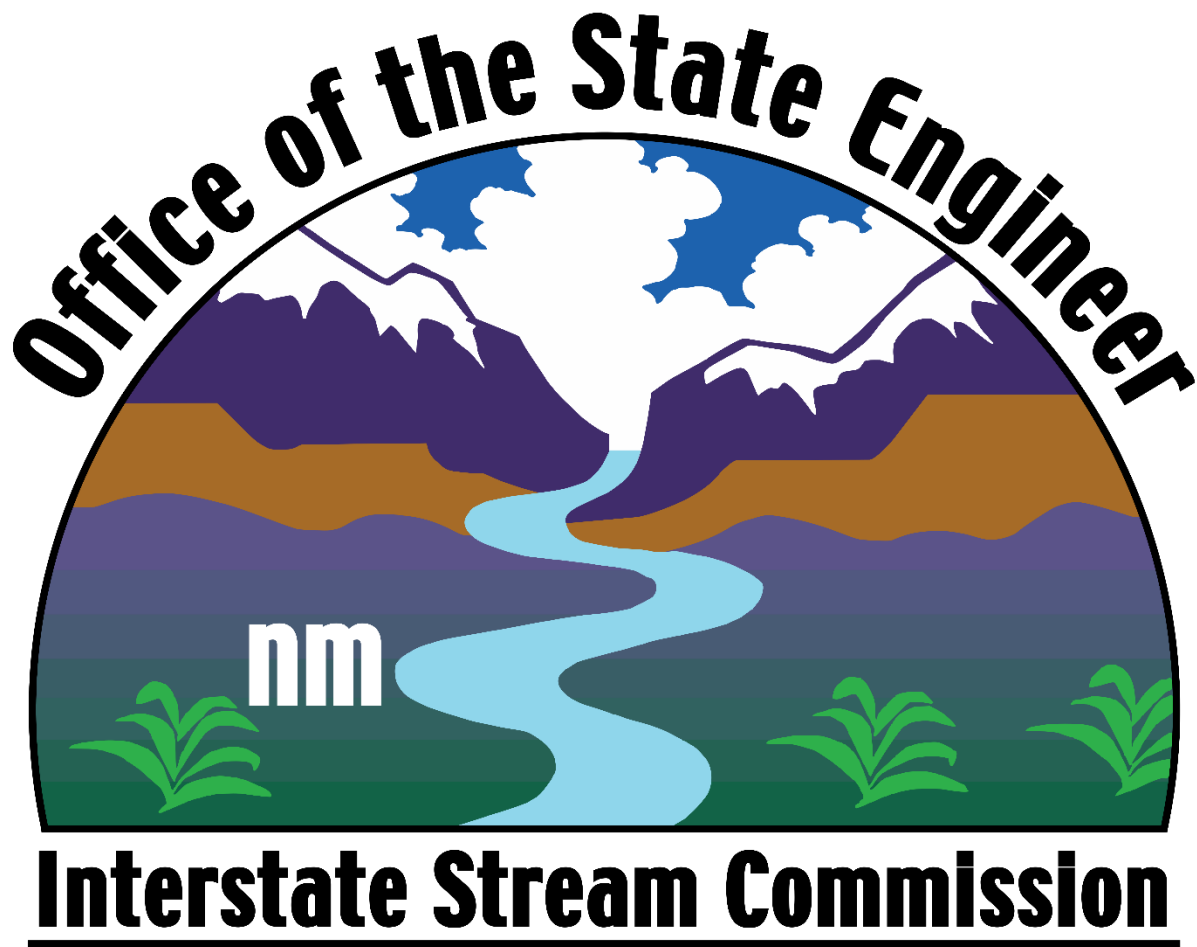




Fiscal Year 2026 Agency Report

State Tribal Collaboration Act Annual Report

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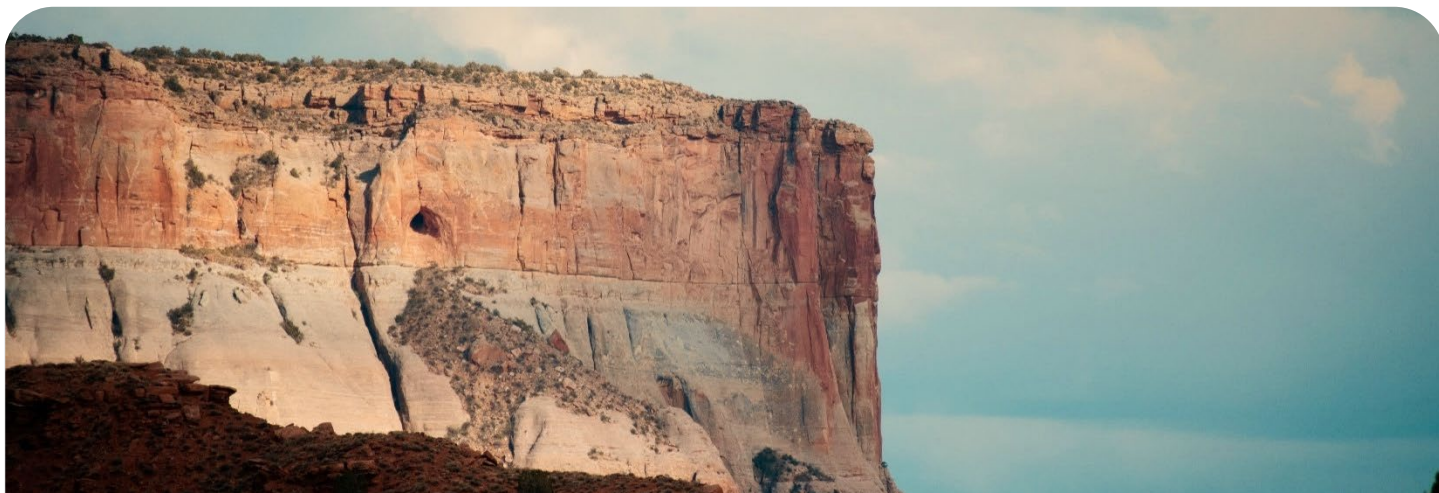
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I. Executive Summary

The State Engineer has authority over the measurement, appropriation, and distribution of all surface and groundwater in New Mexico, including streams and rivers that cross state boundaries. The New Mexico Office of the State Engineer (OSE or Agency), under the direction of the State Engineer, administers the State's water resources.

The Interstate Stream Commission (ISC) is a nine-member Commission 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, ongoing water planning, meeting commitments to support listed species under the federal Endangered Species Act and help prevent future listings, and administering the Indian Water Rights Settlement Fund. The ISC's statutory mandate calls for investigating the State's surface and groundwater supplies and developing, conserving, and protecting the waters of the State.

New Mexico is facing its most severe drought in decades. The 2025-2026 winter had the lowest snowpack on record, the warmest March on record, and the lowest recorded streamflow throughout the Rio Grande and San Juan Basins at the start of the 2026 irrigation season. Climate change is making water shortages worse by reducing snowpack, shifting precipitation patterns, prolonging drought, increasing evaporation, and fueling more wildfires. These changes threaten communities, farmers, businesses, and wildlife that depend on our State's water. With an ever-dwindling water supply, water security for all New Mexicans is increasingly important.

To meet this challenge, the OSE and ISC have committed to resolving the outstanding Tribal water rights claims, engaging in effective water planning, Government-to-Government consultation, and increasing communication with Tribal leadership and staff to achieve comprehensive water management statewide.

The unique and sovereign status of Tribal Governments in New Mexico requires the OSE and ISC to prioritize coordination, consultation, and education among state, federal and Tribal governments. The Pueblos, Tribes, and Nations of New Mexico hold the oldest and some of the largest water rights in the

state. Working together as sovereign governments is essential to managing our shared water resources in a meaningful way and ensuring a sustainable future for all New Mexicans.

The OSE/ISC Tribal Liaison deals with matters related to adjudication of Tribal and Pueblo water rights, negotiations regarding these rights, and assistance to individual Tribes and Pueblos. The Liaison's role is to advocate equal protection of all water users, emphasizing conservation and the development of feasible alternative water supplies.

Specifically, the Tribal Liaison has an integral role in facilitating relationships and communications between the agency and Tribal communities. The Tribal Liaison deals with matters related to adjudication, negotiation, and implementation of Tribal water rights settlements and water planning. The Liaison also assists individual Pueblos, Tribes, and Nations to bridge cultural and jurisdictional gaps with the State and non-Tribal water users. The Tribal Liaison also ensures that Tribal leadership has access to the State Engineer, available state resources, and a seat at the table for agency-wide issues impacting Tribal communities.

FY2026 was a successful year for collaboration with the Pueblos, Tribes, and Nations in New Mexico. The following are highlights from 2026:

- Continued advocacy for the Tribal Water Rights Settlement bills and Amendments that were reintroduced into Congress in 2025;
- Continued negotiations of water rights claims for 1) Santa Clara Pueblo and Ohkay Owingeh, 2) the Ute Mountain Ute Tribe, and 3) the Six Middle Rio Grande Pueblos;
- Supported the Jicarilla Apache Nation in their nomination and receipt of the Honoring Nations Award from the Harvard Institute for the water lease between the Nation, the ISC and The Nature Conservancy;
- Continued active engagement with the Water Security Tribal Advisory Council (WSTAC) to gather input for the development of the new Regional Water Security Planning Rule (19.25.16 NMAC);
- Supported the ongoing implementation of the Navajo-Gallup Water Rights Settlement;
- Administered shortage sharing on the Rio Chama;
- Provided supplemental funding for the Taos settlement parties to construct major components of the mutual benefit project and mitigation well system;
- Implemented a groundwater monitoring plan in the Zuni River Basin to ensure protections contemplated under the Zuni Tribe Water Rights Settlement; and
- Supported the Aamodt Parties in public outreach efforts for the Pojoaque Basin Regional Water System.

A. Mission Statement

Our Mission

To actively protect and manage New Mexico's water resources for the beneficial use of its people, in accordance with the law.

- **Efficient Water Management:** Investigate, measure, and distribute water efficiently in compliance with state laws, court adjudications, and State Engineer regulations.
- **Water Rights Administration:** Administer a water rights system that lawfully allocates and reallocates water through permits, licenses, and court adjudications to meet the needs of New Mexico's growing population.
- **Sustainable Water Use:** Maximize the use of New Mexico's renewable interstate stream apportionments to ensure the sustainability of the state's water supplies.
- **Future Planning:** Plan for the future water needs of New Mexico's people and environment, considering both current and anticipated demands.

Our Guiding Values

We are committed to serving New Mexico through:

- Accountability
- Collaboration
- Communication
- Efficiency
- Effectiveness
- Fiscal Responsibility
- Service
- Quality

Our Vision

The Office of the State Engineer and the Interstate Stream Commission aim to be the preeminent water management agency, trusted by the public to manage, allocate, and protect New Mexico's water resources effectively and transparently.

B. Agency Overview

The State Engineer is responsible for managing and protecting the waters of New Mexico—one of our most precious and limited resources. The State Engineer is appointed by the Governor of New Mexico and confirmed by the State Senate. She holds statutory authority over New Mexico’s water resources overseeing measurement, appropriation, and distribution statewide. The State Engineer also serves as secretary of the Interstate Stream Commission, an independent nine-member commission appointed by the Governor to investigate, protect, and develop New Mexico’s waters, including both interstate and intrastate stream systems.

The programs of the OSE are:

- **Litigation & Adjudication Program** handles adjudications, negotiations, and litigation issues through the Administrative Litigation Unit, Bureau for Pueblos, Tribes, & Nations. Hydrographic Survey Bureau, Lower Rio Grande Bureau, and Northern New Mexico & Pecos Bureau.
- **Water Resource Allocation Program (WRAP)** is responsible for processing water rights applications and conducting technical analysis through the Hydrology Bureau, Water Rights Division & District Offices, Water Use & Conservation Bureau, Dam Safety Bureau, and Statewide Program.
- **Interstate Stream Commission (ISC) Program** implements projects throughout the state to aid in compact compliance and meet commitments related to the federal Endangered Species Act, providing technical support and administering funding related to Indian Water Rights settlements, and overseeing the Strategic Water Reserve. The ISC protects New Mexico’s interest in interstate stream controversies through the Colorado River Basin Bureau, Rio Grande Bureau, Pecos River Bureau, Acequia Bureau, and Water Planning Bureau, Strategic Water Reserve, and an Indian Water Rights Settlements technical lead.
- **Program Support** keeps the agency rolling through the Human Resources Bureau, Budget & Finance Services Bureau, and the Information Systems technology Bureau.

The 1907 Water Code assigned supervision of the surface waters of the then Territory of New Mexico to the Territorial Engineer. When New Mexico became a state in 1912, the agency was renamed from the Office of the Territorial Engineer to the Office of the State Engineer. In 1931, the State Engineer’s authority expanded to include the regulation of groundwater throughout the State. The OSE plays a critical role in ensuring that water is administered legally and fairly across New Mexico.

The Legislature created the Interstate Stream Commission in 1935. Its separate duties include protecting New Mexico's right to water under eight interstate stream compacts and ensuring the State complies with each of those compacts, as well as:

- Developing and promoting regional and statewide water planning,
- Meeting commitments to support listed species under the federal Endangered Species Act and help prevent future listings,
- Overseeing the Strategic Water Reserve,
- Administering the Indian Water Rights Settlement Fund.

The ISC also created an Indian Water Rights technical lead position to assist with Settlements. The ISC's statutory mandate calls for investigating the State's surface and groundwater supplies and developing, conserving, and protecting the waters of the State.

Today, the Office of the State Engineer includes a Litigation & Adjudication Program, the Water Resource Allocation Program (WRAP), and Program Support. The OSE plays a critical role in ensuring that water is administered legally, fairly, and wisely across New Mexico. The Interstate Stream Commission is administratively organized as a Program within the OSE. The OSE and ISC work side by side to collaboratively address water management issues in New Mexico.

Water Management in New Mexico

Water Management in New Mexico adheres to the constitutional principles of beneficial use and prior appropriation. Under New Mexico law, water belongs to the public and is subject to appropriation for beneficial use. Often stated as "first in time, first in right," prior appropriation means that older, or senior, water rights take priority over newer, or junior, water right in times of shortage.

Since the enactment of the 1907 Water Code, permits have been mandatory for non-Tribal surface water appropriations and modifications. Similar requirements were extended to groundwater beginning in 1931. Applications for an OSE permit are rigorously assessed to ensure a permit will not impair existing rights, be contrary to the conservation of water within the State or be detrimental to public welfare.

Tribal water rights are governed by federal law. Water rights management on Tribal land varies and is governed by each sovereign nation. Often, cooperative management is achieved through settlement agreements negotiated between Tribes, the State, the federal government, and other neighboring water users.

Adjudication of Tribal Water Rights

New Mexico began adjudicating water rights within New Mexico over a century ago. The water rights for the Pueblos, Tribes, and Nations within New Mexico are in the process of being adjudicated. The quantification and settlement of Tribal water rights improves water security for Tribal communities. Additionally, settlement agreements often resolve administrative challenges between Tribal and non-Tribal water users and foster collaboration and coordination among all users within the stream system.

The goal of settlement is to recognize historic and current Tribal water uses and ensure water security for Tribal communities into the future

Pojoaque Basin Regional Water System Treatment Plant





II. Office of the State Engineer Tribal Communication and Collaboration Policy

In 2005, Governor Bill Richardson issued Executive Order 2005-004, *Statewide Adoption of Tribal Consultation Plans* to enhance and promote government-to-government relations among State agencies and the Pueblos, Tribes, and Nations in New Mexico.

In 2009, the New Mexico State-Tribal Collaboration Act was signed into law and formed the "Protecting and Promoting New Mexico's Environment Group," comprising representatives from key agencies such as the New Mexico Energy, Minerals and Natural Resources Department, New Mexico Department of Game and Fish, New Mexico Office of State Engineer, New Mexico Environment Department, and New Mexico Department of Agriculture. This group was established to develop a comprehensive Tribal communication and collaboration policy that:

- a) Enhances communication and collaboration effectiveness between state agencies and New Mexico Indian nations, tribes, and pueblos.
- b) Fosters positive Government-to-Government relations between the state and New Mexico Indian nations, tribes, and pueblos.
- c) Promotes cultural competence in delivering effective services to New Mexico Indian nations, tribes, and pueblos.
- d) Establishes procedures for informing state agency employees about the goals and requirements of the tribal communication and collaboration policy.

The OSE adopted the OSE Tribal Communication and Collaboration Policy in 2009 (OSE Policy) to ensure that these principles and goals are carried forward and that the OSE remains committed to building and maintaining strong, respectful relationships with the New Mexico Pueblos, Tribes, and Nations.

Role of the Tribal Liaison

This work is led by the OSE/ISC Tribal Liaison, who is responsible for facilitating government-to-government relations, consultations, and communications with the New Mexico Pueblos, Tribes, and Nations, and ensuring that Tribal perspectives are considered on policies across the agency.

The Tribal Liaison addresses matters related to the adjudication of Tribal and Pueblo water rights, negotiations regarding these rights, and assistance to individual Pueblos, Tribes, and Nations on other water administration or compact concerns and interests. Another goal is to resolve disputes between the State of New Mexico and Pueblos, Tribes, and Nations in a manner that will facilitate cooperative and sustainable management plans among sovereign partners.



Myron Armijo

The Tribal Liaison works with State and Tribal leadership and staff to improve communications and enhance collaboration efforts. The Liaison also guides OSE and ISC staff to ensure that programs and services are provided to Tribal communities. The Liaison promotes partnership and collaboration so that Tribal sovereignty and cultural practices are protected and considered in policy development and planning efforts (OSE Policy V(D)(1)).

The Liaison's efforts to promote effective and culturally sound communication has strengthened the Agency's relationships with the Tribes, Pueblos, and Nations in New Mexico and facilitated meaningful collaboration statewide. Recognizing that each Tribal community is unique, the OSE/ISC staff, through the Tribal Liaison, communicates with each Pueblo, Tribe, and Nation in the preferred method of communication to determine the areas of interest for that community and the appropriate person and department to contact for day-to-day collaboration efforts. (OSE Policy V(D)(4)(a)).

The OSE/ISC and Tribal Liaison encourage staff to conduct face-to-face meetings between the appropriate Agency and Tribal policy and/or technical level staff to increase awareness of OSE actions and enhance the development of effective outcomes. (OSE Policy V(D)(4)(b)).



III. OSE/ISC Collaboration and Communication

The Bureau for Pueblos, Tribes, and Nations

The OSE remains committed to government-to-government consultation, collaboration, honoring Tribal water rights, and supporting Tribal Government participation in shaping the future of New Mexico's water management. These efforts reflect the State's deep respect for Tribal sovereignty and the importance of building sustainable, long-term partnerships.

In 2022, the OSE created the Bureau for Pueblos, Tribes, and Nations (BPTN) with the goal of reaching settlement on pending Tribal water rights claims and to support the Tribal Liaison to efficiently address the needs Tribal communities.

The BPTN coordinates with all the programs within OSE/ISC on Tribal matters. The BPTN works collaboratively with OSE/ISC staff and leadership to address the needs of Tribal communities and ensure that settlement goals are integrated into policy making and water administration in settlement basins.

In FY2026, OSE/ISC continued to build the BPTN develop capacity to address ongoing issues among Tribal and non-Tribal water users.

The BPTN focuses on negotiation and implementation of settlements of Tribal water rights claims through the adjudication process. The BPTN has expanded to assist the Tribal Liaison on issues throughout the Agency. The Tribal Liaison communicates with Tribal leadership directly and the BPTN communicates regularly with Tribal staff and representatives to address issues related to Tribal water rights and cooperative administration.

A. FY 2026 Status of IWRS

There are currently five finalized Tribal water rights settlement agreements in New Mexico:

- **Jicarilla Apache settlement in the San Juan River Basin.** *New Mexico ex rel. State Eng'r v. United States*, No. 75-184 (11th Jud. Dist., San Juan County, New Mexico).
- **Jicarilla Apache settlement in the Rio Chama Stream System.** *New Mexico ex rel. State Eng'r v. Aragon*, Case No. 69-cv-07941 KWR/KK (D.N.M.).
- **Navajo Nation settlement in the San Juan River adjudication in Northwest New Mexico.** *New Mexico ex rel. State Eng'r v. United States*, No. 75-184 (11th Jud. Dist., San Juan County, New Mexico).
- **Settlement agreement with the four Pueblos of Nambé, Pojoaque, Tesuque, and San Ildefonso in the Rio Pojoaque Basin adjudication.** *New Mexico ex rel. State Eng'r v. Aamodt*, 6:66-cv-6639 WJ/WPL (D.N.M.)
- **Taos Pueblo settlement in the Rio Pueblo de Taos/Rio Hondo Stream System adjudication.** *New Mexico ex rel. State Eng'r v. Abeyta and Arellano*, Nos. 69cv07896 BB and 69cv07939 BB (D.N.M.).

Since 2022, Governor Lujan Grisham, Tribal leadership and local participating parties have signed five additional settlements, highlighting the administration's prioritization of Tribal collaboration. Those local settlements agreements are awaiting Congressional approval, and beginning the implementation phase:

- **Pueblos of Acoma and Laguna in the Rio San José Stream System adjudication.** *Kerr-McGee Corp, et al. v. State of New Mexico, ex rel. State Eng'r*, Case Nos. D-1333-CV-1983-00190 and D-1333-CV1983-00220 (consolidated) (13th Jud. Dist. Ct.).
- **Navajo Nation in the Rio San José Stream System adjudication.** *Kerr-McGee Corp, et al. v. State of New Mexico, ex rel. State Eng'r*, Case Nos. D-1333-CV-1983-00190 and D-1333-CV1983-00220 (consolidated) (13th Jud. Dist. Ct.).
- **Pueblos of Jemez and Zia in the Rio Jemez Stream System adjudication.** *United States of America, et al. v. Abousleman, et al.* Civil No. 83-cv-01041 (KWR-JHR (D.N.M.)
- **Zuni Tribe in the Zuni River Basin.** *U.S. v. A&R Production, et al.*, Case No. 6:01-cv-00072-DHU-JHR (D.N.M.), Subproceeding 1—Zuni Indian Claims, Case No. 6:07-cv-00681-DHU-JHR (D.N.M.)
- **Ohkay Owingeh claims in the Rio Chama Stream System.** *New Mexico ex rel. State Eng'r v. Aragon*, Case No. 6:69-cv-07941 KWR/KK (D.N.M.)

Four active negotiations are underway:

- **Santa Clara Pueblo and Ohkay Owingeh for water rights claims in the Santa Cruz/Truchas Stream Systems.** *New Mexico v. Abbott*, Case No. 68-7488 KWR/JHR (Santa Cruz) and Case No. 70-8650 KWR/JHR (Truchas) (N.M. D. Ct., N.M.)
- **Navajo Nation for water rights claims in the Zuni River Basin.** *U.S. v. A&R Production, et al.*, Case No. 6:01-cv-00072-DHU-JHR (D.N.M)
- **Ute Mountain Ute Tribe in the San Juan River Stream System.** *New Mexico ex rel. State Eng'r v. United States*, No. 75-184 (11th Jud. Dist., San Juan County, New Mexico)
- **The Six Pueblos of Sandia, Santa Ana, Isleta, Santo Domingo (Kewa), Cochiti, and San Felipe in the Middle Rio Grande Stream System.**

B. FY 2025 OSE/ISC Collaboration & Communication

In FY2026, Agency-wide efforts to enhance communication with the Pueblos, Tribes, and Nations include:

- Engaged in government-to-government consultations with Ohkay Owingeh, the Pueblos of Cochiti, Picuris, and Sandia.
- Regularly attended monthly meetings with Tribal Government representatives in the Northern Pueblo Tributaries Water Rights Association to update Tribal leadership regarding implementation of the Aamodt Settlement Agreement.
- Regularly attended the monthly Aamodt Working Group meetings to implement the Water Rights Settlement of claims for the Pueblos of Nambe, Pojoaque, Tesuque, and San Ildefonso, and participated in public meetings throughout the Pojoaque Valley to provide information regarding the Regional Water System and well connections. Attended Six Middle Rio Grande Pueblos Coalition and discussed water management in the Middle Rio Grande among the Pueblos, Non-pueblo water users, and federal water managers.
- Participated in regular meetings to implement the Taos Pueblo Water Rights Settlement and provided over \$15 million towards mutual benefit projects to protect the Buffalo Pasture and protect flows in the Rio Hondo - Rio Pueblo de Taos Stream System.
- Began the hydrographic survey of the Rio San Jose stream system pursuant to the Pueblos of Acoma and Laguna and Navajo Nation Water Rights Settlement Agreement.
- Participated in weekly meetings to implement the Interim Agreement and administer the shortage sharing schedule as intended under the Ohkay Owingeh Rio Chama Water Rights Settlement.
- Worked with Ohkay Owingeh in bi-weekly meetings on determining inflow estimates of native water available for diversion during shortage sharing.
- Attended the Rio Jemez Opening/Closing Out of Irrigation Season biannual meeting hosted by the Pueblo of Jemez and followed up on issues presented by the Pueblos of Jemez and Zia, and funded improvements to the diversions shared with the non-Tribal water on the system.
- Funded \$750,000 to implement a groundwater monitoring plan pursuant to the Zuni Tribe Water Rights Settlement.
- Worked with District Office to develop implementation guidance and application notification systems to further communications between OSE District Offices and Tribal staff.
- Continued active engagement with the Water Security Tribal Advisory Council (WSTAC) to gather and incorporate input on the development of the Regional Water Security Planning Rule (19.25.16 NMAC), including adding provisions that would allow for the creation of subregions to reflect Settlement boundaries.

C. FY2026 Investing in Capacity and Collaboration

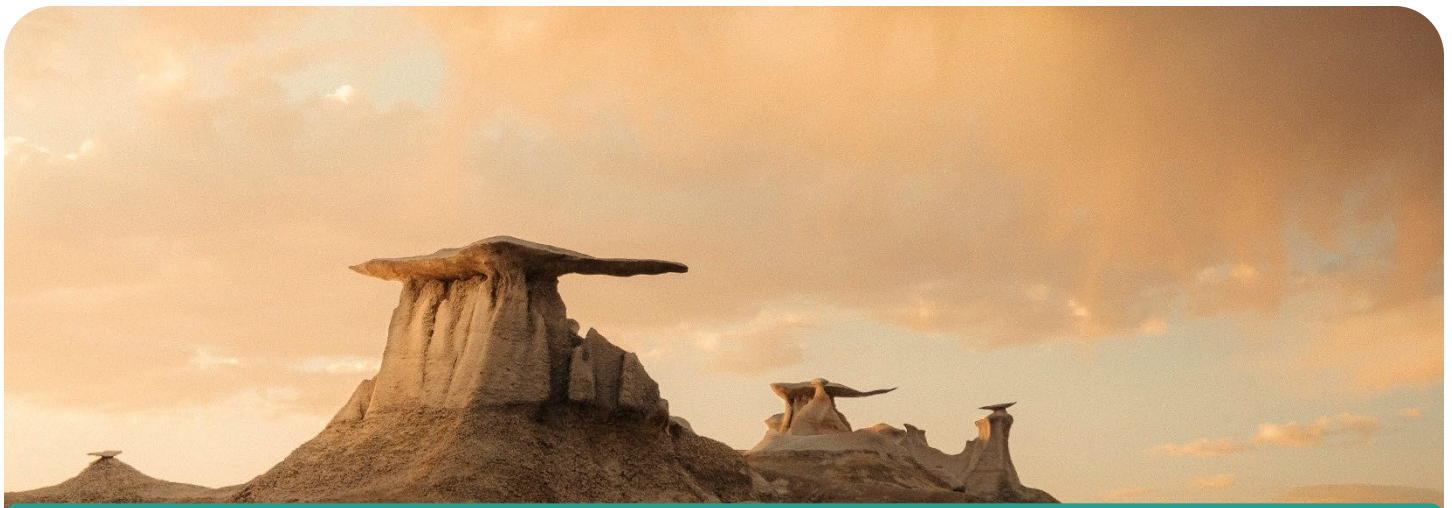
FY2026: Investing in Capacity and Collaboration

Many Tribal settlements also bring in significant federal investment for water infrastructure, helping rural and tribal areas improve water access and resilience. In FY2026, the OSE and ISC:

- Secured \$20 million from the 2026 New Mexico Legislative Session to support continued work on Indian water rights settlements and their long-term implementation, in addition to the \$20 million appropriation in 2024 and \$25 million appropriated in 2025.
- Entered into funding agreements with multiple parties to the Taos Pueblo Water Rights Settlement Agreement for \$17.4 million of supplemental funding to continue work on the essential Mutual-Benefit Projects, as described in the settlement agreement.
- Created a mechanism to fund the Rio Chama acequia associations \$7 million in early funding through OSE agreements with local Soil and Water Conservancy Districts, as required under the Ohkay Owingeh Rio Chama Settlement Agreement.
- Provided funding to the City of Española for regional water system projects associated with the Ohkay Owingeh Rio Chama Settlement Agreement.
- Continued work on the \$750,000 funding agreement to implement the Groundwater Monitoring plan called for under the Zuni Tribe Settlement Agreement with funds from OSE's FY2025 special appropriation.
- Funded approximately \$93,000,000 of improvements to the Jemez East Pueblo Ditch and Molino Ditch shared diversion through the WRAP Statewide Metering and Measurement Fund. The improvements included installation of two new headgates, a completely new concrete vault structure, measurement instrumentation, and vandalism prevention materials.
- The WRAP Statewide Metering and Measurement Fund also invested funding towards installation of meters and gages in critical areas throughout the state, including the Chama Stream System and other areas with Tribal settlement metering requirements.

Molino Ditch Shared Diversion





IV. FY2026 OSE/ISC Priorities

Looking ahead to Fiscal Year 2027, OSE has identified the following priorities and initiatives:

- Continue negotiations on the water rights claims of the Ute Mountain Ute Tribes in the San Juan River Basin, Ohkay Owingeh and Santa Clara Pueblo in the Santa Cruz-Truchas Stream System, and the Six Middle Rio Grande Pueblos.
- Continue the hydrographic survey of the Rio San José Stream System as obligated under the Pueblos of Acoma & Laguna Water Rights Settlement Agreement.
- Continue funding the State's cost share under the pending local settlement agreements and supplemental funding for the Taos-Abeyta Settlement parties.
- Support Federal legislation and amendments for pending Tribal water rights settlement bills.
- Continue development of budgetary framework to fund settlements to allocate state resources effectively and secure funding for the State's cost-share under Tribal water settlements.
- Continue to engage with WSTAC on regional water planning.
- Develop inter-agency policies and guidelines for implementation and administration of Tribal water rights settlement agreements.
- Update the OSE Tribal Communication and Collaboration Policy to incorporate Traditional Ecological Knowledge and enhance engagement strategies.
- Continue to support public outreach in the Nambé-Pojoaque-Tesuque Stream System (NPT) to assist water users in decisions related to connection to the Pojoaque Basin Regional Water System.
- Continue to support Taos Settlement Parties with funding for mutual benefit projects and mitigation well system.
- Continue to support OSE District Offices in the administration of water related to Tribal water rights settlements.
- Identify critical measurement infrastructure needs for Tribal settlement implementation.
- Enter Partial Final Judgement and Decree for each locally finalized settlement.
- Put forth leasing amendments for each locally finalized settlement.

A. FY 2026 Supporting Federal Legislation for Tribal Water Rights Settlements

Current Pending Legislation

During FY26, the OSE and ISC supported eight Tribal water rights settlement bills seeking Congressional approval. Settlement parties put forth the following legislation bringing over \$3 billion for Tribal communities in New Mexico for water infrastructure projects:

Pending Amendments

to Existing Settlements (Congressionally Approved, Ongoing Implementation):

- **S. 637/H.R. 1468** – Navajo-Gallup Water Supply Project Amendments Act of 2025
- **S. 640/H.R. 6599** – Technical Corrections to Northwestern New Mexico Rural Water Projects Act, Taos Pueblo Indian Water Rights Settlement Act, & Aamodt Litigation Settlement Act
- **S.3242/H.R.6205** – Abeyta-Taos Pueblo Amendment for Supplemental Funding
- **S. /H.R. - S.3573** – Amendment to the Aamodt Litigation Settlement Act for extension to complete the Regional Water System

Local Settlements Pending Congressional Approval (Locally Signed, Interim Implementation Ongoing):

- **S. 562/H.R. 1322** - Rio San José and Rio Jemez Water Settlements Act of 2025; Title I: Pueblos of Acoma & Laguna in the Rio San Jose Stream System; Title II: Pueblos of Jemez & Zia in the Rio Jemez Stream System
- **S. 565/H.R. 1324** – Navajo Nation Rio San José Stream System Water Rights Settlement Act of 2025
- **S. 563/H.R. 1323** – Ohkay Owingeh Rio Chama Water Rights Settlement Act of 2025
- **S. 564/H.R. 1444** – Zuni Indian Tribe Water Rights Settlement Act of 2025

FY2027 Priorities:

- Obtaining Congressional approval of pending bills regarding the Tribal water settlements in the Rio San José (Pueblos of Acoma and Laguna, and Navajo Nation), Rio Jemez (Pueblos of Jemez and Zia), Zuni Tribe's claims in the Zuni River Basin, and Ohkay Owingeh's Rio Chama.
- Obtaining Congressional approval for the federal legislation to correct an indexing issue regarding the Abeyta/Taos settlement, Aamodt settlement, and the Navajo Nation & Jicarilla settlement in the San Juan River Basin.
- Obtaining Congressional approval for the amendment to the federal legislation for the Navajo-Gallup Water Supply Project, the Taos Pueblo Indian Water Rights Settlement Act, and the Aamodt Settlement.

B. Implementing Tribal Water Settlements

1. Aamodt Settlement of the Water Rights of the Pueblos of Nambé, Pojoaque, Tesuque, and San Ildefonso

The United States of America, the Pueblo of Nambé, the Pueblo of Tesuque, the Pueblo of Pojoaque, the Pueblo of San Ildefonso, Santa Fe County, the City of Santa Fe, and the State of New Mexico entered into a Settlement

Agreement to resolve the water use claims of the four Pueblos in the Nambé-Pojoaque-Tesuque Stream System (NPT), a tributary of the Rio Grande in north-central New Mexico, in the case of *State of New Mexico ex rel. State Engineer v. Aamodt, et al.*, U.S.D.C. No. 66cv06639 WJ/WPL. The Aamodt Settlement Agreement was enacted into law on December 8, 2010, when President Barack Obama signed the Claims Resolution Act of 2010. Title VI of this Act is the Aamodt Litigation Settlement Act (P.L. No. 111-291, § 601, et seq.).

PBRWS Open House



FY2026: The Aamodt Settlement parties met monthly in the Aamodt Implementation Workgroup (AIWG) and discussed settlement implementation. The AIWG coordinated planning and decision-making efforts among settlement stakeholders to assist with the U.S. Bureau of Reclamation's (Reclamation) construction of the Pojoaque Basin Regional Water System (PBRWS). The OSE and ISC, in coordination with the County of Santa Fe and Reclamation, held numerous open house public meetings in El Rancho, NM, Pojoaque, NM, and Tesuque, NM. At the meetings, they

answered public questions about construction, shared construction information, and assisted household well users in making decisions about signing up to receive water from the PBRWS. Additionally, the BPTN and Santa Fe County continued to collaborate to track the elections of water users in the Pojoaque Valley regarding whether to connect to the water system. BPTN also created election maps for Santa Fe County and Reclamation to assist in determining meter can installations for PBRWS household connections. BPTN and Santa Fe County also met with the Pojoaque Valley School Board (PVSb) twice to help them decide about connecting to the PBRWS and how to facilitate an agreement for connection.

FY2027 Priorities: The parties continue to meet regularly in the AIWG to collaborate on completing PBRWS construction and creating an independent Regional Water Authority to serve the four Pueblos and the Non pueblo residents in the NPT. Staff from the OSE and ISC continue to contribute to monthly meetings.

Reclamation estimates phase one of the construction is over 70% complete. The estimated State cost share needed to complete all three phases of the project may be over to \$120 million.

Reclamation anticipates completion of Phase One as planned. Reclamation recently started the bidding process on Phase Two of the project. Reclamation anticipates that Phase Two execution (engineering and planning) will begin in October of 2026 and construction will begin in August of 2027 (FY2028).

BPTN and Santa Fe County will draft rules for well connection funding to be promulgated in FY2027.

Other major tasks for the AIWG in FY2027 include implementing an operating agreement, standing up a Regional Water Authority board, hiring a general manager, conducting a cost-of-service study, developing agreements with major water users (such as the PVSB) and training staff for water treatment plant and PBRWS operations.

2. Taos Pueblo Water Rights Settlement

On May 30th, 2006, Taos Pueblo, the State of New Mexico, Taos Valley Acequia Association (and its 55-member acequias), the Town of Taos, El Prado Water and Sanitation District (EPWSD) and twelve Taos-area mutual domestic water consumer associations (Taos Pueblo Water Rights Settlement Parties) executed an agreement resolving the water rights claims of Taos Pueblo in the Rio Pueblo de Taos and Rio Hondo stream systems, tributaries of the Rio Grande in north-central New Mexico. (*State v. Abeyta*, Case No. 6:69-cv-07896-KWR-JRF & 6:69-cv-07939-KWR-JRF (Consolidated)).

FY2026: Many of the Taos Settlement Parties achieved considerable progress in FY2026. The Llano Quemado Mutual Domestic Well Association drilled a mitigation well, Mitigation Well D – Rio Grande del Rancho, over 1400 feet deep, south of Ranchos de Taos, near NM-68 and Stakeout Road. Drilling started in August of 2025 and was completed in January of 2026. Construction of Mitigation Well D fulfills some of the mitigation well requirements as specified in the Taos Pueblo Water Rights Settlement. Water quality testing indicates that water in the well needs arsenic removed to meet U.S. Environmental Protection Agency standards. Special appropriation funding from the New Mexico Legislature to the OSE for FY2025 through FY2027 paid for a portion of the well-drilling costs for Mitigation Well D.

Mutual-Benefit Project field visit implementation of Abeyta-Taos Pueblo Settlement



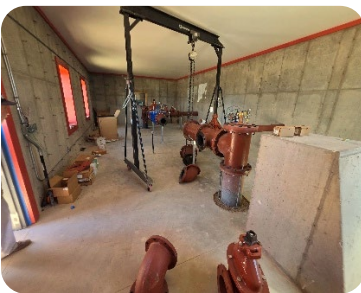
Mutual-Benefit Project field visit implementation of Abeyta-Toas Pueblo Settlement



EPWSD constructed appurtenant well support buildings for their two new production wells west of El Prado along US-64. The well support buildings at each site include a drilling rig serviceable well house, a chlorination building, a service garage, and a building housing a water hammer arrestor and electrical service and controls. These production wells will shift pumping drawdown effects, from El Prado's Overland Sheepskin, El Torreon, and Las Colonias wells, to the west, away from Taos Pueblo's sacred Buffalo Pasture. Construction of these wells and the appurtenant support buildings furthers Taos Pueblo Water Rights Settlement implementation as specified in the agreement. Special appropriation funding from the New Mexico Legislature to the OSE for FY2025 through FY2027 also paid for a large portion of the construction, appurtenant piping infrastructure, and electrical infrastructure.

The Town of Taos completed an OSE application to appropriate 800 acre-feet and pump it from a deep-water supply well, known as the Rio Pueblo Well, that is planned for construction as part of the Town's future water supply well field. The application was noticed on the OSE website on April 3, 2026, and was protested by a downstream water user on the Rio Grande. The future water supply well field will meet the Town of Taos's future water needs while minimizing drawdown impacts on Taos Pueblo's Buffalo Pasture.

Mutual-Benefit Project field visit implementation of Abeyta-Toas Pueblo Settlement



3. Zuni Tribe Water Rights Settlement Agreement

In May of 2023, Zuni Pueblo and the State of New Mexico signed a settlement agreement resolving the water rights claims of the Zuni Pueblo in the Zuni River Stream System adjudication (*U.S. v. A&R Production, et al.*, Case No. 6:01-00072-DHYU-JHR, D.N.M.). In 2023, the State Engineer issued Order No. 199 for protection of the sacred Zuni Salt Lake and Sanctuary and Order No. 197 closing a portion of the Gallup Underground Water Basin to new groundwater diversions other than livestock and domestic wells and prohibiting new surface water diversions.

Zuni Pueblo and an OSE/ISC contractor, GGI/GZA, established a groundwater and surface water monitoring program to measure water levels in existing wells, measure spring flow, and measure Zuni Salt Lake levels in the Zuni River Basin Critical Protection Area. GGI/GZA provided a monitoring plan in October of 2024, revised the plan in January of 2025, and revised it again in December of 2025. Monitoring under the plan commenced in FY2026. GGI/GZA made monitoring trips to the Critical Protection Area in October, November and December of 2025 and in April, May, and June of 2026. GGI/GZA prepared the Zuni River Basin Critical Protection Area Annual Monitoring Report, FY2026 and submitted it on June 30, 2026.

4. Ohkay Owingeh Water Rights Settlement on the Rio Chama

In July of 2023, Ohkay Owingeh, the State of New Mexico, the United States, the City of Española, and over 80 Acequias on the Rio Chama, signed a settlement agreement resolving the water rights claims of Ohkay Owingeh in the Rio Chama Stream System adjudication (*New Mexico v. Aragon*, Case No. 69-cv-07941-KWR/KK, U.S. District Court, District of New Mexico). Federal legislation for the settlement of Ohkay Owingeh's water rights claims was introduced in 2024 and heard in both the House and Senate. However, the House report on the legislation was not issued before the Congressional session ended.

The federal legislation seeking Congressional approval of the Settlement Agreement was reintroduced in February of 2025. The settlement parties began implementation of the Interim Settlement Agreement and created shortage sharing schedule for the 2025 irrigation season on the Rio Chama. The OSE met with the shortage sharing parties numerous times leading up to irrigation season to address concerns and come to an agreement on the final administration terms.

FY2027 Priorities: The Agency intends to distribute \$7 million in early funding to the Rio Chama acequias. The funding will come out of the OSE 2024 and 2025 Special Appropriations and will contribute to the State's overall obligation under the settlement agreement. Additionally, the OSE/ISC is committed to collaboration with the settlement parties to continue working on implementation and related issues.

Well drilling for Mitigation Well E

Rio Chiquito is scheduled to commence in FY2027. The Acequia Madre del Rio Chiquito purchased the land, prepared the drilling site, and secured funding for drilling the well. Well drilling and construction in FY2027 depends on scheduling and availability of the qualified well driller in the coming months. The Town of Taos is also working toward fulfilling their obligations in accordance with the Taos Pueblo Water Rights Settlement.

5. Pueblo of Acoma, Pueblo of Laguna, & Navajo Nation Rio San José Water Rights Settlements

In June 2022, the Pueblo of Acoma, the Pueblo of Laguna, the State of New Mexico, the City of Grants, the Village of Milan, the Association of Community Ditches of the Rio San José, and nine individual acequias and community ditches signed a settlement agreement resolving the water rights claims of the Pueblos of Acoma and Laguna in the ongoing Rio San José Stream System. In July of 2024, the same parties entered into an agreement with Navajo Nation to resolve its water rights claims in the Rio San José Stream System adjudication. (*State of New Mexico ex rel. State Engineer v. Kerr-McGee, et al.*, Nos. D-1333-CV-1983-00190 and D-1333-CV-1983-002200, consolidated).

Federal legislation for the settlement of the Pueblos of Acoma and Laguna, and Navajo Nation's water rights claims was introduced in 2024 and heard in both the House and Senate. However, the House report on the legislation was not issued before the Congressional session ended.

FY2026: The OSE Hydrographic Survey Bureau started the hydrographic survey of the Rio San Jose stream system for the adjudication of the non-Tribal water rights, with consultation from the Pueblos and Nation.



V. FY2026 OSE/ISC Updates and Priorities

A. Colorado River Basin Bureau

FY2026 Updates:

Jicarilla Apache Nation Lease: Colorado River Basin Bureau (CRB) staff continued to work with the Jicarilla Apache Nation (Jicarilla) on implementation of the 2022 Water Supply Agreement, which allows the New Mexico Interstate Stream Commission (ISC) to place 20,000 acre-feet of water leased from the Jicarilla in the Strategic Water Reserve and release it to the San Juan River.

2025 Releases: The leased water was released in two blocks, similar to that of 2024, but with a slightly higher magnitude and shorter duration to observe the movement and deposition of sediment near critical backwater larval fish rearing areas for Colorado Pikeminnow or Razorback Sucker. Each of these block releases were about 10,000 acre-feet and took place over a 12-day period:

- Between July 27 and August 7, 2025, to augment summer baseflow in the San Juan River to support recruitment of larval Colorado Pikeminnow into the next age class.
- Between November 9 and November 20, 2025, to reconnect or improve water quality in backwater areas potentially used as overwintering areas by juvenile Colorado Pikeminnow and Razorback Sucker and to study sediment deposition in these areas.

It is important to highlight that the 2024 release (second block) and the 2025 release are accounted for under the Provisional Accounting MOU between Reclamation and the Upper Division States (UDS) through the Upper Colorado River Commission (UCRC). The total amount verifiably accounted for at Lake Powell is 19,813 acre-feet.

2026 Release: On August 19, 2025, the ISC submitted a Request to Reserve to Jicarilla for 20,000 acre-feet of water for calendar year 2026. On March 30, 2026, the ISC sent Jicarilla a Notice To Take Delivery in

Calendar Year 2026 of 20,000 acre-feet of leased water. The 20,000 acre-feet of leased water was released in one block from May 21 through June 10, 2026, at a rate of approximately 500 cubic feet per second (cfs) over the base release of 300 cfs. The leased water was released in this way to mitigate some of the effects of climate change variability, the very low snowpack observed over the winter, and the much earlier spring melt that was observed this year.

This year's release will also be accounted for under the Provisional Accounting MOU. The intent of the UDS is to work with Reclamation to seek credit for the 2025 and 2026 volumes.

Jicarilla WildCORE - Staff from the ISC and OSE's Water Use and Conservation Bureau (WUCB) participated in Jicarilla's WildCORE event on June 16th and 17th, 2026. The event was hosted by Jicarilla's Game & Fish Department. The purpose of the event was for the community to learn about conservation, the local environment, fish, aquatic insects, wildlife and water. The event took place on the banks of the Navajo River and included booths from The Nature Conservancy, Amigos Bravos, the U.S. Fish and Wildlife Service, the U.S. Forest Service, and multiple Jicarilla public service departments. OSE's WUCB staff had an interactive booth for the community to learn about water conservation and make jewelry.



San Juan River Tribal Trip – The ISC and The Nature Conservancy organized a San Juan River trip with representatives from the Navajo Nation, Jicarilla Apache Nation, Ute Mountain Ute Tribe, the Southern Ute Indian Tribe and the U.S. Fish and Wildlife Service September 23-26, 2025. The purpose of the trip was to discuss the San Juan River Basin Recovery Implementation Program (SJRBRIP) and how the water the ISC and TNC lease from Jicarilla supports recovery of threatened and endangered species in the SJRBRIP.

Honoring Nations Award - On September 19, 2025, the ISC Director and staff attended an event on the Jicarilla Apache Nation with representatives of the Nation, The Nature Conservancy (TNC), and Harvard University. The purpose of the visit was to meet with reviewers for Harvard's Honoring Nations award, since the Nation had been shortlisted for the Honoring Nations award for the water lease agreement with the NMISC and TNC. The Honoring Nations highlights outstanding programs in self-governance. The NMISC director and staff spoke to the reviewers about the importance of the lease agreement to the State of New Mexico. On November 20, 2025, the Jicarilla Apache Nation received "High Honors" from the Harvard Project's Honoring Nations Board of Governors for the lease agreement with ISC. Three projects received "High Honors" and three projects received "Honors". Another New Mexico tribal government, the Pueblo of Taos, also received "Honors" for its Priority Process, a community-driven initiative that utilizes participatory workshops to define community priorities in alignment with cultural practices which are implemented in tribal programming and policies. The 2025 Honoring Nations award cycle received over 100 applications from 76 tribal nations and seven tribal consortia, making it one of the most competitive years to date. Having two New Mexico nations/pueblos recognized in the top 6 projects and amongst 100+ applications was a significant achievement and recognition.



Photo Credit: Dave Showalter

Northern Arizona Indian Water Rights Settlement (NAIWRS): In May 2024, the State of Arizona, the Navajo Nation, Hopi Tribe and San Juan Southern Paiute Tribe reached settlement of the Tribal water rights claims in Arizona titled the Northeastern Arizona Indian Water Rights Settlement (NAIWRS).

New Mexico is fully supportive of the legislation to implement the settlement as it has been amended and is committed to working constructively with its Upper and Lower Colorado River Basin partners to help move the settlement and related issues forward.

Between May 2024 and January 2025, the ISC allocated significant technical and legal resources as part of recurring meetings with the Navajo Nation, the United States, and the State of Arizona, to discuss the NAIWRSA, its potential impacts on New Mexico, and to negotiate proposed amendments to be added to the draft legislation to help move it forward, while protecting the State of New Mexico's interests. Even though the NAIWRSA legislation (with New Mexico's additions) and all other IWRSA bills, including the PL 111-11 amendments legislation, failed to pass in the 118th Congress, they all have been re-introduced in the 119th Congress.

Navajo-Gallup Water Supply Project (NGWSP)

Implementation: On July 31, 2025, October 30, 2025, January 29, 2026, and April 30, 2026, staff attended the NGWSP Project Construction Committee meetings. The San Juan Lateral is more than 60% complete. Recently, the Navajo Nation Council passed an expenditure plan for using up to \$25 million from the Navajo Nation Water Resources Development Trust Fund established under P.L. 111-11 for upsizing Reaches 2 and 3 of the NGWSP, the San Juan Lateral Water Treatment Plant, and other connection projects. On July 31, 2025, January 29, 2026, and April 30, 2026, staff attended three Partnership Meetings of the Navajo-Gallup Water Supply Project (NGWSP). Discussions included status updates on PL 111-11 amendments legislation, the NAIWRSA, and sediment management at the San Juan lateral intake.

On January 23, 2026, Congress passed HR6938. The bill, which became PL-119-74, increased the appropriation ceiling for the project by \$175 million, bringing the total to \$1.815 billion. This allows Reclamation to access funds from Reclamation's Water Settlement Fund to continue the NGWSP implementation. On June 10, 2026, Reclamation awarded a \$75.5 million contract to a contractor for the construction of Block 2-3 Pipeline Horizontal Directional Drilling components of the NGWSP.

Upper Basin States-Tribes MOU: In the past year, staff attended multiple meetings with the 6 Upper Colorado River Basin tribes and the Upper Basin States of New Mexico, Colorado, Wyoming and Utah under the 2024 Memorandum of Understanding (MOU) through the Upper Colorado River Commission. As part of these meetings, the Upper Basin States and tribes continue their dialogue related to high-level issues such as the Post-2026 process.

FY2027 Colorado River Basin Priorities:

- Continue implementation of the Jicarilla Apache Nation lease agreement for calendar years 2026 and 2027.
- Continue engagement with the Jicarilla Apache Nation on education and outreach activities associated with the lease agreement.
- Continue discussions with the Jicarilla Apache Nation and the Navajo Nation on basin-wide programs and matters, such as the San Juan Basin Recovery Implementation Program and the UCRC Tribal MOU.
- Conduct discussions with the Navajo Nation and the Pueblo of Zuni on matters related to the Glen Canyon Dam Adaptive Management Program on an as-needed basis.
- Continue discussions with Reclamation, the Navajo Nation, the Jicarilla Apache Nation, and the City of Gallup related to the implementation of the NGWSP.
- Continue discussions with the Navajo Nation and the other basin states related to the NAIWRS under the 119th Congress.
- Continue discussions with Ute Mountain Ute Tribe to further settlement of water rights claims in the San Juan River Basin.

B. Middle Rio Grande Bureau

FY2026 Updates:

The Middle Rio Grande Bureau (MRGB) primarily engaged with the appointed Federal Negotiation Team (Team) in 2026 to assist LAP in settlement negotiations to resolve the Six Middle Rio Grande Pueblos' water rights claims. State Engineer Elizabeth Anderson, ISC Director Hannah Riseley-White, and OSE/ISC staff also routinely provided updates on OSE/ISC initiatives to the Coalition of the Six Middle Rio Grande Pueblos monthly meetings. ISC MRGB staff engaged regularly with the Six Middle Rio Grande Pueblos, the Bureau of Indian Affairs, the Bureau of Reclamation and the U.S. Army Corps of Engineers on Prior and Paramount operations of the Six Middle Rio Grande Pueblos.



ISC MRGB, OSE BPTN and OSE District VI staff met with representatives from Ohkay Owingeh and the Rio Chama Acequia Association through the winter of 2025 to discuss administration on the Rio Chama in preparation for the 2026 irrigation season. Also, in preparation of the 2026 irrigation season, RGB supported development of an automated tool for OSE District VI staff administration on the Rio Chama.

ISC MRGB staff engaged with Tribal government representatives on environmental compliance and Endangered Species Act (ESA) requirements under the 2016 Biological Opinion. As mutual signatories of the Middle Rio Grande Endangered Species Collaborative Program (MRGESCP), the ISC engages regularly with Pueblos regarding ecological and river management concerns through MRGESCP meetings.

Rio Grande Tribal Trip – The Water Foundation and New Mexico Bureau of Minerals and Geology, hosted a Tribal water leaders river trip with representatives from Tesuque Pueblo, Ute Mountain Ute Tribe, Jicarilla Apache Nation, Santa Ana Pueblo, and Isleta Pueblo. State Engineer Anderson, ISC Director Riseley-White, and ISC staff participated in the river trip. The purpose of the trip was to engage with Tribal representatives on Rio Grande water issues.



FY2027 Middle Rio Grande Bureau Priorities:

- MRGB staff will continue to provide technical skills and information during the Six Middle Rio Grande settlement negotiations.
- MRGB staff and the IWRTL will continue to engage with the Six Middle Rio Grande Pueblo Coalition on Prior and Paramount operations and other OSE/ISC initiatives within the Middle Rio Grande.
- MRGB staff will continue to engage with Pueblos, Tribes, and Nations on environmental compliance and ESA requirements. In addition, the MRGB will engage in habitat and ecological restoration projects and river management projects within the Upper and Middle Rio Grande.

C. Water Planning Bureau

FY2026 Updates:

The Water Security Planning Act (WSPA) was passed by the Legislature in 2023. In FY 2026, the Water Planning Bureau initiated the rulemaking process. The WSPA requires the ISC to re-envision regional water planning in New Mexico starting by developing new rules and guidelines that prioritize the unique needs of local communities, make use of the best available science and data, and comply with state laws and priorities.

In consultation with the New Mexico Indian Affairs Department and with participation from the Governor's Office, the Water Planning Bureau engaged with all New Mexico Pueblos, Tribes and Nations to establish the Water Security Tribal Advisory Council (WSTAC), which was formalized in October of 2024. An ad-hoc steering committee was appointed by Tribal leadership to coordinate schedules, facilitate review and comment of planning documents, and enhance continuity with WSTAC. The purpose of WSTAC is to ensure that Tribal sovereignty, Tribal water rights and the water needs of Tribal communities are taken into account in regional planning and plans.

In July of 2025, the ISC released the Regional Water Security Planning Proposed Rule for comment. WSTAC representatives and Tribal leadership from multiple Pueblos, Tribes and Nations attended the October 2025 hearing and provided verbal and written comments. The ISC used input provided by WSTAC and individual Pueblos to improve the Proposed Rule. The ISC held deliberations on the Proposed Rule following the hearing in January and February of 2026. The Regional Water Security Planning Rule was approved by the Commission in February 2026 and finalized for publication in April 2026 ([19.25.16 NMAC](#)). The Regional Water Security Planning Rule includes requirements for the ISC to engage with WSTAC on regional planning and the role of WSTAC in providing input on regional planning. The ISC recently provided draft Guidelines to WSTAC and there is a planned meeting in August to discuss comments and recommended edits to the Guidelines.

<https://mainstreamnm.org>

FY2027 Water Planning Bureau Priorities:

- The ISC Water Planning Bureau released a draft of Regional Planning Guidelines (Guidelines) for input, as required by the WSPA. ISC staff will request input on the draft Guidelines from WSTAC, individual Tribes, Pueblos, and Nations, and the public. ISC staff will review all input received and take these into consideration when drafting Proposed Guidelines. ISC staff will request ISC approval of the Proposed Guidelines in the fall of 2026.
- Once the ISC approves the Guidelines, the ISC will initiate the formation of the first three Regional Planning Councils. The Water Planning Program will assist WSTAC in participation in regional planning and in the development of operating principles.
- The Water Planning Program will work to develop Tribal-specific guidance documents for regional councils to be aware of and consider when developing and evaluating plans, policies and projects.

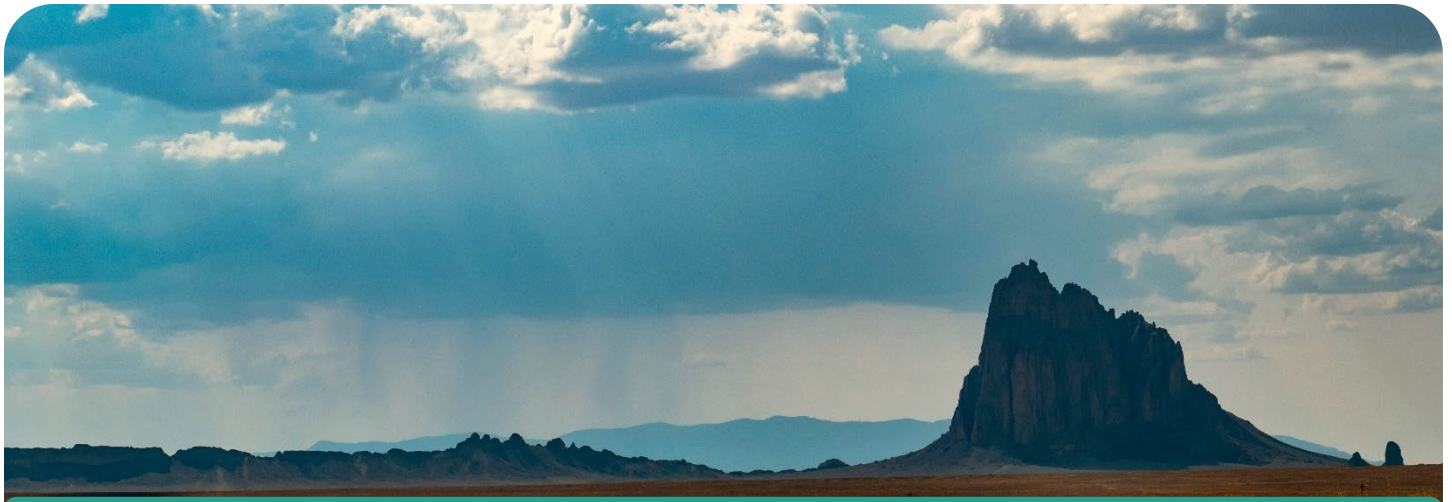
D. Indian Water Resources Team

FY2026 Updates:

In FY2025, the ISC created and hired a new technical position to address compact issues as they relate to Tribal communities. The technical lead continues to coordinate with the OSE's BPTN, ISC Rio Grande, Colorado, Acequia, and Planning Bureaus, and ISC attorneys. ISC staff have attended numerous settlement implementation meetings and participated in settlement negotiation meetings with the 6 Middle Rio Grande Pueblos, Ute Mountain Ute Tribe, and the Pueblos of Santa Clara and Ohkay Owingeh on the Abbott Settlement. In addition, ISC Staff regularly attend the 6 Middle Rio Grande Pueblo Coalition meetings, the Northern Pueblo Tributaries Water Rights Association meetings, and the Water Security Tribal Advisory Council meetings.

FY2027 Priorities:

- Continue to participate in the implementation of Congressionally authorized settlement agreements with Nations, Pueblos, and Tribes in conjunction with OSE.
- Continue to participate in the implementation and early funding of locally authorized settlement agreements with Nations, Pueblos, and Tribes in conjunction with OSE.
- Continue to aid and support ongoing negotiations with Nations, Pueblos, and Tribes in conjunction with OSE.
- Continue to administer the Indian Water Rights Settlement Fund.
- Continue to engage with WSTAC in all water planning initiatives.



VI. Additional Activities, Rules, and Settlements

A. Appropriations and Distribution of Funds

In FY2026, OSE received an additional \$20 million from the NM State legislature to fund a portion of the State's cost-share obligation under the pending Tribal water rights settlements. Last year, the OSE committed \$21.35 million of the FY2025 and FY2026 special appropriations towards funding part of the State cost-share obligations under the pending settlement agreements. For FY2027, the OSE anticipates spending some of the remaining special appropriation for settlement purposes and will request capital outlay funding directly appropriated to the ISC Indian Water Rights Settlements Fund. (NMSA 1978 § 72-1-11). The OSE anticipates requesting additional funding for Indian Water Rights Settlements annually as new settlements move closer to final approval at the federal level.

B. Training and Employee Notification (NMSA 1978, § 11-18-4.C (3))

Senate Bill 196, the State-Tribal Collaboration Act, established a process to ensure that employees of each state agency are properly trained to collaborate with Tribal communities.

C. Governing Statutes, Rules, and Settlements

https://www.ose.nm.gov/Legal/settlements_IWR.php

[NMSA 1978, § 72-2-9 Supervising Apportionment of Waters](#)

[NMSA 1978, § 72-3-2 Water Masters; Appointment, Removal, Duties](#)

[NMSA 1978, § 72-4A-4 Water Trust Board Created](#)

[NMSA 1978, § 72-4A-5.1 Implementation of the State Water Plan](#)

[NMSA 1978, § 72-5-22 Transfer of Water Rights](#)

[NMSA 1978, § 72-5-24 Change of purpose; Change of Point of Diversion](#)

[NMSA 1978, § 75-5A-14 Obligations to Indian Nations, Tribes or Pueblos](#)

[NMSA 1978, § 72-14-3.1 State Water Plan](#)

[NMSA 1978, § 72-12A-1 Mine De-Watering Act](#)

[NMSA 1978, § 72-12-1 Underground Waters Declared to be Public](#)

[NMSA 72-6-1 Water Use Leasing](#)

[NMSA 72-4B-2 Water Data Act](#)

[NMSA 72-14A-2 Water Security Planning Act](#)

[NMSA 1978, § 11-18 State Tribal Collaboration Act](#)

[NMAC 19.25.13 Active Water Resource Management](#)

[NMAC 19.25.20 Nambe-Pojoaque-Tesuque Water Master District: Active Water Resource Management](#)

[NMAC 19.25.16 Regional Water Security Planning](#)

[OSE Tribal Communication and Collaboration Policy](#)

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