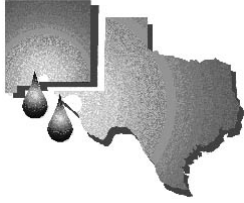


New Mexico – Texas Water Commission



Public Entities in Partnership for Sustainable Water Resources

Water Resources Research Institute, Dept.
3167
New Mexico State University, Box 30001
Las Cruces, NM 88003-8001
Phone: (505) 646-4337
FAX: (505) 646-6418

El Paso Water Utilities
Public Service Board, P.O. Box 511
El Paso, TX 79961
Phone: (915) 594-5501
FAX: (915) 594-5699

MEETING OF THE NEW MEXICO – TEXAS WATER COMMISSION

**El Paso Water Utilities
4th Floor Board Room
1154 Hawkins
El Paso, TX
April 21, 2005**

Mr. Archuleta of El Paso Water Utilities welcomed everyone and chaired the meeting. A copy of the sign-in-sheet is attached as “**Exhibit A.**” Those members attending the meeting were as follows:

Karl Wood – NMSU WRRI
Tony Tarquin – UTEP
Valerie Beversdorf – EBID
Edmund Archuleta – EPWU
Ari Michelsen-TAMU

I. Review and Approval of Minutes from February 17, 2005, Commission Meeting (Commission Members)

Mr. Archuleta asked if anyone had comments on the January 6, 2005 Commission meeting minutes. Ari Michelsen mentioned a few minor edits that he said he would discuss directly with Valerie Provencio. Otherwise, the motion to approve the minutes was passed and accepted unanimously by the Commission. Conrad Keyes had previously e-mailed his revisions which were also incorporated.

II. Update on Construction of Southwest Regional Spaceport (Lou Gomez, Program Manager)

Lou Gomez provided a Power Point presentation (**Exhibit “B”**) on the background and construction plans for the Southwest Regional Spaceport. He explained that prior to October 4th of 2004, a person who wanted to enter outer space was required to be an astronaut and take the government-required training program. Since October of 2004, space travel has been deregulated and is now open to the public. This deregulation required a revision to the Space Policy Act, and private companies can now sign contracts for eight-year duration with the Federal Government for limited space ventures.

Lou explained that the “X Prize Cup” was established by Peter Diamantes as a competition for any company who can fly into orbit, return to earth safely and repeat it again in three weeks. The X Prize is a \$10 million dollar cash prize which will be offered at a 7-day event held in October of 2005 in, Las Cruces, New Mexico. Teams will compete from around the globe and are

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El Paso County Water Improvement District #1

expected to display the ability to send passengers or payloads into sub-orbit. Lou displayed slides depicting various launch methods from different companies.

Karl asked about the water needs of the proposed spaceport and the proposed sources of the water. Lou noted that the needs are 2000 AFY and that the following three water options are being considered. The project will be built on a portion of the Louis King Ranch.

- The City of Hatch, New Mexico may provide long term water, which will be from their proposed water treatment plant which will treat surface water from the Rio Grande Project
- The Rincon Water Supply Company may provide short term ground water.
- The “L-Seven Ranch” near Caballo, New Mexico, may provide ground water from the Jornada del Muerto Basin. The Rincon Water Supply Company and L-Seven Ranch options will require a change in point of diversion from the NM State Engineer.

Lou stated that New Mexico was chosen because the launch trajectory and payloads at this site are beneficial compared to the competing project locations. This will save money. The construction of the spaceport will begin with the building of a weather station and vehicle assembly building. For the first two years, operations will be restricted to the area over White Sands. Lou expects that 50 people will be working at the site by the end of 2006. The site facilities will be expanded as private firms are contracted to operate from the Spaceport.

III. Progress Report for the Paso del Norte Watershed Council (Nancy Hanks, PdNWC Coordinator)

Nancy Hanks announced that Chuy Reyes, General Manager from El Paso County Water Improvement District #1 (EP#1), attended the Watershed Council meeting on April 1st and reported on EP#1’s allocation predications, shallow well operations, and several other items.

Council activities involved updating and upgrading the website through gkg.net, which is based out of College Station. This process will require a month, after which the website will have an improved appearance and some of the bugs will be worked out. One objective is for the appearance of the Coordinated Database web page to match that of the PdNWC web page. The Council is working on a letter to Commissioner Duran urging IBWC to reconvene the stakeholders regarding the Record of Decision (ROD) for the Rio Grande Canalization project, Environmental Impact Statement (EIS).

Nancy distributed copies of the letter sent to TX and NM Congressmen requesting their support for funding to continue the URGWOM project. This letter is attached as **Exhibit “C”**.

The next meeting of the Watershed Council will be on June 3, 2005 in Las Cruces at NMSU.

IV. Summary of Meetings with Corps of Engineers regarding URGWOM Funding (Zhuping Sheng, TAMU/Mike Fahy, EPWU)

Mike reported that on March 22, April Sanders, Mark Horner and Conrad Keyes presented the history, development and current status of the URGWOM Program to EPWU (Ed Archuleta, Bert Juarez and Mike Fahy), BuRec (Bert Cortez and Wayne Treers) and Chuy Reyes of EP#1. He mentioned that the Corps of Engineers (COE) plans to make a similar presentation to the EBID Board in May. The full model now ends at Elephant Butte Dam, but flow and water quality data will be available through the PdNWC Coordinated Database Project. To date, the COE has invested a total of \$13 million in the development of the model. In June, the model will be available to the general public and Phase II testing will begin. The University of Colorado is

making software improvements, and will offer a 2-day workshop in Albuquerque in June. The ground water to surface water interaction components still require improvements.

The major COE goals are to achieve model acceptability basin-wide, and to make the model available to all water providers as a forecasting tool. There is no goal to alter irrigation district operations.

Mike explained that seven of the eight members of the NM-TX Water Commission are in agreement with signing a letter to NM and TX Congressman, requesting continued federal funding to support continued model development. So far, Ari, Gary Esslinger and Tony Tarquin have signed the letter. However, EP#1 and Bert Cortez of BuRec have expressed an interest in evaluating an alternative TCEQ modeling tool for the Rio Grande Project area.

Mr. Archuleta expressed his preference for a useful model that all parties can agree to and have confidence in. He also requested that EP#1 and BuRec provide a presentation at a future Commission meeting of their proposed alternative.

Zhuping Sheng informed the audience of the Coordinated Database Project (CDP) presentation and scope of work proposal for 2005/2006 which was provided to COE on March 10. Previously, on February 10, Carlos Rincon, Bobby and Zhuping met with April Sanders of the COE in Albuquerque. According to April, there was a total of \$6 million dollars dedicated to URGWOPS. The COE's primary focus was to improve the upstream component of the model. There is also some funding for reaches below Elephant Butte, and for the IBWC Canalization project. April is willing to change the priority of some of the funding. With the support and encouragement of the New Mexico-Texas Water Commission, the members of the CDP Technical Committee believe that Congress may add additional funds to extend the model into the Rio Grande Project area for planning purposes. The focus is to collect pertinent water quality data that can be used by multiple parties in planning/forecasting efforts.

V. Report on Status of BuRec. Challenge Grant Proposals (Mike Fahy, EPWU/ Commission Members)

Valerie Provencio provided the update for Mike Fahy. Mike had called Avra Morgan and was informed that the public notice date has been delayed until approximately May 1, 2005. The applicants will be notified via e-mail or postal mail service to arrive concurrently with the press release.

The final revised brochure for the Challenge Grant has been prepared and is now available for distribution. Mr. Archuleta commented on what an asset the brochure was, and thanked everyone who worked on it.

VI. Forecast of Snowpack/Runoff and Projected Allocation for the 2005 Irrigation Season (Wayne Treers, BuRec.)

Wayne presented the forecast for the 2005 Irrigation Season (**Exhibit "D"**). Wayne said that the forecast is impressive. The snowpack has doubled compared to last year. Snowpacks in the basins are above average and are much denser than in the previous years. The precipitation has increased, in particular in the lower elevations, and the runoffs are 162 % of normal. As of April 21, the daily morning report showed flow into Elephant Butte at 2,081 CFS.

The new climate predictions for April through June show above normal precipitation. As of this morning, the National Weather Service, May through July forecast, shows equal chance for increasing vs. decreasing precipitation. This is due to the El Nino effect this winter, which has

given this region more moisture. However, in May, the El Nino effect may disappear. For the rest of this year and possibly next year, the forecast shows no trend in the precipitation category. Wayne said that there is a possibility of the ocean water warming up in the Pacific, off the coast of Central America. If this trend continues, the El Nino effect may return. This would be good news for the region, and Wayne will keep the audience updated on it.

Wayne predicts that by May 15, Elephant Butte and Caballo Reservoirs may go over 400,000 AF of combined usable water. According to Article 7 of the Rio Grande Compact, when this happens the restrictions are released for the upstream states, so they can start storing water in their reservoirs. Although Colorado and New Mexico can store water upstream, they still have to meet the commitment to the Rio Grande Project for total deliveries for the year. Wayne said, that people have been asking him if this region is now out of the drought. He said we are temporarily out of the drought, for this year, even though there has been no rain lately. Prior to last summer, there were three to five years of very dry summers. As for longer term, Wayne cannot say for sure if the region is now out of the drought. Next year's precipitation will help to establish the longer-term runoff trend.

Zhuping asked when the 30 year average for flow history will be updated. Wayne replied that they have been talking to the NRCS, however, it has been their standard to use data from 1971 to 2000 when computing the 30 year average.

Wayne distributed a copy of the BuRec's web page (**Exhibit "E"**). The web page provides a daily report on water flow at river gaging stations. A calculation of the useable water at Elephant Butte and Caballo is also included. Wayne reminded the audience that under the Rio Grande Compact, useable water is defined as storage in Elephant Butte Reservoir and Caballo Reservoir, minus any credit waters that are in these two reservoirs, plus any non project waters.

The link to their site is:

<http://www.usbr.gov/uc/el Paso/water/RioGrandeProject/currentdata/wflow/daily.html>

The Annual Operating Plan meetings will be held on:

- May 4th in Las Cruces at 5:30 p.m. just before the 6:30 IBWC Citizen's Forum
- May 11, Public meetings will be at IBWC at 6:00 p.m.
- May 18, Public meeting in Truth or Consequences

VII. Presentation on EBID's 2005 Season Operational Plan and Recent Water Rights Stacking Application (Valerie Beversdorf, EBID)

Valerie Beversdorf explained EBID's seasonal operational plan. EBID had originally allotted 9" this year to their customers, but have since increased the allocation this year at 2 AF. If runoff increases in June, the allocation could be increased to 2.5 AF, and eventually to 3 AF in July. EBID has received lot of water orders from cotton growers. They are continuing to follow their metering program and are keeping track of the water being delivered to the farmers. EBID has written a proposal to go to NAD Bank to increase the total number of their telemetry sites.

Valerie informed the Commission of the new policy that has been drafted by EBID for stacking of water rights. The policy would allow the transfer of water rights onto land that is already water-righted. A cap of 2 times the annual allocated water volume would be enforced. The policy will provide additional water to some customers when needed in times of drought conditions. It will also allow the development of areas that have "cluster houses" adjacent to

agricultural property. In these situations, land developers would be able to use the water rights from their previously developed lands for the land that remains in agriculture.

**VIII. Other Business: News from Rio Grande Compact Commissioner's Meeting
-Availability of Draft Coordinated Database Reports**

Mr. Archuleta asked if anyone would report on the 2005 Rio Grande Compact meeting. Bert Cortez and Wayne Treers attended from the El Paso office of BuRec, and reported that the agenda included the regular items covered at the annual meetings, and that there were not any major new events to report on.

Karl asked about removing EP#1 off the footer of the Commission's stationary. Mr. Archuleta replied that he would like to talk to Chuy Reyes about it first. Zhuping indicated that the draft report for Phase II of the Coordinated Database Project was available for review.

XI. Next Meeting/Location/Topics

The next Commission meeting will be May19, at Elephant Butte Irrigation District (EBID) at 10 a.m.

Ari announced that a brown – bag technical seminar would be held on Tuesday April 26 at Texas A&M Research and Extension Center.

No new topics were discussed at this time.