

THE COMMISSIONER'S COURT OF LOVING COUNTY, TEXAS
RESOLUTION OF CALLED COMMISSIONER'S COURT PROCEEDING
OF FEBRUARY 11, 2013

WHEREAS the Commissioner's Court of Loving County, Texas (the "Court") has learned of the efforts of the legislature of the State of New Mexico supporting the disposal and interim storage of used nuclear fuel ("UNF") in the Fiftieth Legislature First Session, 2011; and

WHEREAS the Court has further learned that Lea and Eddy Counties, New Mexico have formed an alliance and purchased 1.000 acres of land between Hobbs, New Mexico and Carlsbad, New Mexico for the express purpose of storage of UNF and other matters; and

WHEREAS the siting of the intended storage of UNF and other matters by Lea and Eddy Counties, New Mexico will be within 25 miles of the border of Loving County; and

WHEREAS the State of Texas, operating through the General Land Office/School Land Board ("GLO") on behalf of the Texas Permanent School Fund ("PSF") has executed a Letter of Intent to Negotiate a Lease of State-Owned Land with AFCI Texas, LLC ("AFCI") for the purpose of constructing and maintaining a storage facility capable of storing UNF on an interim basis; and

WHEREAS the agreement between the GLO and AFCI contemplates the identification of a potentially suitable site mutually agreeable to the GLO and AFCI in the State of Texas; and

WHEREAS the Court is charged with protecting the health, safety and welfare of the citizens of Loving County as well as promoting economic development and business opportunity for the County; and

WHEREAS the storage of UNF is currently taking place in 104 commercial nuclear reactors across America, including 2 in the State of Texas; and

WHEREAS above-ground dry cask storage of UNF has been scientifically proven as a safe storage method on an interim basis; and

NOW, THEREFORE, BE IT RESOLVED that we, the undersigned, support the opportunity to enter into a hosting agreement with AFCI for the interim storage of UNF on land in Loving County mutually agreeable to the Court and AFCI;

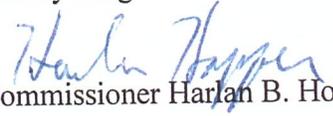
BE IT FURTHER RESOLVED that the Court supports other opportunities for economic development of UNF as supported by scientific development, research, and Federal and State licensure requirements; and

BE IT FURTHER RESOLVED that members of the Court and agents authorized to speak on behalf of the Court or Loving County are by this Resolution encouraged to indicate support for UNF storage with State and Federal officials; and

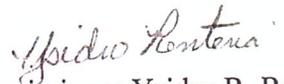
BE IT FURTHER RESOLVED that the County Judge *with the Loving County Commissioner's Court approval* has the authority to negotiate the terms of any hosting agreement relating to storage, recycling, reprocessing, or research facility involving UNF for and on behalf of Loving County with AFCI, the United States Department of Energy or the State of Texas.



Skeet Lee Jones
County Judge



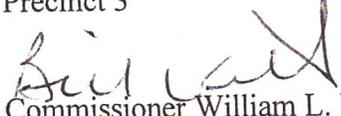
Commissioner Harlan B. Hopper
Precinct 1



Commissioner Ysidro R. Renteria
Precinct 2



Commissioner Thomas E. Jones
Precinct 3



Commissioner William L. Wilkinson
Precinct 4

FILED FOR RECORD
AT 5:10 O'CLOCK PM

FEB 11 2013

COUNTY CLERK
LOVING COUNTY, TX
BY M. Clark CLERK