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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

1 to the pipeline; and

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

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

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

15 WHEREAS, the office of the state engineer and interstate
16 stream commission have estimated that the state's share of
17 the cost of the three pending settlements will be
18 approximately one hundred fifteen million dollars
19 (\$115,000,000); and

20 WHEREAS, the federal share of the cost of the three
21 pending settlements will be in excess of one billion dollars
22 (\$1,000,000,000); and

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

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

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

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

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

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