Before the Superintendent of the Southern Pueblos Agency
Bureau of Indian Affairs, Department of the Interior
United States of America

In Tripartite Conference of:
Pueblo de Cochiti; Kewa (Santo Domingo) Pueblo; Traditional Village of La Bajada

on this 29th day of March, 2017

REFERENCES

Treaty of Peace, Friendship, Limits and Settlement
between the United States of America and the Mexican Republic
(Tratado de Guadalupe Hidalgo)

United States Patent P.L.C. 168, New Mexico, No.89

PUBLIC LAW 59-209

Cause 26 DC Court of Private Land Claims

National Hispanic Lands Reform Program

PUBLIC LAW 98-344

PUBLIC LAW 106-307

PUBLIC LAW 106-425

HAER NM.15 Library of Congress

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SCOPE

Lands within the Territory of New Mexico, thence the State of New Mexico, constituting the Merced de La Majada, thence the Santa Cruz Spring Tract, within the Counties of Santa Fe, Santa Ana (defunct), Bernalillo (that portion now defunct) and thence Sandoval, the Pueblo de Cochiti Grant, the Santo Domingo Pueblo Grant, and the lands administered in trust by the US Department of Agriculture through the Soil Conservation Service, and the Santa Fe National Forest; and the US Department of the Interior through the Bureau of Land Management, Bureau of Reclamation, the US Army Corps of Engineers, and Bureau of Indian Affairs.

OVERVIEW

The people of the Traditional Village of La Bajada at present are being generally perceived solely as dwellers in an enclave of private land ownership situated within tribal lands. Absent the economic resources to conduct extensive litigation, our ancestors have been repeatedly forced to yield before the overwhelming power of the United States government since 1848; whose Army of the West arrived over a century after our peaceful settlement on the lands of the La Majada Grant along the Santa Fe River. The La Majada Grant has been diminished since that time from its original 54404 acres, to 73 acres. Our existence as a traditional, historical, and cohesive community rooted physically and spiritually in the subject lands has been continuously ignored by various government entities in pursuit of their broader agendas.

There are obvious parallels in the histories of our three communities convened today. All of us have worked to provide opportunities for the economic empowerment of our people, while attempting to sustain and preserve our unique heritage, culture, and natural resources.

Combined with the loss of agricultural land, the expiration and relinquishment of grazing rights on the "Santa Cruz Spring Tract", and the re-alignment of a major transportation route, there exists an imminent threat to the continued sustainability of La Bajada's traditional manner of life. Opportunities to support our people by farming, ranching, and providing respite and services to travelers are continuing to dwindle. Generations of our families have been pressed to leave the village, and the Grant, in order to pursue employment opportunities away from our ancestral home.

Current obstacles to our ability to irrigate our land, and provide safe drinking water for our people and livestock, have been brought to bear by the actions and inactions of the agencies that we employ as taxpaying citizens of the United States of America.

Today, the people of La Bajada are being denied their historical and prescriptive legal access and rights of way, and are facing the potential extinguishment of our village, our culture, and our history. The current conditions have created perceived defects in title through denial of legal access to our lands and water supplies. In this state of affairs, title to our lands is effectively being rendered un-merchantable, and severely devalued. If any one of us actually desired to surrender our heritage and sell out simply to avoid further hardship, it would be at great, inequitable, and unjust economic loss. These conditions exist despite promised protections contained in the acts of congress that have been made as attempts to make restitution to the communities of Cochiti and Santo Domingo. The patience and cooperative spirit of the people of La Bajada has been abused and betrayed.

We attend today's conference in the good faith hope that understanding can be reached among our communities, toward a future that provides for the responsible management and traditional stewardship of the resources that we share.

STATEMENT OF RESOLVE

WHEREAS: La Bajada Community Ditch and Mutual Domestic Water Association is the duly authorized subdivision of the State of New Mexico charged with the administration of the Traditional Village of La Bajada, the Merced de La Majada, and all of the resources physically located within the exterior boundaries of the La Majada Grant, including but not limited to: ground and surface waters, sacred sites, Hispano antiquities, traditional byways, mineral springs, mines, and constructs of Historic American Engineering; and

WHEREAS: the peoples of Cochiti, Kewa (Santo Domingo), and La Bajada have coexisted peacefully, and to mutual benefit, and have enjoyed common bonds of affinity, consanguinity, and religion from 1727 A.D. to the present day; and

WHEREAS: all three communities preexisted the establishment of the United States of America, and were endowed with areas of responsibility and stewardship by the Spanish Crown; and

WHEREAS: the issues before our three communities today are the results of the misfeasance and nonfeasance of various agencies of the United States of America; and

WHEREAS: recent events and incidents threaten the continued harmonious relations among our peoples; and

WHEREAS: it is the desire of the people of La Bajada to persevere and prosper through the 21st century along with our neighbors; and

WHEREAS: in June of 2013 the people of La Bajada were denied access to existing rights of way through the Cañada de Santa Fe, to the acequia, and to a domestic water storage tank (all protected by Public Law); and

WHEREAS: in May of 2016 the Mayordomo of the LBCD discovered evidence of criminal trespass and vandalism to the works of the La Bajada Community Ditch, causing the diversion and denial of vital irrigation water and damage to infrastructure resulting in monetary loss to the people of La Bajada; and

WHEREAS: in August of 2016 the legal access to the village along that former State Highway NM 1, former US Route 66, National Historic Trail, Forest Development Road (394), first known as El Camino Real de Tierra Adentro, was blocked by locked gate without notice or due process; and

WHEREAS: in September of 2016 officials of the New Mexico Environment Department were obstructed in their duties and prevented from conducting water sampling in the interest of the public health of the people of La Bajada; and

WHEREAS: in October of 2016 legal ingress and egress for the village, and access to its irrigation reservoir was denied by fencing across that road known as the Camino de La Bajada;

NOW THEREFORE: come the people of La Bajada, through their duly elected body of governance known as the LBCD&MDWA, by statutory authority and popular mandate; as successors in right title and interest, as heirs to the La Majada Grant, and as citizens of the United States of America, to again assert, and finally secure the following rights common to each and every landowner, resident, assign, agent, employee, and bona fide associate of the Traditional Village of La Bajada, to wit:

I. Conduct of a true and proper cadastral survey, with due diligence in the admission and consideration of chains of title and documentation available in the public records of Sandoval and Santa Fe counties, the New Mexico Office of the State Engineer, and the US Department of the Interior, in accordance with the policies and standards for boundary evidence set forth in publication H-9600-1 (Cadastral Survey Handbook);

II. Recognition of the riparian right of boundary substantiated by that boundary evidence;

III. Unrestricted access to the irrigation and domestic waterworks of the LBCD & MDWA situate within the exterior boundaries of the La Majada Grant;

IV. Unrestricted access to historical, culturally sensitive, and sacred sites that constitute Hispano antiquities within the exterior boundaries of the La Majada Grant;

V. Unrestricted access between the village and permitted grazing allotments on BLM and USFS lands, for the purpose of allowing removal of "trespass" livestock without double jeopardy to stock tenders as "trespassers";

VI. Restoration of 135 acres of patent village farmlands condemned without proper due process for construction of the Cochiti Lake project, and subject to periodic inundation;

VII. Recognition of the traditional trails, byways, and rights of way within the exterior boundaries of the La Majada Grant, and the right of the Traditional Village of La Bajada to administer same;

VIII. Access to those mining claims known as La Estrella, La Fortuna, and Las Animas within the exterior boundaries of the La Bajada Mining District and La Majada Grant for the purpose of gathering traditional building materials;

IX. Permission of the Pueblo for the people of La Bajada to hunt, fish, and trap with valid state licenses;

X. Recognition of the commitment of the Traditional Village of La Bajada to participate fully in the responsible stewardship and sustainable management and administration of the natural, historical, and cultural resources within the exterior boundaries of the La Majada Grant.

LBCD & MDWA

Alonzo Gallegos, President

Rozella Lopez, Vice President

Evangeline Tinajero
Secretary

Dolores Baca
Treasurer

Darrin Muenzberger
Commissioner