

A JOINT MEMORIAL

REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION, THE DEPARTMENT OF THE INTERIOR, THE BUREAU OF RECLAMATION AND THE BUREAU OF INDIAN AFFAIRS TO PROVIDE FUNDING FOR TECHNICAL STUDIES THAT WILL HELP RESOLVE THE RIO JEMEZ DRAINAGE BASIN ADJUDICATION.

WHEREAS, the Rio Jemez is located predominantly in Sandoval county in north central New Mexico, with its headwaters originating to the north in Rio Arriba county; and

WHEREAS, major tributaries of the Rio Jemez are the Rio Guadalupe, Rio de las Vacas, Clear creek, the east fork of the Rio Jemez, San Antonio creek, Vallecito creek and the Rio Salado; and

WHEREAS, the Rio Jemez is the largest tributary to the Rio Grande between Los Alamos county and Elephant Butte reservoir with an average annual stream flow of fifty-five thousand acre-feet; and

WHEREAS, adjudication of the water rights of the communities and individual owners along the Rio Jemez, as well as the water rights of the Pueblos of Jemez, Zia and Santa Ana, "the Pueblos" is sought in *United States v. Abousleman*; and

WHEREAS, a negotiated settlement of the Pueblos' water rights that will satisfy all parties will be facilitated by

the completion of a comprehensive basin-wide feasibility study of the Rio Jemez drainage basin; and

WHEREAS, such a study is supported by all parties involved in the Rio Jemez adjudication, including the Pueblos, the Jemez River water users association, the federal government agencies involved and the office of the state engineer;

WHEREAS, without such a study, the Pueblos will likely be forced to further pursue litigation to protect their interests in the waters of the Rio Jemez and its drainage basin; and

WHEREAS, a negotiated settlement would be a speedy and cost-effective method of resolving the water rights of all users within the Rio Jemez drainage basin;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the New Mexico congressional delegation and the department of the interior, including the bureau of Indian affairs and the bureau of reclamation, be requested to seek and support an appropriation from congress that is adequate to fund a basin-wide feasibility study of the Rio Jemez drainage basin to provide the information needed for all parties in *United States v. Abousleman* to work toward a negotiated settlement of their water rights; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the governors of the Pueblos of Jemez, Zia and HJM 25
Page 2

Santa Ana, the members of the New Mexico congressional delegation, the chairman of the Jemez River water users association, the secretary of the interior, the assistant secretary for Indian affairs and the commissioner of the bureau of reclamation.