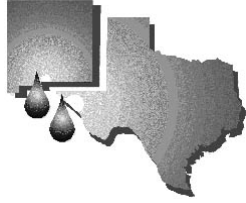


New Mexico – Texas Water Commission



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

Elephant Butte Irrigation District

530 S. Melendres

Las Cruces, NM

Telephone: (505) 526-6671

May 19, 2005

10:00 A.M.

Gary Esslinger of Elephant Irrigation District (EBID) 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 WRI
Tony Tarquin – UTEP
Edmund Archuleta – EPWU
Gary Esslinger - EBID
Ari Michelsen-TAMU
Gene Paulk for Jorge Garcia – CLC
Sue Padilla - DAC

I. Review and Approval of Minutes from April 21, 2005 Commission Meeting (Commission Members)

Gary asked if anyone had comments on the April 21, 2005 Commission meeting minutes. The motion to approve the minutes was passed and accepted unanimously by the Commission.

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

Nancy Hanks announced that Council activities involved 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). Gary remarked that EBID has sent numerous letters to Commission Duran and has had no response. As of this morning, EBID had signed a letter to their Congressional delegation asking for a Congressional inquiry, because they are not receiving any responses from IBWC.

Nancy distributed copies of the letter to be sent to the Commissioner requesting reconvening the Canalization Project stakeholders. This letter is attached as **Exhibit “B”**. Karl asked if the letter needed the Commission’s endorsement. Mr. Archuleta asked if there was a reason why certain people were copied and others were not.

Nancy informed him that the Governor and Senator were copied because they wrote letters regarding the same issue. Mr. Archuleta noted that EBID was not listed on the letterhead and Mike Fahy informed him that it was because they did not have a representative on the Watershed Council. Mr. Archuleta apparently thought that everyone from the Commission was automatically on the Council. Gary was aware that EBID is not a member of the Council, and besides, EBID had the opportunity to address anything the Watershed Council had to offer through the Commission. Gary explained that the EBID, along with the WWF and other groups were opposed to the ROD and had urged these groups to send letters to IBWC. Neither EBID, nor the other groups that had written, had ever had a response.

Mr. Archuleta made a motion that all members of the NM-TX Water Commission should be copied as a group and to accept the letter. The motion was passed. Nancy will copy the group without the signatures of the Council.

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

III. Economic Benefits of IBWC Flood Control Projects on the Rio Grande (Ari Michelsen, TAMU)

Ari provided a brief background on TAMU'S project completed for IBWC, who requested funding in their budget for maintenance and upgrading of their levees. The Office of Management and Budget (OMB) requires justification of the avoided losses before the request can be considered. The time frame for this request is 90 days which includes the contract. TX A&M, including the Galveston Office of the Army Corps of engineers (COE) agreed to do a rapid assessment.

Ari explained the importance of IBWC levee maintenance by describing the four major projects along the reach from the Rio Grande project to the Lower Rio Grande. There are four major projects, three are above the Rio Concho and one is in the Lower Valley. Areas which were susceptible to be inundated by flooding were identified for each project by using digital orthographic maps, remote sensing satellite images from Landsat, insurance rate maps and land use. A study on property assessment, land use value, agricultural losses, loss of life and vehicle damages, for a one time, cumulative event along all four study areas, would total \$323M in direct damages, should a 100 year flood event occur.

Ari mentioned that this study is for the United States portion of the border only. He stresses that a comprehensive study should be done on the Mexico side of the border.

Flood Control TX Water Report # 275 is published through the Texas Water Resources Research Institute and is available through IBWC.

IV. The North Valley Regional Water and Wastewater Treatment Project (NVRWWTP) in Dona Ana Country, NM (Karen Perez, Souder Miller Consultants)

Karen Perez provided a power point presentation, **Exhibit "C,"** on the project description of the North Valley Regional Water and Wastewater Project (NVRWWP). This project was developed in 2002 by Doña Ana MDWCAA, Fort Selden Water Company, Jornada Water Company, Leasburg NMWCA and Picacho MDWCA. These five water systems comprise a service area of 85-square miles and are situated north of Las Cruces. The member agencies also plan to study

groundwater impacts related to drought and possible septic tank contamination to the ground water in the North Valley.

The plans are to construct a 121-mile wastewater collection system, a 2.0 million gallon per day (MGD) wastewater treatment plant, and a 2.0 MGD surface water treatment plant. This project will benefit 18,300 residents including eight HUD colonias. The total estimated project cost is \$41 million.

The construction will begin in 2007 on the Wastewater Collection System & Treatment Plant and in 2006 on the Surface Water Treatment plant.

IV. Presentation on the Formation and Operation of Specially Legislated Special Water Users Associations in Southern New Mexico (Phil King, NMSU)

Phil King provided a Power Point demonstration, **Exhibit “D”** on the Special Waters Users Associations (SWUA’S) in Southern New Mexico. This association was motivated by:

- Conjunctively managing surface water and groundwater to maximize beneficial use in New Mexico.
- Maintain hydrologic health of the Lower Rio Grande (LRG)
- Protect senior water rights from impairment
- Streamline administrative process for transfers from Agricultural to M&I use for surface water

Phil informed the audience that municipalities, counties, State Universities, member-owned community systems, public utilities and the Interstate Stream Commission can form SWUAs. The SWUA essentially turns municipalities into constituents of EBID. The concept was developed by EBID, CLC, the State Engineers Office and Doña Ana County.

SWUA’s convert surface irrigation water to other uses within EBID District boundaries. They allow for the ownership of project water rights via the ownership of righted land, long-term lease of project water rights, season by season transfer, or shorter term transfers.

EBID could then also allocate that water to non agricultural uses, or put it to use in irrigation. Others who are not farming could put it into a water bank, or conservation pool, to provide access to that water for high water use crops, or for use in short water supply years.

Steve Hernandez, Attorney for EBID, explained the formation process. Steve stated that the Office of the State Engineer (OSE) is supposed to be developing rules for the expedited process. The State Engineer will have a certain form and predetermination on what is to be transferred depending on district jurisdiction. Sheldon Dorman was appointed by the OSE as the first Water Master for the Rio Grande Project SWUA.

VI. Review of the Next Steps Required of the Three Commission Members Selected for BuRec, Challenge Grants (EBID, EPWU, Las Cruces).

Mike Fahy informed the Commission that Mr. Archuleta has been contacted by Linda Daniels of the BuRec and would like to review EPWU’s standard procedure and processes in regard to purchasing, contracts and business procedures. The next step is to hear from the BuRec.

Gary Esslinger commented that Henry at EBID is developing a Gantt chart to depict the interaction of schedules and work plans for all three of the Commission's awarded projects, since EBID is a common party to all three of the projects.

VII. Other Business: "What's New" ideas for the Commission Web site.

Valerie reminded the Commission that the "What's New" link is still empty. Bobby Creel suggested linking the Commission's Web site directly to the each member agency's "News" section.

Mike announced that EPWU will be assuming a larger role for the Multi-State Salinity Coalition (MSSC) and will be taking responsibility of the quarterly meetings. The next Annual Summit meeting will be in Albuquerque, NM on December 8 – 9, 2005. The conference will be moved from Las Vegas to Albuquerque.

There was a question posed on whether EP#1 should be on the footer of the Commission stationary and the agenda. Mr. Archuleta discussed this with Chuy Reyes. Mr. Reyes decided it was in the interest of the EP#1 to stay with the Commission and keep their agency on the footer. He will be briefing his Board on the benefits of remaining on the Commission.

VIII. Next Meeting/Location/Topics

Wayne Treers will be invited to the next Commission meeting to present an update on the 2005 Irrigation Season Allocation.

The next meeting will be June 30, 2005 at UTEP. The meeting was adjourned at 12:15.