

SJ-17
Navajo Sett



For immediate release:

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Revised Proposed San Juan Basin Water Rights Settlement between the Navajo Nation and the State of New Mexico Available for Public Inspection

(SANTA FE, New Mexico) – A revised draft of a proposed water rights settlement between the Navajo Nation and the State of New Mexico -- which potentially could resolve the claims of the Navajo Nation for the use of waters of the San Juan River Basin in northwestern New Mexico -- will be available for public inspection July 9.

Officials of the Navajo Nation, the State of New Mexico, and the federal government have not approved the revised proposed settlement agreement. They will be reviewing the revised draft documents during the upcoming month. The New Mexico Congressional delegation also will be reviewing the revised draft settlement.

The Navajo Nation will be considering the revised proposed settlement through its approval processes beginning next week. The New Mexico Interstate Stream Commission is expected to consider the proposed settlement for approval at a meeting in the Farmington area in August at a place and time to be announced. Changes to the proposed settlement have been made in response to public comments received on an earlier version of the settlement released in December 2003.

The proposed settlement agreement is intended to adjudicate the Navajo Nation's water rights and provide associated water development projects for the benefit of the Navajo Nation in exchange for a release of claims to water that could potentially displace existing non-Navajo water users in the basin and seriously impact the local economy.

"This proposed settlement agreement would establish the water rights of the Navajo Nation in the San Juan Basin in New Mexico," said State Engineer John D'Antonio. "It draws to a close more than 20 years of efforts to adjudicate the Navajo Nation's water rights claims. Importantly for non-Navajo water right owners, it protects existing uses of water, it allows for future growth, and it does so within the amount of water apportioned to New Mexico by the Colorado River Compacts."

(MORE)

The revised proposed settlement agreement and other settlement documents are available for public inspection at the Office of the State Engineer's website at: www.ose.state.nm.us Hard copies of the revised proposed settlement agreement will also be available for inspection at the following locations:

- * **Aztec District Court**
103 South Oliver Drive
Aztec, NM 87410
- * **Aztec Public Library**
201 W. Chaco St.
Aztec, NM 87410
- * **Bloomfield Public Library**
333 South First St.
Bloomfield, NM 87413
- * **Farmington Public Library**
101 Farmington Ave.
Farmington, NM 87401

The proposed settlement includes: a **settlement agreement**, a **partial final decree** for entry in the San Juan River Adjudication setting forth the rights of the Navajo Nation to use and administer waters of the San Juan River Basin in New Mexico; a **settlement act** for Congress to authorize the Navajo-Gallup Water Supply Project to secure a water supply to meet needs of the Nation and its members and to approve the settlement agreement; and a **contract** to provide for deliveries to the Navajo Nation under U.S. Bureau of Reclamation water projects including the Navajo Indian Irrigation Project and the Animas-La Plata Project. Also, the authorization would include facilities to provide municipal water supplies to Gallup and to an area in the southern portion of the Jicarilla Apache Reservation.

Also available with the settlement documents at the Office of the State Engineer website are related materials, including an executive summary of the revised proposed settlement, a revised depletion schedule indicating how New Mexico's compact water is anticipated to be used over the next 60 years, and a document of responses to the public comments that the Interstate Stream Commission received on the draft version of the settlement that was released publicly on December 5, 2003.

If approved by the Navajo Nation and the State of New Mexico, the settlement agreement would be forwarded to New Mexico's Congressional delegation with a request that the delegation introduce to Congress the proposed settlement act to approve the settlement and related authorizations for projects and funding. Execution of the settlement agreement and the settlement contract by the U.S. Secretary of the Interior would be expected to occur upon passage of the settlement act into law.

The proposed settlement agreement would specify that: the settlement act be enacted into law by October 31, 2006; that a joint hydrographic survey report be completed by September 30, 2011; that the partial final decree be entered by the court in the San Juan River Adjudication by December 31, 2015; and that certain project construction and funding milestones be achieved by specified completion dates.

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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