

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

RESOLUTION NO. 2010-127

**A RESOLUTION RATIFYING THE EXECUTION OF A WATER RIGHTS LEASE
AGREEMENT BETWEEN SANTA FE COUNTY AND LOS ALAMOS NATIONAL
BANK AND AUTHORIZING CONTINUED PERFORMANCE BY THE COUNTY
UNDER THE LEASE AGREEMENT**

WHEREAS, on April 9, 2010, Santa Fe County (hereinafter referred to as "the County") entered into a Water Rights Lease Agreement with Los Alamos National Bank (hereinafter referred to as "LANB") whereby the County leased and made available to LANB those interests, associated infrastructure, water rights, and other necessary interests owned by the County under State Engineer File No. RG-590;

WHEREAS, the Water Rights Lease Agreement between the County and LANB was executed on the County's behalf by County Manager Roman Abeyta and on LANB's behalf by LANB President Bill Enloe;

WHEREAS, the County desired to lease to LANB approximately 95 acre-feet per year (diversion) of water rights owned by the County under State Engineer File No. RG-590 on a month-to-month basis at the time the lease was executed;

WHEREAS, LANB desired to lease from the County approximately 95 acre-feet per year (diversion) of water rights owned by the County under State Engineer File No. RG-590 on a month-to-month basis at the time the lease was executed;

WHEREAS, the County acknowledged LANB's intent to use such water rights for use on the Horse Park property located at 100 South Polo Drive, Santa Fe, NM 87507 at the time the lease was executed;

WHEREAS, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to ratify the County Manager's execution of said lease agreement and to authorize the County's continued performance thereunder on a month-to-month basis;

WHEREAS, the ratification of the execution of said lease agreement and the authorization of continued performance thereunder was considered during the meeting of the Board on July 27, 2010, where a quorum of the Board was present and proper notice given, and the Board, finding it to be in the County's best interests, therefore desires to take the actions specified below;

NOW THEREFORE BE IT RESOLVED, AS FOLLOWS:

1. The Board hereby ratifies County Manager Roman Abeyta's April, 9, 2010 execution of the agreement by and between the County and LANB leasing approximately 95 acre-feet per year (diversion) of water rights owned by the County under State Engineer File No. RG-590 to LANB on a month-to-month basis.

2. The Board hereby authorizes the County Manager, or his designee, to ensure the County's continued performance under the agreement by and between the County and LANB concerning State Engineer File No. RG-590, in conformity with the terms and provisions stated therein.

PASSED, APPROVED and ADOPTED THIS 27th DAY OF July, 2010.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____

Harry Montoya, Chair

ATTEST: _____

Valerie Espinoza, County Clerk

Approved as to form: _____

Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
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I Hereby Certify That This Instrument Was Filed for
Record On The 18TH Day Of August, 2010 at 02:14:52 PM
And Was Duly Recorded as Instrument # 1608139
Of The Records Of Santa Fe County

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