

**RESOLUTION OF THE NEW MEXICO INTERSTATE STREAM COMMISSION
APPROVING THE AMENDED JOINT POWERS AGREEMENT FOR THE
NEW MEXICO CAP ENTITY AND DESIGNATING THE COMMISSION'S
SIGNATORY TO THE AMENDED JOINT POWERS AGREEMENT**

WHEREAS, on December 10, 2004, the President of the United States signed into law the Arizona Water Settlements Act (AWSA), Public Law 108-451; and

WHEREAS, on November 24, 2014, the State of New Mexico, acting through its Interstate Stream Commission (ISC), gave notice to the United States Secretary of the Interior that it intends to construct a New Mexico Unit of the Central Arizona Project (CAP) pursuant to the AWSA; and

WHEREAS, the AWSA provides for a New Mexico CAP Entity to be formed or designated by the State of New Mexico, acting through its ISC, to enter into the New Mexico Unit Agreement with the United States Secretary of the Interior and to own the New Mexico Unit; and

WHEREAS, in the spring of 2015, ISC staff prepared and circulated a Joint Powers Agreement creating the New Mexico CAP Entity; and

WHEREAS, thirteen local governments signed onto this Joint Powers Agreement, along with the ISC who participates as a non-voting member; and

WHEREAS, on July 27, 2015, the Department of Finance and Administration approved that Joint Powers Agreement and the New Mexico CAP Entity was created; and

WHEREAS, after almost two years in existence, the New Mexico CAP Entity has found that it wishes to amend the terms of the original Joint Powers Agreement by an Amended Joint Powers Agreements;

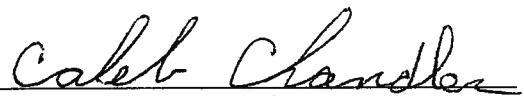
WHEREAS, the Amended Joint Powers Agreement would add a new member to the Entity and allow the Entity to investigate and possibly obtain the right to utilize water resources and infrastructure currently owned by Freeport-McMoRan, Inc. as a water utilization alternative under the AWSA.

NOW, THEREFORE, BE IT RESOLVED, that the Interstate Stream Commission hereby approves the terms and contents of the Amended Joint Powers Agreement presented to the ISC at its June 20, 2017 meeting; and

BE IT FURTHER RESOLVED, that the ISC authorizes and directs its Chairman, Mr. Caleb Chandler, to sign, on behalf of the ISC, the Amended Joint Powers Agreement in substantially the same form as that version presented to the ISC at its June 20, 2017 meeting; and

BE IT FURTHER RESOLVED, that the Chairman's signature on the Amended Joint Powers Agreement reaffirms the ISC's commitment to the beneficial use of water available to the New Mexico under the AWSA.

Approved this 20th day of June, 2017, at the meeting of the New Mexico Interstate Stream Commission in Albuquerque, New Mexico.

BY: 
Caleb Chandler, Chairman
New Mexico Interstate Stream Commission