



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NORTHERN PUEBLOS AGENCY
P.O. BOX 4269-FAIRVIEW STATION
ESPANOLA, NEW MEXICO 87533



IN REPLY REFER TO:
M25 - Office of the Superintendent

CERTIFIED MAIL

NOTICE TO SHOW CAUSE

DEC - 6 2013

Ms. Katherine Miller
County Manager, Santa Fe County
102 Grant Avenue
Santa Fe, New Mexico 87501-2061

Dear Ms. Miller:

We are formally informing you and the County of Santa Fe ("County") of the issue of trespass by the County on tribal lands of the Pueblo of San Ildefonso ("Pueblo"). Upon notification by the Pueblo and a review of our documents, we have determined that the County is in trespass on Pueblo land. This Notice provides the County information concerning the instances of trespass and notifies the County that it must show cause why the County should not be immediately assessed trespass damages and why the County should not be evicted from the subject Pueblo lands.

TRESPASS

The County of Santa Fe is in violation of the federal requirements in the use of Indian trust land. County Road 84 and side roads 84A, 84B, 84C, 84D and Sandy Way (see attached map and photo) are in trespass. No record exists to the fact that the County has an easement or rights-of-way in our files nor is there any record that the County has submitted an application for an easement or Rights-of-Way.

County Roads in Trespass:

County Road - 84 * Township 19 North, Range 8 East, NMPM within Sections 17, 8, 9 and 10

From the intersection of Povi Kaa Drive (main entrance to the Pueblo of San Ildefonso from Hwy. 502) east to the intersection of 101-D.

County Road - 84A * Township 19 North, Range 8 East, NMPM within Section 10

From the intersection with Evergreen Lane east to the reservation boundary line.

County Road - 84B * Township 19 North, Range 8 East, NMPM within Sections 8 and 9

From the end of the pavement east of the Pueblo, east to the intersection with County Road 84.

County Road - 84C * Township 19 North, Range 8 East, NMPM within Sections 5, 4, 3, 10, and 11

From the intersection with Tunyo Po east to the reservation boundary line.

Country Road - 84D * Township 19 North, Range 8 East, NMPM within Sections 10 and 11

From the intersection with Sandy Way east to the reservation boundary line.

Sandy Way *Township 19 North, Range 8 East, NMPM within Sections 9 and 10

From the intersection with 84D west to the private claim.

**Espanola Quadrangle, New Mexico - 7.5 Minute Series (Topographic)*

CONCLUSION

The County is in direct violation of the federal requirements governing the use of Indian trust lands. Specifically:

No easement or Rights-of-way exist for County Road 84 and the side roads on tribal trust land of the Pueblo of San Ildefonso, thus, the County is in trespass.

You are hereby informed that the County has thirty (30) business days from receipt of this letter to either enter into good faith negotiations to settle the current trespass and enter into a new easement for rights-of-way, or to show cause why the County's failure to pursue valid easements for the county roads should not be turned over to the U. S. Department of Justice for action against the County.

We encourage the County to enter into negotiations with the Pueblo to resolve the current trespass as quickly as possible and establish legal bases for the County's continued use of Pueblo land.

If you should have any questions or require additional information, contact my office at (505) 753-1400 or Norman Jojola, Natural Resource Manager at (505) 753-1451.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry Aguilar", followed by a large circular flourish.

Superintendent

Enclosure

cc: William T. Walker, Regional Director, BIA-SWRO
Terry Aguilar, Governor, Pueblo of San Ildefonso
Stephen Martinez, Natural Resource Director
Carolyn Abeita, General Counsel
Peter Chestnut, Special Counsel