



For immediate release:

May 3, 2006

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Longstanding Aamodt Water Rights Settlement is Signed Today

(SANTA FE, New Mexico) – A settlement agreement was signed today in the Governor’s Office in Santa Fe, which will resolve one of the longest running water rights cases in New Mexico’s history.

The Aamodt Settlement -- between the Nambe, Tesuque, Pojoaque, San Ildefonso Pueblos, non-Pueblo parties, and the State of New Mexico -- will resolve claims of the Pueblos and non-Pueblo parties’ use of waters of the Nambe-Pojoaque-Tesuque Basin in northern New Mexico.

Officials including Governor Bill Richardson, the leaders from all four Pueblos, State Engineer John D’Antonio, Interstate Stream Commissioners, the Mayor of Santa Fe, representatives for the County, as well as representatives for U.S. Senator Jeff Bingaman, a representative for Congressman Tom Udall, and representatives for non-Pueblo water users were among those present at a news conference held at the State Capitol to announce the agreement.

“I salute the Pueblo leaders from Nambe, Pojoaque, Tesuque and San Ildefonso, who have labored for all these 40 years to protect their water, the lifeblood of their ancient communities. I salute the acequia parciantes and the domestic well users who have made their homes in the valley in more recent times,” said New Mexico Governor Bill Richardson. “Everybody has given a little bit in exchange for some certainty about the future supply of water for their needs.”

“This settlement agreement will determine, once and for all, who owns what water and in what amount in the Nambe-Tesuque-Pojoaque Basin,” said State Engineer John D’Antonio. “It is the product of countless hours of negotiations between parties and draws to a close decades of disputes and litigation, while preserving the seniority of water rights for the Pueblos and without compromising the rights of the non-Pueblo users.”

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"On behalf of the Pueblo of Tesuque, I'm delighted we have reached a settlement that all of the state, local, and pueblo governments can support and that addresses the key concerns we heard from our non-pueblo neighbors," said Governor Gil Vigil of Tesuque Pueblo. "Forty years of uncertain litigation is long enough. Working together, I know we can ensure successful implementation along the pathways set forth in this truly historic agreement."

Governor George Rivera of the Pueblo of Pojoaque states, "We're glad the issue is moving toward being resolved. This truly will be a regional solution."

"On behalf of the Pueblo de San Ildefonso, we are proud to lead the signing of the Aamodt Settlement with the other respective Pueblos and parties involved," said Governor James R. Mountain. "San Ildefonso is the "backbone" of the settlement in respect to the usage of our land and water, and the prospective components of the settlement. San Ildefonso looks forward to the collaborative efforts of all parties in the future."

The settlement is complex and is based upon many key concepts which include: The Pueblos would agree to not make priority calls against non-Pueblo users provided the non-Pueblo users agree to one of several options outlined in the settlement agreement. A regional water system (pipeline) would be constructed to deliver treated water to Pueblo and non-Pueblo users in the basin. Connecting to the pipeline is optional. The United States would acquire 2,500 acre-feet of imported water per year in the basin for use by the Pueblos to compensate them for not fully exercising their rights to call priority. Santa Fe County would be responsible for acquiring 750 acre-feet per year of imported water for the benefit of non-Pueblo users, and for a total supply of 1,500 acre-feet per year for use by non-Pueblo water users in the basin.

The settlement agreement and supporting documents are available for public review at the Office of the State Engineer's website at: www.ose.state.nm.us under "Hot Topics."

Now that the parties at the local level have signed the agreement, they will submit draft legislation to Congress for approval and authorization of the settlement project. Once the legislation is passed it will then be necessary to secure the funding to fully implement the agreement.

The settlement agreement would require that: the completion of non-Pueblo adjudication and the partial final decree be entered by the court in the Aamodt case by December 15, 2012.

The Office of the State Engineer is charged with administering the state's water resources. The State Engineer has power over the supervision, measurement, appropriation, and distribution of all surface and groundwater in New Mexico, including streams and rivers that cross state boundaries. The State Engineer is also Secretary of the Interstate Stream Commission and oversees its staff.

The Interstate Stream Commission is charged with separate duties including protecting New Mexico's right to water under eight interstate stream compacts, ensuring the state complies with each of those compacts, as well as water planning.

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