

**ELEPHANT BUTTE IRRIGATION DISTRICT
BOARD OF DIRECTORS' MEETING
June 10, 2026**

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, June 10, 2026. The meeting was called to order by Board President Rafael Roviroso. Board members present were Randy Garay, Casey Crist, Rafael Roviroso, Greg Daviet, James Sloan, John Clayshulte Jr., Prescott Colquitt III, and Henry Ludwig (arrived at 9:21). Director Preston Tharp was absent.

The Invocation was given by Secretary Garay, followed by the Pledge of Allegiance led by Josh Smith.

EBID personnel present were: Josh Smith, Treasurer-Manager; Joah Franzoy, Chief Financial Officer; David Lutz, Legal Counsel; Marilyn Crawford, Executive Assistant; James Narvaez, Director of Irrigation Systems (in-person and virtual); Leah Diaz, Finance Director (virtual); Scott Gamboa, Land and Licensing Technician, (in-person and virtual); Alex Rubio, Senior Engineering Manager; AJ Carlson, Land Records Admin (in-person and virtual); DL Sanders, Legal Counsel (virtual); Pete Domenici, Legal Counsel (virtual); Skye Devore, Lobbyist (virtual); Tammie Deon, Administrative Assistant (virtual) and Dr. Phil King (virtual).

EBID guests present were: Jose Calderon, Stahmanns; Samantha Stiffler, USIBWC; Victor Montez, USIBWC; Isabel Rothblatt, USIBWC; Josh Wood, NM Farm and Livestock Bureau; Katie Adams, NM Farm and Livestock Bureau; Sarah McCartney, USIBWC; Martha Pskowski, Inside Climate News; Michael Riley, OSE; Juan Fernandez, USBR; Paul Ratje, Freelance Photo Journalist; Jerry Schickedanz, constituent; and Zack Libbin, Libbin Underwood Engineering.

Virtual guests: Marc Termil, OSE; Alfred Perrault, OSE; Ryan Serrano, NMISC; Max Henkels, NMDA; and Sherryl Smith, OSE.

Recognition of Service

President Roviroso presented service recognitions, and the Board honored the following employees: Guillermo "Willie" Herrera, Equipment Operator, for 30 years of service; Mike Gomez, Assistant Watermaster, for 25 years of service; and Guillermo "Willie" Herrera Jr., Engineering Technician, for 5 years of service.

Approval of Agenda

The agenda was approved as presented.

Approval of Minutes

Secretary Garay moved, and the motion was seconded by Director Clayshulte Jr., to approve the May 13, 2026, Board Meeting minutes. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, and voted in favor. The motion passed unanimously.

Committee Reports

Land Use Committee – David Lutz reported the committee met and reviewed revisions to the draft Blanket Agreement with Zia Gas. Mr. Lutz will coordinate with EBID financial staff to determine a proposed per dekatherm rate, he will also work with staff on clarifying implementation language with a goal of presenting to the Board at the July meeting. The term in the current draft is 20 years with a pricing review every 5 years. The committee also discussed the College Lateral and affected properties, reviewing documentation confirming a 1919 deed from the State of New Mexico to EBID; it was agreed that Mr. Lutz will notify encroaching property owners regarding licensing or potential applications under the updated property relinquishment policy.

The Board requested comparable examples of the costs associated with the Blanket Agreement with Zia Gas. Staff will review and update the draft rate based on prior agreements and current conditions. A "with and without" cost analysis, driven by engineering and permitting fees, will be provided before contract approval.

Capital Improvement Committee – Joah Franzoy reported the committee met to develop and finalize the District's 2027 ICIP project list and priorities. The total value of the proposed projects is approximately \$54 million. Projects focus on automation, canal improvements, safety enhancements, and infrastructure upgrades. Cost estimates are preliminary, and projects will also be pursued through other funding sources if ICIP funding is not secured.

- Approval of Resolution 2026-05 Adopting the FY 2028-2032 Infrastructure Capital Improvement Plan (ICIP)
Vice President Daviet moved, and the motion was seconded by Secretary Garay, to approve Resolution 2026-05. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, and voted in favor. The motion passed unanimously.

Government Affairs Committee – Skye Devore reported on the committee's recent activities, including legislative engagement, development of Water Trust Board and capital outlay strategies, and pursuit of funding opportunities. The committee is preparing for interim legislative engagement, including a potential presentation to the Water and Natural Resources Committee. Planning is also underway for a September legislator/project tour to highlight EBID priorities and support future funding efforts. Ongoing legislative outreach and monitoring of water policy and grant opportunities were also noted.

Water Resources Update

Dr. King reported that the Water Resources Committee met and reviewed the initial release. The committee focused on managing farmer-installed tapancos (small earthen dams in the main system), to ensure they do not interfere with stormwater capture, agreeing that those in main canals must be removable on short notice and tracked through standard operating procedures rather than permits. Emphasis was placed on communication, safety, and encouraging stormwater use for groundwater recharge.

Dr. King provided a water resources update. As of June 8, 2026, total project storage stands at 198,851 acre-feet (AF), with 165,010 AF in Elephant Butte and 33,841 AF in Caballo. Usable project storage was 189,631 AF; 22,780 AF was not releasable. Rio Grande Compact credit was 5,400 AF, and San Juan-Chama was 3,820 AF. A total of 58,927 AF has been released from Caballo in 2026. Total seasonal supply was at 225,778 AF. Net inflow into Elephant Butte was at zero.

The initial release was a typical advance. Mexico was delivering approximately 2 cubic meters per second (about 71 CFS) and planned to gradually increase flows to meet its allocation of 10,684 acres, with deliveries scheduled to conclude on July 21, 2026. Dr. King reviewed flow conditions and reported on a mass balance analysis across several river reaches. Apparent losses between Caballo and Leasburg were estimated at approximately 154 CFS; between Leasburg and Mesilla, losses increased to about 510 CFS; from Mesilla to Courchesne, losses were estimated at 380 CFS. However, a gain of approximately 24 CFS was observed between Courchesne and American Dam, likely due to inflows from El Paso Water Utilities' wastewater treatment plant, with possible minor metering inaccuracies at Courchesne. Additionally, 72 CFS is allocated for delivery to Mexico. Overall, out of a release of about 2,700 CFS, roughly 1,000 CFS is lost along the system, corresponding to an estimated instantaneous diversion ratio of approximately 0.63.

Introduction
Guests

Recognition
of
Service

Agenda
Approval

Minutes
Approval

Land Use
Committee

Capital
Improvement
Committee

Approval of
Resolution
2026-05

Government
Affairs
Committee

Water
Resource
Committee

Water
Resources
Update

June 10, 2026

The NOAA Climate Prediction Center projects above-average precipitation and neutral to slightly warm temperatures for the month of June. For the December–February 2026 period, forecasts indicate above-average precipitation with near-normal temperatures. ENSO-neutral conditions persist, but El Niño is expected to develop (82% chance by May–July 2026) and continue through winter 2026–27 (96% chance for December–February).

James Narvaez provided an update on water orders and the diversion schedule. It took approximately 7–8 days from the initial release date to reach a point where work on demand and diversion could begin. He reported preliminary figures showing that as of June 10, 2026, Arrey had 1,659 acres on order with the diversion of 280 CFS; Leasburg had 4,316 acres on order, diversion of 300 CFS; Eastside had 2,992 acres on order, diversion of 180 CFS; Westside had 4,776 acres on order, diversion of 430 CFS. Total demand was 13,743 acres at 1,190 CFS. An estimated 1,402 AF is expected to be delivered during the flat-rate period (June 13–14, 2026). Estimated amounts are as follows: Arrey, 56 AF; Leasburg, 853 AF; Eastside, 173 AF; and Westside, 320 AF. One ditch break on the Upper Chamberino was reported and has since been repaired. To date, approximately 4,479 AF has been delivered, with total diversions estimated at 14,711 AF. The allocation is expected to be exhausted by June 30, 2026, although deliveries may extend into July. The estimated deadline for placing water orders is June 19, 2026.

Financial Report

Joah Franzoy presented the financial report, noting a total of \$10,225,150 held across investments and cash in the bank as of May 31, 2026. Uncommon large payments included \$473,039 for WRRRI grant reimbursement and \$980,386 for ISC equipment purchases, both of which are awaiting reimbursement. Uncommon large receipts included \$320,678 for grant proceeds. The interest rate for April was 3.64% and earns approximately \$25,000 in interest per month. To date, 95% of assessments have been collected.

Financial Report

Manager's Update

Josh Smith reported that significant time continues to be devoted to implementation of the Texas v. New Mexico settlement. He also reported ongoing efforts to assess and address district infrastructure needs. Coordination with the Bureau of Reclamation confirmed that \$11.5 million in funding for piping projects has been received, and the district anticipates entering into an agreement with the Interstate Stream Commission soon, with project work targeted to begin in September or October.

Manager's Update

Mr. Smith also met with the NRCS State Director and the Farm Service Agency (FSA) State Director to explore alternative funding opportunities. While the District was previously awarded \$30 million through FSA, it has been determined that the federal procurement process did not meet required standards and remains under review; as a result, the funds are unlikely to be released. It was clarified that this issue stems from the federal process and is not related to any action or error on the part of the District. Staff will continue pursuing other grant opportunities to support priority projects.

Dams of Concern - Recent rainfall resulted in issues with several "orphan" dams (privately constructed earthen dams not owned or maintained by the District). Incidents included a dam breach south of Mesilla and another partially failed structure reported on a nearby arroyo. Although these dams are outside District jurisdiction, they pose potential risk to District infrastructure. Mr. Smith requested Board direction on how to proceed. Board discussion supported referring the issue to a committee (potentially Water Resources or Land Use) for further evaluation. It was also noted that the Soil and Water Conservation District has obtained grant funding to inventory and study these dams. Coordination with the Stormwater Coalition was recommended, given overlapping concerns and regional impacts.

Action Item: Refer the issue of "orphan" dams to the Land Use Committee for evaluation and recommendation.

Calendar of Events

Josh Smith presented the calendar of events:

- Flat Rate Irrigation Weekend: June 13-14, 2026
- NM WRRRI Agricultural Water Resilience Program (AgWRP) applications are due June 29, 2026; to allow time for processing, EBID will not accept applications after June 14, 2026.
- 4th of July Holiday: July 3, 2026, EBID Office Closed
- New Mexico Groundwater Conference: July 14-15, 2026, Albuquerque, NM

Calendar of Events

HR/Safety Update

Josh Smith provided an HR and Safety update, reporting a current staff count of 79 employees and ongoing recruitment for Ditch Rider positions.

HR/Safety Update

Maintenance/Project Update

Alex Rubio provided an Engineering and Maintenance update, reporting that maintenance crews have completed system preparation for the irrigation season, which included the priming and cleaning of waterways. Engineering has focused on drone flights and LiDAR data collection for dam assessments and reporting to the Office of the State Engineer, along with improved survey integration for more precise calculations. Staff continue to prepare for upcoming grant-funded projects. Efforts are also underway to develop ICIP project estimates and collect outstanding permit fees. He noted the electrical work for the California pump project is nearing completion, with final testing anticipated once meter installation is completed.

Maint/Proj Update

In-Parcel Transfer

David Lutz explained that last month, the board held a suspension and transfer hearing for an in-parcel transfer for JF Apodaca Farms. However, questions arose regarding whether the matter was appropriate for that type of hearing. After reviewing the relevant policies, it was determined that the transfer does not require a suspension and transfer hearing and can instead be addressed as a standard board agenda item.

In-Parcel Transfer

- **Approval of Resolution 2026-S&T-006A In Parcel Water Transfer**
AJ Carlson presented 2026-WT-004, JF Apodaca Farms Company requests an in-parcel transfer of 10.81 water-righted acres within a single tract. Staff recommended approval. **Director Colquitt III moved, and the motion was seconded by Secretary Garay, to approve Resolution 2026-S&T-006A. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. The motion passed unanimously.**

Resolution 2026-S&T-006A

**Exhibit A
Elephant Butte Irrigation District**

WATER RIGHT "SUSPENSION FROM /TRANSFER TO PARCEL TRANSFER ON BOARD AGENDA: June 10, 2026							
MOVE FROM:				MOVE TO:			
TRANSFER#	NAME	MAP-SERIAL	PARCEL	ACRES	NAME	MAP-SERIAL	PARCEL
2026-WT-004	J F Apodaca Farms Co IN PARCEL TRANSFER	20-3581	592400P	10.81	J F Apodaca Farms Co	20-3581 NWel	592400P
							864920P
							864920P
							864920P
TOTAL ACRES PAGE 1				10.81			

KEY: WT = Volitional Transfer WRS = Stacking WTS = Volitional Transfer & Stacking

Water Transfer Hearing

President Rafael Rovirosa called to order the Suspension/Transfer Hearing. AJ Carlson presented a total of 2.74 acres for suspension and transfer, John Lee & Margaret A Follin to Salopek 6U Farms Inc. **Director Clayshulte Jr. moved, and the motion was seconded by Vice President Daviet to approve transfer 2026-WT-005 / Resolution 2026-S&T-006B. Directors Garay, Crist, Sloan, Daviet, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. The motion passed unanimously.** President Rovirosa asked the Resolution be formalized as called for by Section 73-13-5 of the New Mexico Statutes, and that the Secretary of the Board immediately certify and file with the State Engineer a true copy of the Resolution and action of the Board. President Rovirosa also announced that if there are any Protestants 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 Colquitt III, seconded by Director Clayshulte Jr. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. The motion passed unanimously.**

Water Transfer Hearing

Exhibit A
Elephant Butte Irrigation District

WATER RIGHT "SUSPENSION FROM /TRANSFER TO PARCEL TRANSFER ON BOARD AGENDA: June 10, 2026							
MOVE FROM:				MOVE TO:			
TRANSFER#	NAME	MAP-SERIAL	PARCEL	ACRES	NAME	MAP-SERIAL	PARCEL
2026-WT-005	John Lee & Margaret A Follin	5-32A5A1A TR A LI 1	1367900P	1.00	Salopek 6U Farms Inc	13-32A, 33B, 40A pt	864920P
2026-WT-005	John Lee & Margaret A Follin	5-32A5A1A TR A LI 2	1367950P	1.00	Salopek 6U Farms Inc	13-32A, 33B, 40A pt	864920P
2026-WT-005	John Lee & Margaret A Follin	5-37L3, 37M2B	1350100P	0.74	Salopek 6U Farms Inc	13-32A, 33B, 40A pt	864920P
TOTAL ACRES PAGE 1				2.74			

KEY: WT = Volitional Transfer WRS = Stacking WTS = Volitional Transfer & Stacking

Approval of the Consent Agenda

- Fourteen (14) May/June ROU licenses with exhibits for review.
Adams Tire (Bill Adams) - 1 new culvert crossing the Park Drain
El Paso Electric Co. - 1 reconstructed aerial electrical line crossing the Lower Chamberino Lateral
Comcast of New Mexico - 4 new buried fiber optic lines crossing Walters Lateral, East Drain, Lower Chamberino Lateral
Comcast of New Mexico - 8 new aerial fiber optic lines crossing multiple EBID waterways
- J. Smith - Approval of travel to New Mexico Groundwater Conference: July 14-15, 2026, Albuquerque, NM for two (2) Board Members and two (2) Staff to include all actual expenses.

Approval of Consent Agenda

Director Clayshulte Jr. requested that permit 2026-L-061 Adams Tire (Bill Adams) be pulled from the Consent Agenda to be acted on separately.

Permit 2026-L-061 Adams Tire (Bill Adams)

Discussion clarified that the request is for a license for a culvert crossing. Staff confirmed EBID would perform both the construction and ongoing maintenance; private parties would not conduct the work. **Director Clayshulte Jr. moved, and the motion was seconded by Secretary Garay to approved Permit 2026-L-061. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, and Ludwig voted in favor, and the motion passed unanimously.**

Director Clayshulte Jr. moved, and the motion was seconded by Secretary Garay to approve the Consent Agenda noting the 2026-L-061 Adams Tire (Bill Adams) Right of Use License application is not included. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, 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 - JUNE 10th, 2026 BOARD MEETING						
1	2026-092	N	2026-L-061 ADAMS TIRE (BILL ADAMS) TO CONSTRUCT, MAINTAIN, AND OPERATE A CULVERT CROSSING THE PARK DRAIN AT APPROXIMATE STATION 450+15	\$4,180.00	N	Y
2	2026-083	N	2026-L-062 EL PASO ELECTRIC CO. TO RECONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL ELECTRICAL LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 134+50	\$3,420.00	N	Y
3	2026-088	N	2026-L-064 COMCAST OF NM TO CONSTRUCT OPERATE AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE WALTERS LATERAL AT APPROXIMATE STATION 16+40	\$3,420.00	N	Y
4	2026-091	N	2026-L-066 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE WEST LA MESA SPUR DRAIN AT APPROXIMATE STATION 24+30	\$3,800.00	N	Y
5	2026-094	N	2026-L-067 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA UNION WEST LATERAL AT APPROXIMATE STATION 89+30	\$3,800.00	N	Y
6	2026-095	N	2026-L-068 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA UNION WEST LATERAL AT APPROXIMATE STATION 105+30	\$3,800.00	N	Y
7	2026-099	N	2026-L-069 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE PARELLELING THE LA UNION WEST LATERAL AT APPROXIMATE STATIONS 97+00 TO 86+70	\$2,482.90	N	Y
8	2026-104	N	2026-L-070 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE EAST DRAIN AT APPROXIMATE STATION 222+80	\$4,180.00	N	Y
9	2026-105	N	2026-L-071 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE ANTHONY DRAIN AT APPROXIMATE STATION 203+78	\$4,180.00	N	Y
10	2026-106	N	2026-L-072 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 239+00	\$3,420.00	N	Y
11	2026-107	N	2026-L-073 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE CROSSING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATION 237+40	\$3,420.00	N	Y
12	2026-108	N	2026-L-074 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN A BURIED FIBER OPTIC LINE PARELLELING THE LOWER CHAMBERINO LATERAL AT APPROXIMATE STATIONS 236+23 TO 237+30	\$257.93	N	Y

ROU License List

June 10, 2026

13	2026-109	N	2026-L-075 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE LA UNION MAIN CANAL AT APPROXIMATE STATION 887+50	\$4,180.00	N	Y
14	2026-110	N	2026-L-076 COMCAST OF NM TO CONSTRUCT, OPERATE, AND MAINTAIN AN AERIAL FIBER OPTIC LINE CROSSING THE UPPER CHAMBERINO LATERAL AT APPROXIMATE STATION 236+76	\$3,420.00	N	Y
			TOTAL CHARGED \$ (NO LAND FEE WAIVER)	\$47,960.83	N	Y
			TOTAL WAIVED \$ (REQUESTING LAND FEE WAIVER)	\$0.00	Y	Y
			TOTAL \$	\$47,960.83	N	Y

Closed Session

Director Colquitt III moved, and the motion was seconded by Secretary Garay to go into closed session. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, 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:

- Texas v. NM (USSC)
- Adjudication Issues
- PRC El Paso Electric Rate Increase
- WQCC Surface Water Rule Making
- NM v US CV691
- 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, Daviet, Sloan, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. The motion passed unanimously. President Roviroso noted the only matters discussed in closed session were the items identified in the motion to go into closed session and that no action was taken.

Adjournment

There being no further business, Secretary Garay moved, and the motion was seconded by Director Clayshulte Jr. to adjourn the meeting. Directors Garay, Crist, Daviet, Sloan, Clayshulte Jr., Colquitt III, and Ludwig voted in favor. The motion passed unanimously. The meeting was adjourned at 12:40 PM.

The next meeting of the Board of Directors will be held on July 8, 2026, beginning at 9 AM at EBID office located at 530 S Melendres St., Las Cruces, NM.


 Rafael Roviroso, President

7/8/2026
 Date


 Randy Garay, Secretary

7/8/26
 Date

Clos
Sess

Open
Session

Adjourn