



NECESSARY LEGAL DOCUMENTATION REQUIRED FOR: *PARTNERSHIP*

New Mexico Interstate Stream Commission Lower Rio Grande 2022-2023 Groundwater Conservation Pilot Program

If you intend to apply to the New Mexico Interstate Stream Commission (NMISC) Lower Rio Grande Groundwater Conservation Pilot Program (the Program) as a partnership and are a partner of a partnership that owns the proposed enrollment acreage to be dedicated to the Program, you must provide the following documentation:

- A validly executed and recorded deed in the name of the partnership. If the deed is not in the name of the partnership, you may still apply as a partnership if the property is acquired in the name of one or more partners with an indication in the instrument transferring title to the property of the person's capacity as a partner, or a reference to the existence of a partnership but without an indication of the name of the partnership. If you are unsure whether your property is owned by a partnership or individually, please consult NMSA 1978, Section 54-1A-204 (2018).
- A copy of the Partnership Agreement. The NMISC must determine the identity of the partners for purposes of the Authorizing Resolution (see below) and ascertain whether the partnership may authorize its partner(s) to enter into and execute contracts and agreements on behalf of the partnership. If no written partnership agreement exists, or if it has been lost and cannot be located, the purported partners must identify and attest to the identity of the partners in the Authorizing Resolution (see below).
- A validly executed and recorded Statement of Partnership Authority, if one exists.
- An Authorizing Resolution executed by the partners of the partnership that states: (a) the partner applying to the Program on behalf of the partnership is authorized to execute and enter into the Lower Rio Grande Water Conservation Pilot Program Grant Agreement and the Memorandum of Agreement (Negative Easement) on behalf of the partnership, and; (b) the partners of the partnership ratify and approve the form and content of Lower Rio Grande Water Conservation Pilot Program Grant Agreement and the Memorandum of Agreement (Negative Easement). The partner applying on behalf of the partnership may elect to have the Authorizing Resolution prepared by the partnership or the NMISC contract attorneys. If the partnership prepares the Authorizing Resolution, the NMISC contract attorneys will review it for legal sufficiency.

If you are a partner of a limited partnership, limited liability partnership, or limited liability limited partnership, you must, in addition to the requirements above, provide the following documentation:

- A certificate of limited partnership. It may be obtained from the following link:
<https://portal.sos.state.nm.us/BFS/online/Corporations/SelectEntity?param=PCR>.

- If no written partnership agreement exists, or if it has been lost and cannot be located, the purported partners must identify all partners, attest to their identity, and state whether they are general or limited partners in the Authorizing Resolution (see above).