



STATE OF NEW MEXICO
COUNTY OF GRANT

Resolution No.: R-11-05

WHEREAS, the Arizona Water Settlements Act of 2004 authorizes an additional 14,000 acre feet of water from the Gila and San Francisco rivers for use in the four Southwestern New Mexico counties of Grant, Hidalgo, Luna and Catron, and

WHEREAS, water supplies are a limited and essential resource required to sustain and support economic activity and growth in agriculture, mining, and other related industries, and to meet municipal, safety, environmental, and recreational needs in the arid Southwestern region of New Mexico , and

WHEREAS, future demand for water is expected to increase due to anticipated growth in the area, and

WHEREAS, if the 14,000 acre feet of water authorized under the Arizona Water Settlements Act is not used in New Mexico, by letting the U.S. Secretary of the Interior know the state's specific uses by the end of 2014, the water will revert to Arizona and be lost to New Mexico, in addition to \$62 million in related project funding,

WHEREAS, the Grant County Board of Commissioners is in support of House Bill 301, relating to the Interstate Stream Commission; creating the "New Mexico Unit Fund" for the deposit of federal money made available to the Interstate Stream Commission to comply with the provisions of the Federal Arizona Water Settlements Act and the Colorado River Basin Project Act of 1968 and in regard to the Central Arizona Project and the Gila River, its tributaries and underground water sources; providing the purpose for the New Mexico Unit Fund; making an appropriation.

NOW, THEREFORE BE IT RESOLVED that Grant County Board of Commissioners will support efforts and projects to ensure that the additional water available and related funding is utilized to meet current and future water demand in Grant County and Southwestern New Mexico.

Done this 10th day of February 2011 in Silver City, Grant County, New Mexico by the Grant County Board of Commissioners.



STATE OF NEW MEXICO

COUNTY OF GRANT

Resolution No.: R-11-05

Grant County Board of Commissioners and Elected Officials

A handwritten signature in blue ink that reads "Brett Kasten".

Brett A. Kasten, Chairman

A handwritten signature in blue ink that reads "Gabriel Ramos".

Gabriel Ramos, Member

Alfred Sedillo, County Treasurer

A handwritten signature in blue ink that reads "Velia Miranda".

Velia Miranda, Probate Judge

A handwritten signature in blue ink that reads "Christy Miller".

Christy Miller, Member

Attest:

A handwritten signature in blue ink that reads "Robert Zamarripa".

Robert Zamarripa, County Clerk

A handwritten signature in blue ink that reads "Raul Villanueva".

Raul Villanueva, County Sheriff

A handwritten signature in blue ink that reads "Randy Villa".

Randy Villa, County Assessor

HOUSE BILL 301

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Rodolpho "Rudy" S. Martinez

10 | **AN ACT**

RELATING TO THE INTERSTATE STREAM COMMISSION; CREATING THE "NEW MEXICO UNIT FUND" FOR THE DEPOSIT OF FEDERAL MONEY MADE AVAILABLE TO THE INTERSTATE STREAM COMMISSION TO COMPLY WITH PROVISIONS OF THE FEDERAL ARIZONA WATER SETTLEMENTS ACT AND THE COLORADO RIVER BASIN PROJECT ACT OF 1968 AND IN REGARD TO THE CENTRAL ARIZONA PROJECT AND THE GILA RIVER, ITS TRIBUTARIES AND UNDERGROUND WATER SOURCES; PROVIDING THE PURPOSE FOR THE NEW MEXICO UNIT FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 72, Article 14 NMSA 1978 is enacted to read:

"NEW MATERIAL] NEW MEXICO UNIT FUND--PURPOSE--
APPROPRIATION.--

A. The "New Mexico unit fund" is created in the

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1 state treasury. The fund shall consist of money distributed to
2 the state pursuant to Paragraphs (2)(D)(i) and (ii) of Section
3 403(f) of the federal Colorado River Basin Project Act of 1968,
4 as amended by Section 107(a) of the federal Arizona Water
5 Settlements Act, Public Law 108-451, December 10, 2004; other
6 money made available to the fund pursuant to Section 212 of the
7 federal Arizona Water Settlements Act, Public Law 108-451,
8 December 10, 2004; appropriations; grants; and donations or
9 bequests to the fund.

10 B. Income from the fund shall be credited to the
11 fund. Any unexpended or unencumbered balance remaining in the
12 fund at the end of a fiscal year shall not revert to the
13 general fund. Money in the fund shall not be transferred,
14 other than through an intra-agency transfer, to any other fund.

15 C. Money in the fund shall be administered by the
16 interstate stream commission and is appropriated to the
17 interstate stream commission for expenditure in fiscal year
18 2012 and subsequent fiscal years to comply with the provisions
19 of the federal laws cited in Subsection A of this section.
20 Those provisions of federal law establish that the purpose of
21 money in the fund is to pay the costs of construction of the
22 New Mexico unit or other water utilization alternatives to meet
23 water supply demands in the southwest water planning region of
24 New Mexico, as determined by the interstate stream commission
25 in consultation with the southwest New Mexico water study group

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1 or its successor, including costs associated with planning and
2 environmental compliance activities and environmental
3 mitigation and restoration. Money in the fund shall not be
4 expended for any purpose other than the purpose provided in
5 this section. The interstate stream commission may adopt rules
6 it deems necessary to carry out the purpose of this section.

7 D. On or before November 15 of each year, the
8 interstate stream commission shall report to the appropriate
9 legislative interim committee dealing with water and natural
10 resources and to the legislative finance committee on:

11 (1) the status of the New Mexico unit fund;
12 (2) the distribution of money from the New
13 Mexico unit fund to implement the purpose of the fund pursuant
14 to Subsection C of this section; and
15 (3) proposed uses and levels of funding
16 projected for the following fiscal year.

17 E. Expenditures from the fund shall be made on
18 warrants signed by the secretary of finance and administration
19 pursuant to vouchers signed by the director of the interstate
20 stream commission upon the delegation of authority by the
21 interstate stream commission."