

# Rios, Robert

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Summary Proceeding with Highlighted Clips

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CONFIDENTIAL

NM Direct Designation

Page 00017

10: Q. As the water master for EP No. 1, what are

11: your current job responsibilities?

12: A. A little bit of everything, but let me break

13: it down. As the water master for EP1, I'm in charge

14: of the -- there's a total of 45 guys. In those 45

15: guys, I got the -- I'm in charge of the dispatchers,

16: got the water records, which handles all the -- the --

17: the accounting. I got the small tract -- small tract

18: coordinators. I got the assistant water masters and

19: then the ditch riders and, plus, the river team.

20: Q. Can you describe the river team for me?

21: A. The river team is made up right now of four

22: guys, and they're -- they're the ones that do the

23: telemetry to make sure all the telemetry is working

24: and -- and do the -- the stalls and cleaning and

25: maintaining and they do all the metering, and they --

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0018

01: when they do all the metering and then they do all the

02: charts that -- that go to accounting. They pick that

03: up, and they make sure all that's done and then I

04: check them out once they get through to make sure

05: they're all done right, and they do the metering. And

06: then when they do the metering, every time they meter,

07: they call -- they call them in, and then I got one --

08: one guy -- one in charge of the telemetry department.

09: He makes sure the rating tables are correct, put them

10: online for the telemetry that's online right now. But

11: they're pretty well -- their job, the river team, is

12: to maintain and check all the flows at the Rio Grande

13: and at our headings.

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18: Q. And then you mentioned that you also are

19: responsible for the water records department, and I

20: think you said in part, they do accounting. Can you

21: describe what the water records department does?

22: A. They're the ones that make sure that they --

23: the farmers' land is well divided into the turnout,

24: that they're not -- all the land is well

25: distributed -- well, the farmers got the amount of

**(continued page 00019)**

0019

01: acres, make sure he's got the right acres in the

02: turnout, then they foresee if there's any complaint on

03: the water charge, they come and see the water records.

**Page 00020**

21: Q. So you know how much water is delivered to

22: each of the farmers based on how long water is flowing

23: onto their field?

24: A. Yes, sir.

25: Q. So if somebody complains -- sounds like,

**(continued page 00021)**

0021

01: first, you go up to the ditch rider; is that right?

02: A. Yes.

03: Q. What information do you get from the ditch

04: rider?

05: A. We -- we look at his copy, his copy because

06: he writes it down, and he -- he put marks on his copy

07: that, you know, he could be low on water or turnout

08: was plugged. But first of all, we looked at his hours

09: to make sure that his hours that he watered are  
10: correct and then we put -- we checked with him to make  
11: sure what the dispatcher put on there were correct.  
12: Q. You also said that you are responsible for  
13: the -- the small tract department. What does that  
14: department do?  
15: A. The -- the small tract is the big -- big  
16: monster, because the small tract is people that have  
17: under 2 acres that -- that they don't get to order the  
18: water. We set up a schedule for when they can pick up  
19: water.

**Page 00029**

20: Q. Each year, is there an allotment of water  
21: that's given to each acre within the district?  
22: A. Yes.  
23: Q. How does that happen? How is that allotment  
24: determined?  
25: A. The board of directors is the one that

**(continued page 00030)**

0030

01: determines that.  
02: Q. Are you involved in the process at all?  
03: A. It's -- I have a little say-so, but it's  
04: really between the Board and the engineers. They give  
05: out the allotment and then they run it through me and  
06: see how I feel comfortable and that's how it's  
07: determined.

**Page 00030**

12: Q. Then how is that allotment communicated to  
13: the farmers?  
14: A. Through meetings. We have growers meetings,

15: and we meet with them to let them know what's the

16: allotment going to look like.

**Page 00031**

04: Q. And then do you have responsibilities for

05: ensuring that each farmer gets their allotment?

06: A. Right.

**Page 00033**

07: Q. And so it sounds like each farmer keeps track

08: of their own allotment, their own account; is that

09: right?

10: A. Well, we keep account because every time they

11: irrigate, they got a running balance, but we send up

12: the statements every month to them and they got to

13: determine, like a budget, how many times they can

14: water with the water they got available to themselves.

15: Q. In other words, you -- you set the allotment,

16: you track that on a monthly basis, how much they've

17: ordered?

18: A. And how much they use.

19: Q. You send to them a -- a -- basically a -- an

20: accounting each month?

21: A. Yes, sir.

22: Q. And other than that, it's the farmers who

23: decide when and how they're going to use their

24: allotment?

25: A. Right.

**Page 00034**

01: Q. And then if I understood you before, you're

02: measuring the amount used by each farmer because you

03: know how much water passes by the turnout and then you

04: can track by determining how long the water is on; is

05: that right?

06: A. Right.

07: Q. Do -- in your experience, do the farmers tend

08: to use their full allotment?

09: A. Yes.

**Page 00036**

04: Q. Who decides -- do -- do the farmers

05: themselves decide when and how much water to order

06: from the district?

07: A. No. They just -- they just put down the

08: acres they want and when they want it.

09: Q. Did they tell you how long they want it?

10: A. No.

11: Q. So how does the ditch rider know when to shut

12: off the water to that field?

13: A. We're constantly checking with them, the

14: ditch riders out there, 24/7, and they're checking

15: with the irrigator two or three times a shift, and the

16: ditch rider knows that if a guy is irrigating a

17: hundred acres, they have a pretty good idea that if

18: he's watering two acres per hour, it's going to be,

19: like, two days.

20: Q. The -- is it the dispatcher department under

21: you that collects all of those various orders and

22: determines how much to request from the Bureau?

23: A. No. I'm the one that does that.

24: Q. You do that?

25: A. Yes, sir.

**(continued page 00037)**

0037

01: Q. Does that occur on a daily basis?

02: A. Almost.

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25: Q. So let's say there's 20 different farms that

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0038

01: want water during a period, and they place their

02: orders and then those orders find their way to your

03: desk; is that right?

04: A. No. They -- they pretty well go to the ditch

05: rider.

06: Q. Okay. And how does that information get

07: collected so that you can tell the Bureau of

08: Reclamation how to set the release?

09: A. I got a report that I -- that -- in the

10: computer that's built up, an acre report. It tells me

11: every day what the acres are looking like.

12: Q. What the acres that need to be irrigated are?

13: A. Yes, sir. You understand, one thing about

14: being so far down from the dam, whenever we were to

15: water, we're three days away from receiving what we

16: need.

17: Q. I'm sorry. How many days did you say?

18: A. Three days.

19: Q. Three days. That's three days to the top of

20: the EP No. 1 system?

21: A. Right.

22: Q. How long does it take to get from the top of

23: the system to the bottom?

24: A. Just give it another day. Four days.

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20: Q. Do you -- when you -- when you get the orders

21: and you know how much you have to order for a  
22: particular time period, are you monitoring the flow of  
23: water in EP No. 1?  
24: A. Yes. I'm monitoring the water in EPl. I'm  
25: monitoring the water in the river, and I also get with

(continued page 00041)

0041

01: James, and I monitor his water.

**Page 00041**

06: Q. Do you also monitor the amount of water that  
07: comes from drains?  
08: A. We have our telemetry on the drains, but  
09: there's only -- there's only really one that really  
10: delivers any water to a drain is the Montoya drain.

**Page 00041**

20: Q. Is there telemetry throughout the district?  
21: A. Yes.

**Page 00048**

12: Q. Sure. After you collect orders from the  
13: farmers in terms of how much water each farmer wants,  
14: how do you communicate that to the Bureau of  
15: Reclamation? How do you get the water released from  
16: Caballo?  
17: A. We give the -- the new order and the -- the  
18: gate openings to the Bureau of Reclamation.  
19: Q. How often?  
20: A. We try to do it whenever -- whatever James  
21: and myself need to do.  
22: Q. If I understood you correctly at the very  
23: beginning of the deposition, you indicated that you  
24: coordinate with -- I think is that James Navares?



25: A. Yes.

(continued page 00049)

0049

01: Q. And does that coordination occur on a daily

02: basis?

03: A. If not once, at least twice or three times a

04: day.

05: Q. And you collectively determine how much water

06: needs to be released from Caballo; is that right?

07: A. Yes.

08: Q. And then how does that get communicated to

09: the Bureau of Reclamation?

10: A. As soon as me and James get together, we make

11: the water order. We got all the official numbers, and

12: we talk it over as far as what the river is doing,

13: the -- the losses, the gains that are occurring, and

14: what he's having to do and then we call Larry Vasquez

15: from the Bureau of Reclamation and give him the year

16: release plus the gate opening and then he -- he texts

17: it to the -- to the dam and there's, like, 15

18: individuals that get that text and then usually

19: they'll deliver release so the change within 30

20: minutes to an hour.

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21: Q. Yeah. The question was do you generally --

22: does EP No. 1 generally receive the water that it

23: orders?

24: A. I'm going to say yes.

25: Q. If you don't receive -- let's say you place

(continued page 00057)

0057

01: an order and then it doesn't arrive at the district

02: when you expect it to arrive, what do you do?

03: A. We have to boost the river up a little bit

04: more, find out what's happening, how come it took such

05: a big drop -- how come there's a loss in the river,

06: and we have to evaluate it, are they coming from --

07: something is going on to the river.

08: Q. What do you mean something is going on? Give

09: me an example.

10: A. Why did the order show up. You know, first

11: thing, I get with James. James, are you taking extra

12: water at the heading, are you -- we check the headings

13: and the telemetry and everything is hunky-dory, but

14: the river just took a slight dip. Sometimes between

15: me and James, we leave it alone for 24 hours and see

16: what happens. A lot of times within those 24 hours,

17: the river recuperates and then I'll give water, but

18: sometimes it takes 24 hours to 48 hours to come back

19: to where we need to be.

20: Q. If that happens, you make a change -- do you

21: change the order? In other words, do you change the

22: release?

23: A. We try not to, for the simple reason we don't

24: want the river bouncing up and down. Sometimes we

25: just got to let mother nature take its course and let

(continued page 00058)

0058

01: the -- the river level itself out and we start getting

02: our water back, but we can't -- down here in the

03: valley, we can't wait more than three days and then we

04: are going to have to react. By the time that happens,

05: you're already in the hole six days.

**Page 00062**

03: Q. Do you coordinate with the operators of the

04: Bustamante treatment plant to determine on whether

05: they're going to discharge into the drain or into the

06: canal?

07: A. Yes.

08: Q. And how is that decision made, whether it

09: goes into the canal or the drain?

10: A. Well, during the allotment -- during the

11: water season year, everything is to the canals.

12: There's no -- there's no spilling. We use every drop

13: of it.

14: Q. That's used to satisfy some of those orders?

15: A. Right.

16: Q. What about Haskell, the Haskell Wastewater

17: Treatment Plant, do you coordinate with them to

18: determine whether or not the water goes into the

19: American Canal extension or into the Rio Grande?

20: A. It strictly goes into American Canal.

**Page 00070**

14: Q. Got it. Let's talk a little bit about the

15: wells -- the groundwater wells that belong to EP No.

16: 1. How many groundwater wells does EP No. 1 have?

17: A. I think they're 64.

**Page 00071**

06: Q. Do you know when those wells were drilled?

07: A. I've had -- I remember when they were built.

08: If you ask me the time, the date, no. I forgot the

09: year they were drilled.

10: Q. Do you have an approximation?

11: A. I'm saying a little over 13 years ago,

12: something like that.

**Page 00071**

19: Q. Why were they drilled? What was the purpose?

20: A. It was the first year that the drought was on

21: top of us and they were hoping to get some extra water

22: out of them and -- to help the farmers.

**Page 00072**

25: Q. Does your department have any role in the

**(continued page 00073)**

0073

01: operation of those wells?

02: A. We just tell them to fire them up.

**Page 00073**

18: Q. When you -- how do you make the decision to

19: turn some of those wells on?

20: A. One, is when the river is misbehaving and

21: doesn't want to give the water and runs short, we fire

22: them up; and two is to -- just to run them for a few

23: days just to keep them in operation.

**Page 00074**

20: Q. That capacity that you just mentioned, the

21: 1,500 gallons per minute, is that generally what

22: the -- what applies to those wells?

23: A. I would say a good average.

**Page 00075**

23: Q. Do individual farmers within EP No. 1 have

24: groundwater wells for use on their farms?

25: A. Some of them do.

**(continued page 00076)**

0076

01: Q. Do you have any kind of estimate as to the  
02: percentage or numbers of farmers that have groundwater  
03: wells?

04: A. No.

05: Q. Do you coordinate with those farmers at all  
06: on when they're using their groundwater wells?

07: A. No. Because when they're using them, they're  
08: using them on their own time. They're not going to  
09: mix it in with our canal water. Not unless they do,  
10: then I do, but if there's good allotment water, they  
11: don't use the wells.

12: Q. Are there any rules or guidelines or policies  
13: from EP No. 1 about when farmers can use their  
14: individual groundwater wells?

15: A. No.

**Page 00077**

04: Q. So is it correct that -- or is it your  
05: understanding that farmers are using groundwater wells  
06: basically to supplement their surface water supply?

07: A. Well, not to supplement their water supply;  
08: it's just when there's no supply, that's when they use  
09: it.

10: Q. They use it as an alternative when there's  
11: not enough surface water?

12: A. Exactly.

13: Q. Do you know if those individual groundwater  
14: wells have meters on them?

15: A. I couldn't tell you.

**Page 00079**

02: Q. Sounds like the TDS varies by the location of

03: the well?

04: A. Yes. The land.