

**Santa Fe County**  
**Resolution No. 2001- 90**

1938757

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**A RESOLUTION DIRECTING COUNTY STAFF TO TAKE ALL REASONABLE  
AND NECESSARY ACTION TO COMMENCE PLANNING AND  
DEVELOPMENT OF A REGIONAL SURFACE WATER DIVERSION SYSTEM  
AT BUCKMAN AND A REGIONAL WATER SYSTEM**

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WHEREAS, the County has established the Santa Fe County Water Utility to provide water utility services to certain areas of Santa Fe County, New Mexico; and

WHEREAS, the County desires to commence the process necessary to develop a regional surface water diversion project as soon as possible to supplement the potable water resources of the region; and

WHEREAS, the County Water Utility's water supply is currently supplied by the City of Santa Fe (City) pursuant to the terms of an Agreement To Deliver Water dated August 10, 1994 (Wheeling Agreement), which Wheeling Agreement is currently scheduled to terminate on August 9, 2004; and

WHEREAS, the Wheeling Agreement contemplates that "the County ... will exercise diligent efforts to establish an independent source of supply within ten years"; and

WHEREAS, Las Campanas and the Las Campanas Homeowners Water Cooperative currently receive their water supply through well and pipeline capacity leased from the City under a Lease of Water Facilities Agreement between Las Campanas and the City dated August 5, 1987 (Lease Agreement); and

WHEREAS, the County and Las Campanas have an agreement dated May 18, 1994 (Replacement Delivery Facility Agreement) under which Las Campanas is required to have in place replacement delivery facilities to supply water to the development by January 1, 2004; and

WHEREAS, the Replacement Delivery Facility Agreement provides that if Las Campanas builds replacement delivery facilities, the County has the right to oversize such facilities to accommodate the County's water supply needs; and

WHEREAS, the County acknowledges the current vulnerability of the potable water resources of the City and the entire metropolitan area, and desires to take action immediately to begin alleviating this problem; and

WHEREAS, the County is desirous of working cooperatively with the City, Las Campanas, Eldorado Utilities, Inc. and other interested parties to develop a regional water system to help resolve the metropolitan area's water supply problems as expeditiously as possible but with full regard of the unique set of problems facing each entity.

NOW, THEREFORE, BE IT RESOLVED BY THE SANTA FE BOARD OF  
COUNTY COMMISSIONERS THAT:

1938758

1. **Application for Diversion Project.** The County shall make an application to all necessary and appropriate jurisdictional entities and agencies for the right to construct a surface water diversion/transmission/treatment facility (Facility) capable of taking water from the Rio Grande in the Buckman area, treating the water as needed for its intended uses and transporting the water to participating water systems. The County will work cooperatively with Las Campanas in prosecuting such application.

2. **City Participation Welcomed and Encouraged.** The County recognizes the City's unique role and responsibility in providing water supply for the area, and extends an ongoing invitation to the City to participate cooperatively in the planning and development of the Facility to the extent needed for its water supply requirements. Such cooperative participation by the City is expected to improve economic efficiencies and minimize costly duplication and, therefore, is to be both welcomed and encouraged.

3. **Conceptual Work and NEPA Compliance.** The County shall work with Las Campanas (and the City if it decides to join this endeavor) on conceptual engineering work and National Environmental Policy Act (NEPA) compliance leading up to the permitting of the Facility.

4. **Staff Action and Reports.** County staff is hereby directed to take all reasonable and necessary actions to begin planning and developing such a regional surface water diversion system at Buckman and a regional water system, and to give periodic progress reports no less than every month to the Board of County Commissioners at duly held public meetings.

APPROVED, ADOPTED AND PASSED this 10 day of July 2001.  
BOARD OF COUNTY COMMISSIONERS

Paul Duran, Chairman  
Board of County Commissioners

ATTEST:

Rebecca Bustamante, County Clerk

Approved as to Form:

Steven Kopelman, County Attorney



1163.755  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO } SS  
I hereby certify that this instrument was filed  
for record on the 12 day of July A.D.  
20 01 at 8:05 o'clock a.m.  
and was duly recorded in book 1938  
page 757-758 of the records of

Santa Fe County  
Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.

  
Deputy