

NEW MEXICO INTERSTATE STREAM COMMISSION

50-11
Navajo Settlement

COMMISSION MEMBERS

JIM DUNLAP, Chairman, Farmington
J. PHELPS WHITE, III, Vice-Chairman, Roswell
JOHN R. D'ANTONIO, JR., P.E., Secretary, Santa Fe
BUFORD HARRIS, Mesilla
BLANE SANCHEZ, Isleta
JULIA DAVIS STAFFORD, Cimarron
PATRICIO GARCIA, Rio Chama
JUDITH M. ESPINOSA, Albuquerque
JAMES WILCOX, Carlsbad



BATAAN MEMORIAL BUILDING, ROOM 101
STATE CAPITOL
POST OFFICE BOX 25102
SANTA FE, NEW MEXICO 87504-5102

(505)827-6160
FAX:(505)827-6188

Writer's Contact Information:

Karen L. Fisher, Esq.
Direct Dial: (505) 476-0554
Fax: (505) 827-5776
Email: kfisher@ose.state.nm.us

May 6, 2004

VIA FACSIMILE AND U.S. MAIL

Mr. Barry Heifner, Editor
The Daily Times
201 N. Allen Ave.
Farmington, NM 87401

RE: Public Records Act Request dated April 27, 2004

Dear Mr. Heifner:

I am in receipt of your letter to Interstate Stream Commission Chairman Jim Dunlap dated April 27, 2004, requesting documents related to the proposed San Juan River Basin in New Mexico Navajo Nation Water Rights Settlement Agreement under the New Mexico Inspection of Public Records Act, NMSA 1978, Chapter 14, Article 2 (the "Act"). This letter shall serve to notify you regarding the availability of the records for inspection.

With respect to the records identified under your request, there are only two types of such records of which we are aware. First, there are 17 confidentiality agreements executed by attendees of the meeting. I am enclosing photocopies of these with the mailed copy of this letter. For duplication, we charge a fee of \$0.20 per page, so I am requesting payment of \$3.40 for these copies. Second, there are handwritten notes of the meeting in our possession. We are withholding these notes under Section 1(A)(9) of the Act. These notes were prepared in the context of litigation settlement discussion and thus are exempt from disclosure under the Act.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Fisher".

Karen L. Fisher
Acting General Counsel

enc.

cc: (w/o enc.)
Chairman Jim Dunlap
State Engineer John D'Antonio
Mr. Alex Salazar
Mr. John Whipple
Stanley M. Pollack, Esq.