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United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

**Subject: H.R. 2785, New Mexico Land Grant-Mercedes Historical or Traditional Use Cooperation and Coordination Act**

Rep. Bruce Westerman, Chairman, and Rep. Jared Huffman, Ranking Member  
House Committee on Natural Resources Rep. Tom Tiffany, Chairman, and Rep. Joe Neguse, Ranking  
Member, House Subcommittee on Federal Lands

Dear Mr. Chairman and Mr. Ranking Member,

The San Miguel del Bado Land Grant is writing this letter in support of the passage of **H.R. 2785, New Mexico Land Grant-Mercedes Historical or Traditional Use Cooperation and Coordination Act** introduced by Rep. Teresa Leger Fernández (NM-03). This legislation is extremely important for our communities. It offers our people access to uses that they have relied on for centuries since Spanish Governor Fernando Chacón granted fifty-two of our ancestors the San Miguel del Bado Grant in 1794. In the decades after the granting of our grant, our communities grew from San Miguel del Bado to additional settlements, including San José, Las Mulas, Entramosa, Puerticito, Guzano, Bernal, La Cuesta, Pueblo, Ribera, San Ysidro, Colonias and Villanueva. By 1853, officials estimated that 1,000 families lived on the grant and four years later, our ancestors filed a petition to the office of the Surveyor General, seeking recognition of our claim. In 1879, after more two decades of inaction, Surveyor General Henry M. Atkinson (a noted land speculator) reported to Congress recommending confirmation, but stipulated that the grant be confirmed only to the heirs of the Lorenzo Márquez, only one of many individuals that first settled the grant. This would make it possible for a speculator to pursue only Lorenzo Márquez's interest in the grant, file a quiet title suit against the "unnamed heirs" of the fifty-one other settlers, and file for confirmation of their undivided interest in the grant. A survey completed that same year revealed that the grant encompassed 315,300.8 acres of land surrounding the Pecos River.

When our Grant went before the Court of Private Land Claims in 1894, the Court confirmed that the San Miguel del Bado Grant was, indeed, a legitimate community grant and confirmed the entire 300,000 acre grant to the heirs of all settlers named in a 1803 document that detailed the allotment of individual tracts to the settlers. U.S. Attorney Matthew G. Reynolds appealed the decision to the U.S. Supreme Court on behalf of the United States government, claiming that the grant should be restricted to the

individual agricultural allotments along the Pecos River, a mere 5,000 acres. In an argument contrary to centuries of Spanish and Mexican law and decades of Surveyor General and Court of Private Land Claims decisions, he claimed the remaining balance (~295,000 acres) was unoccupied and continued to be the property of the Crown, whose ownership passed with sovereignty first to Mexico and then to the United States. The U.S. Supreme Court agreed with Reynolds in the precedence setting 1897 *U.S. v. Sandoval* decision, where they ruled that the common lands of the San Miguel del Bado Grant were never vested in the land grant. In 1900, a survey identified ten tracts of land of approximately 3,539.71 acres as the sum of the land grant lands, with 5,000 residents. A 1903 survey increased the acreage to 5,207.73 acres and in January of 1910, the General Land Office issued a patent for that acreage to the San Miguel del Bado Board of Commissioners.

While some San Miguel del Bado heirs received homesteads, the bulk of our former common lands were considered part of the public domain. In 1909, 97,917 acres (an estimated 33.66%) of these forested common lands became part of the Pecos River National Forest, (later renamed the Pecos National Forest and now a part of the Santa Fe National Forest), depriving our communities of access to timber, fuelwood, flora and fauna that provided sustenance, not to mention medicinal herbs that . Other federal lands are checkerboarded throughout the grant. 8,863 acres are now under the management of the Bureau of Land Management, including historic cemeteries.

**H.R. 2785** will ensure that federal agencies like the U.S. Forest Service and the Bureau of Land Management are responsive to the needs of our communities. The San Miguel del Bado Grant has participated in the creation of a new Santa Fe National Forest Management Plan and has worked with the Bureau of Land Management for the return of historic cemeteries on BLM lands. Our communities have faced difficulties for decades when dealing with the U.S. Forest Service and the BLM in attempting to access our former common lands for traditional resources, including fuelwood and medicinal herbs that are culturally important. This bill will help us access natural resources that our community relies on and will also ensure that the Forest Service cooperates with us regarding the management of the federal lands that surround our communities. The coordination aspects of this bill will go a long way to encourage positive relationships between federal agencies and land grants-mercedes.

The San Miguel del Bado Land Grant offers our full support to this bill and asks for your support in securing its passage through the House Natural Resources Committee.

Sincerely,

*Clarence Romero*

President  
San Miguel del Bado Land Grant