

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY
RESOLUTION NO. 2015- 58

A RESOLUTION CLARIFYING AND AMENDING RESOLUTION NO. 2014-112
CONCERNING THE LEASE OF SANTA FE COUNTY'S TOP OF THE WORLD FARM
WATER RIGHTS

WHEREAS, Santa Fe County (County) owned real property in Taos County, New Mexico, commonly known as the Top of the World Farm, along with water rights appurtenant to 624 acres thereof; and

WHEREAS, Resolution No. 2014-112 authorized the County Manager to negotiate the sale of the Top of the World Farm and the temporary lease of the County's appurtenant water rights until such time as they are needed for the Regional Water System contemplated by the Settlement Agreement, dated April 19, 2012, the purpose of which is to settle the matter of *State of New Mexico, ex rel. State Engineer and United States of America, Pueblo de Nambe, Pueblo de Pojoaque, Pueblo de San Ildefonso, and Pueblo de Tesuque v. R. Lee Aamodt, et al.*, No. 66 CV 6639 MV/LCS (D.N.M.); and

WHEREAS, as authorized by Resolution No. 2014-112, the County Manager negotiated the sale of the Top of the World Farm, pursuant to which the County will sever from the land the appurtenant water rights; and

WHEREAS, the intent of Resolution No. 2014-112 was to authorize the County Manager to negotiate the temporary lease of all of the County's Top of the World Farm water rights; and

WHEREAS, like the Settlement Agreement and related agreement, Resolution No. 2014-112 used the rounded figure of 611 acre-feet per year consumptive use (AFY) to describe the County's Top of the World Farm water rights, even though the actual amount of water rights owned by the County is slightly higher; and

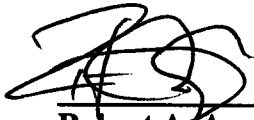
WHEREAS, the Board of County Commissioners of the County (Board) desires to clarify the scope of the County Manager's authority under Resolution No. 2014-112 with respect to the temporary lease of the County's Top of the World water rights.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD that Resolution No. 2014-114 is hereby amended by adding the following "Whereas" clause between the fifth and sixth "Whereas" clause:

"**WHEREAS**, as used in the remainder of this Resolution, "611 AFY of Top of the World Farm water rights" means all of the County-owned Top of the World Farm water rights, described as 611.5 acre-feet per year consumptive use and 1,248 acre-feet per year diversion water rights appurtenant to 624.0 acres of the Top of the World Farm, more or less; and".

PASSED, APPROVED, AND ADOPTED this 28th day of April, 2015.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY



Robert A. Anaya, Chair

ATTEST:

Geraldine Salazar
Geraldine Salazar, County Clerk 4-28-2015



APPROVED AS TO FORM:

Gregory S. Shaffer
Gregory S. Shaffer, County Attorney

SFC CLERK RECORDED 04/29/2015

COUNTY OF SANTA FE) BCC RESOLUTIONS
STATE OF NEW MEXICO) ss PAGES: 2

I Hereby Certify That This Instrument Was Filed for
Record On The 29TH Day Of April, 2015 at 01:44:14 PM
And Was Duly Recorded as Instrument # 1763045
Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy *Marcello P. [Signature]* County Clerk, Santa Fe, NM