025**

ELEPHANT BUTTE IRRIGATION DISTRICT
OPERATIONS AND MAINTENANCE FUND
FISCAL YEAR BUDGET 11/1/2025-10/31/2026

| | Original budget |
|---|---|
| BEGINNING RESOURCES (CASH) | $ 560,000 |
| | |
| REVENUE: | |
| ASSESSMENTS FARM & FLAT RATE | $ 9,303,000 |
| ASSESSMENTS-ADMIN FEE | $ 225,000 |
| ASSESSMENTS -DEBT SERVICE | $ - |
| INTEREST | $ 175,000 |
| SPECIAL USE FEES | $ 239,000 |
| MISCELLANEOUS INCOME | $ 72,000 |
| SUBTOTAL EBID REVENUE | $ 10,014,000 |
| | |
| GRANT REVENUE: | |
| BOR DROUGHT RESILIENCY GRANT | $ - |
| BOR NFWF IRA GRANT | $ 900,000 |
| BOR-DO-21-F001 DELIVERING CONSERVATION | $ - |
| ISC SPECIAL APPROPRIATIONS | $ 3,564,437 |
| ISC CAPITAL APPROPRIATIONS | $ 7,147,323 |
| SUBTOTAL GRANT INCOME | $ 11,611,760 |
| TOTAL REVENUES | $ 21,625,760 |
| TOTAL REVENUES AND RESOURCES | $ 22,185,760 |
| | |
| OPERATING EXPENDITURES: | |
| LABOR & FRINGES | $ 6,942,351 |
| YARD MAINTENANCE | $ 11,000 |
| HEAVY EQUIPMENT MAINTENANCE | $ 150,000 |
| MECHANIC SHOP EXPENSE | $ 18,000 |
| FLEET EQUIPMENT MAINTENANCE | $ 62,500 |
| VEHICLE / EQUIPMENT LEASE EXPENSE | $ 288,000 |
| BUILDING MAINTENANCE | $ 103,975 |
| DEPARTMENT OPERATING SUPPLIES | $ 189,498 |
| FUEL EXPENSE | $ 248,000 |
| WEED CONTROL EXPENSE | $ 121,770 |
| WELDING SHOP EXPENSE | $ 18,000 |
| CANAL MAINTENANCE EXPENSE | $ 200,000 |
| DAM EXPENSE/FLOOD CONTROL | $ 70,000 |
| AUDIT EXPENSE | $ 25,000 |
| LEGAL EXPENSE | $ 328,000 |
| BOARD EXPENSES | $ 18,000 |
| BOR/RESERVOIR SERVICE | $ 435,000 |
| COMMUNICATIONS EXPENSE | $ 61,190 |
| CONSULTING EXPENSE | $ 309,667 |
| DAMAGE CLAIM EXPENSE | $ 2,500 |
| ELECTION EXPENSE | $ 450 |
| DUES / SUBSCRIPTIONS | $ 18,725 |
| OFFICE/POSTAGE/PRINTING/MAINT. | $ 162,934 |
| NETWORK EXPENSE | $ 189,600 |
| COMPUTERS & PRINTERS | $ 15,800 |
| SOFTWARE | $ 126,640 |
| INSURANCE LIABILITY & D/O | $ 140,000 |
| SAFETY /TRAINING EXPENSE | $ 19,050 |
| TRAVEL/Training | $ 100,950 |
| UTILITIES | $ 62,600 |
| INTEREST EXPENSE | $ 72,000 |
| SUBTOTAL OPERATING EXPENDITURES | $ 10,511,200 |
| | |
| CAPITAL OUTLAY: | |
| DEBIT SERVICE | $ - |
| BOR NFWF IRA GRANT | $ 900,000 |
| BOR-DO-21-F001 DELIVERING CONSERVATION | $ - |
| ISC SPECIAL APPROPRIATIONS | $ 3,564,437 |
| ISC CAPITAL APPROPRIATIONS | $ 7,147,323 |
| CAPITAL OUTLAY MAINTENANCE EQUIPMENT | $ 62,800 |
| CAPITAL OUTLAY-BUILDINGS and IMPROVEMENTS | $ - |
| CAPITAL OUTLAY-INFRASTRUCTURE | $ - |
| SUBTOTAL CAPITAL EXPENDITURES | $ 11,674,560 |
| | |
| GRAND TOTAL EXPENDITURES | $ 22,185,760 |
| NET BUDGET | $ - |

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**AUTHORIZING THE DISPOSITION OF OBSOLETE, WORN-OUT, OR UNUSABLE TANGIBLE PERSONAL PROPERTY**

**RESOLUTION 2025-13**

**WHEREAS**, the governing body of Elephant Butte Irrigation District (hereinafter referred to as "District") is the owner of certain tangible personal property listed in Exhibit A and Exhibit B to this Resolution; and

**WHEREAS**, the District desires to dispose of multiple items of tangible personal property listed and identified in Exhibit A and Exhibit B; and

**WHEREAS,** NMSA 1978 Sections 13-6-1 and 13-6-2 authorize the District to dispose of obsolete, worn-out, or unusable tangible personal property by online public auction or by other allowable means of disposal; and

**WHEREAS**, the District has taken the appropriate steps to identify such tangible personal property; and

**WHEREAS**, the property described in Exhibit A has a current resale value of less than $5,000; and

**WHEREAS**, the property described in Exhibit B meets the requirements for disposal of the Local Government Division of the Department of Finance and Administration; and

**WHEREAS**, the property described in Exhibit A and Exhibit B meet the requirements to be submitted to the State Auditor's Office pursuant to Section 13-6-1 and 13-6-2 NMSA 1978; and

**WHEREAS**, the Local Government Division of the Department of Finance and Administration requires approval of the disposal of the tangible personal property listed in Exhibit A and Exhibit B by the full governing body.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Elephant Butte Irrigation District that:

1. The property listed in Exhibit A and Exhibit B is obsolete, worn-out, or unusable tangible personal property no longer needed by the District.
2. Each item listed in Exhibit A and Exhibit B may be sold at public auction or disposed of by other allowable means pursuant to NMSA 1978 Section 13-6-1 and 13-6-2.
3. The Board respectfully requests approval from the Local Government Division of the Department of Finance and Administration for disposal of property listed in Exhibit B by public auction or by other allowable means.

**PASSED BY THE BOARD** this 8th day of October, 2025.

Greg Daviet, President

Randy Garay, Secretary

Leah K. Diaz

Leah Diaz, Notary Public

**State of New Mexico**
**Notary Public**
**Leah K Diaz**
**Commission # 1140255**
**Expiration: 05/02/2027**

# Elephant Butte Irrigation District

Exhibit A

## Property Disposition Form

| Asset Tag Number | Description | Manufacturer | Model | Serial Number | Current Location | Reason for Disposition | Original Value | Current Value |
|---|---|---|---|---|---|---|---|---|
| 0730-0182 | 1994 Chevy Dually | Chevrolet | | 1GCHC39N7RE253729 | Las Cruces | Worn Out | <$5,000 | $2,500 |
| 0730-0185 | 2006 Ford F-150 Pickup Truck | Ford | F-150 | 1GCEK14VXYZ225951 | Las Cruces | Worn Out | <$5,000 | $3,700 |
| 0710-0174 | International Harvester S-1600 Flatbed Truck | International | S-1600 | | Las Cruces | Worn Out | <$5,000 | $1,000 |
| 0710-0217 | Concrete Mixer 2 yd | | | | Las Cruces | Worn Out | $9,000 | $2,500 |
| 0711-0162 | Horse Trailer - 2 horse modified | | | | Las Cruces | Worn Out | <$5,000 | $2,500 |
| 0711-0140 | Tiger side flail mower | Tiger | TSF75C | TF2127 | Las Cruces | Worn Out | $16,444 | $2,500 |
| 0711-0164 | Alamo 22" Flail Mower | Alamo | Axtreme II | AX22-2-00058 | Las Cruces | Worn Out | $47,100 | $1,000 |
| 0711-0165 | Alamo 22" Flail Mower | Alamo | Axtreme II | AX22-2-00059 | Las Cruces | Worn Out | $47,100 | $1,000 |
| 0711-0134 | Alamo 24" Machete mower boom | Alamo | | | Las Cruces | Worn Out | <$25,000 | $1,000 |
| 0724-0151 | Trailblazer Generator | Trailblazer | | | Las Cruces | Worn Out | <$5,000 | <$100 |
| 0724-0152 | Trailblazer 302 Generator | Trailblazer | 302 | MI907447/MB020015M | Las Cruces | Worn Out | $9,212 | <$100 |
| 0724-0170 | Trailblazer Generator | Trailblazer | | | Las Cruces | Worn Out | <$5,000 | <$100 |
| 0724-0112 | Trailblazer Generator | Trailblazer | | | Las Cruces | Worn Out | <$5,000 | <$100 |
| 0724-0172 | Trailblazer Generator | Trailblazer | | | Las Cruces | Worn Out | <$5,000 | <$100 |
| 0824-0102 | Wacker 4" Trash Pump | Wacker | PTS-4V | | Las Cruces | Worn Out | $3,594 | $100 |
| None | Long bed from 1997 Ford F-250 | Ford | | | Las Cruces | Worn Out | <$5,000 | $500 |
| None | Long bed from 1994 Chevy 1 ton dually | Chevrolet | | | Las Cruces | Worn Out | <$5,000 | $1,800 |
| None | Bucket from John Deere 410 Backhoe | John Deere | | | Las Cruces | Worn Out | <$5,000 | $500 |
| None | Bucket from John Deere 510 Backhoe | John Deere | | | Las Cruces | Worn Out | <$5,000 | $500 |
| None | 1976 BlackHawke 5/8" drill press | BlackHawke | DP-589 | | Las Cruces | Worn Out | <$5,000 | <$100 |
| None | 3 Weed Spray hoses with reels | Various | | | Las Cruces | Worn Out | unknown | <$100 |
| None | Wacker Plate Tamper | Wacker | | | Las Cruces | Worn Out | <$5,000 | <$100 |
| None | Wacker Plate Tamper | Wacker | | | Las Cruces | Worn Out | <$5,000 | <$100 |
| None | Various mowing attachments | Various | | | Las Cruces | Worn Out | unknown | $500 |
| None | 4 Fuel-oil hose reels in warehouse | Various | | | Las Cruces | Worn Out | unknown | $1,800 |
| None | 3 metal roller conveyor tables | | | | Las Cruces | Worn Out | unknown | $500 |
| None | 2-1/2 hp and 1- 5 hp electric motors | Various | | | Las Cruces | Worn Out | unknown | $500 |
| None | 4.3L V6 Chevy engine from 1984-1986 | Chevrolet | | | Las Cruces | Worn Out | unknown | <$100 |
| None | Various small metal parts | Various | | | Las Cruces | Worn Out | unknown | <$100 |
| None | John Deere 550 Dozer final drives | John Deere | | | Las Cruces | Worn Out | unknown | <$100 |
| None | Pallet of various hydraulic parts and motors | Various | | | Las Cruces | Worn Out | unknown | <$100 |
| None | Assorted gas powered saws | Various | | | Las Cruces | Worn Out | unknown | <$100 |

Approved by Treasurer-Manager

Signature 10/9/25

Date

Approved by Assistant Manager

Signature

Date

Approved by Finance

Signature

Date

L:\FIXED ASSETS\DISPOSAL OF ASSETS\Auction 2025\Fixed Assets - Property Disposal Form FY25

# Elephant Butte Irrigation District

Exhibit B

## Property Disposition Form

| Asset Tag Number | Description | Manufacturer | Model | Serial or VIN Number | Current Location | Reason for Disposition | Original Value | Estimated Current Value |
|---|---|---|---|---|---|---|---|---|
| 0730-0198 | 2015 Chevrolet Silverado Pickup Truck | Chevrolet | Silverado | 1GCNCPEH7FZ249839 | Las Cruces | Worn Out | $21,987 | $11,000 |
| 0730-0206 | 2016 Chevrolet Silverado Pickup Truck | Chevrolet | Silverado | 1GCNCNEHXGZ214511 | Las Cruces | Worn Out | $20,024 | $12,700 |
| 0730-0207 | 2016 Chevrolet Silverado Pickup Truck | Chevrolet | Silverado | 1GCNCNEHXG7215697 | Las Cruces | Worn Out | $21,224 | $12,700 |
| 0730-0208 | 2016 Chevrolet Silverado Pickup Truck | Chevrolet | Silverado | 1GCNCNEH3GZ216715 | Las Cruces | Worn Out | $21,224 | $12,700 |
| 0730-0217 | 2010 Chevrolet Extended Cab Pickup Truck | Chevrolet | CK10 | 1GCSKPE38AZ154371 | Las Cruces | Worn Out | $8,900 | $7,200 |
| 0730-0231 | 2020 Chevrolet Silverado Pickup Truck | Chevrolet | Silverado | 3GCNWAEH9LG206412 | Las Cruces | Worn Out | $23,018 | $5,000 |
| 0710-0216 | 2000 Volvo EC360 LC with parts | Volvo | EC360 LC | EC360LCC03293 | Las Cruces | Worn Out | $121,985 | $25,000 |
| 0710-0236 | 1985 Caterpillar 621B Pan scraper | Caterpillar | 621B | 2DB00873 | Hatch | Worn Out | $12,041 | $18,000 |
| 0710-0238 | 1984 Caterpillar 621B Pan scraper | Caterpillar | 621B | wDB00039 | Hatch | Worn Out | $17,000 | $18,000 |
| 0710-0247 | Caterpillar 631D Pan scraper | Caterpillar | 631D | | Hatch | Worn Out | trade-in $28,000 | $15,000 |
| 0711-0175 | 2015 Alamo Falcon 15' Hydraulic Rotary Mower | Alamo | Falcon 15 | 10208 | Las Cruces | Worn Out | $30,273 | $6,750 |
| 0711-0171 | 2015 Alamo Falcon 15' Hydraulic Rotary Mower | Alamo | Falcon 15 | 10189 | Las Cruces | Worn Out | $30,273 | $6,750 |

Approved by Treasurer-Manager

Signature — Date: 10/9/25

Approved by Assistant Manager

Signature — Date

Approved by Finance

Signature — Date

# RESOLUTION NO. 2025-14

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY

WHEREAS, Elephant Butte Irrigation District (the "Governmental Unit") is a duly organized Irrigation District created and formed pursuant to "Irrigation Districts Cooperating with the United States under Reclamation Laws", NMSA 1978, §§ 73-10-1 et seq., and §§ 73-11-1 et seq. and is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"); and

WHEREAS, the New Mexico Finance Authority ("Finance Authority") is authorized pursuant to the Act, particularly Section 6-21-6.4 of the Act, to make grants from the local government planning fund (the "Fund") to qualified entities to evaluate and estimate the costs of implementing feasible alternatives for meeting water and wastewater public project needs or to develop water conservation plans, long-term master plans or economic development plans; and

WHEREAS, pursuant to the Act the Finance Authority has developed an application procedure whereby the Governing Body may submit an application ("Application") to the Finance Authority for planning grant financial assistance from the Fund; and

WHEREAS, the Board of Directors of the Governmental Unit (the "Governing Body") desires to submit an Application for financial assistance from the Fund for a Planning Document,as defined in the Rules Governing the Local Government Planning Fund currently in effect and as specifically identified below, for the benefit of the Governmental Unit; and

WHEREAS, the Governing Body intends to submit the Planning Document to develop a long-term master plan & develop an economic development plan of Elephant Butte Irrigation District's current infrastructure and assets ("Project") for the benefit of the Governmental Unit and its citizens; and

WHEREAS, the application prescribed by the Finance Authority to finance the Planning Document [in whole/in part] with financial assistance from the Fund has been completed, submitted to, and reviewed by the Governing Body, and this Resolution approving submission of the completed Application to the Finance Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:

Section 1. That all lawful actions previously taken by the Governing Body and the Governmental Unit and their respective officers and employees in connection with the Application and the Project are hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body is hereby approved and confirmed.

Section 3. That the officers and employees of the Governmental Unit are hereby directed and requested to submit the completed Application to the Finance Authority, and are further authorized to take such other action as may be requested by the Finance Authority in connection with the Application and to proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this Resolution are hereby rescinded, annulled and repealed.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSES APPROVED AND ADOPTED this 12 day of November, 2025.

Elephant Butte Irrigation District

By _____
Authorized Officer

(Seal)

ATTEST:

_____
Authorized Officer

# ENABLE™ ENROLLMENT FORM
# LOCAL GOVERNMENT PLANNING FUND

This Enrollment Form serves as: i) notification of the Applicant's desire to apply for Local Government Planning Fund ("LGPF") grant funding, and ii) the *initial step of the enrollment process* to access the New Mexico Finance Authority's ("NMFA") online application system, EnABLE™ ("EnABLE"). Please submit this form to LGPF@nmfa.net to enroll for access to the EnABLE online funding application.

Applications for the LGPF may only be submitted via the New Mexico Finance Authority's online application and account system. Enrollment involves completing this form to identify the individual who will be the Primary Contact for submitting the application. Through this enrollment form, the applicant may also request access for a Secondary Contact and up to two designated consultants who may assist in the application and upload documentation. Access for any additional secondary contacts or consultants may be requested through LGPF@nmfa.net.

Upon receipt of a properly completed Enrollment Form, the NMFA will send, by email, confirmation of our acceptance of your enrollment, and, if applicable, our acceptance of the enrollment of any additional contacts or consultant to use EnABLE, along with an assigned Username and temporary Password. To access EnABLE, a user will be asked to submit a correct Username and Password, as well as acknowledge certain terms of use.

## I. APPLICANT INFORMATION:

| | |
|---|---|
| **Applicant (*Name of Legal Entity*):** | Elephant Butte Irrigation District |
| **Applicant Mailing Address:** | 530 S. Melendres |
| **Applicant Street Address:** | 530 S. Melendres |
| **City:** Las Cruces | **State:** NM |
| **County:** Dona Ana | **Zip:** 88005 |
| **Email:** jfranzoy@ebid-nm.org | **Phone:** 575-636-7863 |

| **APPLICANT LEGAL ENTITY TYPE (Check One):** | |
|---|---|
| ○ | **Authority (specify):** |
| ○ | **Municipal or County Government** |
| ○ | **Mutual Domestic/Sanitary Projects Act Entity** |
| ● | **Special District (specify):** Irrigation District |
| ○ | **Tribe or Pueblo** |
| ○ | **Other (specify):** |

***NOTE -- Each Contact must have a separate, unique email address.***

| **APPLICANT PRIMARY CONTACT** (*Authorized to Submit Application and Request Access for EnABLE users*) | | |
|---|---|---|
| **Name:** Joah Franzoy | **Title:** Assistant Manager/CFO | |
| **Mailing Address:** 530 S. Melendres | | |
| **City:** Las Cruces | **State:** NM | **Zip:** 88005 |
| **Email:** jfranzoy@ebid-nm.org | **Phone:** 575-636-7863 | |

| **APPLICANT SECONDARY CONTACT** (*Authorized to Access EnABLE Application System*) | | |
|---|---|---|
| **Name:** Jessa Huybrechts | **Title:** CFO, CFA, CAAS | |
| **Mailing Address:** 6501 Americas Pkwy NE #500 | | |
| **City:** Albuquerque | **State:** NM | **Zip:** 87110 |
| **Email:** jessa.huycrechts@claconnect.com | **Phone:** 505-222-3501 | |

| **Consultant Authorized to Access EnABLE Application System** | | |
|---|---|---|
| **Name:** Skye Devore | **Title:** State Lobbyist | |
| **Firm:** Devore Aragon LLC | | |
| **Mailing Address:** 1800 4th St. NW | | |
| **City:** Albuquerque | **State:** NM | **Zip:** 87102 |
| **Email:** Skyedevore@gmail.com | **Phone:** 505-850-6662 | |

| **Consultant Authorized to Access EnABLE Application System** | | |
|---|---|---|
| **Name:** | **Title:** | |
| **Firm:** | | |
| **Mailing Address:** | | |
| **City:** | **State:** | **Zip:** |
| **Email:** | **Phone:** | |

***NOTE: Only the Primary Contact designated above can "Submit" the EnABLE online application.***

## II. PROJECT INFORMATION

**Project Type – *Check One That Applies***

- ○ Affordable Housing Act Plan
- ○ Archaeological Clearances
- ◉ Asset Management Plan
- ○ Economic Development Feasibility Study
- ○ Energy Audits
- ○ Environmental Information Document
- ○ Flood Inundation Map(s)
- ○ Local Economic Development Act Plans (LEDA)
- ○ Long-term Master Plan
- ○ Metropolitan Redevelopment Act Plan
- ○ Preliminary Engineering Report
- ○ Water Conservation Plan
- ○ Water Development Plan

## III. CERTIFICATION

**I CERTIFY THAT:**

- I have the authority to designate a Primary Contact who will be authorized to submit an application via EnABLE;
- I have the authority to designate local users to access EnABLE;
- I have the authority to designate identified consultants to access EnABLE; and
- To the best of my knowledge, all information contained in this form is valid and accurate.

Signature: Joah Franzoy

***Highest Elected Official or Board Officer***

Print Title: Assistant Manager/CFO

Print Name: Joah Franzoy

Date: 10/28/2025

[Resolution 2025-15]

**ELEPHANT BUTTE IRRIGATION DISTRICT**
**CERTIFICATION OF CANVASS RESULTS AND ELECTION**

**WE**, the Board of Directors. acting as the Board of Canvassers of Elephant Butte Irrigation District, canvass and certify pursuant to NMSA 1978, § 73-10-15 the Board of Directors Election held on December 2, 2025 and certify that the canvass results sent to the office of County Clerk of Dona Ana County (and any other applicable county clerk) is a correct canvass of returns of said election.

**PASSED BY THE BOARD** this 8th day of December 2025.

Greg Daviet, President

Randy Garay, Secretary

## 2025 Suspension and Transfer Resolutions

| Date | Resolution# | Transfer |
|---|---|---|
| 2/12/2025 | 2025-S&T-02 | 2.92 Acres |
| 3/12/2025 | 2025-S&T-03 | 6.34 Acres |
| 5/14/2025 | 2025-S&T-05 | 7.68 Acres |
| 6/11/2025 | 2025-S&T-06 | 2.93 Acres |
| 7/9/2025 | 2025-S&T-07 | 10.67 Acres |
| 10/8/2025 | 2025-S&T-010A | 11.62 Acres |
| 10/8/2025 | 2025-S&T-010B | 43.2 Acres |
| 11/12/2025 | 2025-S&T-011 | 32.12 Acres |
| | | **117.48 Total Transferred** |

**RESOLUTION 2025-S&T-02**

**WATER SUSPENSION HEARING**

**February 12, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 12th day of February 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 2.92 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 12th day of February 2025.

**Greg Daviet, President** **Randy Garay, Secretary**

**RESOLUTION 2025-S&T-03**

**WATER SUSPENSION HEARING**

**March 12, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 12th day of March 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 6.34 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 12th day of March 2025.

**Greg Daviet, President**

**Randy Garay, Secretary**

**RESOLUTION 2025-S&T-05**

**WATER SUSPENSION HEARING**

**May 14, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 14th day of May 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 7.68 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 14th day of May 2025.

**Greg Daviet, President** **Randy Garay, Secretary**

**RESOLUTION 2025-S&T-06**

**WATER SUSPENSION HEARING**

**June 11, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 11th day of June 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 2.93 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 11th day of June 2025.

**Greg Daviet, President** **Randy Garay, Secretary**

**RESOLUTION 2025-S&T-07**

**WATER SUSPENSION HEARING**

**July 9, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 9th day of July 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 10.67 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 9th day of July 2025.

**Greg Daviet, President** **Randy Garay, Secretary**

**RESOLUTION 2025-S&T-010A**

**WATER SUSPENSION HEARING**

**October 8, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 8th day of October 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 11.62 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 8th day of October 2025.

**Greg Daviet, President** **Randy Garay, Secretary**

**RESOLUTION 2025-S&T-010B**

**WATER SUSPENSION HEARING**

**October 8, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 8th day of October 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 43.20 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 8th day of October 2025.

**Greg Daviet, President** **Randy Garay, Secretary**

**RESOLUTION 2025-S&T-011**

**WATER SUSPENSION HEARING**

**November 12, 2025**

**WHEREAS,** the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the suspension of water rights appurtenant to land within EBID which are no longer suitable for irrigation or capable of being properly irrigated to later be transferred by EBID to other lands within EBID under Section 73-13-4 New Mexico Statues Annotated, and

**WHEREAS,** EBID properly published notice of this action to be taken, and

**WHEREAS,** the District held a hearing on the applications on the 12th day of November 2025 and approved the suspension and transfer to EBID owned property and no protest was received, and

**WHEREAS,** it is in the best interest of the District to approve these transfers and/or reclassifications per EBID Policy 2003-ENG12.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land" for a total of 32.12 acres to EBID owned property.

**SUBJECT TO** subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land.

**DATED** this 12th day of November 2025.

**Greg Daviet, President** | **Randy Garay, Secretary**

## 2025 Special Use Permits

| Month | Total Charged | Total Waived | Total |
|---|---|---|---|
| January | $4,610.83 | $7,600.00 | $12,210.83 |
| February | $69,259.69 | $0.00 | $69,259.69 |
| March | $59,661.00 | $11,780.00 | $71,441.00 |
| April | $11,780.00 | $14,440.00 | $26,220.00 |
| May | $7,600.00 | $11,020.00 | $18,620.00 |
| June | $197,220.00 | $10,260.00 | $207,480.00 |
| July | $69,377.43 | $14,293.86 | $83,671.29 |
| August | $87,997.43 | $11,780.00 | $99,777.43 |
| September | $62,430.07 | $0.00 | $62,430.07 |
| October | $11,400.00 | $15,580.00 | $26,980.00 |
| November | $0.00 | $11,780.00 | $11,780.00 |
| | **$581,336.45** | **$108,533.86** | **$689,870.31** |

| | EBID Job # | Lic. Renew | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived ? | Staff Recommend Approval ? | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| | | | **EBID ROU LICENSE LIST - JANUARY 8, 2025 BOARD MEETING** | | | | |
| 1 | 2024-071 | N | **2024-L-036 DONA ANA COUNTY FACILITIES & PARKS**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A PAVED, MULTI-PURPOSE, NON-MOTORIZED TRAIL FOR PUBLIC USE (VADO TRAIL) PARALLELING LEFT AND RIGHT BANKS OF THE EAST DRAIN FROM APPROXIMATE STATION 593+00 TO 602+85 AND MUTIPLE CROSSINGS AT APPROXIMATE STATIONS 593+00, 599+50, AND 602+85 | $14,950.22 | YES | Y | **Pulled & Approved by Separate Motion** |
| 2 | 2024-266 | N | **2024-L-138 LOWER RIO GRANDE PUBLIC WW**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A NEW BURIED 12" WATER LINE CROSSING UNDER THE APACHE LATERAL AT APPROXIMATE STATION 136+14 | $3,420.00 | NO | Y | **X** |
| 3 | 2024-270 | N | **2024-L-139 4 RIVERS EQUIPMENT, LLC_XREF# 2018-L-006, 2018-009**<br>TO USE AND MAINTAIN A COVERED PORTION OF THE PARK DRAIN FOR PARKING EQUIPMENT FROM APPROXIMATE STATION 466+50 TO 461+56 | $1,190.83 | NO | Y | **Pulled - Referred to LUC** |
| 4 | 2024-276 | N | **2024-L-142 EDMUNDO & IRMA SILVA**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 37+19 | $3,800.00 | YES | Y | **X** |
| 5 | 2024-277 | Y | **2024-L-143 EDMUNDO & IRMA SILVA_XREF 2003-122, 2003-T-091**<br>TO OPERATE AND MAINTAIN AN EXISTING IRRIGATION DISCHARGE WELL PIPE TO PUMP IN AND TAKE OUT IRRIGATION WATER INTO/FROM THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 29+29 | $3,800.00 | YES | Y | **X** |
| | | | **TOTAL CHARGED $ (NO)** | $4,610.83 | NO | | |
| | | | **TOTAL WAIVED $ (YES)** | $7,600.00 | YES | | |
| | | | **TOTAL** | $12,210.83 | | | |

| | EBID Job # | Lic. Renew | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived ? Y/N | Staff Recommend Approval ? | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - FEBRUARY 12, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2024-251 | Y | **2024-L-127 QWEST CORPORATION_XREF#**<br>TO OPERATE AND MAINTAIN MULTIPLE EXISTING BURIED TELEPHONE LINES CROSSING THE PICACHO DRAIN AT APPROX. STA. 140+15, CHAMBERINO DRAIN AT APPROX. STA. 170+58, CHAMBERINO EAST LATERAL AT APPROX. STA. 145+69, NEWSOME LATERAL AT APPROX. STA. 127+74 AND THE DEL RIO DRAIN AT APPROX. STA. 54+92. | $4,530.46 | NO | Y | X |
| 2 | 2024-252 | Y | **2024-L-128 QWEST CORPORATION_XREF#**<br>TO OPERATE AND MAINTAIN ONE EXISTING BURIED TELEPHONE LINE CROSSING THE PICACHO DRAIN AT APPROXIMATE STATION 297+62 | $1,590.06 | NO | Y | X |
| 3 | 2024-253 | Y | **2024-L-129 QWEST CORPORATION_XREF#**<br>TO OPERATE AND MAINTAIN TWO EXISTING AERIAL TELEPHONE LINES CROSSING THE SANTO TH\OMAS LATERAL AT APPROXIMATE STATIONS 123+15, 200+89 AND SANTO TOMAS DRAIN 172+30 | $2,830.20 | NO | Y | X |
| 4 | 2024-257 | Y | **2024-L-131 QWEST CORPORATION_XREF#**<br>TO OPERATE AND MAINTAIN THREE EXISTING BURIED TELEPHONE LINES CROSSING THE NEWSOME LATERAL AT APPROXIMATE STATIONS 21+93, THE MITCHELL LATERAL 14+50 AND THE DEL RIO DRAIN 211+50 | $2,710.17 | NO | Y | X |
| 5 | 2024-258 | Y | **2024-L-132 QWEST CORPORATION _XREF#**<br>TO OPERATE AND MAINTAIN THREE EXISTING BURIED TELEPHONE LINES CROSSING THE HATCH DRAIN AT APPROXIMATE STATION 69+84 | $4,250.39 | NO | Y | X |
| 6 | 2024-259 | Y | **2024-L-133 QWEST CORPORATION_XREF#**<br>TO OPERATE AND MAINTAIN 15 EXISITNG BURIED TELEPHONE LINES CROSSING AT APPROX. STATIONS. THE GARFIELD MAIN CANAL 407+93 AND 331+12 BENNETT LATERAL47+41,57+22 ARREY CANAL122+95, 221+80 ANGOSTURA 58+29, 66+28, 93+93, 229+43 GONZALES LATERAL 44+90, 96+04,111+72, 118+23. | $9,590.88 | NO | Y | X |
| 7 | 2024-260 | Y | **2024-L-134 QWEST CORPORATION_XREF# 1**<br>TO OPERATE AND MAINTAIN THREE EXISTING BURIED ELECTRICAL LINES ON THE SCHOOL LATERAL AT APPROXIMATE STATIONS, 24+59, 28+52 AND 48+20 | $1,900.06 | NO | Y | X |
| 8 | 2024-261 | Y | **2024-L-135 QWEST CORPORATION_XREF# 1**<br>TO OPERATE AND MAINTAIN EXISTING BURIED TELEPHONE LINES CROSSING THE HATCH MAIN CANAL AT APPROX. STATIONS 856+03, 838+77 AND PARELLELING FROM APPROX. STA. 824+12 TO 833+77 AND PARALLELING THE ARREY CANAL FROM APROX. STA. 239+14 TO 216+45 | $5,037.27 | NO | Y | X |
| 9 | 2024-262 | Y | **2024-L-136 QWEST CORPORATION_XREF# 1**<br>TO OPERATE AND MAINTAIN TWO EXISTING BURIED ELECTRICAL LINES CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATIONS 143+38 AND THE LAGUNA LATERAL 31+47 | $1,960.07 | NO | Y | X |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 10 | 2024-263 | Y | **2024-L-137 QWEST CORPORATION_XREF# 1**<br>TO OPERATE AND MAINTAIN TWO EXISTING BURIED ELECTRICAL LINES CROSSING AT APPROX. STATIONS. THE RODEY LATERAL AT 205+50 AND THE COLORADO SPUR DRAIN 72+18 | $2,180.13 | NO | Y | **X** |
| 11 | 2024-274 | N | **2024-L-140 NTS COMMUNICATIONS dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 140+00 | $3,420.00 | NO | Y | **X** |
| 12 | 2024-275 | N | **2024-L-141 NTS COMMUNICATIONS dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROXIMATE STATION 12+50 | $3,420.00 | NO | Y | **X** |
| 13 | 2024-278 | N | **2024-L-144 NTS COMMUNICATIONS dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 69+50 | $3,800.00 | NO | Y | **X** |
| 14 | 2024-279 | N | **2024-L-145 NTS COMMUNICATIONS dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROX. STA. 0+50 AND ARMIJO LATERAL AT APPROX. STA. 47+81 | $6,840.00 | NO | Y | **Pulled & Approved by Separate Motion** |
| 15 | 2024-280 | N | **2024-L-146 NTS COMMUNICATIONS dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 20+79 | $3,800.00 | NO | Y | **X** |
| 16 | 2024-281 | N | **2024-L-147 NTS COMMUNICATIONS dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 00+50 | $3,800.00 | NO | Y | **X** |
| 17 | 2025-006 | N | **2025-L-001 EL PASO ELECTRIC CO.**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE RINCON DRAIN NORTH BRANCH AT APPROXIMATE STATION 39+00 | $4,180.00 | NO | Y | **X** |
| 18 | 2025-011 | N | **2025-L-002 CITY OF LAS CRUCES**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROXIMATE STATION 20+22 | $3,420.00 | NO | Y | **Pulled & Approved by Separate Motion** |
| | | | **TOTAL CHARGED $ (NO)** | $69,259.69 | NO | Y | |
| | | | **TOTAL WAIVED $ (YES)** | $0.00 | YES | Y | |
| | | | **TOTAL** | $69,259.69 | | Y | |

| | EBID Job # | Lic. Renew (Y/N) | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval ? | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - MARCH 12, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-023 | Y | **2025-L-004 ANITA MARTINEZ**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CROSSING THE NEMEXES DRAIN AT APPROXIMATE STATION 925+00 | $4,180.00 | Y | Y | X |
| 2 | 2025-024 | N | **2025-L-005 JERRY & SHANE FRANZOY**<br>TO RECONSTRUCT, OPERATE, AND MAINTAIN A FLUME AND NEW CULVERT CROSSING THE GARFEILD DRAIN AT APPROXIMATE STATION 105+00 | $4,180.00 | Y | Y | X |
| 3 | 2025-025 | N | **dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 113+50 | $3,800.00 | N | Y | X |
| 4 | 2025-026 | N | **dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 22+20 | $3,800.00 | N | Y | X |
| 5 | 2025-027 | N | **dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING DONA ANA DRAIN AT APPROXIMATE STATION 67+50 | $4,180.00 | N | Y | X |
| 6 | 2025-028 | N | **dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DONA ANA DRAIN AT APPROXIMATE STATION 49+00 | $4,180.00 | N | Y | X |
| 7 | 2025-029 | N | **dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DONA ANA DRAIN AT APPROXIMATE STATION 9+50 | $4,180.00 | N | Y | X |
| 8 | 2025-030 | N | **dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE QUESENBERRY LATERAL AT APPROXIMATE STATION 34+95 | $3,420.00 | N | Y | X |
| 9 | 2025-031 | N | **dba VEXUS FIBER**<br>TO CONSTRUCT, OPERATE ,AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROXIMATE STATION 34+80 | $3,420.00 | N | Y | X |
| 10 | 2025-032 | N | **2025-L-013 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROXIMATE STATION 46+60 | $3,420.00 | N | Y | X |
| 11 | 2025-033 | N | **2025-L-014 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROXIMATE STATION 48+30 | $3,421.00 | N | Y | X |

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| 12 | 2025-035 | N | **2025-L-016 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROXIMATE STATION 0+13 | $3,420.00 | N | Y | **X** |
| 13 | 2025-037 | N | **2025-L-018 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 25+50 | $3,800.00 | N | Y | **X** |
| 14 | 2025-038 | N | **2025-L-019 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 23+85 | $3,800.00 | N | Y | **X** |
| 15 | 2025-039 | N | **2025-L-020 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 26+75 | $3,800.00 | N | Y | **X** |
| 16 | 2025-040 | N | **2025-L-021 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 23+00 | $3,800.00 | N | Y | **X** |
| 17 | 2025-041 | N | **2025-L-022 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 121+90 | $3,800.00 | N | Y | **X** |
| 18 | 2025-043 | N | **2025-L-023 NTS COMMUNICATIONS LLC dba**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MAYFIELD LATERAL AT APPROXIMATE STATION 34+10 | $3,420.00 | N | Y | **X** |
| 19 | 2025-050 | N | **2025-L-024 SCOTT BANNISTER / GAY'S LEGACY FARMS**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BUIRED 10" METAL IRRIGATION PIPE CROSSING THE PICACHO MAIN LATERAL AT APPROXIMATE STATION 501+50 | $3,420.00 | Y | Y | **X** |
| | | | **TOTAL CHARGED $ (NO)** | $59,661.00 | N | Y | |
| | | | **TOTAL WAIVED $ (YES)** | $11,780.00 | Y | Y | |
| | | | **TOTAL** | $71,441.00 | | Y | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval ? | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - APRIL 9, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-053 | N | **JOSE LUIS SEGURA**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED 8" WATERLINE CROSSING UNDER THE WEST DRAIN AT APPROXIMATE STATION 761+00 | $4,180.00 | N | Y | **X** |
| 2 | 2025-054 | N | **JOSE LUIS SEGURA**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED 8" WATERLINE CROSSING UNDER THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 80+75 | $3,420.00 | N | Y | **X** |
| 3 | 2025-063 | Y | **007 / 2008-L-058**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE ALAMO LATERAL AT APPROXIMATE STATION 35+40 | $3,420.00 | Y | Y | **Pulled & Approved by Separate Motion** |
| 4 | 2025-064 | Y | **007 / 2008-L-058**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE DEL RIO DRAIN AT APPROXIMATE STATION 1054+84 | $3,800.00 | Y | Y | **Pulled & Approved by Separate Motion** |
| 5 | 2025-066 | N | **2025-L-031 EL PASO ELECTRIC CO.**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE COLORADO DRAIN AT APPROXIMATE STATION 34+98 | $4,180.00 | N | Y | **X** |
| 6 | 2025-067 | N | **2025-L-032 ESTELLA PEREZ**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE PICACHO MAIN AT APPROXIMATE STATION 310+00 | $3,420.00 | Y | Y | **X** |
| 7 | 2025-076 | Y | **FARMS INC. X-REF**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE LAKE SPUR DRAIN AT APPROXIMATE STATION 1+00 | $3,800.00 | Y | Y | **X** |
| | | | **TOTAL CHARGED $ (N)** | $11,780.00 | N | Y | |
| | | | **TOTAL WAIVED $ (Y)** | $14,440.00 | Y | Y | |
| | | | **TOTAL** | $26,220.00 | Y | Y | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval ? | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - MAY 14, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-078 | N | **2025-L-034 NTS COMMUNICATIONS dba VEX**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ARMIJO LATERAL AT APPROXIMATE STATION 7+75 | $3,800.00 | N | Y | X |
| 2 | 2025-091 | N | **2025-L-036 MONTE VISTA FARMS / SLOAN**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN TWO HARVEST GATES ON THE RIGHT AND LEFT BANKS OF THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 158+90 | $3,800.00 | Y | | **Pulled & Approved by Separate Motion** |
| 3 | 2025-092 | N | **2025-L-037 MONTE VISTA FARMS / SLOAN**<br>TO CONSTRUCT,OPERATE AND MAINTAIN A NEW VEHICLE CULVERT CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 124+50 | $3,800.00 | Y | | **Pulled & Approved by Separate Motion** |
| 4 | 2025-093 | N | **2025-L-038 MONTE VISTA FARMS / SLOAN**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A NEW VEHICLE CULVERT CROSSING THE CASTILLO LATERAL AT APPROXIMATE STATION 15+42 | $3,420.00 | Y | | **Pulled & Approved by Separate Motion** |
| 5 | 2025-133 | N | **2025-L-078 COMCAST / CABLECOM**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE MESILLA LATERAL AT APPROXIMATE STATION 283+80 | $3,800.00 | N | Y | X |
| | | | **TOTAL CHARGED $ (NO)** | $7,600.00 | N | Y | |
| | | | **TOTAL WAIVED $ (YES)** | $11,020.00 | Y | Y | |
| | | | **TOTAL** | $18,620.00 | Y | | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval ? | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - June 11, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-055 | N | **2025-L-027 QWEST CORPORATION**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL TELEPHONE LINE CROSSING THE WALTER LATERAL AT APPROXIMATE STATION 0+40 | $3,420.00 | N | Y | X |
| 2 | 2025-056 | N | **2025-L-028 QWEST CORPORATION**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL TELEPHONE LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 280+10 | $3,420.00 | N | Y | X |
| 3 | 2025-079 | N | **2025-L-035 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 00+75 | $4,180.00 | N | Y | X |
| 4 | 2025-094 | N | **2025-L-039 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 164+75 | $4,180.00 | N | Y | X |
| 5 | 2025-095 | N | **2025-L-040 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 585+46 | $3,800.00 | N | Y | X |
| 6 | 2025-096 | N | **2025-L-041 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE TORTUGAS LATERAL AT APPROXIMATE STATION 15+00 | $3,420.00 | N | Y | X |
| 7 | 2025-097 | N | **2025-L-042 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DEL RIO DRAIN AT APPROXIMATE STATION 127+50 | $4,180.00 | N | Y | X |
| 8 | 2025-098 | N | **2025-L-043 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 165+10 | $4,180.00 | N | Y | X |
| 9 | 2025-099 | N | **2025-L-044 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 573+65 | $4,180.00 | N | Y | X |
| 10 | 2025-100 | N | **2025-L-045 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE THREE SAINTS LATERAL AT APPROXIMATE STATION 20+50 | $3,800.00 | N | Y | X |
| 11 | 2025-101 | N | **2025-L-046 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 104+60 | $4,180.00 | N | Y | X |

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| 12 | 2025-102 | N | **2025-L-047 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 392+40 | $4,180.00 | N | Y | **X** |
| 13 | 2025-103 | N | **2025-L-048 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 277+00 | $4,180.00 | N | Y | **X** |
| 14 | 2025-104 | N | **2025-L-049 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 671+20 | $3,800.00 | N | Y | **X** |
| 15 | 2025-105 | N | **2025-L-050 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THREE SAINTS EAST LATERAL AT APPROXIMATE STATION 139+00 | $3,420.00 | N | Y | **X** |
| 16 | 2025-106 | N | **2025-L-051 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 533+72 | $4,180.00 | N | Y | **X** |
| 17 | 2025-107 | N | **2025-L-052 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 523+75 | $4,180.00 | N | Y | **X** |
| 18 | 2025-108 | N | **2025-L-053 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 11+77 | $3,800.00 | N | Y | **X** |
| 19 | 2025-109 | N | **2025-L-054 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THREE SAINTS MAIN CANAL AT APPROXIMATE STATION 16+88 | $3,800.00 | N | Y | **X** |
| 20 | 2025-110 | N | **2025-L-055 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 0+25 | $4,180.00 | N | Y | **X** |
| 21 | 2025-111 | N | **2025-L-056 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 31+78 | $3,420.00 | N | Y | **X** |
| 22 | 2025-112 | N | **2025-L-057 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 656+82 | $3,800.00 | N | Y | **X** |
| 23 | 2025-113 | N | **2025-L-058 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 166+83 | $4,180.00 | N | Y | **X** |

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| 24 | 2025-114 | N | **2025-L-059 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MITCHELL LATERAL AT APPROXIMATE STATION 12+00 | $3,420.00 | N | Y | **X** |
| 25 | 2025-115 | N | **2025-L-060 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 539+97 | $3,800.00 | N | Y | **X** |
| 26 | 2025-116 | N | **2025-L-061 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DEL RIO DRAIN AT APPROXIMATE STATION 54+60 | $4,560.00 | N | Y | **X** |
| 27 | 2025-117 | N | **2025-L-062 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 516+70 | $4,180.00 | N | Y | **X** |
| 28 | 2025-118 | N | **2025-L-063 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAKE LATERAL CANAL AT APPROXIMATE STATION 11+21 | $3,420.00 | N | Y | **X** |
| 29 | 2025-119 | N | **2025-L-064 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 299+53 | $3,800.00 | N | Y | **X** |
| 30 | 2025-120 | N | **2025-L-065 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 294+23 | $3,420.00 | N | Y | **X** |
| 31 | 2025-121 | N | **2025-L-066 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 721+44 | $4,180.00 | N | Y | **X** |
| 32 | 2025-122 | N | **2025-L-067 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 719+70 | $4,180.00 | N | Y | **X** |
| 33 | 2025-123 | N | **2025-L-068 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 27+75 | $4,180.00 | N | Y | **X** |
| 34 | 2025-124 | N | **2025-L-069 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO MAIN LATERAL AT APPROXIMATE STATION 370+70 | $3,420.00 | N | Y | **X** |
| 35 | 2025-125 | N | **2025-L-070 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 58+00 | $4,180.00 | N | Y | **X** |

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| 36 | 2025-126 | N | **2025-L-071 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 128+70 | $3,420.00 | N | Y | **X** |
| 37 | 2025-127 | N | **2025-L-072 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 39+00 | $3,420.00 | N | Y | **X** |
| 38 | 2025-129 | N | **2025-L-074 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE NEMEXAS DRAIN AT APPROXIMATE STATION 965+00 | $4,180.00 | N | Y | **X** |
| 39 | 2025-130 | N | **2025-L-075 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING SAN MIGUEL LATERAL AT APPROXIMATE STATION 279+75 | $3,420.00 | N | Y | **X** |
| 40 | 2025-131 | N | **2025-L-076 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 137+10 | $3,800.00 | N | Y | **X** |
| 41 | 2025-132 | N | **2025-L-077 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 237+42 | $3,420.00 | N | Y | **X** |
| 42 | 2025-134 | N | **2025-L-079 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 77+32 | $3,800.00 | N | Y | **X** |
| 43 | 2025-136 | N | **2025-L-080 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 603+25 | $4,180.00 | N | Y | **X** |
| 44 | 2025-145 | N | **2025-L-081 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 573+50 | $4,180.00 | N | Y | **X** |
| 45 | 2025-146 | N | **2025-L-082 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 515+50 | $4,180.00 | N | Y | **Pulled & Approved by Separate Motion** |
| 46 | 2025-147 | N | **2025-L-083 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE HOUGHTON LATERAL AT APPROXIMATE STATION 29+97 | $3,420.00 | N | Y | **X** |
| 47 | 2025-148 | N | **2025-L-084 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 579+48 | $3,420.00 | N | Y | **X** |

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| 48 | 2025-149 | N | **2025-L-085 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 60+76 | $3,800.00 | N | Y | **X** |
| 49 | 2025-150 | N | **2025-L-086 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSIING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 628+00 | $3,800.00 | N | Y | **X** |
| 50 | 2025-151 | N | **2025-L-087 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MESQUITE DRAIN AT APPROXIMATE STATION 135+00 | $4,180.00 | N | Y | **X** |
| 51 | 2025-152 | N | **2025-L-088 COMCAST CABLE / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO EAST LATERAL AT APPROXIMATE STATION 146+45 | $3,800.00 | N | Y | **X** |
| 52 | 2025-155 | N | **2025-L-089 JERRY / SHANE FRANZOY**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 16" FLUME CROSSING THE GARFIELD LATERAL AT APPROXIMATE STATION 91+51 | $3,420.00 | Y | Y | **X** |
| 53 | 2025-156 | N | **2025-L-090 JERRY / SHANE FRANZOY**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 16" FLUME CROSSING THE GARFIELD LATERAL AT APPROXIMATE STATION 134+43 | $3,420.00 | Y | Y | **X** |
| 54 | 2025-157 | Y | **HANNO / ALTA**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE OSHEA LATERAL AT APPROXIMATE STATION 14+30 | $3,420.00 | Y | Y | **X** |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $197,220.00 | Y | Y | |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $10,260.00 | Y | Y | |
| | | | **TOTAL $** | $207,480.00 | | | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - JULY 9, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-161 | N | **2025-L-092 FRANK PAUL SALOPEK**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A CULVERT CROSSING THE COZINE SPUR DRAIN AT APPROXIMATE STATION 64+50 | $3,800.00 | Y | Y | **Y** |
| 2 | 2025-162 | N | **2025-L-093 LCL HOLDINGS, LLC / THARP**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 6" PVC FORCEMAIN PARALLELING THE RIGHT BANK OF THE MESILLA DRAIN FROM APPROXIMATE STATIONS 479+30 TO 513+90 | $8,197.43 | N | Y | **Pulled & Referred to LUC** |
| 3 | 2025-163 | N | **2025-L-094 LCL HOLDINGS, LLC / THARP**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN TWO GATES ON THE RIGHT BANK OF THE MESILLA DRAIN AT APPROXIMATE STATIONS 479+30 AND 513+90 | $8,360.00 | N | Y | **Pulled & Approved by Separate Motion** |
| 4 | 2025-166 | N | **2025-L-095 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST LA MESA SPUR DRAIN AT APPROXIMATE STATION 24+33 | $3,800.00 | N | Y | **Y** |
| 5 | 2025-167 | N | **2025-L-096 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WESTSIDE MAIN CANAL AT APPROXIMATE STATION 467+00 | $3,800.00 | N | Y | **Y** |
| 6 | 2025-169 | N | **2025-L-097 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 280+70 | $3,420.00 | N | Y | **Y** |
| 7 | 2025-170 | N | **2025-L-098 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE WALTERS LATERAL AT APPROXIMATE STATION 16+10 | $3,420.00 | N | Y | **Pulled & Approved by Separate Motion** |
| 8 | 2025-171 | N | **2025-L-099 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 240+53 | $3,420.00 | N | Y | **Y** |
| 9 | 2025-172 | N | **2025-L-100 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 104+21 | $3,800.00 | N | Y | **Y** |
| 10 | 2025-173 | N | **2025-L-101 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 715+38 | $4,180.00 | N | Y | **Y** |
| 11 | 2025-174 | N | **2025-L-102 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 781+63 | $4,180.00 | N | Y | **Y** |

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| 12 | 2025-175 | N | **2025-L-103 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 103+61 | $3,800.00 | N | Y | **Y** |
| 13 | 2025-176 | N | **2025-L-104 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 134+83 | $3,800.00 | N | Y | **Y** |
| 14 | 2025-177 | N | **2025-L-105 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 64+09 | $3,420.00 | N | Y | **Y** |
| 15 | 2025-178 | N | **2025-L-106 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE NEMEXAS DRAIN AT APPROXIMATE STATION 931+64 | $4,180.00 | N | Y | **Y** |
| 16 | 2025-179 | N | **2025-L-107 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO AT APPROXIMATE STATION 44+34 | $3,420.00 | N | Y | **Y** |
| 17 | 2025-180 | N | **2025-L-108 JUAN ARMANDO MARTINEZ**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE CENTRAL DRAIN AT APPROXIMATE STATION 5+00 | $4,180.00 | N | Y | **Y** |
| 18 | 2025-181 | N | **2025-L-109 ARGELIA LLANZ**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE BRIDGE CROSSING THE THREE SAINTS WEST LATERAL AT APPROXIMATE STATION 80+93 | $3,800.00 | Y | Y | **Y** |
| 19 | 2025-189 | N | **2025-L-114 CITY OF LAS CRUCES**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A PIPED PORTION AND AN EXISITING CULVERT CROSSING THE LAS CRUCES LATERAL FROM APPROXIMATE STATIONS 334+04 TO 346+52 | $6,693.86 | MOU | Y | **Pulled & Approved by Separate Motion** |
| | | | | | | | |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $69,377.43 | N | Y | |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $14,293.86 | Y | Y | |
| | | | **TOTAL $** | $83,671.29 | | Y | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - AUGUST 11, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-162 | N | **2ND REVIEW**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 6" PVC FORCEMAIN PARALLELING THE RIGHT BANK OF THE MESILLA DRAIN FROM APPROXIMATE STATIONS 479+30 TO 513+90 | $8,197.43 | N | Y | **Pulled & Approved by Separate Motion** |
| 2 | 2025-187 | N | **2025-L-112 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE NEMEXAS DRAIN AT APPROXIMATE STATION 838+00 | $4,180.00 | N | Y | **X** |
| 3 | 2025-188 | N | **2025-L-113 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 103+89 | $3,420.00 | N | Y | **X** |
| 4 | 2025-190 | N | **2025-L-115 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE MITCHELL LATERAL AT APPROXIMATE STATION 11+75 | $3,420.00 | N | Y | **X** |
| 5 | 2025-191 | N | **2025-L-116 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 455+60 | $4,180.00 | N | Y | **X** |
| 6 | 2025-192 | N | **2025-L-117 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 135+10 | $3,800.00 | N | Y | **X** |
| 7 | 2025-194 | N | **2025-L-119 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE THREE SAINTS LATERAL AT APPROXIMATE STATION 102+75 | $3,800.00 | N | Y | **X** |
| 8 | 2025-196 | N | **2025-L-120 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 238+50 | $3,420.00 | N | Y | **X** |
| 9 | 2025-197 | N | **2025-L-121 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE PAXTON LATERAL AT APPROXIMATE STATION 89+00 | $3,420.00 | N | Y | **X** |
| 10 | 2025-198 | N | **2025-L-122 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA UNION WEST LATERAL AT APPROXIMATE STATION 89+34 | $3,420.00 | N | Y | **X** |
| 11 | 2025-202 | N | **2025-L-126 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 155+71 | $3,420.00 | N | Y | **X** |

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| 12 | 2025-206 | N | **2025-L-127 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE LAKE LATERAL CANAL AT APPROXIMATE STATION 12+75 | $3,420.00 | N | Y | **X** |
| 13 | 2025-207 | N | **2025-L-128 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 610+70 | $4,180.00 | N | Y | **X** |
| 14 | 2025-208 | N | **2025-L-129 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 216+00 | $3,420.00 | N | Y | **X** |
| 15 | 2025-209 | N | **2025-L-130 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 167+68 | $3,420.00 | N | Y | **X** |
| 16 | 2025-210 | N | **WOFFORD**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE MESILLA DRAIN AT APPROXIMATE STATION 514+50 | $4,180.00 | Y | Y | **X** |
| 17 | 2025-211 | N | **2025-L-132 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE HOUGHTON LATERAL AT APPROXIMATE STATION 61+00 | $3,420.00 | N | Y | **X** |
| 18 | 2025-212 | N | **2025-L-133 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE HOUGHTON LATERAL AT APPROXIMATE STATION 30+00 | $3,420.00 | N | Y | **X** |
| 19 | 2025-213 | N | **2025-L-134 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE LAS CRUCES LATERAL AT APPROXIMATE STATION 579+60 | $3,800.00 | N | Y | **X** |
| 20 | 2025-214 | N | **2025-L-135 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 300+07 | $3,800.00 | N | Y | **X** |
| 21 | 2025-217 | N | **2025-L-137 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ALTA VISA LATERAL AT APPROXIMATE STATION 0+70 | $3,420.00 | N | Y | **X** |
| 22 | 2025-218 | N | **2025-L-138 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST DRAIN AT APPROXIMATE STATION 629+10 | $4,180.00 | N | Y | **X** |
| 23 | 2025-219 | N | **2025-L-139 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE DECK LATERAL AT APPROXIMATE STATION 45+20 | $3,420.00 | N | Y | **X** |

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| 24 | 2025-220 | N | **2025-L-140 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 216+67 | $3,420.00 | N | Y | **X** |
| 25 | 2025-220 | Y | **DR. TODD PARCO**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE HATCH DRAIN AT APPROXIMATE STATION 359+89 | $4,180.00 | Y | Y | **X** |
| | | | | | | | |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $87,997.43 | N | Y | |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $11,780.00 | Y | Y | |
| | | | **TOTAL $** | $99,777.43 | | Y | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - SEPTEMBER 10, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-185 | N | **2025-L-110 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 184+90 | $3,800.00 | N | Y | X |
| 2 | 2025-186 | N | **2025-L-111 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 211+85 | $3,800.00 | N | Y | X |
| 3 | 2025-193 | N | **2025-L-118 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 468+00 | $4,180.00 | N | Y | X |
| 4 | 2025-199 | N | **2025-L-123 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 296+85 | $3,800.00 | N | Y | X |
| 5 | 2025-227 | N | **2025-L-142 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 347+90 | $4,180.00 | N | Y | X |
| 6 | 2025-228 | N | **2025-L-143 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA MESA DRAIN AT APPROXIMATE STATION 359+00 | $4,180.00 | N | Y | X |
| 7 | 2025-229 | N | **2025-L-144 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 173+55 | $3,420.00 | N | Y | X |
| 8 | 2025-230 | N | **2025-L-145 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 156+38 | $3,420.00 | N | Y | X |
| 9 | 2025-231 | N | **2025-L-146 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE SAN MIGUEL LATERAL AT APPROXIMATE STATION 158+37 | $3,420.00 | N | Y | X |
| 10 | 2025-232 | N | **2025-L-147 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 177+53 | $3,420.00 | N | Y | X |

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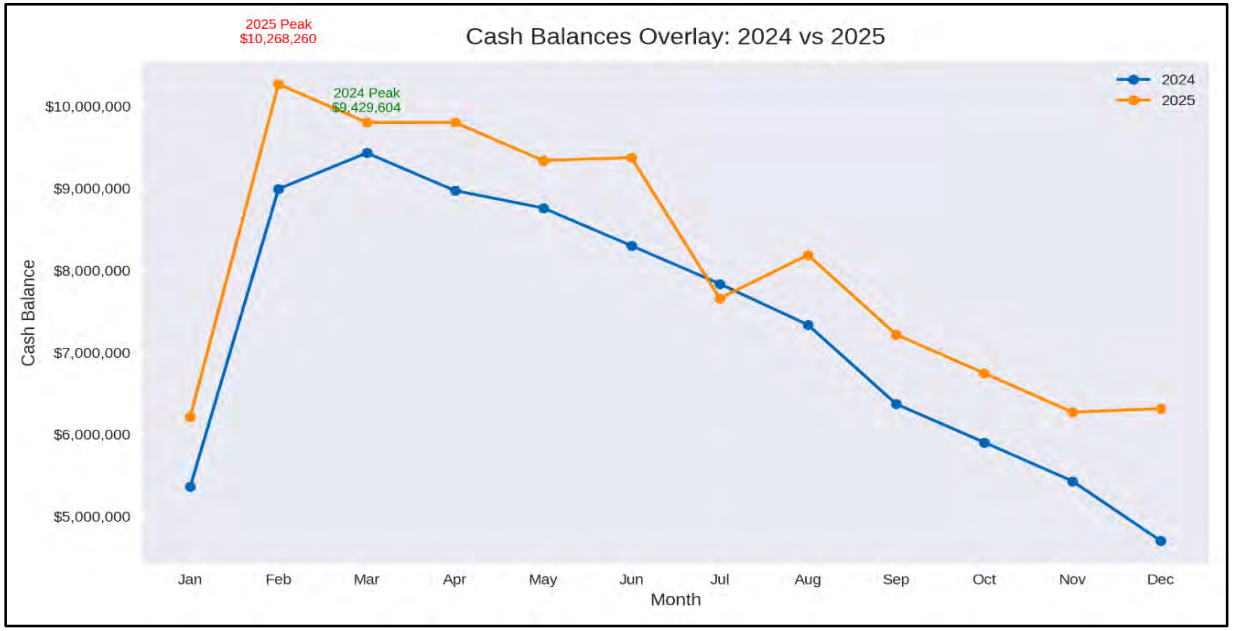
| 11 | 2025-233 | N | **2025-L-148 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO DRAIN AT APPROXIMATE STATION 162+90 | $4,180.00 | N | Y | **X** |
| 12 | 2025-234 | N | **2025-L-149 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 297+26 | $3,800.00 | N | Y | **X** |
| 13 | 2025-235 | N | **2025-L-150 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA MESA DRAIN AT APPROXIMATE STATION 328+85 | $4,180.00 | N | Y | **X** |
| 14 | 2025-236 | N | **2025-L-151 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 394+15 | $3,800.00 | N | Y | **X** |
| 15 | 2025-237 | N | **2025-L-152 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 408+49 | $3,420.00 | N | Y | **X** |
| 16 | 2025-238 | N | **2025-L-153 COMCAST / MTC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE CHAMBERINO EAST LATERAL AT APPROXIMATE STATION 261+60 | $3,800.00 | N | Y | **X** |
| 17 | 2025-254 | N | **2025-L-161 QWEST CORPORATION**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL TELEPHONE LINE CROSSING THE MESILLA DRAIN AT APPROXIMATE STATION 237+14 | $1,630.07 | N | Y | **X** |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $62,430.07 | N | Y | |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $0.00 | Y | Y | |
| | | | **TOTAL $** | $62,430.07 | | Y | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - OCTOBER 8, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-200 | Y 2005-206 2005-L-079 | **2025-L-124 WOODWARD / DeRUYTER FARMS / SUNSET FARMS / FARMS EL CONSUELO**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE EAST DRAIN AT APPROXIMATE STATION 452+87 | $4,180.00 | Y | Y | **X** |
| 2 | 2025-201 | Y 2005-206 2005-L-079 | **2025-L-125 WOODWARD / DeRUYTER FARMS / SUNSET FARMS / FARMS EL CONSUELO**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE CULVERT CROSSING THE ANTHONY LATERAL AT APPROXIMATE STATION 60+50 | $3,800.00 | Y | Y | **X** |
| 3 | 2025-252 | N | **2025-L-159 M&J CUSTOM FARMING / JOSEPH CENICEROS**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A HARVEST GATE ON THE RIGHT BANK OF THE LEASBURG EXTENSION AT APPROXIMATE STATION 720+43 | $3,800.00 | Y | Y | **X** |
| 4 | 2025-253 | N | **2025-L-160 M&J CUSTOM FARMING / JOSEPH CENICEROS**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A HARVEST GATE ON THE RIGHT BANK OF THE LEASBURG EXTENSION AT APPROXIMATE STATION 699+71 | $3,800.00 | Y | Y | **X** |
| 5 | 2025-258 | N | **2025-L-162 CAREY AND PATRICIA WILSON**<br>TO OPERATE AND MAINTAIN AN EXISTING VEHICLE BRIDGE CROSSING THE EASTSIDE MAIN CANAL AT APPROXIMATE STATION 278+10 | $3,800.00 | N | Y | **X** |
| 6 | 2025-259 | N | **2025-L-163 EL PASO ELECTRIC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE HATCH MAIN CANAL AT APPROXIMATE STATION 946+60 | $4,180.00 | N | Y | **X** |
| 7 | 2025-260 | N | **2025-L-164 EL PASO ELECTRIC**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE TURNEY LATERAL AT APPROXIMATE STATION 3+00 | $3,420.00 | N | Y | **X** |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $11,400.00 | N | Y | |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $15,580.00 | Y | Y | |
| | | | **TOTAL $** | $26,980.00 | | Y | |

| | EBID Job # | Lic. Renew Y/N | ROU LICENSEE | ROU Land Fee (10 yr term) | ROU Land Fee Requested to be Waived? Y/N | Staff Recommend Approval? Y/N | Approved Consent Agenda |
|---|---|---|---|---|---|---|---|
| **EBID ROU LICENSE LIST - NOVEMBER 12, 2025 BOARD MEETING** | | | | | | | |
| 1 | 2025-245 | N | **2025-L-154 ISELA MARIE JAQUEZ**<br>ENCROACHMENT AGREEMENT ROU LICENSE FOR AN EXISTING STRUCTURE ON THE LEFT BANK OF THE HATCH MAIN CANAL AT APPROXIMATE STATION 1173+36 | ENCROACHMENT AGREEMENT | N/A | Y | **Pulled & Approved by Separate Motion** |
| 2 | 2025-265 | Y 2015-217 2015-L-069 | **2025-L166 DIANE DUTTON**<br>TO OPERATE AND MAINTAIN AN EXISTING HARVEST GATE ON THE RIGHT BANK OF THE NEMEXAS DRAIN AT APPROXIMATE STATION 581+00 | $4,180.00 | Y | Y | **Pulled & Approved by Separate Motion** |
| 3 | 2025-266 | Y 2015-217 2015-L-069 | **2025-L-167 DIANE DUTTON**<br>TO OPERATE AND MAINTAIN AN EXISTING HARVEST GATE ON THE RIGHT BANK OF THE NEMEXAS DRAIN AT APPROXIMATE STATION 595+00 | $4,180.00 | Y | Y | **Pulled & Approved by Separate Motion** |
| 4 | 2025-278 | N | **2025-L-169 JOE GARCIA / MOONDOG LLC.,**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A 16" FLUME CROSSING THE DONA ANA LATERAL AT APPROXIMATE STATION 261+40 | $3,420.00 | Y | Y | **X** |
| 5 | 2025-279 | N | **2025-L-170 CITY OF LAS CRUCES**<br>TO CONSTRUCT, OPERATE, AND MAINTAIN A PAVED, MULTI-PURPOSE, NON-MOTORIZED TRAIL FOR PUBLIC USE (TORTUGAS TRAIL) PARALELLING THE RIGHT BANKS OF THE LAS CRUCES LATERAL FROM APPROXIMATE STATIONS 358+25 TO 362+50 AND TORTUGAS LATERAL FROM APPROXIMATE STATIONS 0+00 TO 14+90 AND CULVERT CROSSING AT APPROXIMATE STATION 7+00 | MEMORANDUM OF UNDERSTANDING (MOU) | N/A | Y | **Pulled & Approved by Separate Motion** |
| | | | **TOTAL CHARGED $ (NO LAND FEE WAIVER)** | $0.00 | N | Y | |
| | | | **TOTAL WAIVED $ (REQUESTING LAND FEE WAIVER)** | $11,780.00 | Y | Y | |
| | | | **TOTAL $** | $11,780.00 | | Y | |

## 2025 Monthly Cash Balances

| | |
|---|---|
| 1/6/2025 | $6,215,583.00 |
| 2/10/2025 | $10,268,260.00 |
| 3/11/2025 | $9,801,721.00 |
| 4/4/2025 | $9,801,721.00 |
| 5/9/2025 | $9,338,299.00 |
| 6/4/2025 | $9,372,600.00 |
| 7/2/2025 | $7,656,789.00 |
| 8/7/2025 | $8,186,275.00 |
| 9/4/2025 | $7,215,761.00 |
| 10/2/2025 | $6,744,269.00 |
| 11/5/2025 | $6,268,896.00 |
| 12/4/2025 | $6,313,245.00 |



Cash Balances

Monday, January 6, 2025

| | 1/6/2025 | 1/6/2024 |
|---|---|---|
| Cash - Bank | $ 1,630,349 | $ 1,407,017 |
| Investments - NM State Treasurer | $ 6,215,583 | $ 5,362,855 |
| **Cash balance bank** | **$ 7,845,932** | **$ 6,769,872** |

| Cash - Book | Balance 1/6/2025 | Balance 1/6/2024 |
|---|---|---|
| Cash | $ 573,138 | $ 1,324,658 |
| Invest | $ 6,215,583 | $ 5,362,855 |
| Cash balance book | $ 6,788,721 | $ 6,687,513 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 |
|---|---|---|
| Balance | $ 5,446,793 | $ 3,175,628 |
| Plus: interest | $ 18,790 | $ 37,227 |
| Plus: Transfers In | $ 1,500,000 | $ 2,250,000 |
| Less: Transfers Out | $ (750,000) | $ (100,000) |
| | $ 6,215,583 | $ 5,362,855 |

| | Difference in FY25-FY24 |
|---|---|
| | **$ 101,207** |

| | O&M | LID |
|---|---|---|
| Percent of 2025 Assessment received to date: ~ | 45% | 49% |

Uncommon cash transactions in December to date: None

Cash Balances

Monday, February 10, 2025

| | 2/10/2025 | 2/10/2024 | 2/10/2023 |
|---|---|---|---|
| Cash - Bank | $ 779,454 | $ 1,407,017 | $ 818,980 |
| Investments - NM State Treasurer | $ 10,268,260 | $ 8,891,200 | $ 7,226,256 |
| **Cash balance bank** | **$ 11,047,714** | **$ 10,298,217** | **$ 8,045,236** |

| Cash - Book | Balance 2/10/2025 | Balance 2/10/2024 | Balance 2/10/2024 |
|---|---|---|---|
| Cash | $ 414,075 | $ 1,242,092 | $ 567,566 |
| Invest | $ 10,268,260 | $ 8,891,200 | $ 7,226,256 |
| Cash balance book | $ 10,682,335 | $ 10,133,292 | $ 7,793,822 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2024 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 68,587 | $ 65,571 | $ 36,636 |
| Plus: Transfers In | $ 5,500,000 | $ 5,850,000 | $ 5,500,000 |
| Less: Transfers Out | $ (750,000) | $ (100,000) | $ - |
| | $ 10,268,260 | $ 8,991,199 | $ 7,226,256 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 549,044** | **$ 2,339,470** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 85% |

Uncommon cash transactions in January and February to date:

| | |
|---|---|
| Control Design - backordered parts for SCADA | $ 45,776 |

Cash Balances

Tuesday, March 11, 2025

| | 3/11/2025 | 3/11/2024 | 3/11/2023 |
|---|---|---|---|
| Cash - Bank | $ 530,726 | $ 492,855 | $ 452,668 |
| Investments - NM State Treasurer | $ 9,801,721 | $ 9,429,604 | $ 7,249,898 |
| **Cash balance bank** | **$ 10,332,447** | **$ 9,922,459** | **$ 7,702,566** |

| Cash - Book | Balance 3/11/2025 | Balance 3/11/2024 | Balance 3/11/2023 |
|---|---|---|---|
| Cash | $ 414,075 | $ 257,687 | $ 217,878 |
| Invest | $ 9,801,721 | $ 9,429,604 | $ 7,249,898 |
| Cash balance book | $ 10,215,796 | $ 9,687,291 | $ 7,467,776 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: Interest | $ 102,048 | $ 103,976 | $ 60,278 |
| Plus: Transfers In | $ 5,500,000 | $ 6,250,000 | $ 5,500,000 |
| Less: Transfers Out | $ (1,250,000) | $ (100,000) | $ - |
| | $ 9,801,721 | $ 9,429,604 | $ 7,249,898 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 528,505** | **$ 2,219,515** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: | 87% |

Uncommon cash transactions in February and March to date:
None

Cash Balances

Friday, April 4, 2025

| | 4/4/2025 | 4/4/2024 | 4/4/2023 |
|---|---|---|---|
| Cash - Bank | $ 590,630 | $ 492,855 | $ 452,668 |
| Investments - NM State Treasurer | $ 9,801,721 | $ 8,970,639 | $ 6,276,385 |
| **Cash balance bank** | **$ 10,392,351** | **$ 9,463,494** | **$ 6,729,053** |

| Cash - Book | Balance 4/4/2025 | Balance 4/4/2024 | Balance 4/4/2023 |
|---|---|---|---|
| Cash | $ 397,780 | $ 668,122 | $ 570,065 |
| Invest | $ 9,801,721 | $ 8,970,639 | $ 6,276,385 |
| Cash balance book | $ 10,199,501 | $ 9,638,761 | $ 6,846,450 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 102,048 | $ 145,011 | $ 86,765 |
| Plus: Transfers In | $ 5,500,000 | $ 6,250,000 | $ 5,500,000 |
| Less: Transfers Out | $ (1,250,000) | $ (600,000) | $ (1,000,000) |
| | $ 9,801,721 | $ 8,970,639 | $ 6,276,385 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 560,740** | **$ 2,792,310** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 90% |

Uncommon cash transactions in March and April to date:

None

Cash Balances

Friday, May 9, 2025

| | 5/9/2025 | 5/9/2024 | 5/9/2023 |
|---|---|---|---|
| Cash - Bank | $ 800,196 | $ 492,855 | $ 452,668 |
| Investments - NM State Treasurer | $ 9,338,299 | $ 8,758,892 | $ 6,301,000 |
| **Cash balance bank** | **$ 10,138,495** | **$ 9,251,747** | **$ 6,753,668** |

| Cash - Book | Balance 5/9/2025 | Balance 5/9/2024 | Balance 5/9/2023 |
|---|---|---|---|
| Cash | $ 743,886 | $ 623,587 | $ 600,467 |
| Invest | $ 9,338,299 | $ 8,758,892 | $ 6,301,000 |
| Cash balance book | $ 10,082,185 | $ 9,382,479 | $ 6,901,467 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 138,626 | $ 183,264 | $ 111,381 |
| Plus: Transfers In | $ 5,500,000 | $ 6,500,000 | $ 5,500,000 |
| Less: Transfers Out | $ (1,750,000) | $ (1,100,000) | $ (1,000,000) |
| | $ 9,338,299 | $ 8,758,892 | $ 6,301,000 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 699,706** | **$ 2,481,012** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 91% |

Uncommon cash transactions in April and May to date:

| | |
|---|---|
| Grant Proceeds - California Lateral | $ 409,592 |

Cash Balances

Wednesday, June 4, 2025

| | 6/4/2025 | 5/9/2024 | 6/4/2023 |
|---|---|---|---|
| Cash - Bank | $ 800,196 | $ 492,855 | $ 452,668 |
| Investments - NM State Treasurer | $ 9,372,600 | $ 8,298,151 | $ 6,077,223 |
| **Cash balance bank** | **$ 10,172,796** | **$ 8,791,006** | **$ 6,529,891** |

| Cash - Book | Balance 6/4/2025 | Balance 6/4/2024 | Balance 6/4/2023 |
|---|---|---|---|
| Cash | $ 275,129 | $ 807,044 | $ 371,718 |
| Invest | $ 9,372,600 | $ 8,298,151 | $ 6,077,223 |
| Cash balance book | $ 9,647,728 | $ 9,105,194 | $ 6,448,941 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 172,927 | $ 222,523 | $ 137,603 |
| Plus: Transfers In | $ 5,500,000 | $ 6,500,000 | $ 5,500,000 |
| Less: Transfers Out | $ (1,750,000) | $ (1,600,000) | $ (1,250,000) |
| | $ 9,372,600 | $ 8,298,151 | $ 6,077,223 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 542,534** | **$ 2,656,254** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 94% |

Uncommon cash transactions in May and June to date:
none

Interest rate on investments for April 2025: 4.34%

Cash Balances

Wednesday, July 2, 2025

| | 7/2/2025 | 7/2/2024 | 7/2/2023 |
|---|---|---|---|
| Cash - Bank | $ 2,446,213 | $ 761,289 | $ 460,846 |
| Investments - NM State Treasurer | $ 7,656,789 | $ 7,834,415 | $ 5,601,507 |
| **Cash balance bank** | **$ 10,103,002** | **$ 8,595,704** | **$ 6,062,353** |

| Cash - Book | Balance 7/2/2025 | Balance 7/2/2024 | Balance 7/2/2023 |
|---|---|---|---|
| Cash | $ 441,646 | $ 523,796 | $ 316,946 |
| Invest | $ 7,656,789 | $ 7,834,415 | $ 5,601,507 |
| Cash balance book | $ 8,098,435 | $ 8,358,211 | $ 5,918,453 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 207,116 | $ 258,787 | $ 161,887 |
| Plus: Transfers In | $ 6,000,000 | $ 6,500,000 | $ 5,500,000 |
| Less: Transfers Out | $ (4,000,000) | $ (2,100,000) | $ (1,750,000) |
| | $ 7,656,789 | $ 7,834,415 | $ 5,601,507 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ (259,777)** | **$ 2,439,758** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 94% |

Uncommon cash transactions in June and July to date:

Uncommon large payments

| | | |
|---|---|---|
| ISC Grant | Drone and accessories | $ (65,941) |
| | Ford F250s | $ (139,430) |
| | | $ (205,371) |
| Operating Expenses | Pump repair | $ (20,831) |
| | Pipe | $ (11,411) |
| | Finance software annual | $ (20,233) |
| | Project electrical hookup | $ (58,095) |
| | | $ (110,569) |
| Total large uncommon payments | | $ (315,940) |
| Transfers In from Investments | | $ 2,000,000 |
| Grant Proceeds | | $ 1,071,672 |
| Interest rate on investments for May 2025: | | 4.32% |

Cash Balances

Thursday, August 7, 2025

| | 8/7/2025 | 8/7/2024 | 8/7/2023 |
|---|---|---|---|
| Cash - Bank | $ 580,255 | $ 346,332 | $ 754,645 |
| Investments - NM State Treasurer | $ 8,186,275 | $ 7,334,415 | $ 4,601,507 |
| **Cash balance bank** | **$ 8,766,530** | **$ 7,680,747** | **$ 5,356,152** |

| Cash - Book | Balance 8/7/2025 | Balance 8/7/2024 | Balance 8/7/2023 |
|---|---|---|---|
| Cash | $ 305,904 | $ 271,439 | $ 566,574 |
| Invest | $ 8,186,274 | $ 7,334,415 | $ 4,601,507 |
| Cash balance book | $ 8,492,178 | $ 7,605,854 | $ 5,168,081 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 236,602 | $ 258,787 | $ 161,887 |
| Plus: Transfers In | $ 6,500,000 | $ 6,500,000 | $ 5,500,000 |
| Less: Transfers Out | $ (4,000,000) | $ (2,600,000) | $ (2,750,000) |
| | $ 8,186,275 | $ 7,334,415 | $ 4,601,507 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 886,324** | **$ 2,437,773** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 96% |

Uncommon cash transactions in July and August to date:

Uncommon large payments

| | | |
|---|---|---|
| Operating Expenses | BOR Quarterly payment | $ (79,749) |
| | Annual insurance | $ (133,256) |
| | | $ (213,005) |

Uncommon large receipts

| | |
|---|---|
| Right of Way license payments | $ 186,960 |
| Constituent Project funds | $ 241,040 |

Interest rate on investments for June 2025: 4.32%

Cash Balances

Thursday, September 4, 2025

| | 9/4/2025 | 9/4/2024 | 9/4/2023 |
|---|---|---|---|
| Cash - Bank | $ 614,384 | $ 706,983 | $ 616,711 |
| Investments - NM State Treasurer | $ 7,215,761 | $ 6,369,320 | $ 4,124,257 |
| **Cash balance bank** | **$ 7,830,145** | **$ 7,076,303** | **$ 4,740,968** |

| Cash - Book | Balance 9/4/2025 | Balance 9/4/2024 | Balance 9/4/2023 |
|---|---|---|---|
| Cash | $ 494,792 | $ 609,871 | $ 420,641 |
| Invest | $ 7,215,761 | $ 6,369,320 | $ 4,124,257 |
| Cash balance book | $ 7,710,553 | $ 6,979,191 | $ 4,544,898 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 266,088 | $ 293,692 | $ 184,637 |
| Plus: Transfers In | $ 6,500,000 | $ 6,500,000 | $ 5,500,000 |
| Less: Transfers Out | $ (5,000,000) | $ (3,600,000) | $ (3,250,000) |
| | $ 7,215,761 | $ 6,369,320 | $ 4,124,257 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 731,362** | **$ 2,434,293** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 96% |

Uncommon cash transactions in August and September to date:

| Uncommon large payments | |
|---|---|
| Pipe for constituent project | $ (240,055) |
| BOR quarterly payment | $ (124,555) |
| | $ (364,610) |

| Uncommon large receipts | |
|---|---|
| Right of Way license payments | $ 41,040 |

Interest rate on investments for July 2025: 4.35%

Cash Balances

Thursday, October 2, 2025

| | 10/2/2025 | 10/2/2024 | 10/2/2023 |
|---|---|---|---|
| Cash - Bank | $ 503,223 | $ 385,062 | $ 565,950 |
| Investments - NM State Treasurer | $ 6,744,269 | $ 5,900,940 | $ 3,643,741 |
| **Cash balance bank** | **$ 7,247,492** | **$ 6,286,002** | **$ 4,209,690** |

| Cash - Book | Balance 10/2/2025 | Balance 10/2/2024 | Balance 10/2/2023 |
|---|---|---|---|
| Cash | $ 399,361 | $ 299,791 | $ 362,829 |
| Invest | $ 6,744,269 | $ 5,900,940 | $ 3,643,741 |
| Cash balance book | $ 7,143,630 | $ 6,200,732 | $ 4,006,569 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 294,596 | $ 325,312 | $ 204,121 |
| Plus: Transfers In | $ 6,500,000 | $ 6,500,000 | $ 5,500,000 |
| Less: Transfers Out | $ (5,500,000) | $ (4,100,000) | $ (3,750,000) |
| | $ 6,744,269 | $ 5,900,940 | $ 3,643,741 |

| | Difference in FY25-FY24 | Difference in FY24-FY23 |
|---|---|---|
| | **$ 942,898** | **$ 2,194,162** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 96% |

Uncommon cash transactions in August and September to date:

Uncommon large payments

None

Uncommon large receipts

| | |
|---|---|
| Auction proceeds | $ 25,093 |
| Right of Use fees | $ 62,320 |

Interest rate on investments for August 2025: 4.35%

Cash Balances

Wednesday, November 5, 2025

| | 11/5/2025 | 11/5/2024 | 11/5/2023 |
|---|---|---|---|
| Cash - Bank | $ 319,715 | $ 401,216 | $ 533,608 |
| Investments - NM State Treasurer | $ 6,268,896 | $ 5,427,179 | $ 3,160,642 |
| **Cash balance bank** | **$ 6,588,612** | **$ 5,828,394** | **$ 3,694,249** |

| Cash - Book | Balance 11/5/2025 | Balance 11/5/2024 | Balance 11/5/2023 |
|---|---|---|---|
| Cash | $ 384,273 | $ 443,961 | $ 304,950 |
| Invest | $ 6,268,896 | $ 5,427,179 | $ 3,160,642 |
| Cash balance book | $ 6,653,169 | $ 5,871,140 | $ 3,465,592 |

| | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 | Operating Investment Activity YTD 2023 |
|---|---|---|---|
| Balance | $ 5,449,673 | $ 3,175,628 | $ 1,689,620 |
| Plus: interest | $ 319,223 | $ 351,551 | $ 221,022 |
| Plus: Transfers In | $ 6,500,000 | $ 6,500,000 | $ 5,500,000 |
| Less: Transfers Out | $ (6,000,000) | $ (4,600,000) | $ (4,250,000) |
| | $ 6,268,896 | $ 5,427,179 | $ 3,160,642 |

| | Difference in 2025-2024 | Difference in 2024-2023 |
|---|---|---|
| | **$ 782,029** | **$ 2,405,548** |

| | O&M |
|---|---|
| Percent of 2025 Assessment received to date: ~ | 96% |

Uncommon cash transactions in October and November to date:

Uncommon large payments

None

Uncommon large receipts

| | |
|---|---|
| Auction proceeds | $ 49,008 |
| Income from outside job | $ 56,305 |
| Grant proceeds | $ 300,288 |

Interest rate on investments for September 2025: 4.27%

Cash Balances

Wednesday, December 3, 2025

| | 12/4/2025 | 12/4/2024 | 12/4/2023 |
|---|---|---|---|
| Cash - Bank | $ 1,290,371 | $ 1,639,152 | $ 1,415,481 |
| Investments - NM State Treasurer | $ 6,313,245 | $ 4,699,673 | $ 3,825,628 |
| **Cash balance bank** | **$ 7,603,617** | **$ 6,338,825** | **$ 5,241,109** |

| Cash - Book | Balance 12/4/2025 | Balance 12/4/2024 | Balance 12/4/2023 |
|---|---|---|---|
| Cash | $ 791,268 | $ 636,583 | $ 1,171,091 |
| Invest | $ 6,313,245 | $ 4,699,673 | $ 3,825,628 |
| Cash balance book | $ 7,104,514 | $ 5,336,256 | $ 4,996,719 |

| | Operating Investment Activity YTD 2026 | Operating Investment Activity YTD 2025 | Operating Investment Activity YTD 2024 |
|---|---|---|---|
| Balance | $ 6,291,071 | $ 5,427,179 | $ 3,160,642 |
| Plus: interest | $ 22,174 | $ 22,494 | $ 14,987 |
| Plus: Transfers In | $ 1,000,000 | $ - | $ 750,000 |
| Less: Transfers Out | $ (1,000,000) | $ (750,000) | $ (100,000) |
| | $ 6,313,245 | $ 4,699,673 | $ 3,825,628 |

| | Difference in 2025-2024 | Difference in 2024-2023 |
|---|---|---|
| | **$ 1,768,258** | **$ 339,537** |

| | O&M |
|---|---|
| Percent of 2026 Assessment received to date: ~ | 25% |

Uncommon cash transactions in November and December to date:
None
Uncommon large payments:
$ 730,557 ISC Grant purchases - Riemburment in process

| | |
|---|---|
| Uncommon large receipts | $ - |
| Auction proceeds received in November | $ 67,590 |
| Income from outside job | $ - |
| Grant proceeds | $ - |

Interest rate on investments for October 2025: 3.96%

# 2025 Elephant Butte Board of Directors Election

2025 was an EBID Even Election Year. Incumbents Casey Crist, Greg Daviet, Rafael Rovirosa, and Prescott K (PK) Colquitt III all ran unopposed.

Polling Stations were held at the following locations:

| EBID Hatch Maintenance Yard | EBID Main Office | EBID Chamberino Maintenance Yard |
|---|---|---|
| 3000 Highway 187 | 530 S. Melendres St. | 10935 Highway 28 |
| Hatch, NM 87937 | Las Cruces, NM 88005 | La Mesa, NM 88044 |

A total of fifty-eight (58) votes were cast in the 2025 Election.

Twelve (12) absentee votes were received. Nine (9) constituents voted at the Hatch Polling Station. Eighteen (18) constituents voted at the Las Cruces Polling Station. Nineteen (19) constituents voted at the Chamberino Polling Station.

| Precinct | Candidate | Total Votes |
|---|---|---|
| Precinct 2 | Casey Crist | 57 |
| Precinct 4 | Greg Daviet | 57 |
| Precinct 6 | Rafael Rovirosa | 58 |
| Precinct 8 | Prescott K (PK) Colquitt III | 56 |

**Current Terms**

| Precinct # | Name | Office Held | Member | Term Ends | 2025 Election | Term Ends |
|---|---|---|---|---|---|---|
| 1 | Randy Garay | Secretary (1/2024) | 2024 | 2027 | | |
| 2 | Casey Crist | Director (appointed 12/2024) | 2024 | 2025 | X | 2029 |
| 3 | Preston Tharp | Director | 2024 | 2027 | | |
| 4 | Greg Daviet | President (3/2023) | 2017 | 2025 | X | 2029 |
| 5 | James Sloan | Director | 2024 | 2027 | | |
| 6 | Rafael Rovirosa | Vice President (1/2024) | 2024 | 2025 | X | 2029 |
| 7 | John K Clayshulte Jr | Director | 2024 | 2027 | | |
| 8 | Prescott K (PK) Colquitt | Director | 2024 | 2025 | X | 2029 |
| 9 | Henry Ludwig | Director | 2024 | 2027 | | |