

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 Roviroso, 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.

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.

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.

The agenda was approved as presented.

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, Roviroso, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

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.

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.

Introduction
of Guests

Recognition
of Service

Agenda
Approval

Minutes
Approval

Presentation:

Water
Update

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

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%.

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.**

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.**

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.

Financial
Report

Contract
Approvals

EQIP
Application
Contract
Approval

Manger's
Update

August 13, 2025

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.

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 WRRl 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.

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.

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.

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.

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

Calendar
of
Events

HR/Safety
Report

Maint/Proj
Update

Land Use
Committee
Report

Amendment
to Policy
1997-ENG10

- 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.

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.**

Resolution
2025-11

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.**

Approval of
Right of
Use Policy
Amendment,
Variance
Requests

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

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.

Inter-
Govern-
mental
MOUs

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.

Board
Rules and
Ethics
Committee
Report

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.**

Consent
Agenda
Permits

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 paralleling 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

August 13, 2025

• 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 PARCO 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

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:

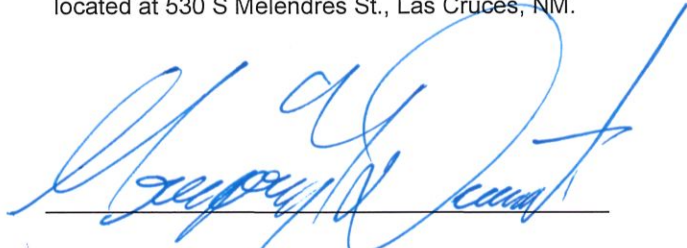
- Texas v. NM (USSC)
- Discussion regarding purchase, acquisition, or disposal of real property or water rights
- Discussion regarding issuance, suspension, renewal or revocation of a license pertaining to use of EBID Property
- Limited Personnel Matters
- Other threatened/pending litigation
- Motion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

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

Closed Sessi

Adjourn