

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 Roviroso, 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.

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.

The agenda was approved as presented.

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

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.

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

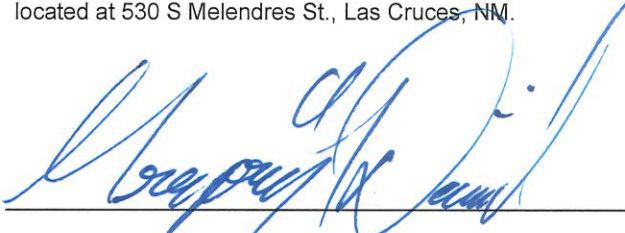
President Daviet called for a five-minute recess. The meeting was reconvened after five minutes.

Discussion and Approval of Agreements.


- A. Agreement No.1 / Contract No. 25-WC-40-1028, which is otherwise known as the Miscellaneous Purposes Act, Master Contract. **Vice President Roviroso moved; Secretary Garay seconded to approve the MPA Master Contract. Directors Garay, Crist, Tharp, Sloan, Roviroso, 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 Roviroso moved; Director Colquitt seconded to approve the Miscellaneous Purposes Act Implementing Contract for Allocation Transfers. Directors Garay, Crist, Tharp, Sloan, Roviroso, 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 Roviroso moved; Secretary Garay seconded to approve the Operation Settlement Agreement. Directors Garay, Crist, Tharp, Sloan, Roviroso, Clayshulte Jr., Colquitt III, and Ludwig aye the motion. Motion passed unanimously.**

There being no further business, Director Clayshulte Jr. moved, and Vice President Roviroso seconded, to adjourn the meeting. Directors Garay, Crist, Tharp, Sloan, Roviroso, 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

Introduction
Guests

Agenda
Approval

Minutes
Approval

Texas
v.
New Mexico

Closed Session

Discussion
and
Approval of
Agreements

Adjourn