

HOUSE JOINT MEMORIAL 53

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Patricia A. Lundstrom

A JOINT MEMORIAL

EXPRESSING APPRECIATION TO THE NAVAJO NATION, THE OFFICE OF THE STATE ENGINEER AND THE INTERSTATE STREAM COMMISSION FOR THEIR EFFORTS IN REACHING A SETTLEMENT OF THE NAVAJO NATION WATER RIGHTS.

WHEREAS, the state of New Mexico and the Navajo Nation have negotiated the San Juan River Basin in New Mexico Navajo Nation Water Rights Settlement Agreement, referred to in this memorial as the settlement agreement, that quantifies the Navajo Nation's rights to use water of the San Juan river basin in New Mexico; and

WHEREAS, on December 29, 2004, the Navajo Nation council approved the settlement agreement; on January 12, 2005, the interstate stream commission passed a resolution approving the settlement agreement; and the state engineer, in his statutory

.155384.2

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 duty to guide the adjudication of all waters of the state of
2 New Mexico, approves of the settlement agreement; and

3 WHEREAS, the Navajo Nation, office of the state engineer
4 and interstate stream commission all have dedicated staff
5 members whose time was committed to the exclusion of virtually
6 all other duties to ensure that the opportunity to settle the
7 water rights claims of the Navajo Nation was not lost; and

8 WHEREAS, negotiations and public meetings leading to the
9 settlement agreement have occurred throughout the Navajo
10 Nation, in Farmington, Albuquerque and Santa Fe, New Mexico,
11 and in Washington, D.C.; and

12 WHEREAS, the meetings involving the parties to the
13 settlement agreement have involved two years of negotiations,
14 drafting and jaw-boning requiring staff to put in days as short
15 as ten hours and as long as twenty hours; and

16 WHEREAS, through the San Juan river area public meeting
17 process that extended over a full year, the involved staff
18 members were able to make significant improvements to the draft
19 settlement agreement; and

20 WHEREAS, through the professionalism, dedication and
21 vision of the staff of the Navajo Nation, office of the state
22 engineer and interstate stream commission, the parties were
23 able to reach a settlement satisfactory to all; and

24 WHEREAS, this settlement will make available a potable
25 water supply to some of the most remote parts of the Navajo

.155384.2

underscored material = new
[bracketed material] = delete

1 Nation that have never had either a potable or a treatable non-
2 potable water supply; and

3 WHEREAS, the settlement agreement will bring clarity to
4 the question of water rights in the San Juan river basin in New
5 Mexico and protect all valid existing water rights in that
6 area; and

7 WHEREAS, this settlement agreement is without precedent
8 yet reflects New Mexico's vision to develop and have certainty
9 in a well-managed water supply;

10 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
11 STATE OF NEW MEXICO that it recognize and express its
12 appreciation and gratitude to the Navajo Nation, the office of
13 the state engineer and the interstate stream commission, and to
14 the members of their staffs for their extensive efforts to
15 successfully negotiate this historic settlement of Navajo
16 Nation water rights in New Mexico; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the president of the Navajo Nation, the speaker
19 of the Navajo Nation council, the office of the state engineer
20 and the interstate stream commission.