



Pojoaque Valley Irrigation District
9 Cities of Gold Road
Santa Fe, New Mexico 87506
(505) 455-2693
Email: pvidistrict1@hotmail.com
"Water is Life"



Pojoaque Valley Irrigation District (PVID)

June 15, 2022 Special Meeting

6:00PM to 8:30PM

Via Zoom

Minutes

1. **Call To Order:** The meeting was called to order at 6:02PM by Chair Dave Neal.
2. **Recognition of Quorum:** Present at the meeting were Dave Neal, Meade Martin and Rob Heineman, directors constituting a quorum, and the following individuals who signed in via chat: Anthony Garcia, Luis Aguirre, Tomas Stockton, Jude Pardee, John Gutting, Scott DeMuth, Lawrence Atencio, Stephen Gomez, Muthu Karuppan, Luca Marino-Baker, Tom Hicks, Greg Swift, Sharon Dogruel, Joseph Baca, Denise Terrazas, Rob Salazar, Chris Sheehan.
3. **Approval of the Agenda:** **MOTION TO APPROVE** – Meade, **SECOND** – Rob. **MOTION CARRIED.**
4. **Disposition of Previous Minutes:**
 - a. Minutes of the April 21, 2022 Quarterly Meeting
 - b. **MOTION TO APPROVE** – Meade, **SECOND** – Rob. **MOTION CARRIED.**
5. **Chairman's Report – Dave Neal:**
 - a. BOR Contract - Amendment No. 2: We have reviewed and revised the amendment and are close to submitting it to the BOR.
 - b. Revive Committee for Updating of Rules and Regulation – Volunteers: We are looking for volunteers to discuss and revise our rules and regulations. Stephen Gomez is interested in helping. Dave to forward information to him. Meade suggested that we ask Pablo Gonzales and Martha Trujillo to participate.
 - c. Beginning Revising 1972 Contract Between PVID and the Pueblos: This contract also requires revision. PVID has been negotiating this with the BOR and pueblos for almost two years. It is currently in a holding pattern.
 - d. Dave extended his thanks to Meade, Rob, Kathy, Will and Ralph for their excellent work.
6. **Report from the OSE – Tomas Stockton, NPT Watermaster**
 - a. Tomas reported that they have notified Nambe Pueblo of their over diversion for last year and have recently sent a letter advising that they have now exceeded this year's water allocation. They have a meeting with the pueblo, their attorneys, the BOR and BIA attorneys next week to discuss the issue. They had



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also proposed a sharing agreement to the pueblo which was coolly received. The OSE requested that Nambe Pueblo submit their required TBI report for the year, which they did. OSE attorneys were not ready to tell Nambe to shut down their diversion. He discussed a revelation that there is a second feeder from the Highline to the Nueva that enters the Nueva below the meter. The OSE is investigating. Tomas advised that he would keep PVID informed of the progress of the upcoming meeting. Questions: Greg Swift-does this feeder to Nueva hook up before or after the gage? Answer: after. . Lawrence Atencio commented that San Ildefonso was not receiving its senior water rights allocation and was working with the OSE to resolve it. Jen Watkins-Would it make sense to continue with the Writ of Mandamus to move things along? Answer (Tomas): Moving the issue through the courts could take several years and cost a lot of money. The process is moving along now. Meade: We now have everyone's attention, and the process seems to be moving along. We should give it some time. Dave thanked Tomas for his participation

7. Financial Report – Rob Heineman:

- a. Financial Report for May 31, 2022 and the 11 months ended: The report was presented to the membership. Questions: Scott DeMuth – will some of the rebates we are getting from BOR contract help our budget? Answer: Yes, but the funds will be slow in coming. John Gutting: Will the BOR actually pay us back or credit the funds moving forward? Answer: We don't know yet. Chris: Can you expand on the legal fees? Answer: We had a quote from the attorney to prepare the Writ of Mandamus. Additionally, we had 4 or 5 other issues that he was working on. Unfortunately, we only budgeted \$65K for the writ and thought we could cover the ancillary items with \$20K from savings. Due to slow billing on the part of the attorney, we were shocked to see the bill for December and January (in February) exceed our budget by around \$28K. We negotiated an agreement to defer that amount into next year interest free, and that the attorney would work for half of his normal rate until we paid off the amount in October. Question: Chris Sheehan – Have we audited the attorney bills to see if they are reasonable? Answer: Rob presented a spreadsheet showing a detailed analysis of the attorney bills and commented that the bills were reasonable for the amount of work they did.
- b. Historical Budget Presentation: Rob provided a comparative budget report showing income and expenses from 2017 to date. It shows that the 20-21 year, in which rates were extremely low, resulted in a net loss of around \$130K for the district. Last year showed a significant increase in BOR charges and attorney's



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fees. Those expenses have continued to climb this year and will result in higher bills to the membership this year. We moved to Tomas Stockton's report prior to presenting the proposed budget report.

- c. Proposed 2022-2023 Budget for review: Rob presented the proposed budget and went through it line by line. Major increases were the hours required by the dam tender to gather weather data, addition of a part-time district manager and continuing legal expenses. Questions: Chris-What were the preceding year's assessments? Answer: \$36.05 in 2021. Scott-What was the total amount of the proposed assessment? Answer- \$104.10. Scott-Are there any grants available to help us out? Answer: There could be. We need people to lobby and chase it down. Dave suggested we pursue the Capital Improvements Board.

8. Dam Tender Report - Will McCoy

- a. Will was not on the call. Ralph reports that significant progress has been made with vegetation removal and that operations are running smoothly.

9. Dam Release Report – Rob Heineman:

- a. Discussion of next proposed release: Rob said that with the rain in the forecast for the weekend, he would like to wait until Monday to make a final decision. The game plan is that if there is significant rain, we will put the release off a while. If there is little rain or it remains overcast and cooler we will schedule the release for Friday the 24th. If there is no rain and temps remain high will could open as early as Wednesday the 22nd. PVID will give 48 hours notice before releasing water. Scott DeMuth said they would like to avoid the weekend of July 4th if possible due to folks being out of town.
- b. Water Release Operations 2022: Rob shared water delivery totals to date. Questions: Is there a way to send some of the low river flow down to the lower ditches? Answer; There is not enough natural flow to wet the river currently, so it appears that water to the lower ditches can only be achieved by a release from storage. Question: Could the upper ditches that are receiving a little water turn that down to the lower ditches for a while? Answer: Rob explained ojito flow and the registered POD's for them and that PVID had no basis to require that Ojito POD flow be turned out by the acequia with the listed POD. Question; Rick Gonzales – Could you explain water depletions from the SJCP. Answer: Rob said that he has been advised by the BOR to not base our water release decisions on worrying about over depletion this year.

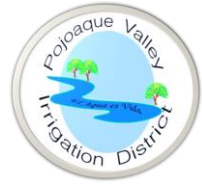
10. Old Business:

- a. To be presented at the next Quarterly Meeting in July.

11. New Business:



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- a. Comunidad requested that we discuss the possibility of a 5-day release schedule being implemented. We are trying to schedule a meeting with them.

12. Public Comment:

- a. "You can't fire volunteers!!!"
- b. Barranca Alto reported that they have a new set of commissioners and a new mayordomo.

13. Adjournment:

- a. **PM - MOTION TO APPROVE** – Rob, **SECOND** – Meade. The meeting was adjourned at 8:01PM

- 14. Approval:** these minutes were approved by a motion of the Board of Directors at a meeting held on July 2, 2022.