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January 7, 2015

Amy Haas
General Counsel and Acting Director
New Mexico Interstate Stream Commission
PO Box 25102
Santa Fe, NM 87504-5102
By email: amy.haas@state.nm.us

Dear Ms. Haas:

Thank you again for meeting with me earlier this month about the public records request filed by the New Mexico Foundation for Open Government, FOG.

FOG is hereby resubmitting its request for a copy of the following records:

An unlocked copy of your daily Excel spreadsheet model of divertable Gila River flows for the period of record that would be allowable under the terms of the Arizona Water Settlement Act, including the most recent daily flow data from your most recent model.

Although you and Craig Roepke did make the spreadsheet available for my review at our meeting, as allowed under the Inspection of Public Records Act, FOG also requests a copy of the spreadsheet model. We are unwilling to sign any agreement that incorporates the terms and conditions set forth in NMSA § 14-3-15.1.C. We believe the model is a public record fully subject to NMSA § 14-2, the Inspection of Public Records Act, and no additional royalty or licensing fees or limitations on use may be imposed.

However, we agree to pay the applicable fees for copying and transmitting the records. If the charges will exceed \$25, please call me to discuss. I understand that we may be asked to pay any copying fees in advance.

Thank you for your attention to this matter.

Very truly yours,

/s/
Susan Boe
Executive Director