

A MEMORIAL

REQUESTING CONTINUED FUNDING FOR 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, 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 the waters in the San Juan river basin in New Mexico; and

WHEREAS, the implementation of the settlement with the Navajo Nation will provide for the construction of the Navajo-Gallup water supply project, which will supply water to Navajo Nation communities and the Gallup area; and

WHEREAS, on May 3, 2006, the Pueblos of Nambe, Tesuque, Pojoaque and San Ildefonso, the county of Santa Fe, the city of Santa Fe and the state executed a settlement agreement resolving the claims of the four pueblos to the use of the waters in the Nambe-Pojoaque-Tesuque stream system in the *Aamodt* case; and

WHEREAS, the *Aamodt* settlement will provide for the construction of a pipeline to deliver potable water to pueblo and non-pueblo water users in the basin that opt to hook up to

the pipeline; and

WHEREAS, on May 30, 2006, the Pueblo of Taos, the state and several Taos-area water rights owning parties executed a settlement agreement resolving the pueblo's claims to the waters in the Rio Pueblo de Taos and Rio Hondo stream systems in the *Abeyta* case; and

WHEREAS, the *Abeyta* settlement will provide for mutually beneficial water utilization projects and allow for development of water rights for pueblo and non-pueblo water rights owners in the basin; and

WHEREAS, federal legislation authorizing the *Navajo* settlement is pending in congress and federal legislation authorizing the *Aamodt* and *Abeyta* settlements is expected to be introduced in congress in the near future; and

WHEREAS, the office of the state engineer and interstate stream commission have estimated that the state's share of the cost of the three pending settlements will be approximately one hundred fifteen million dollars (\$115,000,000); and

WHEREAS, the federal share of the cost of the three pending settlements will be in excess of one billion dollars (\$1,000,000,000); and

WHEREAS, in 2007, ten million dollars (\$10,000,000) was appropriated to the Indian water rights settlement fund and that appropriation was reauthorized in 2009; and

WHEREAS, full funding of the Indian water rights

settlement fund will demonstrate the state's commitment to implement the settlement of disputes regarding Indian water rights for the benefit of all the state's residents, Indian and non-Indian alike;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the governor and legislature be requested to continue to support funding for the Indian water rights settlements through contributions to the Indian water rights settlement fund; and

BE IT FURTHER RESOLVED that New Mexico's congressional delegation be requested to support full federal funding for the settlements; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the members of New Mexico's congressional delegation, the governor, the state engineer, the interstate stream commission, the president of the Navajo Nation and the governors of the Pueblos of Taos, Nambe, Tesuque, Pojoaque and San Ildefonso.