

# **Supporting Document A-5**

## **Memorandum of Understanding Between the Middle Rio Grande Water Assembly and the Mid Region Council of Governments**

December 1998

**Middle Rio Grande Regional Water Planning Program**

**MEMORANDUM OF UNDERSTANDING  
for cooperation in  
Regional Water Planning**

This Memorandum of Understanding constitutes an agreement between the **Middle Rio Grande Council of Governments (MRGCOG)** and the **Middle Rio Grande Water Assembly (ASSEMBLY)** for the purpose of establishing cooperation, coordination, and public involvement in a regional water planning process for the Middle Rio Grande area.

WHEREAS, the MRGCOG, as an association of local governments, has established a regional water planning program as part of its multi-year comprehensive work program; and

WHEREAS, the MRGCOG is developing a revised organizational structure for a regional water planning process for the Middle Rio Grande area; and

WHEREAS, the ASSEMBLY, which was initiated in 1997, performs a grassroots effort to promote and contribute to the development of a regional water plan for the Middle Rio Grande Basin through an open, inclusive and participatory process; and

WHEREAS, the ASSEMBLY has established an organizational structure as a private non-profit corporation administered through a representative Action Committee with authority to act on behalf of the ASSEMBLY; and

WHEREAS, the activities of the MRGCOG and the ASSEMBLY are mutually inclusive and directed toward the completion of a regional water plan for the Middle Rio Grande area; and

WHEREAS, it is essential for the MRGCOG and the ASSEMBLY to organize and maintain a coordinated process for regional water planning with adequate public involvement and consensus of water authorities in the Middle Rio Grande area.


**NOW, THEREFORE, BE IT AGREED AS FOLLOWS:**

**SECTION I:** The MRGCOG and the ASSEMBLY shall form a partnership in order to develop the Middle Rio Grande regional water plan, prepared with the full participation of the ASSEMBLY with resources funded for certain key staffing provided through the MRGCOG. The objective of this partnership is to ensure that the regional water plan is viable.


- SECTION II: The ASSEMBLY provides a special base of knowledge and an open public forum to conduct essential dialogue on the values of water and visions of future water needs. In collaborating on the preparation of the regional water plan, the ASSEMBLY shall design and implement, with the assistance of MRGCOG staff, a region-wide public involvement and public education program for the water planning process.
- SECTION III: The ASSEMBLY shall participate directly in the regional water planning decision-making process of the Middle Rio Grande Water Resources Board. All plan-related action items shall be considered jointly by the Middle Rio Grande Water Resources Board and the Action Committee representing the ASSEMBLY.
- SECTION IV: The MRGCOG, through its Middle Rio Grande Water Resources Board, provides an organizational structure comprised of entities with the authority for adopting and coordinating the implementation of water management plans. The role of the Middle Rio Grande Water Resources Board shall be to consider and adopt the regional water plan, then forward the plan to the Interstate Stream Commission (ISC) for approval. When approved by the ISC, this Board shall make recommendations to appropriate entities for the implementation of the water plan throughout the region.
- SECTION V: The MRGCOG staff shall, contingent upon adequate funding, provide administrative and certain key staff support to the ASSEMBLY for purposes of developing and managing the various components of the regional water plan. These key staff members shall be employed by the MRGCOG and shall report directly to the Executive Director of MRGCOG. The ASSEMBLY will assist the Executive Director of MRGCOG in the selection of key staff members.
- SECTION VI: Contracting for purposes of completing individual components of the regional water plan shall be administered by and under the supervision of the MRGCOG. An Overall Program Management Team (OPMT) comprised of members of the ASSEMBLY and MRGCOG staff will be created to oversee the contracting process. The OPMT will consist of representatives from the MRGCOG staff and the ASSEMBLY including managers from entities who are principal water rights holders and one representative each from the ASSEMBLY Constituency Groups. The OPMT will assist in contract scoping and selecting of consultants, and in defining appropriate work tasks for the individual regional plan components. The MRGCOG will issue Requests For Proposals and execute contracts but will seek the prior concurrence of the ASSEMBLY.


SECTION VII. The MRGCOG and the ASSEMBLY shall review this Memorandum of Understanding annually and reaffirm or revise the agreement as appropriate. This Memorandum of Understanding may be terminated at any time upon written request by either the MRGCOG or the ASSEMBLY.

AGREED TO ON THIS 10th DAY OF December, 1998, BY:

  
Robert L. Swartwout  
Chair, Executive Board  
Middle Rio Grande  
Water Assembly

  
Mary Lee Martin  
Chair, Board of Directors  
Middle Rio Grande  
Council of Governments

  
Valda Terauds  
Secretary, Executive Board  
Middle Rio Grande  
Water Assembly

  
Dennis R. Foltz, ARCP  
Executive Director  
Middle Rio Grande  
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