

**Hearing before the House Committee on Natural Resources
Subcommittee on Water, Wildlife, and Fisheries**

**H.R. 8951
Zuni Indian Tribe Water Rights Settlement Act of 2024**

**Statement of Tanya Trujillo,
New Mexico Deputy State Engineer**

July 23, 2024

Mr. Chairman Bentz, Vice Chair Kiggans, and members of the Committee, I am Tanya Trujillo, New Mexico Deputy State Engineer. My agency, the Office of the State Engineer, is responsible for the administration of water rights in New Mexico. The State Engineer has authority over the supervision, measurement, appropriation, and distribution of all surface and groundwater in New Mexico, including all interstate streams and rivers. I appreciate the opportunity to submit this testimony to you today and provide comments on behalf of the State of New Mexico in support of House of Representatives Bill 8951, the *Zuni Indian Tribe Water Rights Settlement Act of 2024*.

H.R. 8951 will resolve the Zuni Tribe's water rights claims in the Zuni River Stream System by authorizing, ratifying, and confirming a comprehensive agreement between the State and the Zuni Tribe. The settlement represents the culmination of over 25 years of litigation and subsequent negotiations among the signatories and the United States as trustee, and would not have been possible without their support and active participation in the negotiations.

The Zuni Tribe Reservation is at the very end of the Zuni River Stream System and one of the most remote and water-scarce river basins in New Mexico. The Settlement Agreement will not only determine the water rights of the Zuni Tribe, but will provide financial resources to

develop a sustainable water supply to satisfy the Tribe's water needs, today and into the future, while minimizing adverse impacts to other water users in the basin.

The Settlement Agreement provides for administrative protections for the non-Tribal water users in the basin, the critically endangered bluehead sucker fish, and importantly, the Zuni Salt Lake, a culturally sacred site for Zuni and many other Pueblos, Tribes, and Nations in the Southwest. The State of New Mexico has committed to seek \$1.2 million in funding for costs related to monitoring the Critical Protection Areas and Zuni Salt Lake, mitigation funding to protect against future impacts to domestic and livestock wells and necessary administrative needs in the Zuni River Basin with the goal of protecting water resources in the Zuni River Stream System for future generations while allowing all parties to exercise their water rights.

As a fund-based settlement, the Zuni Tribe is seeking federal funding in the amount of \$749 million for water related projects, including irrigation infrastructure improvements, water and wastewater infrastructure improvements, watershed protection, water-related tribal community welfare and economic development, and costs relating to implementation of the Agreement. Importantly, this legislation will provide the Tribe flexibility to determine the scope and design of future projects critical to obtain a reliable supply of water and create water security for the future.

Mr. Chairman Bentz, Vice Chair Kiggans, and members of the Committee, the State of New Mexico asks you to support H.R. 8951. If approved, this legislation will create a mechanism for cooperation and coordination among the Zuni Tribe and the State regarding water rights administration, thereby avoiding jurisdictional conflicts and allowing for comprehensive administration across the stream system. The funding authorized by the Settlement Act will contribute to the Zuni Tribe's water security and provide significant economic benefits and

employment opportunities to the Tribe and surrounding communities. There will also be broader cultural and ecological benefits from the cooperative management components of the agreement that underscore the commitment of both the State and the Tribe to protect and restore precious resources in the Zuni River Stream System. The State of New Mexico enthusiastically supports this legislation and believes H.R. 8951 is key to providing the Zuni Tribe with sufficient water to satisfy its needs and protect the Zuni Salt Lake, natural springs, and sacred sites for generations to come.

I thank you for your consideration of this issue and stand ready to provide any support necessary to encourage the passage of this critical legislation.