



**TRIBAL COUNCIL RESOLUTION 2012 - 11**

**APPROVING THE AMENDED PUEBLO OF JEMEZ GRAZING ORDINANCE**

**WHEREAS**, the Pueblo of Jemez is a federally recognized sovereign tribal government with a Governor and Tribal Council empowered to exercise all governmental powers and fiscal authority, and

**WHEREAS**, the Pueblo of Jemez Natural Resources Department is committed to sustainably managing the natural and cultural resources on the Pueblo of Jemez Trust Lands, perpetuating wildlife populations, ensuring the health of the Jemez River and other water resources, providing the best opportunity to Pueblo of Jemez farmers for a bountiful harvest of traditional crops each year and, enhancing and protecting the rangelands for the benefit of Jemez livestock producers , and

**WHEREAS**, many Pueblo of Jemez families have historically engaged in livestock production creating a substantial herd of livestock that are currently occupying several grazing units on and around the Pueblo of Jemez Trust Lands, and

**WHEREAS**, the Pueblo of Jemez has previously been governed by a Grazing Ordinance established by the Bureau of Indian Affairs (BIA) prior to the Pueblo's control of the BIA Agriculture and Range Programs via contract with the BIA, and

**WHEREAS**, the BIA-derived Grazing Ordinance adopted via Resolution No. 96-04 has become outdated and obsolete, and needs to be amended to be consistent with the Pueblo's governing structure and the livestock management objectives of the Pueblo and

**NOW THEREFORE BE IT RESOLVED** that the Pueblo of Jemez Tribal Council hereby approves the amended Pueblo of Jemez Grazing Ordinance attached hereto and by execution of this resolution makes the amended Ordinance effective immediately.

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***Office of the Governor***

PO Box 100 • Jemez Pueblo • New Mexico • 87024  
(575) 834-7359 • Fax (575) 834-7331

**CERTIFICATION**

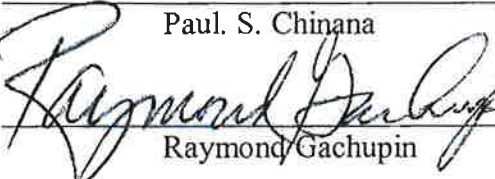
I, the undersigned, as the Governor of the Pueblo of Jemez do hereby certify that the Jemez Tribal Council at a duly called meeting, convened on the 16th day of July, 2012, at the Pueblo of Jemez approved the foregoing resolution that a quorum was present and that 8 voted for with 0 opposed and 0 abstained.

  
Governor Joshua Madalena

Attest:   
Lt. Governor

**TRIBAL COUNCIL:**

  
Joe Cajero

Paul S. Chinana  
  
Raymond Gachupin

  
Frank Loretto

J. Leonard Loretto

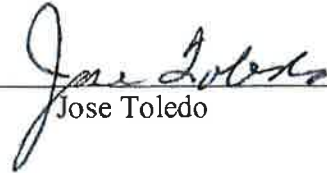
Raymond Loretto

  
Jose E. Magdalena

Roger Madalena

  
Jose L. Pecos

Michael Toledo, Jr.

  
Jose Toledo

David M. Toledo

  
Paul Tosa

  
Vincent A. Toya, Sr.

**Office of the Governor**



**RESOLUTION NO. 2002 - 12**  
**RESOLUTION APPROVING ESTABLISHMENT OF**  
**THE JEMEZ PUEBLO LIVESTOCK ASSOCIATION**

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At a duly called meeting of the Tribal Council of the Pueblo of Jemez, the following resolution was passed.

- WHEREAS, the Tribal Council as the governing body of the Pueblo of Jemez, pursuant to Tribal Council Resolution No. 96-04 enacted the Jemez Pueblo Grazing Ordinance, and
- WHEREAS, pursuant to said ordinance and tribal council resolution, the creation of a Livestock Grazing Association is authorized to act on behalf of its members, and
- WHEREAS, the tribal members of the Pueblo who are livestock owners have met and created By-laws (attached hereto) to formally organize as the Jemez Pueblo Livestock Association, and
- WHEREAS, the purposes of the Association will be to provide a means for its membership to develop and implement viable livestock management practices on tribal lands, to improve livestock health and range conditions, to develop appropriate policies and procedures necessary to effectively carry out its administrative responsibilities, and to actively engage in activities that will support the livestock and agricultural interests of its members, and
- WHEREAS, the need for a formalized livestock association is necessary to enhance their members livestock raising capabilities and to seek additional grazing opportunities from sources outside the exterior boundaries of Jemez Pueblo tribal land

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**Office of the Governor**

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(505) 834-7359 • Fax (505) 834-7331

NOW THEREFORE BE IT RESOLVED, That the Jemez Pueblo Livestock Association is formally established by this resolution as an organization consisting of tribal members who are permitted to graze livestock on tribal lands pursuant to the Grazing ordinance and the Association By-laws attached hereto and to serve as a management arm of the Pueblo of Jemez to properly manage the rangeland resources of the Pueblo

BE IT FURTHERMORE RESOLVED, that the Jemez Pueblo Livestock Association can seek additional grazing opportunities from sources outside of the exterior boundaries of Jemez Pueblo tribal lands and to function as an organization in accordance with its by-laws.


### CERTIFICATION

I, the undersigned, as Governor of the Pueblo of Jemez, do hereby certify that the foregoing resolution was passed at a duly called meeting of the Tribal Council of the Pueblo of Jemez, held on the 17<sup>th</sup> day of April, 2002, at which a quorum was present with 11 voting for and 0 opposing said resolution.

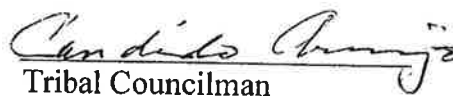


Governor Paul Tosa

ATTEST:



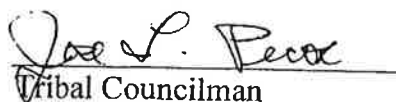
Tribal Councilman



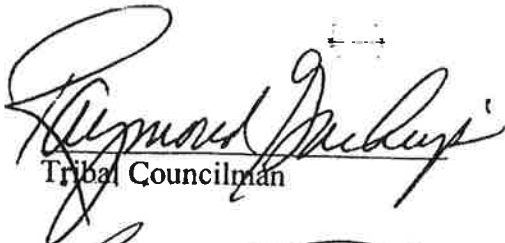
Tribal Councilman

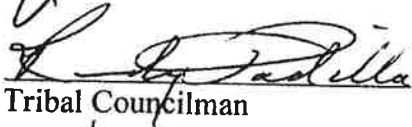


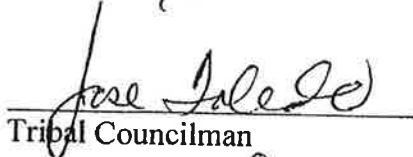
Tribal Councilman



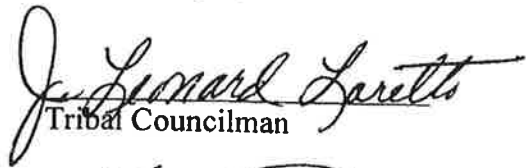
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PUEBLO OF JEMEZ

GRAZING ORDINANCE - APPROVING RESOLUTION

RESOLUTION NO: 96-04

WHEREAS, the Pueblo of Jemez is an Indian tribe recognized by the United States of America with a traditional form of government exercising all inherent governmental powers and tribal sovereignty; and

WHEREAS, the Jemez Tribal Council has the recognized authority and responsibility for the Pueblo to establish laws, rules and regulations for the conservation, development, management, operation and maintenance of Pueblo resources; and

WHEREAS, it is the desire of the Pueblo of Jemez, to preserve through proper grazing management, the land, water, wood, forage, wildlife, recreational and cultural values of Pueblo rangelands and to improve and build up these resources where they have deteriorated; and

WHEREAS, it is the desire of the Pueblo of Jemez, to improve the economic well being of the Pueblo and its individual members through livestock grazing on Pueblo rangelands; and

WHEREAS, it is the desire of the Pueblo of Jemez, to promote proper and efficient use of the Pueblo's rangelands and to provide for the administration of grazing privileges in a manner which will yield the highest return consistent with sustained yield land management principles; and

WHEREAS, the Jemez Tribal Council, acting on behalf of the members, has the authority and responsibility, to establish rules and regulations as may be necessary to protect Pueblo resources from deteriorating, to establish rules and regulations for the conservation, development, operation and maintenance of Pueblo resources and to establish rules and regulations that govern the actions of members and non-members of the Pueblo; and

WHEREAS, there exists sustained trust responsibility on the part of the Bureau of Indian Affairs to concurrently regulate the use of tribal land for grazing purposes; and

WHEREAS, the Bureau of Indian Affairs has promulgated formal regulations found in 25 Code of Federal Regulations (CFR), Part 166, et. seq., General Grazing Regulations, to assist in carrying out it's trust responsibilities for grazing management on tribal lands; and

THEREFORE BE IT RESOLVED, that the Jemez Tribal Council hereby adopts the foregoing Grazing Ordinance with the same being incorporated herein and made a part of this Resolution.

BE IT FURTHER RESOLVED, the processes and enforcement actions embodied in 25 CFR, Part 166, as amended, shall also apply.

BE IT FURTHER RESOLVED, that the Jemez Pueblo Governor, appropriate tribal staff and the Bureau of Indian Affairs are authorized to implement said Ordinance, and

BE IT FURTHER RESOLVED, that the effective date of the Jemez Pueblo - Grazing Ordinance is the Certification approval date.

CERTIFICATION

I, the undersigned, as the Governor of the Pueblo of Jemez, hereby certify that the Jemez Tribal Council at a duly called meeting which was convened and held on the 18<sup>th</sup> day of January, 1926, at the Pueblo of Jemez, in the State of New Mexico, approved the foregoing Resolution, a quorum being present and the vote being 8 in favor, with 2 opposed.

Randy Padilla  
Governor, Pueblo of Jemez

ATTEST:

Leonard Mendez St. Ger.

Antonio Rojas

Frank Loretto  
Council Member

Joe V. Cajero

Rosendo Gachupari  
Council Member

Paul S. Chinana

Jose L. Pecos

Don Rosa

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## Pueblo of Jemez Grazing Ordinance

As Amended, July 16, 2012

### DEFINITIONS

1. **Adult Tribal Member:** A recognized Jemez tribal member who has attained the age of 18 years.
2. **Allocation:** The appointment of grazing privileges including the determination of who may graze livestock, the number and kind of livestock and the place such livestock will be grazed.
3. **Animal Unit:** Considered a mature cow and its unweaned calf or the equivalent of forage needed to sustain them (approx. 25 to 30 lbs. of forage per day). This allows conversion from one kind of animal and class of animal to another.
4. **Applicant:** Any tribal member, partnership, corporation, association or other entity which applies for a grazing use authorization.
5. **Cancel:** Action taken to permanently invalidate a term of temporary grazing permit in whole or in part.
6. **Carrying Capacity:** The maximum stocking rate possible, without causing damage to the land.
7. **Estray:** Any livestock running at large on tribal lands, fenced or unfenced, whose owner is unknown or that is branded with a brand not recorded with the New Mexico Livestock Board, or a freshly branded offspring not with its mother.
8. **Forage:** Plant parts used for food by grazing animals.
9. **Governor:** The principle Tribal Council representative, appointed by the Tribal Cacique(s), with authority to control and direct the laws, customs and functions of the tribe.
10. **Grazing:** The consumption (eating) of plant parts by grazing animals.
11. **Grazing Lease:** A grazing use authorization, revocable and compensable, according to its terms, limited to entering on and utilizing forage by domestic livestock on a specified tract of land and which conveys a right of occupancy.

12. Grazing Permit: A grazing use authorization, which grants the privilege to enter and utilize forage for a specified period from a specified area, without conveying an interest in the land and is revocable and non-compensable.
13. Grazing Unit: (See Range Unit)
14. Grazing Unit Management Plan: (see Range Unit Management Plan).
15. Livestock: Domestic animals of any kind kept or raised for consumption, pleasure or profit.
16. Modify: To revise the terms and conditions of an approved grazing permit.
17. NRD: Natural Resources Department of the Pueblo of Jemez.
18. Other Lands Under Tribal Control: Lands over which the Pueblo has been given control through lease, agreement, waiver, permit otherwise.
19. Overgrazing: Biologically unsustainable removal of plant parts by grazing animals such that the range conditions will be permanently impaired if grazing is not discontinued.
20. Permittee: Any tribal member, partnership, corporation, association or other entity possessing a grazing use permit.
21. Permitted Livestock: Livestock authorized to occupy and use tribal lands.
22. Proper Use: The degree or amount of forage removal by a given number of animals on a given unit of land over a given period of time without having any detrimental effects on the forage resource.
23. Range Improvements: Any activity or practice designed to improve production of forage, utilization of forage and facilities or treatment designed for the purpose of improving the range resource.
24. Range Unit: A unit of land designated for management of grazing use (Same as Grazing Unit).
25. Range Unit Management Plan: A documented program that clearly defines what is to be accomplished and what specific actions will be taken, with reference to livestock grazing on a given area of land, prepared and implemented in consultation and full cooperation of the grazing permittee(s) involved. (Same as Grazing Unit Management Plan).
26. Rangeland: Land which supports native vegetation useful for animal consumption.
27. Reservation: The trust lands of the Pueblo of Jemez.

28. Stocking Rate: The number, kind and class of animal grazing a unit of land for a specific period of time.
29. Suspend: Temporary withholding of a term grazing permit privilege, in whole or in part.
30. Temporary Permit: A temporary grazing authorization without priority for renewal. (Term may not exceed 12 months).
31. Term Permit: A grazing authorization for a period not-to-exceed five (5) years.
32. Trespass: To enter unlawfully or to conduct an unauthorized use.
33. Tribal Council: The membership body recognized by the Pueblo of Jemez as having the authority to act for the tribe, or its authorized representative.
34. Tribal Lands: Land or any interest herein held by the United States in trust for the Pueblo of Jemez and to other such lands that may hereafter be acquired or added to the reservation under any laws of the United States or otherwise which is subject to federal restrictions.

### **Section 1 Grazing Management Units**

- A. Effective grazing use of Pueblo rangelands requires organization of the total grazing area into grazing management units. The boundaries of the grazing units will be maintained on a GIS map by the NRD.
- B. Designated grazing management units as of the date of this ordinance are:
  1. J-10 Dragonfly Unit
  2. J-20 Thompson Spring Unit
  3. J-30 San Luis Unit
  4. J-40 Holy Ghost Unit
  5. J-60 Hondo Unit
  6. J-70 Bear Springs Unit
  7. J-80 Peralta Unit
  8. J-90 Jack Rabbit Flats Unit
  9. J-100 Owl Springs Unit
  10. J-110 Red Rock Unit
  11. J-120 Chamisa Unit
- C. The maximum number of livestock which may be grazed on a given grazing unit will be established by the NRD in consultation with the USDA and other agencies possessing the required expertise. The NRD will recommend the number of Animal Unit Months (AUMs) that should be allowed for each grazing unit to the Governor for approval. The grazing capacity so prescribed will take into consideration wildlife

and other non-livestock requirements. Stocking rates will be reviewed every 5 years at a minimum and adjustments made as conditions warrant. Under severe drought conditions, the stocking rates for the grazing units will be reassessed and adjusted by NRD in consultation with USDA and other agencies specializing in grazing, forage or range conditions.

## **Section 2 Purpose**

(A) It is the purpose and intent of this grazing ordinance to aid the Pueblo of Jemez Tribal members in achieving:

1. The conservation, through proper grazing management, of the land, forage, forest, water and wildlife resources of the Pueblo of Jemez Reservation and adjoining rangelands and the improvements of these resources where they have deteriorated.
2. The equitable distribution of Tribal resources to the maximum number of Tribal members.
3. The administration of grazing privileges in an equitable manner which will yield the highest return to the Tribal producers consistent with sustained yield management principles.
4. Protection and enhancement of the sovereignty of the Pueblo of Jemez, by providing for the exercise of civil regulatory authority over the Pueblo's natural resources.

(B) This Ordinance shall apply to all grazing on Tribal lands of the Pueblo of Jemez.

## **Section 3 Range Management**

(A) The Jemez Pueblo Natural Resources Department (NRD) shall be required to implement proper range management practices on all tribal rangelands that are designated as grazing units under this Ordinance and shall enforce this Ordinance. The NRD shall monitor herds grazing under permits issued by the Governor in accordance with Section 4 of this Ordinance. The permits so issued shall prescribe the maximum number of livestock, expressed as animal numbers per season of use, which may be grazed.

(B) The position of Range Manager shall be housed in the Natural Resources Department.

(C) The Range Manager shall report to the Tribal Council at least once per calendar quarter, and at such other times as the Tribal Council requests. The Range Manager shall be responsible for ensuring proper range management on the reservation. The Range Manager is authorized and directed to perform all functions necessary for proper range management, including but not limited to the following:

1. Inspect herds and rangeland to prevent overgrazing;

2. Collect, organize and catalogue existing information, pertaining to the soils, foliage and water resources of the Tribal rangelands covered by this Ordinance;
3. Investigate the impact of grazing on the soils, foliage and water resources of the Tribal rangelands covered by this Ordinance;
4. Ensure compliance with the grazing permits issued by the Governor pursuant to Section 4 of this Ordinance, by inspecting herds, gathering evidence relevant to alleged violations of permits, and presenting such evidence to the Governor or Tribal Court during enforcement proceedings;
5. Consult with federal agencies, including but not limited to BIA, NRCS, USDA-APHIS and New Mexico State University County Extension Services on proper range management and the availability of grazing lands, on the Tribal rangelands covered by this Ordinance;
6. Consult with the Jemez Pueblo Livestock Association, when appropriate, to carry out the purposes of this Ordinance;
7. Report to the Tribal Council;
8. Construct and maintain improvements, including, but not limited to wells, troughs, fences, gates and roads, when appropriate;
9. Develop proposals for funding for ongoing range management activities; and
10. Solicit public comment and obtain expert advice, when appropriate.

#### **Section 4 Grazing Permits**

- (A) A grazing permit is required for all livestock on the tribal rangelands covered by this Ordinance.
- (B) The Governor is empowered to issue and cancel permits pursuant to this Ordinance. The Governor may, after consultation with the Range Manager, cancel a permit if the permittee is in violation of the permit conditions. The permit shall only be cancelled after the permittee has been afforded a written notice of a pending permit cancellation and a reasonable time to correct the violation(s) but fails to cure his violations.
- (C) In issuing grazing permits, the Governor may grant preference to those applicants who are members of the Jemez Pueblo Livestock Association.
- (D) The NRD shall set reasonable fees for the issuance of grazing permits based on actual costs required to maintain range related natural resources. The NRD shall consult with the Jemez Pueblo Livestock Association in determining fees.

(E) The purpose of the grazing permit is to regulate grazing of all livestock on the reservation in conformance with proper range management. The grazing permit shall constitute a written agreement between the Pueblo and the Permittee. Each grazing permit shall include:

1. Name and mailing address of Permittee.
2. Term of the permit.
3. Season of use.
4. Number of permitted livestock (AUMs). Calves and colts at their mothers side and under six months of age shall not be counted.
5. The fee per AUM.
6. Responsibilities of the Permittee for range management, including but not limited to requirements for supervision, care and the following of accepted practices of good animal husbandry, movement and/or transport of the cattle, maintenance of existing water and forage resources, if any, existing on the grazing unit.
7. A statement that the Permittee is subject to the jurisdiction of the Governor, Tribal Council, Law Enforcement and Tribal Court for the purpose of enforcing the terms and conditions of the grazing permit.
8. A requirement that all livestock over the age of two years shall be branded. This will include all livestock of breeding age. In the addition to personal brand, the permittee shall apply to each animal a tribal identification ear tag to be issued by the NRD.
9. A requirement to brand bulls and rotate bulls out of the herd at 3 years of age.
10. Requirements for vaccinations and inoculations.
11. Such other information as the Tribal Council deems appropriate and necessary.

(F) Grazing permits shall not be exchanged, sublet, assigned nor transferred to another person.

(G) The number of head or season of use under a grazing permit may be modified through application to the NRD which will review the application and make a recommendation to the Governor.

(H) Fees

1. A fee per AUM will be established by the NRD based on the prevailing rate in the region. The fee amount will be forwarded to the Governor for his approval. Upon acceptance of the fee, all permittees will be required to pay the fee to the Pueblo of Jemez Finance Department on a monthly basis.
  2. Fees will be due on the 1<sup>st</sup> of each month. Failure to pay the fees will constitute a violation of the permit. Fees will be considered past due ninety days past the first of the month in which they were due.
  3. Revenues from fees will be placed in an account for the express purpose of making improvements to the range resources for cattle.
  4. It will be the duty of the NRD to carry out range improvements using these revenues. The NRD will manage the account in full compliance with all Pueblo of Jemez Finance procedures.
- (I) Permittees who, through violation of permit conditions, have their permits cancelled, will be prohibited from receiving future permits.
- (J) Any individual who grazes livestock on the reservation without a permit is guilty of trespassing and will be subject to civil and criminal penalties under the Pueblo of Jemez Tribal Code..

## **Section 5 Livestock Health Regulations**

### **(A) Animal Neglect**

1. It will be a violation of the permit to neglect any animals covered by the grazing permit.
2. Permittee's Duties. Each Permittee shall provide for each of his animals:
  - (a) sufficient quantity of good quality, wholesome food and water;
  - (b) adequate shelter and protection from the weather;
  - (c) veterinary care when needed to prevent suffering; and
  - (d) humane care and treatment.

The Permittee will inspect all of the animals under the permit regularly and at least weekly.

3. During calving season and weaning, cattle will be inspected every other day at a minimum. Inspections by NRD will ensure that the animals have sufficient forage, water and shelter during cold weather. It will be the responsibility of the Permittee to provide adequate and humane care for any injured animal as soon as the injury is discovered.

4. The NRD will carry out periodic inspections of all permitted herds and will report the neglect of any animal to the Governor.
5. Any Permittee or Owner of an animal who negligently mistreats, injures, kills without lawful justification, torments, abandons or fails to provide necessary sustenance to an animal under that person's custody or control shall be guilty of a misdemeanor and shall be sentenced to jail up to 90 days or be assessed a fine of \$500.00 or both.
6. The Governor is empowered to confiscate, impound, sell, or euthanize any animal(s) that have been neglected by the Permittee.

(B) It will be the responsibility of the NRD to control and eradicate infectious, contagious or parasitic diseases of animals that are grazed within the boundaries of the Reservation. The NRD is empowered to monitor herds and individual food animals on the reservation for disease. The NRD will notify the Governor of the discovery of any disease outbreak. The Governor, in consultation with the NRD and Jemez Pueblo Livestock Association may:

1. Require additional Permittees to inoculate their animals to protect other herds at the Permittees' expense.
2. Cancel a permit or permits to control disease outbreak.
3. Confiscate and/or impound livestock to control disease.
4. Order the immediate euthanasia of livestock to control disease.

(C) A person, his agent or employee shall not bring any animal into a tribal controlled grazing unit unless he has obtained a health certificate showing that the animal is free from contagious, infectious or parasitic diseases or exposure thereto. This requirement does not apply to any animal whose accustomed range is located in close proximity and which is being moved from one portion to another of the accustomed range merely for pasturing and grazing thereon, unless it is determined such livestock have been grazed in common with livestock that have not met the health requirement(s) required under this ordinance.

(D) Brucellosis

1. Reserved.

(E) Trichomoniasis

1. A person, his agent or employee shall not ship, transport or otherwise move onto Tribal controlled grazing land any bull that is 8 months of age or older unless the bull:

- (a) Has been tested for Trichomoniasis by an accredited veterinarian within 30 days before entering the Reservation; and
- (b) Is accompanied by a health certificate issued by the accredited veterinarian within 30 days before entering the Reservation; and
  - i. Verifies that Trichomoniasis has not been diagnosed in the herd of origin of the bull during the previous 12 months; or
  - ii. If the bull is from a herd that has tested positive for Trichomoniasis during the previous 12 months, verifies that the bull has tested negative for Trichomoniasis in each of its three most recent tests before entering this State and that each such test was performed at least 1 week apart.

2. Annual Testing of Bulls

- (a) Each bull 8 months of age or older which will commingle with cows shall be tested every year after they have removed from the cowherd.
- (b) An accredited veterinarian who performs an official test for Trichomoniasis on a bull on the Reservation shall, within 48 hours after his receipt of a positive test result with respect to the bull:
  - i. Report the result to the NRD and the owner of the bull; and
  - ii. Classify the bull as an infected bull.

(F) Infected bull

- 1. A bull which is 8 months of age or older and which tests positive shall be removed from the Reservation unless;
  - (a) The infected bull is quarantined
  - (b) The bull must have received a negative test result in each of its three most recent official tests for Trichomoniasis, with each such test being performed at least 7 days apart.

(G) Testing of estray bull

1. A bull which is 8 months of age or older and which is found stray and commingling with a cow belonging to another person to receive an official test for Trichomoniasis;
2. The owner of the bull to pay all costs associated with the test.

(H) Exposed herd

1. The owner of an exposed herd shall not transfer ownership of any bull or cow, or any heifer that is 20 months of age or older, from the herd until each bull in the herd has received an official test for Trichomoniasis.
2. The owner of an exposed herd may release any cattle from the herd to slaughter channel.

**Section 6 Livestock Trespass, Impoundment and Disposal**

(F) Unauthorized livestock

1. Unauthorized livestock outside of its permitted range unit, if any, that are not removed, may be impounded and disposed of by order of the Governor in consultation with the NRD and with the assistance of Law Enforcement as provided herein:
  - a. When it is determined that unauthorized livestock use is occurring, such livestock may be impounded anytime for five (5) days after written notice of intent to impound unauthorized livestock is mailed by certified or registered mail to the owner if the owner is known.
  - b. When it is determined that unauthorized livestock use is occurring but the number and class of livestock is unknown, or if the name and address of the owner is unknown, such livestock may be impounded anytime five (5) days after the date of notice of intent to impound unauthorized livestock is first posted at reasonable conspicuous places including the Tribal Administration, Post Office, and any other authorized place of posting.
  - c. If Law Enforcement deem unauthorized livestock a risk to public health or safety, they may immediately confiscate and impound them without notice to the owner.
  - d. It is the preferred method of the Pueblo of Jemez that a member of the Jemez Pueblo Livestock Association be retained to round up and impound unauthorized livestock. Said member is entitled to compensation as described in paragraph f. through h. below.
  - e. Following the impoundment of unauthorized livestock, a notice of sale of impounded livestock will be placed at all places of business including the

Tribal Administration and Post Office. The notice will describe the livestock and specify the date, time, and place of sale. The date set shall be at least five (5) days after the posting of such notice.

- f. The owner may redeem the livestock any time before the time set for the sale by submitting proof of ownership and paying for all expenses incurred in gathering, impounding, feeding or pasturing the livestock.
- g. If the livestock are not redeemed before the time fixed for their sale, they shall be sold at public auction to the highest bidder. When livestock are sold pursuant to this regulation, the Governor or his designated agent is authorized to furnish the buyer a bill of sale or other written instrument evidencing the sale.
- h. The proceeds of any sale of livestock as provided herein shall be applied as follows:
  - i. Reimbursement to any person or entity which incurred costs in gathering, impounding and feeding or pasturing livestock.
  - ii. The payment of any penalties or damages assessed.
  - iii. Compensation to any individuals who experienced property or personal damage.
  - iv. To any institution or entity that has a legally recorded lien on the livestock.
  - v. Any remaining amount shall be paid to the Pueblo of Jemez General Fund.

#### **Section 7 Interpretation**

(A) This Ordinance shall be liberally construed to effectuate its purpose and policies.

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