

SANTA FE COUNTY

Resolution No. 2006 - 82

A Resolution Accepting the Obligations Set Forth in Paragraph 9.6.4 of the Settlement in the Case of New Mexico ex rel. State Engineer v. Aamodt

WHEREAS, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the County") has approved the Settlement Agreement in the case of New Mexico ex rel. State Engineer v. Aamodt, No. 66cv06639 MV/LCS-ACE (D.N.M.)(hereinafter referred to as "the Settlement Agreement");

WHEREAS, pursuant to the paragraph 9.6.4 of the Settlement Agreement, the County must secure 750 acre-feet of water per year (hereinafter referred to as "afy") for the benefit of future Non-Pueblo water utility customers in the Pojoaque Basin consistent with NMSA 1978, Section 72-1-9 (2003);

WHEREAS, the County has secured in excess of 750 afy of water rights that may be utilized to meet its obligations under the aforementioned Settlement Agreement and is prepared to meet the obligations set forth in the Settlement Agreement;

WHEREAS, paragraph 9.6.4 of the Settlement Agreement permits the County to use these water rights for other purposes until they are needed for the purposes described in the Settlement Agreement and this Resolution; and

WHEREAS, the County intends to use the 750 afy designated for the Aamodt settlement for other purposes described in paragraph 9.6.4 until such time as the water is needed to fulfill the County's obligations under the Aamodt settlement, at which time, the County will abide by the terms of the agreement and provide the water as required by the Settlement Agreement.

SFC CLERK RECORDED 04/26/2006

A Resolution Accepting the Obligations Set Forth in Paragraph 9.6.4 of the Settlement in the Case of New Mexico ex rel. State Engineer v. Aamodt

SFC CLERK RECORDED 04/26/2006

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Santa Fe County:


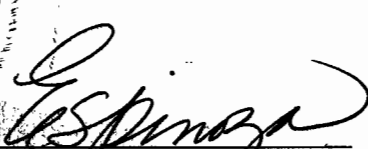
1. Upon execution by all of the parties and by the United States, the County intends to use the 750 afy designated for the Aamodt Settlement Agreement for other purposes described in paragraph 9.6.4 of the Settlement Agreement until such time as the water is needed to fulfill the County's obligations under the Aamodt settlement, at which time, the County will abide by the terms of the agreement and provide the water as required by the Settlement Agreement.

PASSED, APPROVED and ADOPTED this 11th DAY OF APRIL 25TH, 2006.

BOARD OF COUNTY COMMISSIONERS




Harry B. Montoya, Chairman

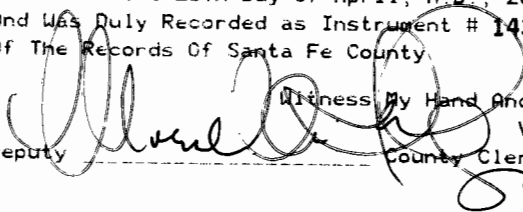
Valerie Espinoza, Santa Fe County Clerk

APPROVED AS TO FORM:



Stephen C. Ross, Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC RESOLUTIONS
PAGES: 2
I Hereby Certify That This Instrument Was Filed for
Record On The 26TH Day Of April, A.D., 2006 at 14:32
And Was Duly Recorded as Instrument # 1430468
Of The Records Of Santa Fe County.

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy County Clerk, Santa Fe, NM