

**TEMPORARY CONSTRUCTION LICENSE AGREEMENT
FOR USE OF CITY LANDS**

THIS TEMPORARY CONSTRUCTION LICENSE AGREEMENT (License) is made this 22nd day of February, 2019 by and between the **CITY OF SANTA FE, a Municipal Corporation, (City)**, and **ACEQUIA DE LA MURALLA ASSOCIATION (Licensee)** and **SAN ISIDRO PERMACULTURE, INC. (Contractor)**, whose address is 28 Hidden Valley Rd., Santa Fe, New Mexico 87501.

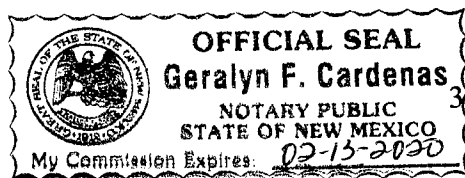
WITNESSETH:

In consideration of Licensee's and Contractor's promises herein, the City hereby gives Licensee and Contractor, a temporary License, revocable and terminable as hereinafter provided, to enter on the property of the City as follows:

1. **PREMISES.** Subject to all of the terms and conditions of this License, the City allows the Licensee and Contractor to use and occupy that portion of the City property located along the Upper Canyon Road right-of-way and extending north of the Santa Fe River channel herein the "Premises" as shown on **Exhibit "A"** attached hereto and made a part hereof. The area of encroachment consists of approximately 27400 square feet for the temporary encroachment of construction staging area and permanent replacement of acequia diversion dam to be installed within the Santa Fe River channel as shown on attached construction drawings as **Exhibit "B"** attached hereto and made a part hereof.
 - a. The City agrees to allow use of the Premises for the temporary use for staging of construction operations and the permanent replacement of acequia diversion dam to be installed within the Santa Fe River channel, as acknowledged by Licensee.
 - b. No further encroachment or use of the Premises by the Licensee or its Contractor shall be allowed.
 - c. Failure of the Licensee or Contractor to restrict the use of the Premises as provided herein shall be deemed a breach of this License and shall constitute grounds for immediate termination of this License by the City.
2. **TERM.** This License shall commence on the date entered in this License and shall continue until this License is terminated as provided in Article 4 herein.
3. **PAYMENT.** For this License, the Licensee shall pay the City the sum of **\$200.00**, payable in advance upon execution of this License.
4. **TERMINATION.** The City may, upon 10 days written notice, revoke this License and the Licensee and Contractor agree, in that event, to peaceably and promptly surrender the Premises on the expiration date fixed in said notice, to remove all property placed on the Premises, less the planned diversion dam, by Licensee, and if requested by the City, to restore the Premises to its original state at the time of Licensee's entry thereon. Licensee may terminate this License at any time upon 30 days written notice to the City. This License shall also terminate under its own terms upon completion of the work with approved final inspection.

Upon termination of this License by either party, there shall be no refund of the license fee or any portion thereof.

5. **NO INTEREST CREATED.** Licensee agrees that no interest or estate of any kind whatsoever in the Premises is conveyed by virtue of this License or Licensee's occupancy or use hereunder, and no assignment of this License or any interest herein and no sub-license shall be made by the Licensee.
6. **INSURANCE.** Licensee or Contractor, at their own cost and expense, shall carry and maintain in full force and effect during the term of this Temporary License, comprehensive general liability insurance covering bodily injury and property damage liability, including coverage, in a form and with an insurance company acceptable to the City with limits of coverage in the maximum amount which the City could be held liable under the New Mexico Tort Claims Act for each person injured and for each accident resulting in damage to property. Such insurance shall provide that the City is named as an additional insured and that the City will be notified within ten (10) days of cancellation for any reason. Licensee shall furnish the City with a copy of a "Certificate of Insurance" as a condition prior to issuing this Agreement.
7. **INDEMNIFICATION.** Licensee and Contractor shall indemnify, hold harmless and defend the City from all losses, damages, claims or judgments, including payments of all attorneys' fees and costs on account of any suit, judgment, execution, claim, action or demand resulting from, arising out of or incidental to the occupation or use of said Premises by Licensee and Contractor.
8. **NEW MEXICO TORT CLAIMS ACT.** Any liability incurred by the City of Santa Fe in connection with this License is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et. seq. NMSA 1978, as amended. The City and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision of this License modifies or waives any provision of the New Mexico Tort Claims Act.
9. **RECORDING-SHORT FORM MEMO.** This License shall be recorded in its entirety.
10. **OBLIGATION OF LICENSEE.** Licensees shall comply with the following conditions:
 - a. This License is subject to the provisions of the City's Land Development Code and other applicable City code requirements.
 - b. The approval of this License does not constitute issuance of a construction permit or permit(s) required from the City's Land Use Dept. and/or Public Works Dept..
 - c. Any damage to the roadway or any other City-owned infrastructure during the construction period shall be repaired or replaced at the Licensee's and/or Contractor's expense. This provision shall survive termination of this License.
 - d. This License is subject to superior rights of the City and utility providers to existing utility apparatuses on, over and under subject premises.
 - e. Contractor shall be bonded with a minimum of \$10,000 surety to the benefit of the City of Santa Fe as Obligee.



SAM KNOWLTON

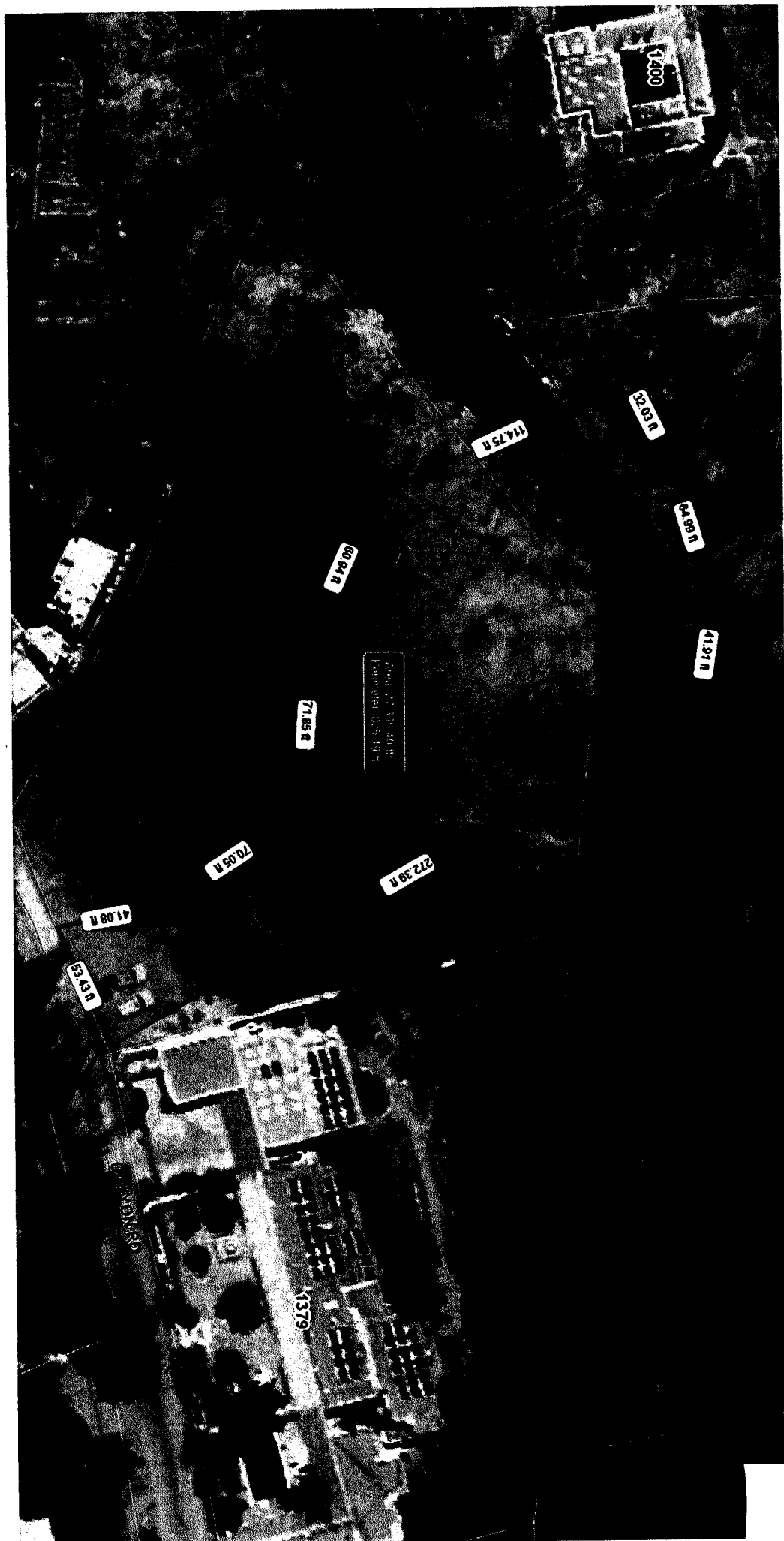


EXHIBIT A

CONSTRUCTION DRAWINGS FOR THE

ACEQUIA DE LA MURALLA DIVERSION DAM REHABILITATION PROJECT SANTA FE, NM

SHEET INDEX

1. COVER SHEET
2. DESIGN NARRATIVE & RIFLE CROSS SECTION
3. DESIGN NARRATIVE & RIFLE CROSS SECTION
4. DESIGN NARRATIVE & RIFLE CROSS SECTION
5. DESIGN NARRATIVE & RIFLE CROSS SECTION
6. DESIGN NARRATIVE & RIFLE CROSS SECTION
7. DESIGN NARRATIVE & RIFLE CROSS SECTION

GENERAL NOTES

1. THE LOCATION AND ELEVATIONS OF EXISTING UTILITIES SHOWN ON THESE DRAWINGS ARE BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY UTILITIES DAMAGED DURING CONSTRUCTION.
4. ALL EXISTING UTILITIES SHALL BE PROTECTED AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY UTILITIES DAMAGED DURING CONSTRUCTION.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY UTILITIES DAMAGED DURING CONSTRUCTION.
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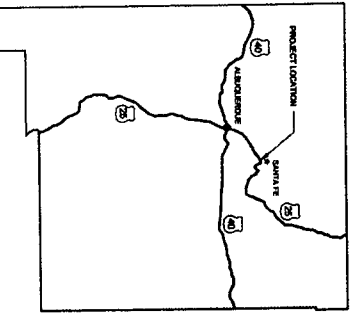
OWNER:
ACEQUIA DE LA MURALLA
MR. SC. RIBECAUX
9000000000
SANTA FE, NM 87501
PHONE: 505-470-0000
EMAIL: RIBECAUX@YOL.COM

ENGINEER:
WILLIAM J. MILLER ENGINEERS, INC.
1511 THIRD ST.
SANTA FE, NM 87505
PHONE: 505-883-7884
FAX: 505-883-4205
EMAIL: JOHN@WILLIERENGINEERS.COM

ENGINEER'S CERTIFICATE
I, JOHN M. CRITCHFIELD, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NEW MEXICO, QUALIFIED IN CIVIL ENGINEERING, THAT THIS DOCUMENT FOR ACEQUIA DE LA MURALLA DIVERSION DAM REHABILITATION PROJECT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JOHN M. CRITCHFIELD
LICENSE NO. 21128

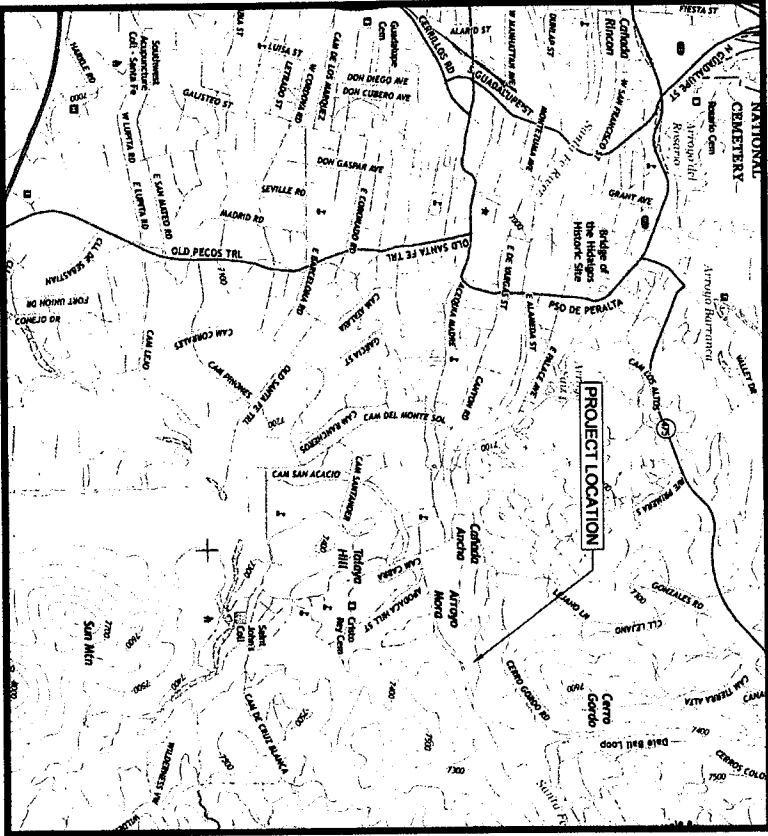
DATE: 6/9/2018



PROJECT LOCATION MAP
(N.T.S.)

ITEM NO.	DESCRIPTION	QTY	UNIT
1	Excavation, 10' x 10' x 10'	1	CU YD
2	Excavation, 10' x 10' x 10'	1	CU YD
3	Excavation, 10' x 10' x 10'	1	CU YD
4	Excavation, 10' x 10' x 10'	1	CU YD
5	Excavation, 10' x 10' x 10'	1	CU YD
6	Excavation, 10' x 10' x 10'	1	CU YD
7	Excavation, 10' x 10' x 10'	1	CU YD
8	Excavation, 10' x 10' x 10'	1	CU YD
9	Excavation, 10' x 10' x 10'	1	CU YD
10	Excavation, 10' x 10' x 10'	1	CU YD
11	Excavation, 10' x 10' x 10'	1	CU YD
12	Excavation, 10' x 10' x 10'	1	CU YD
13	Excavation, 10' x 10' x 10'	1	CU YD
14	Excavation, 10' x 10' x 10'	1	CU YD
15	Excavation, 10' x 10' x 10'	1	CU YD
16	Excavation, 10' x 10' x 10'	1	CU YD
17	Excavation, 10' x 10' x 10'	1	CU YD
18	Excavation, 10' x 10' x 10'	1	CU YD
19	Excavation, 10' x 10' x 10'	1	CU YD
20	Excavation, 10' x 10' x 10'	1	CU YD

MATERIAL SCHEDULE



PROJECT VICINITY MAP
(N.T.S.)

SOURCE: USGS US TOPO SANTA FE, NM 2017

ITEM NO.	DESCRIPTION	QTY	UNIT
1	Excavation, 10' x 10' x 10'	1	CU YD
2	Excavation, 10' x 10' x 10'	1	CU YD
3	Excavation, 10' x 10' x 10'	1	CU YD
4	Excavation, 10' x 10' x 10'	1	CU YD
5	Excavation, 10' x 10' x 10'	1	CU YD
6	Excavation, 10' x 10' x 10'	1	CU YD
7	Excavation, 10' x 10' x 10'	1	CU YD
8	Excavation, 10' x 10' x 10'	1	CU YD
9	Excavation, 10' x 10' x 10'	1	CU YD
10	Excavation, 10' x 10' x 10'	1	CU YD
11	Excavation, 10' x 10' x 10'	1	CU YD
12	Excavation, 10' x 10' x 10'	1	CU YD
13	Excavation, 10' x 10' x 10'	1	CU YD
14	Excavation, 10' x 10' x 10'	1	CU YD
15	Excavation, 10' x 10' x 10'	1	CU YD
16	Excavation, 10' x 10' x 10'	1	CU YD
17	Excavation, 10' x 10' x 10'	1	CU YD
18	Excavation, 10' x 10' x 10'	1	CU YD
19	Excavation, 10' x 10' x 10'	1	CU YD
20	Excavation, 10' x 10' x 10'	1	CU YD



William J. Miller Engineers, Inc. 1511 Third St. Santa Fe, NM 87505	
COVER SHEET	
ACEQUIA DE LA MURALLA DIVERSION DAM REHABILITATION SANTA FE, NM	
DATE: JUNE 30, 2018	SHEET: 1 OF 7

The purpose of this report is to outline the assumptions made and deal with to prepare the design of a diversion structure for the diversion of the Aranguez de la Marabá in Saint-Pic, NW. The Aranguez diversion structure is located in the channel of the Susec Pe Ultraz approximately 0.9 miles downstream of Two Mile Dam. The existing diversion structure compares gabion baskets which span the channel and a long wall which extends approximately 120 ft. The design of the diversion structure will use a short-crested canal gate (a *W* structure) to divert water into an 18 in. diameter polyethylene pipe which delivers water into the Aranguez de la Marabá at the point of diversion.

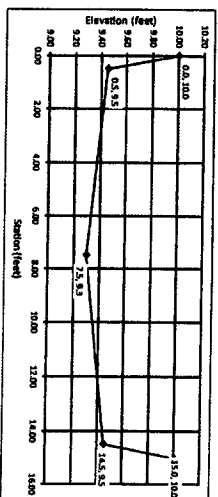
A natural channel score (NCS) approach is used for the design of an irrigation channel structure that will reliably deliver water to a specific water user while bypassing sedimentation and providing long-term channel stability in the vicinity of the point of diversion. An innovative term used in the NCS approach is the term "bedfactor," which refers to the point of incipient flooding in a channel. A common definition of the NCS is "the bedfactor age corresponds to the discharge by which channel maintenance is the most effective, that is, the discharge at which moving sediments, forming or removing bars, forming or changing banks and meanders, and generally doing work that results in the average morphologic characteristics of a channel" (Dunne and Leopold, 1978).

[illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible]

Meyer, T. & R. P. Taylor. *Forest Environmental Management*. San Francisco, CA: W. H. Freeman and Co., 1978. 404 pp.
 Mooney, T. H., R. L. Wright, and S. J. Chang. N. Y. *Ecological Relationships for Forested Landscapes of the World*. New York: Academic Press, 1985. 300 pp.
 Stedman, R. H. *Design: Applied Human Geography*. 2nd ed. Englewood Cliffs, NJ: Prentice-Hall, 1983. 304 pp.
 Rogers, D. L. *Human Geography: A Systematic Approach*. 2nd ed. Englewood Cliffs, NJ: Prentice-Hall, 1986. 314 pp.
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 Turner, M. K., and J. M. Turner. *Forest Management: A Systematic Approach*. 8th ed. Englewood Cliffs, NJ: Prentice-Hall, 2007. 314 pp.

Recurrence Interval	Pre-Dam Conditions	Post-Dam Conditions
	(1911-1929) Q1 (cfs)	(1926-2017) Q1 (cfs)
Record Peak Flow	1500	600
10-Year Recurrence	650	160
5-Year Recurrence	362	92
2-Year Recurrence	91	43
1.8-Year Recurrence	86	38
2-Year Recurrence	75	10

Parameter	Regional Cluster, D.A. = 30 mi ²	Existing RPA X-Station at STA 4+50	Design Values
Cross Sectional Area (ft ²)	27.3	14.1	30
Medical Personnel (n)	-	16.5	15.5
Hydraulic (ft/s)	-	0.9	0.6
Discharge (ft/s)	12.7	6.6	66.0
Width (ft)	26.8	17.5	15.0
Water Depth (ft)	1.0	1.4	0.6
Water Surface Slope	25.8	12.1	25.0
Channel Slope (ft/ft)	-	0.015	0.06



	0.0	0.0	Depth	"	Average Depth	Permeability Area	Length of Bed
0.0087	10.00	0.0	-	-	-	-	-
0.02	0.05	0.3	0.05	0.04	0.04	0.04	-
14.96	82	7	88	57	51	51	ft.
62.6	10.2	5.5	7.3	6.4	5.7	5.7	in.

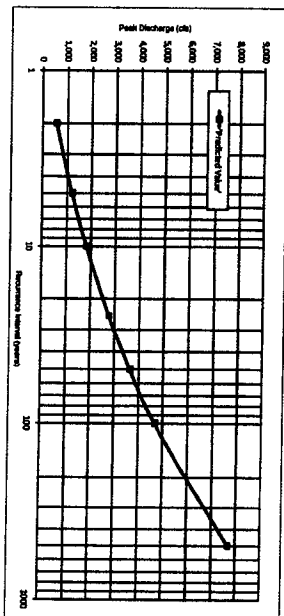


FIGURE 1: SANTA FE RIVER FLOOD FREQUENCY CURVE

[illegible]

	Logit	Design	0.04	0.045
Learning's n value	0.02	0.025	0.03	0.035
Bandwidth Discharge using Learning Eq.	114.89	82	77	66
Velocity using Continuity Eq.	12.73	10.2	8.5	7.3
			6.4	5.7

	x	y	Depth	Width	Average Depth	Incremental Area	Length of Beach
1	0.00	10.00	0.55	0.5	0.28	0.14	0.7
2	0.50	9.45	0.55	0.5	0.28	4.38	7.0
3	7.50	9.30	0.70	7.0	0.63	4.38	7.0
4	14.50	9.45	0.55	7.0	0.26	0.14	0.7
5	15.00	10.00	0.00	0.5	0.28	0.14	0.7

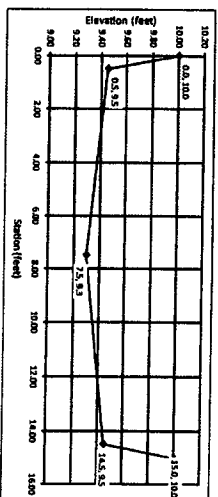
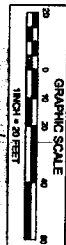




FIGURE 2: DESIGN BANKFULL CHANNEL PARAMETERS

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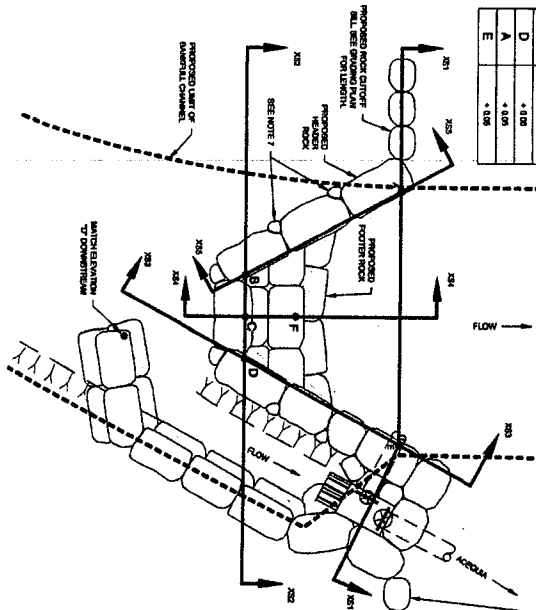
NOTE: GOOGLE IMAGE SOURCE/NOT ORTHO RECTIFIED (SEE NOTE ON GRADING PLAN)

SALVAGE MATERIAL QUANTITIES FROM EXISTING DAM				
APPROX. ROCK DIMENSIONS	VOLUME PER ROCK (CY)	APPROX. NO. ROCKS	TOTAL VOLUME (CY)	*APPROX. AMOUNT (TNS)
1.5M X 0.6M	0.25	30	7.5	18.5
*BASED ON AVERAGE ROCK UNIT WEIGHT, ASSUMED TO BE 2.8 TONS/CU YARD				

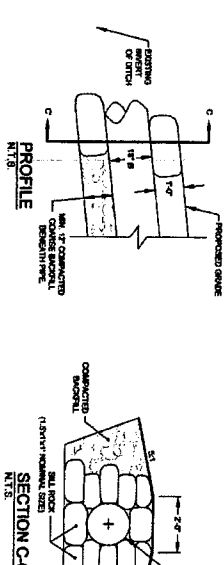
			
<p>William J. Miller Engineers, Inc.</p>		<p>William J. Miller Engineers, Inc. 1511 Third St., Santa Fe, NM 87505</p>	
<p>DEMOLITION PLAN</p>		<p>ACERQUIA DE LA MURALLA DIVERSION DAM/REHABILITATION SANTA FE, NM</p>	
<p>DATE 06/01/00</p>	<p>DESIGNED BY 10/07/00</p>	<p>PAGE 3 OF 7</p>	
<p>DATE JUNE 30, 2016</p>			

RELATIVE STRUCTURE ELEVATIONS	
STRUCTURE	ELEVATION
FOUNDATION	15.00
ROCK	15.00
C	15.00
B	15.00
D	15.00
A	15.00
E	15.00

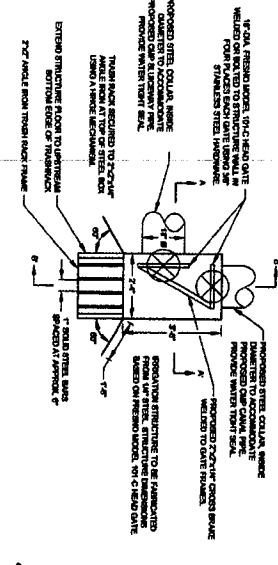
STRUCTURE ROCK DIMENSION TABLE											
AA	BB	CC	DD	EE	FF	GG	HH	II	JJ	KK	LL
15.00	1.00	3.00	5.00	0.50	0.50	0.70	2.00	0.50	11.00	1.00	1.00



2-STEP CROSS-VANE IRRIGATION HEADING STRUCTURE (N 123)



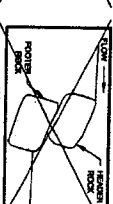
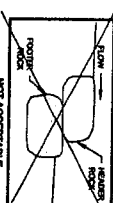
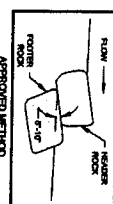
IRRIIGATION PIPE HEADWALL DETAIL



IRRIIGATION HEADING STRUCTURE DETAIL

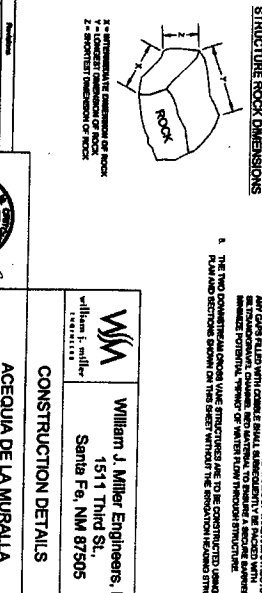
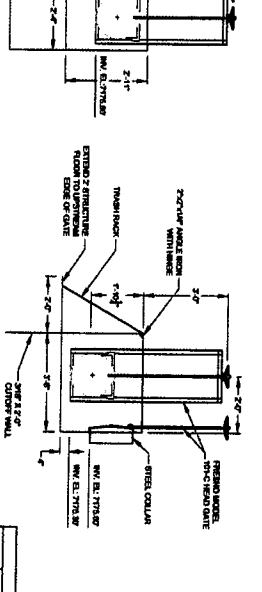
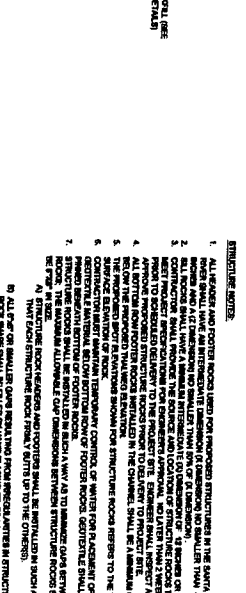
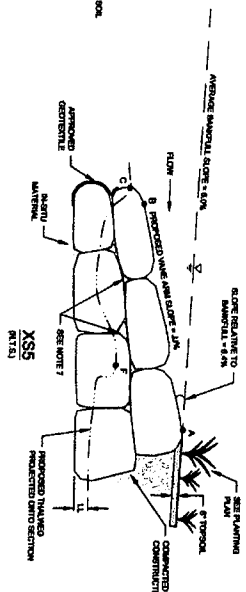
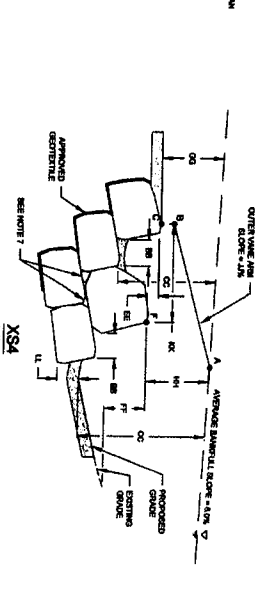
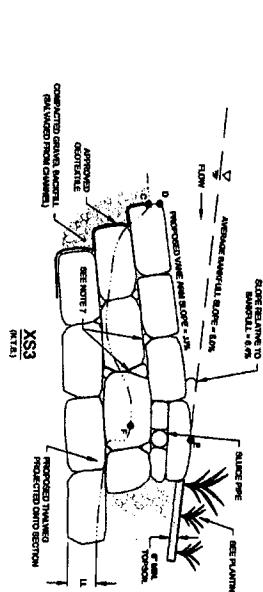
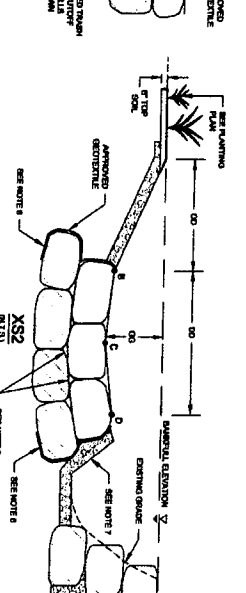
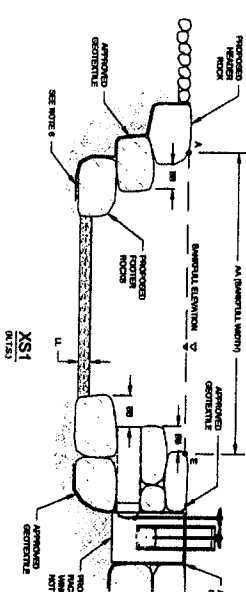
SCALE: 1/2" = 1'-0"

NOTE: STRUCTURE ROCK NOT SHOWN



STRUCTURE ROCK PLACEMENT

NOTE: STRUCTURE ROCKS SHOWN ON THESE DETAILS ARE FOR ILLUSTRATIVE PURPOSES. COUNTING OF ROCKS IS NOT PERMITTED. ROCK TONNAGE ESTIMATES BASED ON VOLUME OF STRUCTURES, A MATERIAL SPECIFIC GRAVITY OF 2.4 AND A VOLUME OF Voids OF 10%.



Item No.	Quantity	Unit
1	1.00	cu yd
2	1.00	cu yd
3	1.00	cu yd
4	1.00	cu yd
5	1.00	cu yd
6	1.00	cu yd
7	1.00	cu yd
8	1.00	cu yd
9	1.00	cu yd
10	1.00	cu yd



ACEQUIA DE LA MURALA
DIVERSION DAM REHABILITATION
SANTA FE, NM

CONSTRUCTION DETAILS

William J. Miller Engineers, Inc.
1511 Third St.
Santa Fe, NM 87505

William J. Miller

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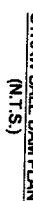
GRAPHIC SCALE
1 INCH = 10 FEET





4. REMOVE CUTTINGS FROM 24 HOURS (MIN.) PRIOR TO INSTALLATION.

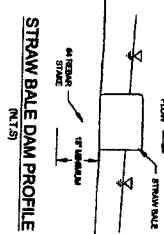
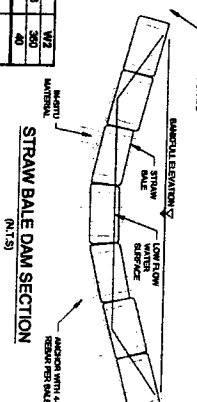
5. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN 3:1, EXCEPT AS OTHERWISE SHOWN ON PLANS OR APPROVED BY FIELD ENGINEER.

1. ANY TOP-SOIL SHALL BE EVALUATED FROM WITHIN APPROVED LIMITS OF DISTURBANCE SHALL BE SALVAGED/RECYCLED TO USE ON DISTRIBUTED OVERBANK AREAS (OUTSIDE OF DRAINAGE CHANNEL).
2. ALL DISTURBED OVERBANK AREAS SHALL HAVE A MINIMUM OF 6 TOPSOIL LAYERS DESIGNED BY ENGINEER. ALL DISTURBED OVERBANK AREAS WITHIN 5 FEET EQUAL, 21 TO 60 FEET FLATTER AREAS TOPSOIL SHALL BE COMPACTED BY MACHINERY, MATERIAL STORAGE, ETC., SHALL BE RECAPTURED TO A MINIMUM DEPTH OF 3 IN. PRIOR TO STABILIZATION.
3. PLANTING 2.5 ROWS OF WILLOWS AT RANDOM INTERVALS SPACING 3 FT. ON BOTH BANKS PER PLANTING DETAIL, THIS SHEET.



EBS CONTROL PLAN LEGEND				
DESCRIPTION	KEY	SYMBOL	KEY	QTY
TEMPORARY STRAW PILE DAM	(80)		EA	1
LIMITS OF DISTURBANCE	(100)		AC	0.50

PLANTING ZONE	SPECIES	PLANT SPACING	QUANTITY	AREA (B)	W1	P2	W2
			(Bn)	Area (B)	1.05	640	1.248
				Area (B)	122	71	150
RYPARIAN FOREST	<i>Populus nigra</i> (European Larchwood)	Pole Planting (25)	16		3	3	51
RYPARIAN FOREST	<i>Salix caprea</i> (Willow)	Live Stakes (3)	4		90	57	18
RYPARIAN FOREST	<i>Salix caprea</i> (Willow)	or	51		33		
RYPARIAN FOREST	<i>Salix caprea</i> (Willow)	Chop Planting (5)	51		33		18



4. SOAK CUTTINGS FOR 48 HOURS (MIN.) PRIOR TO INSTALLATION.
5. TAMP THE SOIL AROUND THE STAKE.

[illegible]

ACEQUIA DE LA MURALLA
VERSION DAM REHABILITATION
SANTA FE, NM

William J. Miller Engineers, Inc.
1511 Third St.,
Santa Fe, NM 87505

EROSION CONTROL & PLANTING PLA

ACEQUIA DE LA MURALLA DIVERSION DAM REHABILITATION

BAM	WJM	18070	6 of 7
BAM	JUNE 30, 2018		

