

**SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION NO. 2024 - 034**

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**A RESOLUTION TO GRANT THE COUNTY MANAGER AUTHORITY TO SIGN A  
WATER RIGHTS PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS  
NECESSARY OR PROPER TO ACQUIRE WATER RIGHTS FROM SUERTE DEL  
SUR, LLC AND HAVE THE WATER RIGHTS PERMITTED FOR DIRECT  
DIVERSION AT THE BUCKMAN DIRECT DIVERSION**

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**WHEREAS**, Santa Fe County (County) continually strives to expand and secure its water supply portfolio to better serve its water system customers; and

**WHEREAS**, Suerte del Sur, LLC (“Sellers”) is the owner of 44.803 acre-feet per year (“afy”) of consumptive use pre-1907 priority surface water rights, which are a portion of the water rights under New Mexico Office of the State Engineer (“OSE”) File No. SD-06468 that have been approved for transfer into the City of Santa Fe well field for offset purposes under OSE Permit No. SD-06468 into SP-4842 into RG-20516, et al. (“Water Rights”); and

**WHEREAS**, the Water Rights were initially permitted for direct diversion at the Buckman Direct Diversion (“BDD”) under OSE Permit No. SD-06468 into SP-4842 but were then transferred as offsets to the Buckman Wellfield under OSE Permit No. SD-06468 into SP-4842 into RG-20516, et al.; and

**WHEREAS**, the County desires to purchase the Water Rights for direct diversion at the BDD, and Seller desires to sell the Water Rights; and

**WHEREAS**, the County and Sellers have agreed to a purchase price for the Water Rights of \$1,612,908.00; and

**WHEREAS**, the purchase price has been calculated based upon 44.803 afy of consumptive use Water Rights at Thirty-Six Thousand Dollars and \$36,000.00 per afy; and

**WHEREAS**, in addition, the County will pay a commission of \$80,645.40 plus gross receipts tax to Bogle Realty which will be included in the total purchase price.

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

1. Delegates to the County Manager the authority to sign the Water Rights Purchase Agreement and all other documents necessary or proper to acquire the Water Rights from Suerte del Sur, LLC, including, but not limited to, the Purchase Order(s).
2. Delegates to the County Manager the authority to sign applications to the Office of State Engineer and all other documents necessary or proper to have the Water Rights permitted for direct diversion at the Buckman Direct Diversion.

SFC CLERK RECORDED 03/13/2024

PASSED, APPROVED, AND ADOPTED ON THIS 12<sup>th</sup> DAY OF MARCH, 2024.

SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS

By: *Hank Hughes*  
Hank Hughes, Chair



ATTEST:

*Katharine E. Clark*  
Katharine E. Clark  
Santa Fe County Clerk

Date: 03/12/2024

Approved as to form:

*Cristella Coley* for  
Jeff Young  
Santa Fe County Attorney



COUNTY OF SANTA FE            )  
STATE OF NEW MEXICO        ) ss

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I Hereby Certify That This Instrument Was Filed for  
Record On The 13TH Day Of March, 2024 at 11:27:30 AM  
And Was Duly Recorded as Instrument # 2029781  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
*Katharine E. Clark*  
Deputy *[Signature]* County Clerk, Santa Fe, NM

SFC. CLERK RECORDED 03/13/2024