



Water Rights Settlements with New Mexico's Pueblos, Tribes, and Nations



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November 2023

(Many thanks to Kelly Brooks Smith, Deputy General Counsel for Pueblos, Tribes, and Nations, for compiling these materials!)

Overview of Water Rights Settlements with Pueblos, Tribes, & Nations

- **6 Pueblos, Tribes, and Nations (PTN)** have reached final settlement agreements, Congressional Act passed, funding approved by Congress and State Legislature:
 - Taos Pueblo (Rio Pueblo de Taos/Rio Hondo Stream System)
 - Navajo Nation (San Juan Stream System)
 - Nambé Pueblo (Nambé, Pojoaque, Tesuque Stream System/Basin)
 - Pojoaque Pueblo (Nambé, Pojoaque, Tesuque Stream System/Basin)
 - Tesuque Pueblo (Nambé, Pojoaque, Tesuque Stream System/Basin)
 - San Ildefonso Pueblo (Nambé, Pojoaque, Tesuque Stream System/Basin)
- **1 PTN** litigated its water rights (Mescalero Apache, Rio Hondo/Pecos River Stream System/Basin)
- **7 PTN** have federal assessment teams appointed:
 - Ute Mountain Ute Tribe (San Juan Stream System)
 - Cochiti Pueblo (Middle Rio Grande Stream System)
 - Isleta Pueblo (Middle Rio Grande Stream System)
 - San Felipe Pueblo (Middle Rio Grande Stream System)
 - Sandia Pueblo (Middle Rio Grande Stream System)
 - Santa Ana Pueblo (Middle Rio Grande Stream System)
 - Santo Domingo/Kewa Pueblo (Middle Rio Grande Stream System)

Overview of Water Rights Settlements with Pueblos, Tribes, & Nations

- **8 PTN** are in active negotiations with a federal negotiation team:
 - **4 PTN** have signed local settlement agreements and have federal legislation introduced in Congress
 - Acoma Pueblo (Rio San Jose Stream System)
 - Laguna Pueblo (Rio San Jose Stream System)
 - Jemez Pueblo (Jemez River Stream System)
 - Zia Pueblo (Jemez River Stream System)
 - **2 PTN** have signed local settlement agreements and are working on federal legislation for introduction in Congress
 - Zuni Pueblo (Zuni River Stream System)
 - Ohkay Owingeh (Chama River Stream System)
 - **3 PTN** are in negotiation phase
 - Navajo Nation (Zuni Stream System, San Jose Stream System)
 - Santa Clara Pueblo (Santa Cruz/Truchas Stream System)
 - Ohkay Owingeh (Santa Cruz/Truchas Stream System)
- **1 PTN** is in litigation:
 - Santa Ana Pueblo (Jemez River Stream System)

New Mexico's Goals in Water Rights Settlements:

1. **Defining the Elements of Water Rights**
2. **Reducing or Eliminating Uncertainty Regarding the Administration of Water Rights**
3. **Avoiding or Mitigating Adverse Impacts on non-Pueblo users from Increased Pueblo/Tribal Uses of Water**
4. **Avoiding Interstate Compact Challenges Associated with Increased Pueblo/Tribal Uses of Water**
4. **Securing Federal Funds for NM Infrastructure Projects**
5. **Overall goal: Securing a reliable water future for all water users in the face of a diminishing supply, and ensuring that any necessary reductions in use are just, equitable, and predictable.**

Major Issues With New Mexico Settlement Agreements:

- 1. Administration Within and Outside of Tribal Boundaries**
 - a. Cooperative Shortage Sharing
 - b. Administration within Pueblo/Tribe/Nation jurisdiction
 - c. Protection of State Based Water Rights outside of Pueblo/Tribe/Nation jurisdiction

- 2. Project Based → Fund Based Settlements**

- 3. Claims Falling Within Multiple Adjudications**

- 4. Protection and Restoration of Sacred Places/Recognition of Cultural Practices**

Thank you

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New Mexico Office of the State Engineer
November 2023

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