

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE MEMORIAL 3

**47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

INTRODUCED BY

Patricia A. Lundstrom

FOR THE INDIAN AFFAIRS COMMITTEE

A MEMORIAL

REQUESTING THE GOVERNOR OF NEW MEXICO AND THE UNITED STATES  
CONGRESS TO PROVIDE ADEQUATE FUNDING FOR PROPOSED NATIVE  
AMERICAN WATER RIGHTS SETTLEMENTS.

WHEREAS, the Indian water rights settlement fund was  
created by the legislature in 2005 to facilitate the  
implementation of the state's portion of Indian water rights  
settlements; and

WHEREAS, no state funding was provided in 2005 for the  
Indian water rights settlement fund; and

WHEREAS, on April 19, 2005, the Navajo Nation and the  
state of New Mexico executed a settlement agreement resolving  
the claims of the Navajo Nation for the use of waters in the  
San Juan river basin; and

WHEREAS, the implementation of the Navajo Nation

underscored material = new  
[bracketed material] = delete

1 settlement in the San Juan river basin will provide water for  
2 the Navajo Indian, Hogback-Cudei and Fruitland-Cambridge  
3 irrigation projects and will result in the completion of the  
4 Navajo-Gallup water supply project, including the Farmington-  
5 Shiprock municipal pipeline, thereby making potable water  
6 available to remote areas where drinking water is not currently  
7 available; and

8 WHEREAS, negotiations are continuing regarding the  
9 settlement of water rights in the *Aamodt* case involving the  
10 pueblos of San Ildefonso, Nambe, Pojoaque and Tesuque; and

11 WHEREAS, the implementation of a settlement in the *Aamodt*  
12 case would secure water rights for the involved pueblos and  
13 non-Indians alike, provide a regional water system and drought  
14 reserve water supply and permit additional economic development  
15 in that region; and

16 WHEREAS, negotiations are continuing regarding the  
17 settlement of water rights in the Rio Pueblo de Taos stream  
18 system; and

19 WHEREAS, the implementation of a settlement of water  
20 rights in the Rio Pueblo de Taos stream system would secure  
21 water rights for the Pueblo of Taos and for non-Indians within  
22 the stream system; and

23 WHEREAS, the office of the state engineer has estimated  
24 the state's share of the cost of the proposed Indian water  
25 rights settlements will be seventy-five million dollars

.159447.3

underscored material = new  
[bracketed material] = delete

1 (\$75,000,000) and has recommended that this funding be  
2 appropriated in full in fiscal year 2007; and

3 WHEREAS, full funding of the Indian water rights  
4 settlement fund will demonstrate the state of New Mexico's  
5 commitment to implement the settlement of disputes regarding  
6 Indian water rights for the benefit of all of the state's  
7 citizens, Indian and non-Indian alike;

8 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
9 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the governor of  
10 New Mexico be requested to include in the governor's capital  
11 outlay appropriations for fiscal year 2007 significant funding  
12 for the Indian water rights settlement fund as a matter of  
13 statewide importance; and

14 BE IT FURTHER RESOLVED that New Mexico's congressional  
15 delegation be requested to urge the involved federal agencies  
16 to cooperate in the negotiation of Indian water rights  
17 settlements in New Mexico and to support full federal funding  
18 for these settlements once they have been entered into by all  
19 parties; and

20 BE IT FURTHER RESOLVED that copies of this memorial be  
21 transmitted to members of the state's congressional delegation,  
22 the governor of New Mexico, the office of the state engineer,  
23 the president of the Navajo Nation, the speaker of the Navajo  
24 Nation council and the governors of the pueblos of Nambe,  
25 Pojoaque, Taos, Tesuque and San Ildefonso.

.159447.3