

NEW MEXICO INTERSTATE STREAM COMMISSION

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RESOLUTION OF THE NEW MEXICO INTERSTATE STREAM COMMISSION APPROVING THE NEW MEXICO UNIT AGREEMENT SUPPLEMENTAL TERMS

WHEREAS, in accordance with the Arizona Water Settlements Act (AWSA), Public Law 108-451, the New Mexico Central Arizona Project (“CAP”) Entity must enter into the New Mexico Unit Agreement with the Secretary of the Interior (“Secretary”) within one year following notice to the Secretary by the State of New Mexico that it intends to develop a New Mexico Unit of the CAP;

WHEREAS, on November 24, 2014, the State of New Mexico (“State”), acting through its Interstate Stream Commission (“Commission”), gave notice to the Secretary in accordance with the AWSA that the State intends to construct a New Mexico Unit of the CAP;

WHEREAS, in accordance with the Consumptive Use and Forbearance Agreement (“CUFA”) and the mandatory terms of the New Mexico Unit Agreement, both ratified by Congress in 2004 with the passage of the AWSA, the State, acting through the Commission, must approve any amendments to the New Mexico Unit Agreement in writing prior to its full execution by the Secretary and New Mexico CAP Entity;

WHEREAS, various amendments to the New Mexico Unit Agreement and a description of the New Mexico Unit to be appended to the New Mexico Unit Agreement (collectively described as “Supplemental Terms”) were proposed by the Bureau of Reclamation (“Reclamation”, Commission staff and representatives of the New Mexico CAP Entity;

WHEREAS, the Supplemental Terms were extensively negotiated between Reclamation staff, Commission staff, and representatives of the New Mexico CAP Entity;

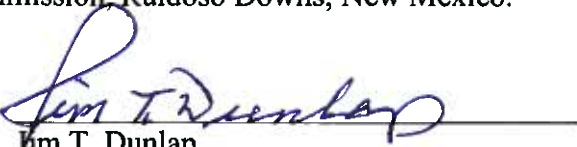
WHEREAS, on September 29, 2015, the New Mexico CAP Entity, in a public meeting, approved the Supplemental Terms by a unanimous vote of the attending representatives; and,

WHEREAS, the Commission, having been fully briefed on the Supplemental Terms negotiations at its public meetings of August 25, 2015, September 17, 2015 and October 16, 2015, consents to the Supplemental Terms.

NOW, THEREFORE, BE IT RESOLVED that the New Mexico Interstate Stream Commission hereby approves the New Mexico Unit Agreement Supplemental Terms.

Approved this 16th day of October 2015, at the meeting of the New Mexico Interstate Stream Commission, Ruidoso Downs, New Mexico.

BY:

A handwritten signature in blue ink, appearing to read "Jim T. Dunlap", is written over a horizontal line.

Jim T. Dunlap

Chairman

New Mexico Interstate Stream Commission