23rd NAVAJO NATION COUNCIL
LEGISLATION SPONSORSHIP WITHDRAWAL

I, SETH DAMON, Primary Sponsor of proposed legislation hereby withdraw my sponsorship of the proposed legislation. The legislation tracking number is 0357-18

If there are any co-sponsors, they may re-sponsor the same bill by beginning a new legislation.

SPONSOR SIGNATURE: _____

DATE: June 12, 2018

Office of Legislative Services • Post Office Box 3390 • Window Rock, AZ 86515
(928) 871-6380 / 7254 • Fax (928) 871-7259

LEGISLATIVE SUMMARY SHEET
Tracking No. 0357-16

DATE: October 5, 2016

SUBJECT: AN ACT RELATING TO RESOURCES AND DEVELOPMENT, BUDGET ANDFINANCE, NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) REGARDING THE CAPITAL IMPROVEMENT PLAN AND APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR POWER LINE EXTENSION PROJECTS FOR CHICHILTAH, TSE' LICHII, MANUELITO, AND BAAHAALI CHAPTERS IN THE AMOUNT OF ONE MILLION, THREE HUNDRED FIFTY-SIX THOUSAND, SEVEN HUNDRED TWENTY DOLLARS AND TWENTY-THREE CENTS ($1,356,720.23)

PURPOSE: The purpose of this legislation is to approve supplemental funding for Powerline Extension Projects for Chichiltah, Tse' Lichii, Manuelito, and Baahaali Chapters. This legislation if approved, will waive 12 N.N.C. §§ 820(I) and 860(C).

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: [illegible]
Website Posting Time/Date: 6:15pm 10/5/16
Posting End Date: 10/10/2016
Eligible for Action: 10/11/2016

Resources & Development Committee
THENCE
Budget & Finance Committee
THENCE
Naa'bik'íyáti' Committee
THENCE
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – Second Year, 2016

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0357-16

AN ACT

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) REGARDING THE CAPITAL IMPROVEMENT PLAN AND APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR POWER LINE EXTENSION PROJECTS FOR CHICHILTAH, TSE' LICHII, MANUELITO, AND BAAHAALI CHAPTERS IN THE AMOUNT OF ONE MILLION, THREE HUNDRED FIFTY-SIX THOUSAND, SEVEN HUNDRED TWENTY DOLLARS AND TWENTY-THREE CENTS ($1,356,720.23)

SECTION 1. AUTHORITY

A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

B. The Navajo Nation established the Resources and Development Committee (RDC) as a Navajo Nation Council standing committee and as such gave RDC oversight over Navajo Nation Chapters. 2 N.N.C. §§ 164 (A)(9), 500 (A), 501 (C)(1).

C. Additionally, RDC is the oversight committee for the Division of Community Development, Capital Improvement Office. 2 N.N.C. § 501 (C)(1).

D. RDC is to review and recommend to the Navajo Nation Council through the appropriate process supplemental appropriations to the capital improvement projects annual budget to fund necessary additional capital improvement projects. 2 N.N.C. § 501 (B)(4)(c).

E. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC to review and recommend to the Navajo Nation Council the management of all funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(2).

F. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).

SECTION 2. FINDINGS

A. The Title 12 Finance Act Supplemental Appropriation requirements include:

1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be allocated by the Navajo Nation Council. The Office of the Controller has provided a memorandum that as of September 21, 2016 the update balance in the Unreserved, Undesignated Fund Balance is $209,199,483.00. This memorandum is attached as Exhibit A.
2. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget ("OMB") for budget impact analysis. The OMB analysis is attached as Exhibit B.

B. The Title 12 Capital Improvement Process includes:

1. Pursuant to 12 N.N.C. § 810(F), "Capital Improvement" means a major project undertaken by the Navajo Nation that is generally not recurring on an annual basis and which fits within one or more of the following categories:

a) All projects requiring debt obligation or borrowing;

b) Any acquisition or lease of land;

c) Purchase of major equipment or vehicles, with a life expectancy of five years or more, valued in excess of an amount to be established by the Controller;

d) Major building improvements that are not routine maintenance expenses and that substantially enhance the value or extend the useful life of a structure;

e) Construction of new buildings or facilities including engineering, design, and other pre-construction costs with an estimated cost in excess of an amount to be determined by the Controller; and/or

f) Major equipment or furnishing required to furnish new buildings or other projects, the cost of which is above a certain amount to be established by the Controller.

2. The "[d]evelopment of the Capital Budget shall be coordinated with development of the Operating Budget. All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in compliance with the Plan." 12 N.N.C. § 820 (I).

3. The "appropriation portion of the Capital Improvement Plan is subject to approval of the Navajo Nation Council upon recommendation of the Budget and Finance Committee. Any modification or amendment affecting the approved Capital Improvement Plan is subject to review and concurrence by the Resources and Development Committee prior to consideration by the Navajo Nation Council." 12 N.N.C. § 860 (C)(2)

C. The budget forms for Chichiltah, Tse' Lichii, Manuelito, and Baahaali Chapters' Powerline Projects are included in Exhibits C, D, E, and F, respectively.

D. The Powerline Extension Project details for each Chapter are located in Exhibit G.

SECTION 3. WAIVING 12 N.N.C. §§ 820(I) AND 860(C) REGARDING THE CAPITAL IMPROVEMENT PLAN AND APPROVING SUPPLEMENTAL

FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR POWER LINE EXTENSION PROJECTS FOR CHICHILTAH, TSE' LICHII, MANUELITO, AND BAAHAALI CHAPTERS

A. The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(I) and 860(C) for the Chichiltah, Tse' Lichii, Manuelito, and Baahaali Chapters' Powerline Extension Projects.

B. This supplemental appropriation of $1,356,720.23 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and to new Business Unit Numbers for Chichiltah, Tse' Lichii, Manuelito, and Baahaali Chapters for the Powerline Extension Projects.

THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

EXHIBIT A

Memorandum

Date: September 21, 2016

To: Honorable Russell Begaye, President
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker
Navajo Nation Council

Honorable Allen Sloan, Acting Chief Justice
Judicial Branch

From: Jim Parris, CPA, Controller
Office of the Controller

9-21-2016

Subject: Financial Update-(General Fund Revenue, Expenditures, UUFB)

The gross General Fund Revenues, (see Exhibit "A"), as of September 21, 2016 is $209,199,483, (see Footnote 1). The total General Fund set asides is $52,855,907 (Footnote 2). The Net Revenue for the General Fund is $156,343,576(see Footnote 3), which is 95.69% of the projection. Please note that the General Fund budget for FY 16 is set at $172,654,000, (Footnote 4), the General Fund revenue projection is $163,384,000, and the other amount to cover the General Fund budget is coming from the Tax Suspense Fund in the gross amount of $13, 000,000. This schedule shows the $13,000,000 transfer from the Sales Tax Trust Fund, (Footnote 5) and the set asides.

Next, are the total expenditures by Branch, (see Exhibit "B"), as of September 21, 2016. The Legislative Branch has expenditures of $14,454,602(see Footnote 1a); encumbrances of $919,643(see Footnote 1b) with a remaining budget of $3,707,113(see Footnote 1c). The Executive Branch expenditures are $157,173,286(see Footnote 2a); encumbrances are $9,803,379(see Footnote 2b) with a remaining budget of $27,571,194(see Footnote 2c). The Judicial Branch expenditures are $12,265,364(see Footnote 3a); with encumbrances of $149,533(see Footnote 3b) and remaining budget of $1,714,555(see Footnote 3c). Total General Fund expenditures are $183,893,252(see Footnote 4a); total encumbrances are $10,872,555(see Footnote 4b) with an overall remaining budget of $32,992,862(see Footnote 4c).

The updated Undesignated Unreserved Fund Balance (UUFB), (see Exhibit "C") as of September 21, 2016 is $7,010,037. There are pending legislations that will reduce the amount to $3,186,195 if passed.

Thank you, if you should have any question please feel free to call me at tribal extension X6308.

THE NAVAJO NATION

General Fund Revenue Schedule and Tax Admin Suspense Transfer

(Unaudited)

September 21, 2016

FY 2016

GENERAL FUND REVENUE	Original Budget	Revised Budget	Actual Revenue Received		Revenue to be collected	% Revenue of Total
TNN: ROYAL; GAS; OIL	$ 32,346,000	$ 32,346,000	$ 18,937,954		$ 13,408,046	58.55
TNN: COAL REVENUES	55,102,000	55,102,000	46,471,751		8,630,249	84.34
TNN:OTR MINERALS REV			89,527		(89,527)	
TNN: LAND REVENUES	62,354,000	62,354,000	69,888,449		(7,534,449)	112.08
TNN: BUSINESS FEES			72,454		(72,454)	
TNN: INTEREST INCOME	400,000	400,000	3,000,924		(2,600,924)	750.23
TNN: TAX REVENUES	66,983,000	66,983,000	69,912,299		(2,929,299)	104.37
COURT FINES + FEES	400,000	400,000	397,935		2,065	99.48
TNN: OTHER REVENUES	200,000	200,000	98,480		101,520	49.24
BIA: ROYAL; GAS; OIL			42,793		(42,793)	
BIA: COAL REVENUES			95		(95)	
BIA:OTR MINERALS REV			149,784			
BIA: LAND REVENUES			137,041		(137,041)	
TOTAL REVENUE	**$ 217,785,000**	**$ 217,785,000**	**$ 209,199,483**	(1)	**$ 8,735,300**	96.06
LESS:SET ASIDES						
CAPITAL OUTLAY MATCH	$ (2,000,000)	$ (2,000,000)	$ (2,000,000)		$ -	100.00
LAND FUND TRANSFER	(4,356,000)	(4,356,000)	(4,183,989.67)		(172,010)	96.05
PERMANENT FUND TRNSF	(26,134,000)	(26,134,000)	(25,103,938.01)		(1,030,062)	96.06
WATER RIGHTS CLAIM FU	(2,000,000)	(2,000,000)	(2,000,000.00)		-	100.00
DINE' HIGHER EDUCATIO	(11,200,000)	(11,200,000)	(11,200,000.00)		-	100.00
VETERANS TRUST FUND S	(8,711,000)	(8,711,000)	(8,367,979.34)		(343,021)	96.06
TOTAL SET ASIDE	**$ (54,401,000)**	**$ (54,401,000)**	**$ (52,855,907)**	(2)	**$ (1,545,093)**	97.16
TOTAL	**$ 163,384,000**	**$ 163,384,000**	**$ 156,343,576**	(3)	**$ 7,190,207**	95.69
TAX ADMINISTRATION SUSPENSE FUND TRANSFER						
Tax Admin Suspense Fund			$ 13,000,000	(5)	$ (13,000,000)	
LESS:SET ASIDES						
LAND FUND TRANSFER		-	(260,000)		260,000	
PERMANENT FUND TRNSF	-	-	(1,560,000)		1,560,000	
VETERANS TRUST FUND S	-	-	(520,000)		520,000	
TOTAL SET ASIDE	-	-	(2,340,000)		2,340,000	
Net Tax Admin Suspense Fund	-	-	10,660,000		(10,660,000)	

(1) Gross General Fund Revenues

(2) Total Set Asides for General Fund Revenue

(3) Net General Fund Revenue, note: still need to collect $10,396,192 to meet General Fund Revenue Projection.

(4) FY 2016 General Fund Budget-$172,654,000; $163,384,000 from General Fund Revenues and the remaining from the Tax Suspense Transfer.

(5) Note the actual $13,000,000 transfer from Tax Admin Suspense Fund per TAX-15-228. This was not a part of the Revenue Projection.

EXHIBIT "A"

Prepared by:
General Accounting
9/21/2016

FY 2016
EXHIBIT "B"

The Navajo Nation
Budget Status_Income Statement
As of September 30, 2016

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses		Encumbrances		Budget Available		% Available
LEGISLATIVE BRANCH									
2001 - Personnel Expenses	$ 11,883,456	$ 12,028,104	$ 10,298,357				$ 1,729,747		14.38
3000 - Travel Expenses	1,797,862	1,942,251	1,617,456		36,240		288,556		14.86
3500 - Meeting Expenses	254,024	290,407	147,373		-		143,034		49.25
4000 - Supplies	417,626	747,878	433,655		151,830		162,393		21.71
5000 - Lease & Rental	223,657	216,758	178,874		16,867		21,017		9.70
5500 - Communications & Utilitie	224,836	177,377	113,020		-		64,358		36.28
6000 - Repairs & Maintenance	76,208	86,681	67,613		3,007		16,061		18.53
6500 - Contractual Services	794,594	2,243,166	978,937		684,695		579,534		25.84
7000 - Special Transactions	457,835	603,606	455,168		20,194		128,244		21.25
8000 - Assistance	-	-	-		-		-		
9000 - Capital Outlay	303,991	745,129	164,149		6,810		574,169		77.06
9500 - Matching & Indirect Cost	-	-	-		-		-		
Total LEGISLATIVE BRANCH	$ 16,434,089	$ 19,081,358	$ 14,454,602	(1a)	$ 919,643	(1b)	3,707,113	(1c)	19.43
EXECUTIVE BRANCH									
2001 - Personnel Expenses	82,871,713	$ 83,216,895	$ 68,660,014		$ -		$ 14,556,882		17.49
3000 - Travel Expenses	9,208,430	9,176,962	8,485,230		-		691,732		7.54
3500 - Meeting Expenses	973,204	1,717,617	1,494,308		-		223,309		13.00
4000 - Supplies	4,824,930	6,875,434	4,424,434		1,283,411		1,167,589		16.98
5000 - Lease & Rental	2,139,920	1,849,499	1,731,103		54,059		64,338		3.48
5500 - Communications & Utilitie	7,894,361	7,689,221	6,162,605		521,088		1,005,528		13.08
6000 - Repairs & Maintenance	4,376,789	6,618,052	3,140,953		2,118,364		1,358,735		20.53
6500 - Contractual Services	4,434,194	9,325,565	5,402,892		3,009,884		912,788		9.79
7000 - Special Transactions	12,726,493	14,231,622	12,555,266		244,389		1,431,968		10.06
8000 - Assistance	36,994,442	41,562,031	39,328,647		1,676,587		556,797		1.34
9000 - Capital Outlay	850,013	2,277,145	941,576		895,598		439,971		19.32
9300 - Other Income and Expens	-	-	-				-		
9500 - Matching & Indirect Cost	3,970,344	10,007,816	4,846,258		-		5,161,557		51.58
Total EXECUTIVE BRANCH	$ 171,264,833	$ 194,547,860	$ 157,173,286	(2a)	$ 9,803,379	(2b)	$ 27,571,194	(2c)	14.17
JUDICIAL BRANCH									
2001 - Personnel Expenses	$ 12,286,116	$ 12,297,237	$ 11,059,182				$ 1,238,055		10.07
3000 - Travel Expenses	717,894	669,741	502,338		1,392		166,011		24.79
3500 - Meeting Expenses	8,300	42,932	18,542		-		24,390		56.81
4000 - Supplies	346,252	477,477	257,362		110,572		109,542		22.94
5000 - Lease & Rental	51,995	69,941	56,156		3,085		10,699		15.30
5500 - Communications & Utilitie	107,394	110,544	78,617		945		30,983		28.03
6000 - Repairs & Maintenance	90,126	86,651	46,063		21,786		18,802		21.70
6500 - Contractual Services	81,347	88,049	32,702		-		55,347		62.86
7000 - Special Transactions	266,166	239,299	166,821		11,752		60,726		25.38
8000 - Assistance			-				-		
9000 - Capital Outlay	-	47,581	47,580		-		1		0.00
9300 - Other Income and Expense			-				-		
Total JUDICIAL BRANCH	$ 13,955,590	$ 14,129,451	$ 12,265,364	(3a)	$ 149,533	(3b)	$ 1,714,555	(3c)	12.13
GRAND TOTAL:	$ 201,654,512	$ 227,758,669	$ 183,893,252	(4a)	$ 10,872,555	(4b)	$ 32,992,862	(4c)	14.49

Footnotes:

Legislative Branch
- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

Executive Branch
- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

Judicial Branch
- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

Total General Fund
- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available

Prepared By General Accounting
9/21/2016

EXHIBIT "C"

Undesignated, Unreserved, Fund Balance (UUFB)
September 21, 2016
(Unaudited)

09-30-15 Balance	35,724,740
Min Fund Balance-CJA-07-06	17,265,400
UUFB 10-01-15	18,459,340
Supplementals	
CO-45-15 - Teesto Chapter	2,922,425
CO-47-15 - St. Michael's Special Educ	629,472
CO-43-15 TEECNOSPOS	500,000
CJA-2-16 Eastern Navajo Land Board	931,500
CJA-6-16 Supreme Court Modular Contruction	300,000
CAP-25-16-Headstart-Matching/Caps and Gowns	3,606,856
CMY-31-16-Summer Youth-Chapters	2,000,000
CJY-41-16 Phoenix Indian Center	148,325
CJY-37-16 Dzil Yijiin	340,725
CJY-43-16 Navajo Nation Council of Diné Youth	70,000
	11,449,303
UUFB 09-21-16	7,010,037
Pending Supplementals	
CS-49-16 Econ Dev-restore 110007	341,276
CS-49-16 Election Administration	482,566
CS-49-16 NHA Grant	3,000,000
	3,823,842

Prepared by: General Accounting
9/21/2016
2:00 PM

EXHIBIT
B

THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

Office of Management and Budget

Memorandum

To: Seth Damon, Navajo Nation Council

From: Dominic Beyal, Executive Director

Date: September 21, 2016

Subject: Review of Proposed Budgets for Powerline Extensions for Chilchiltah, Tse'Lichii, Manuelito, and Baahaali Chapter Communities

The Office of Management and Budget reviewed the above proposed Chapter powerline budgets and finds the following:

1. The budgets that have been reviewed have red ink markings where corrections or revisions need to be made. However, the Capital Improvement Office under the Division of Community Development has the responsibility to process capital or projects budgets.
2. This proposal will need to be further reviewed by the Capital Improvement Office and the Division of Community Development to have the budgets and attached documents routed through the Navajo Nation 164 document review process.

The Office of Management and Budget recommends that the budgets and attached documents be corrected or revised before the budget is routed through the Navajo Nation document review process and presented to the Navajo Nation legislative body for review and approval. If there are any questions regarding the contents of this memorandum or budgeting requirements, address them to Mr. Emmett Francis, Budget Officer, at the Office of Management and Budget, phone number (928) 871-7648 or email: *efrancis@omb.navajo-nsn.gov*.

xc: Carl Smith, Division Director, DCD

FY ___2017___

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

EXHIBIT C

PART I. Business Unit No.: NEW Program Title: Chichiltah Chapter House Division/Branch: Executive Branch

Prepared By: Roselyn John Phone No.: 505-713-9994 Email Address: chichiltahchapters@navajo.org

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
UUFB	FY2017	337,520.00	100%

FY ____2017__

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Chichiltah Chapter House

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

Plan and Construct Powerline to construct two (2) Trunk lines in the Chichiltah Chapter Community

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: To complete Right of Way and Powerline Construction Goal Statement: Continental Divide Electric Co. to complete preliminary assessment and approx. 5 miles construction	2		2		2		2	
2. Program Performance Area: Goal Statement:								
3. Program Performance Area: Goal Statement:								
4. Program Performance Area: Goal Statement:								
5. Program Performance Area: Goal Statement:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Hon. Seth Damon, NNC 10/03/16

Program Manager's Printed Name and Signature/Date

10-3-16

LoRenzo Bates, Speaker of the Navajo Nation

Division Director/Branch Chief's Printed Name and Signature / Date

FY 2017

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Chichiltah Chapter Powerline Project **iness Unit No.:** NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
9000	9020 Powerline to 2 Trunk Lines in the Chichiltah Community	337,520	337,520
			-
			-
	TOTAL	337,520.00	337,520.00

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW Program Title: Chichiltah Chapter House Division/Branch: Executive Branch

Prepared By: Roselyn John Phone No.: 505-713-9994 Email Address: chichiltahchapters@navajo.org

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
UUFB	FY2017	337,520	100%

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Chichiltah Chapter House

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: To complete Right of Way and Powerline Construction Goal Statement: Continental Divide Electric Coop to complete preliminary assessment and approx. 5 miles construction	2		2		2		2	
2. Program Performance Area: Goal Statement:								
3. Program Performance Area: Goal Statement:								
4. Program Performance Area: Goal Statement:								
5. Program Performance Area: Goal Statement:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

CIO, DCD

Program Manager's Printed Name and Signature/Date

DCD Director

Division Director/Branch Chief's Printed Name and Signature / Date

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

Program Name/Title: Chichiltah Chapter Powerline Project **Business Unit No:** NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
	9000 Capital Outlay		
9020 ~~5700~~	Powerline to 2 Trunk Lines in the Chichiltah Community	337,520	337,520
	TOTAL	337,520	337,520

FY ___2017___

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

EXHIBIT D

Tse' Lichii

PART I. Business Unit No.: NEW Program Title: Red Rock Chapter House Powerline Project Division/Branch: Executive Branch

Prepared By: Seth Damon Phone No.: 505-905-8071 Email Address: redrockchapters@navajo.org

PART II. FUNDING SOURCE(S)	Fiscal Year TerK	AK ount	% of Total
UUFB	FY2017	305,393.23	100%

FY ____2017__

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Red Rock Chapter House Powerline Project

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

Construct Powerline Extension to three (3) homes in the Red Rock Chapter Community

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: To complete Right of Way and Powerline Construction Goal Statement: Continental Divide Electric Co. to complete preliminary assessment and approx. 5 miles construction			1		2			
2. Program Performance Area: Goal Statement:								
3. Program Performance Area: Goal Statement:								
4. Program Performance Area: Goal Statement:								
5. Program Performance Area: Goal Statement:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Hon. Seth Damon, NNC 10/03/16
Program Manager's Printed Name and Signature/Date

LoRenzo Bates, Speaker of the Navajo Nation 10-3-16
Division Director/Branch Chief's Printed Name and Signature / Date

FY 2017

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Red Rock Chapter Powerline Project **iness Unit No.:** NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
9000	9020 Powerline to 3 Trunk Lines in the Red Rock Chapter Community	305,393	305,393
			-
			-
	TOTAL	305,393.23	305,393.23

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of ___

PART I. Business Unit No.: 108050 Program Title: Red Rock Chapter Division/Branch: Division of Community Development

Prepared By: Anderson Lee - CSC Phone No.: 505-905-8071 Agency Code: 3 If Multiple Agencies, check here: _____

PART II. FUNDING SOURCE(S)	Funding Source's Fiscal Year	Funding Source Amount	% of Total
UUFB	FY 2017	305,393.23	100%
			0%

FY _____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page ____ of ____

PART I. PROGRAM INFORMATION:

Business Unit No.: 108050

Program Name/Title: Red Rock Chapter

PART II. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: ***Infrrastructure - Powerline***								
Goal Statement: Assist the commuinty membership with Powerline Extention for their home.	3							
2. Program Performance Area:								
Goal Statement:								
3. Program Performance Area:								
Goal Statement:								
4. Program Performance Area:								
Goal Statement:								
5. Program Performance Area:								
Goal Statement:								

Wrong form. Use FY17 form w/ signature spaces at bottom.

CIO, DCD

DCD Director

NNOMB-BF2

FY _____

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

Page ____ of ____

PART I. PROGRAM INFORMATION:

Program Name/Title: Red Rock Chapter Business Unit No.: 108050

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
~~27~~	~~UUFB~~ 9000 Capital Outlay		305,393.23
~~6809~~ 9020	Infrastructure		
	Powerline	305,393.23	
	TOTAL	305,393.23	305,393.23

FY 2017

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

EXHIBIT
tabbies
F

PART I. Business Unit No.: NEW Program Title: Manuelito Chapter Powerline Extension Project Division/Branch: Div. of Community Devlopmen

Prepared By: Zander R. Shirley Phone No.: 505-905-3073 Email Address: manuelito@navajochapters.org

KART II. FUNDING SOURCF(S)	Fiscal Year Term	Amount	% of Total
UUFB	10/01/16 - 09/30/17	397,580.00	100%

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Manuelito Chapter Powerline Extension Project

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

Plan and Construct Powerline Extension to eight (8) homes in the Manuelito Chapter community.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: Chapter will complete "Scope of Work" (SOW) and retrieve Cost Estimate from Continental Divide Electric Cooperative, Inc. and Navajo Tribal Utility Authority Goal Statement: Submit SOW and Cost Estimate for CDEC - 4 household and NTUA 4 household	8							
2. Program Performance Area: Complete request for Permission to Survey from BIA Realty Office and Navajo Land Department Goal Statement: Forward Request to BIA and NLD for "Permission to Survey" request for 8 households			8					
3. Program Performance Area: Identify "Right of Way"(ROW) procedures for the 8 households Goal Statement: Collaborate and Work with NTUA and CDEC to Complete Arch. Clearance and Environmental Assessment for 8 households					8			
4. Program Performance Area: Follow-up ROW process with NTUA and CDEC Goal Statement: Work with CDEC, NTUA and CIO Archeologist to complete Arch. Clearance and Environmental Assesstment							8	
5. Program Performance Area: Ensure that all homes listed on Project are ready for Power-line Construction Goal Statement: Have NTUA and CDEC construct Power-line extensions to homes completed with ROW							8	

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Hon. Seth Damon, NNC 10/03/16

Program Manager's Printed Name and Signature/Date

LoRenzo Bates, Speaker of the NNC 10-3-16

Division Director/Branch Chief's Printed Name and Signature / Date

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Manuelito Chapter Powerline Extension Project Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
9000	9200: Powerline Extension Construction to eight (8) homes in the Manuelito Chapter Community Richard White Phillip White Ella Mae White Mary Joe White Ray Tom Eleanor Begay Sarita Tom Paulin James	397,580	397,580
	TOTAL	397,580	397,580

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW Program Title: Manuelito Chapter Powerline Extension Project Division/Branch: Div. of Community Devlopmen

Prepared By: Zander R. Shirley Phone No.: 505-905-3073 Email Address: manuelito@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
UUFB	10/01/16 - 09/30/16	397,580.00	100%

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Powerline Extension Project

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

Plan and Construct Powerline Extension to eight (8) homes in the Manuelito Chapter community.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: Chapter will complete "Scope of Work" (SOW) and retrieve Cost Estimate from Continental Divide Electric Cooperative, Inc. and Navajo Tribal Utility Authority								
Goal Statement: Submit SOW and Cost Estimate for CDEC - 4 household and NTUA 4 household	8							
2. Program Performance Area: Complete request for Permission to Survey from BIA Realty Office and Navajo Land Department								
Goal Statement: Forward Request to BIA and NLD for "Permission to Survey" request for 8 households			8					
3. Program Performance Area: Identify "Right of Way"(ROW) procedures for the 8 households								
Goal Statement: Collaborate and Work with NTUA and CDEC to Complete Arch. Clearance and Environmental Assessment for 8 households					8			
4. Program Performance Area: Follow-up ROW process with NTUA and CDEC								
Goal Statement: Work with CDEC, NTUA and CIO Archeologist to complete Arch. Clearance and Environmental Assesstment							8	
5. Program Performance Area: Ensure that all homes listed on Project are ready for Power-line Construction								
Goal Statement: Have NTUA and CDEC construct Power-line extensions to homes completed with ROW							8	

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

CIO, DCD

Program Manager's Printed Name and Signature/Date

DCD Director

Division Director/Branch Chief's Printed Name and Signature / Date

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Powerline Extension Project Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
	9000 Capital Outlays		
9020 ~~6809~~	Powerline Extension Construction to eight (8) homes in the Manuelito Chapter Community	397,580	397,580
	Richard White		
	Phillip White		
	Ella Mae White		
	Mary Joe White		
	Ray Tom		
	Eleanor Begay		
	Sarita Tom		
	Paulin James		
	TOTAL	397,580	397,580

FY 2017

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

EXHIBIT F

PART I. Business Unit No.: NEW Program Title: Baahali Powerline Trunk Line Project Division/Branch: Div. of Community Devlopmen

Prepared By: Gloria M. Skeet deCruz Phone No.: 505-778-5788/5796 Email Address: gmsdecruz@yahoo.com

PART II. FUNDINK SOURCE(S)	Fiscal Year Term	Amount	% of Total
UUFB	10/01/16 - 09/30/17	316,227.00	100%

FY ____2017_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Baahali Powerline Trunk Line Project

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

Plan and Construct Powerline Extension to five (5) homes in the Baahaali Chapter community.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: Complete Scope of Work (SOW) and request for cost estimate from Continental Divide Electric Cooperative, Inc, Goal Statement: Submit SOW to DCD and obtain estimate from CDEC for five (5) households.	2							
2. Program Performance Area: Complete request for Permission to Survey from BIA Reality and Navajo Land Department Goal Statement: Submit request to BIA and NLD for "permission to survey" request for the five (5) households.			5					
3. Program Performance Area: Identify Right of Way procedures for the five (5) households. Work with CDEC to complete Arch. Clearance and Enviromental Assesstment for the five (5) households.					5			
4. Program Performance Area: Follow up on ROW process with CDEC. Goal Statement: Work with CDEC and CIO Archeologist to complete Arch. Clearances and Enviromental Assesstments							5	
5. Program Performance Area: Determine which homes are ready for Powerline Construction. Goal Statement: Construct powerline extensions to homes with completed ROW.							5	

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Hon. Seth Damon, NNC 10/03/16

Program Manager's Printed Name and Signature/Date

10-3-16

LoRenzo Bates, Speaker of the Navajo Nation

Division Director/Branch Chief's Printed Name and Signature / Date

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Baahali Powerline Trunk Line Project Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
9000	9200: Powerline Extension Construction to five (5) homes in the Baahaali Chapter Community	316,227	316,227
	Rosey L. Begay aka Lucy Yazzie Begay & Annie L. Begay		
	Derick B. & Shileen B. Livingston		
	Philbert R. & Millicent Livingston		
	Strawberry B. Livingston		
	Carole Ann Tom		
	TOTAL	316,227	316,227

FY 2017

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW Program Title: Baahali Powerline Trunk Line Project Division/Branch: Div. of Community Devlopmen

Prepared By: Gloria M. Skeet deCruz Phone No.: 505-778-5788/5796 Email Address: gmsdecruz@yahoo.com

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
UUFB	10/01/16 - 09/30/17	316,227.00	100%

FY ____2017_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Baahali Powerline Trunk Line Project

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

Plan and Construct Powerline Extension to nine (9) homes in the Baahaali Chapter community.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: Complete Scope of Work (SOW) and request for cost estimate from Continental Divide Electric Cooperative, Inc, Goal Statement: Submit SOW to DCD and obtain estimate from CDEC for five (5) households.	2							
2. Program Performance Area: Complete request for Permission to Survey from BIA Reality and Navajo Land Department Goal Statement: Submit request to BIA and NLD for "permission to survey" request for the five (5) households.			5					
3. Program Performance Area: Identify Right of Way procedures for the five (5) households. Work with CDEC to complete Arch. Clearance and Enviromental Assesstment for the five (5) households.					5			
4. Program Performance Area: Follow up on ROW process with CDEC. Goal Statement: Work with CDEC and CIO Archeologist to complete Arch. Clearances and Enviromental Assesstments							5	
5. Program Performance Area: Determine which homes are ready for Powerline Construction. Goal Statement: Construct powerline extensions to homes with completed ROW.							5	

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

CIO, DCD

Program Manager's Printed Name and Signature/Date

DCD Director

Division Director/Branch Chief's Printed Name and Signature / Date

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Baahali Powerline Trunk Line Project Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
	9000 Capital Outlay		
9020 ~~5700~~	Powerline Extension Construction to ten (10) homes in the Baahaali Chapter Community	316,227	316,227
	Rosey L. Begay aka Lucy Yazzie Begay & Annie L. Begay		
	Derick B. & Shileen B. Livingston		
	Philbert R. & Millicent Livingston		
	Strawberry B. Livingston		
	Carole Ann Tom		
	TOTAL	316,227	316,227

EXHIBIT
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POWER LINE EXTENSION PROJECT

September 6, 2016

Submitted To:

Honorable 23rd Navajo Nation Council

Honorable Navajo Nation President

Submitted by:

Chichiltah, Tse'Lichii, Manuelito,

and Baahaali Chapter Communities

By Honorable Delegate Seth Damon

RECEIVED
SEP 16 '16
OFFICE OF MANAGEMENT & BUDGET
NAVAJO NATION

EXECUTIVE SUMMARY

The chapters within District 6 are respectfully requesting the honorable 23rd Navajo Nation Council and the honorable Navajo Nation President for the approval of supplemental funds from the Undesignated Unreserved Fund Balance (UUFB) in the amount of $1,356,720 for power line extension projects in the communities of Chichiltah, Tse'Lichii, Manuelito, and Baahaali. The purpose of this funding request is to deliver electric power to 17 homes within the area of District 6 who currently live off-grid. The measurable outcomes of this project would improve the living conditions of community members currently without electricity, ameliorating the health, safety, and welfare of the communities within District 6.

COMMUNITY IMPACTS

Living without electricity is distressing, challenging, and even detrimental for high-risk populations. Refrigeration for medications, the operation of portable oxygen-concentrator and portable kidney dialysis machines, and other medical equipment need a reliable source of electric power to continuously generate power to these machines. Patients with chronic illnesses and the elderly populations are absolutely dependent on these resources for their survival. The children of these communities also need a reliable source of electric power to refrigerate their food for safe consumption. The children would also perform better in school by having a reliable light-source and electric power. Currently, community members who live without electricity rely on generators for electric power or use Coleman lanterns as their primary light-source.

REQUESTING FUNDS FOR POWER LINE EXTENSION PROJECTS

The chapters within District 6 are cooperatively undertaking this project as a regional initiative. They will be coordinating with various agencies for their power line extension projects. These agencies include the Continental Divide Electric Coop, the Navajo Tribal Utility Authority (NTUA), the Navajo Nation Division of Community Development (DCD), the Community and Housing Infrastructure Development (CHID), the Bureau of Indian Affairs (BIA), and the Navajo Nation Land Administration (NNLA). In addition, chapters have passed resolutions for power line extensions with support from their communities. Therefore, the chapters within District 6 are respectfully requesting the honorable 23rd Navajo Nation Council and the honorable Navajo Nation President for the approval of supplemental funds from the Undesignated Unreserved Fund Balance (UUFB) in the amount of $1,356,720 for power line extension projects in the communities of Chichiltah, Tse'Lichii, Manuelito, and Baahaali.

HOMES READY FOR POWER LINE EXTENSIONS

Manuelito Chapter	Baahaali Chapter	Chichiltah Chapter	Tse'Lichii Chapters
Ella White Richard White Phillip White Mary Jo White Ray & Sarita Tom Eleanor Begay Paulin James	Rosey Begay Philbert Livingston Derek Livingston Strawberry Livingston Carole Ann Tom	Loutricia Caballero Marlene Barney	Bernadine Lee Eddie & Helen Etsitty Gilbert & Darlene Jefferson

CONCLUSION

The power line extension projects within District 6 will deliver electricity to 17 homes, areas that had been underserved for decades. The end-goal of this project would be to improve the living conditions of community members currently without electricity and to increase the health, safety, and welfare of these communities within District 6. The extension of power lines to low-income families, high-risk patients, the elderly, school-age children, and to other underserved areas will significantly benefit from this project. Therefore, the chapters within District 6 are respectfully requesting the honorable 23rd Navajo Nation Council and the honorable Navajo Nation President for the approval of supplemental funds from the Undesignated Unreserved Fund Balance (UUFB) in the amount of $1,356,720 for power line extensions in the communities of Chichiltah, Tse'Lichii, Manuelito, and Baahaali.

BUDGET

Power Line Extension Budget Breakdown

Chapter Name	Number of Homes	Costs
Tse'Lichii Chapter	3	$ 305,393.00
Chichiltah Chapter	2	$ 337,520.00
Baahaali Chapter	5	$ 316,227.00
Manuelito Chapter	7	$ 397,580.00
Grand Total	**17**	**$ 1,356,720.00**

Chichiltah Chapter
Caballero Powerline Project
$58,509.14
June 2016

Chichiltah Chapter

Box 1436 Gallup, New Mexico 87305

ROSELYN JOHN, COMMUNITY SERVICES COORDINATOR

rdjohn71@gmail.com
(505) 713-9994

Chichiltah Chapter
Caballero Powerline Project
$58,509.14
June 2016

Chichiltah Chapter Box 1436 Gallup, New Mexico 87305

Loutricia Caballero - $58,509.14

Loutricia resides at RA# on Navajo Nation Trust Land. Loutricia lives with her children and grandchildren ages 22 to 4 year old in a mobile home. Loutricia is a medical referral and is in need of electricity.

The request is to extend a primary line to the home which has no electricity.

Attached Documents:

1. Estimated Cost from Continental Divide Electric Cooperative (CDEC) Grants, New Mexico in the amount of $58,509.14.
   - Cost of Construction $26,309.14
   - ROW $32,200.00
2. Home Site Lease – Navajo Nation Trust Land
3. Cultural Resources Compliance Form. September 9, 2005
4. A photo of Caballero home. Mobile Home
5. CDEC Letter of Compliance May 2015
6. CDEC Update Cost Estimate. August 19, 2015

Thank you.

CONTINENTAL DIVIDE
ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

August 19, 2015

Loutricia Caballero

RE: Estimate

To Whom It May Concern:

The Continental Divide Electric Cooperative's field crew has completed the cost estimate to install primary conductor and service to the residence in Vanderwagon, NM. The estimated cost is as follows:

Cost of Construction:	$26,309.14
Right-Of-Way	$32,200.00
Total Construction Cost:	**$58,509.14**

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and that actual cost may be different: You will receive a refund if costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at (505) 285-6656.

Sincerely,

Lee A. Maestas
Staking Engineer

af

FORM 200RL
April, 2000

791-23-41106-4

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
and
THE NAVAJO NATION

LEASE NO.
27,142

HOMESITE LEASE
(Tribal Member Only)
(Trust or Restricted Land Only)

THIS LEASE is made and entered into by and between THE NAVAJO NATION, P. O. Box 9000, Window Rock, Navajo Nation (Arizona) 86515, ("Lessor"), and

Loutricia Caballero, C#_____

and **none**, C# **none**

whose address is _____
("Lessee") in accordance with 2 N.N.C. §695(B)(4)(i) and Resolution No. RCD-289-93 of the Resources Committee of the Navajo Nation Council, the provisions of 25 U.S.C. §415, as implemented by the regulations contained in 25 C.F.R. Part 162, and all amendments or successors thereto, which by this reference are made a part hereof. In the event this Lease is held by two or more persons, it shall be held in the following tenure:

791-061-05

WITNESSETH:

1. **DEFINITIONS.** (A) "Secretary" means the Secretary of the Interior or his duly authorized representative or successor.

(B) "Approved Encumbrance" means an encumbrance approved in writing by the Secretary and Lessor. "Encumbrancer" means the owner and holder of an Approved Encumbrance, or either of them.

2. **LEASED PREMISES.** For and in consideration of the rents, covenants, agreements, terms and conditions contained herein, Lessor hereby leases to Lessee all that tract or parcel of land situated within the **Chichiltah** Chapter of the Navajo Nation, (County of **McKinley**, State of **New Mexico**,) which is more particularly described in Exhibit "A," attached hereto and by this reference made a part hereof, containing approximately **1.00** acre(s), more or less, subject to any prior, valid existing rights-of-way. There is hereby reserved and excepted from the leased premises rights-of-way for utilities constructed by or on authority of Lessor.

3. **USE OF LEASED PREMISES.** (A) Lessee shall develop, use and occupy the leased premises for residential purposes only and said premises shall not be used for any other purpose. Lessee may construct, improve and maintain a dwelling and related structures on the leased premises and may otherwise develop, use or occupy said premises for residential purposes only.

(B) Lessee agrees not to use or cause to be used any part of the leased premises for any unlawful conduct or purpose.

4. **TERM.** Lessee shall have and hold the leased premises for a term of sixty-five (65) years, beginning on the date of approval of the Lease by the Secretary. This Lease may be renewed for an additional term of up to twenty-five (25) years, provided that this Lease is in good standing. Lessee shall give written notice of intent to renew this Lease to the Director of the Navajo Land Department, or its successor, at least six (6) months, but no more than twelve (12) months, prior to the expiration date of this Lease. Renewal of this Lease is subject to the approval of Lessor and the Secretary and to the provisions of Navajo Nation law and the regulations contained at 25 C.F.R. Part 162, including all amendments and successors thereto.

5. **RENT.** (A) In consideration of the foregoing and the terms and conditions of this Lease, Lessee hereby covenants and agrees to pay Lessor, in lawful money of the United States, an annual rental of One Dollar ($1.00). In accordance with 25 C.F.R. §162.5(b)(2), only nominal rental is provided for herein because this Lease is for homesite purposes to a Tribal member and the leased premises are not commercial or industrial in character. Lessee agrees that there shall be no adjustment of the rental required herein in the event that this Lease is terminated before its term otherwise would expire or in the event that any part of the leased premises is taken under the laws of eminent domain.

(B) Rental payments are due and payable on or before the effective date of this Lease and thereafter on or before each anniversary date of this Lease. Lessee may pay the total amount due at any time prior to the expiration of this Lease. Rental payments shall be made by check or money order made out to the Navajo Nation, and shall be paid at the local Navajo Land Department Homesite Section Office, or at such other location as Lessor hereafter may designate in writing. Failure to make rental payments when due shall constitute a default under this Lease.

(C) While the leased premises are in trust or restricted status, the Secretary in his discretion may suspend the direct rental payment provisions of this Lease, in which event the rental payments provided for herein shall be paid directly to the Secretary. Lessor, Lessee and an Encumbrancer, if any, shall be notified of any such change in the direct rental provisions of this Lease.

6. **DEVELOPMENT OF LEASED PREMISES; IMPROVEMENTS.** (A) Lessee shall develop the leased premises within two (2) years of the effective date of this Lease. Prior to the expiration of said period, Lessee may request in writing from Lessor an extension of the development period for a period not to exceed two (2) additional years. Lessor shall not unreasonably withhold approval of such request. Failure to develop the leased premises in accordance with this provision shall constitute a default under this Lease.

791-06 1-05

(B) All buildings and other improvements now existing, or hereafter constructed on the premises, shall be the leasehold property of Lessee during the term of this Lease, including any renewal thereof.

(C) Lessee is hereby specifically authorized to enter into appropriate service line agreements with utility companies for the provision of utility services to the leased premises, including gas, water, sewer, electricity, telephone, television and other utilities, without further consent by Lessor, on the condition that:

(1) such agreements are for the sole purpose of supplying utility services to the leased premises;

(2) such agreements authorize utility service lines only within the leased premises;

(3) such agreements do not extend beyond the term of this Lease, including any extensions thereof;

(4) executed copies of such agreements, together with plats or diagrams showing with particularity the location, size and extent of such service lines, are filed by the utility companies with the Lessor and with the Secretary within thirty (30) days of their execution; and

(5) such agreements are otherwise in accordance with the provisions of 25 C.F.R. §169.22, including any amendments or successors thereto.

Nothing contained herein shall be construed to limit the right of Lessor to enter into service line agreements with utility companies for service lines across the leased premises, nor otherwise to affect the rights-of-way reserved to Lessor in Section 2 of this Lease.

7. **DELIVERY OF PREMISES; CUSTOMARY USE RIGHTS.** (A) Subject to the provisions of subsection (B) below, upon expiration or termination of this Lease, Lessee shall peaceably and without legal process deliver up possession of the leased premises to Lessor, including all improvements thereon, in good condition, usual wear and tear excepted.

(B) In the event that Lessee holds customary use rights to the leased premises under the laws and customs of the Navajo Nation at the beginning date of this Lease, and has not otherwise transferred, surrendered, or abandoned such customary use rights during the term of this Lease, then upon the expiration or termination of this Lease, Lessee shall be entitled to possession of the leased premises, including all improvements thereon, in accordance with the laws and customs of the Navajo Nation.

791-061-05

8. **INHERITANCE.** This Lease may be transferred by will or by intestate succession in accordance with the laws and customs of the Navajo Nation, including all amendments and successors thereto.

9. **ASSIGNMENT.** This Lease may be assigned with the prior written approval of Lessor and the Secretary, subject to the laws of the United States and the Navajo Nation, including all amendments and successors thereto. No assignment of this Lease or any interest therein shall be valid and binding without such prior written approval. In the event this Lease or any interest therein is mortgaged or pledged as security for a loan, approval of any subsequent assignment shall be required by the lender, sureties, and loan guarantors, if any.

10. **ENCUMBRANCE.** (A) This Lease or any interest therein may not be encumbered without the prior written approval of Lessor and the Secretary, and no such encumbrance shall be valid without said prior approval. An Approved Encumbrance must be confined to the leasehold interest of Lessee, and shall not jeopardize in any way Lessee's interest in the land. Lessee agrees to furnish any requested financial statements or analyses pertinent to the proposed encumbrance that Lessor and the Secretary may deem necessary to justify the amount, purpose and terms of said proposed encumbrance.

(B) In the event of default by Lessee of the terms of an Approved Encumbrance, Encumbrancer may exercise any rights provided in such Approved Encumbrance, provided that prior to any sale of the leasehold, Encumbrancer shall give to Lessor and the Secretary written notice of the same duration as is required to be given to Lessee by the terms of such Approved Encumbrance and by applicable law. In the event of such default, Lessor shall have the following rights which may be exercised at any time prior to the completion of sale:

(1) To pay to Encumbrancer any and all amounts secured by the Approved Encumbrance, plus unpaid interest accrued to the date of such payment, plus expenses of sale incurred to the date of such payment.

(2) To assume the obligation secured by the Approved Encumbrance, including unpaid interest accrued to the date of such assumption plus expenses of sale incurred to the date of such assumption.

(3) To execute in favor of Encumbrancer a promissory note and a new encumbrance, which new encumbrance must be approved by the Secretary, for any and all amounts secured by the Approved Encumbrance, plus unpaid interest accrued to the date of such execution, plus expenses of sale incurred to the date of such execution, upon the same terms and conditions as originally provided by the Approved Encumbrance, or upon such other terms and conditions as Lessor and the lender may agree, and paying to

791-061-95

Encumbrancer the proceeds of the loan evidenced by such promissory note, and delivering to Encumbrancer a policy of title insurance in the face amount of such promissory note, issued by a reputable title insurance company acceptable to Encumbrancer, and insuring that the new encumbrance is a first lien upon the property described in this Lease, subject only to current taxes and to conditions, restrictions and reservations of record which are acceptable to Encumbrancer at the time of recording the new encumbrance.

(C) If Lessor exercises any of the above rights, all right, title and interest of Lessee in this Lease shall terminate and Lessor shall acquire this Lease; provided, however, that such termination shall not relieve Lessee of any obligation or liability which shall have accrued prior to the date of termination. Acquisition of this Lease by Lessor under these circumstances shall not serve to extinguish this Lease by merger or otherwise.

(D) If Lessor declines to exercise any of the above rights and sale of the leasehold under the Approved Encumbrance shall occur, the purchaser at such sale shall succeed to all of the right, title and interest of Lessee in this Lease. It is further agreed that if the purchaser at such sale is Encumbrancer or an agency of the United States which makes, insures or guarantees either the loan secured by the Approved Encumbrance or the Approved Encumbrance ("Federal Agency"), Encumbrancer or Federal Agency may sell and assign this Lease without any further approval by Lessor and the Secretary, provided that the assignee shall agree in writing to be bound by all the terms and conditions of this Lease. During such period of time Encumbrancer or Federal Agency retains title thereto, it may sublease the property for periods not to exceed one year in accordance with terms of the mortgage, notwithstanding any contrary provision contained within the Lease. If Encumbrancer or Federal Agency is the purchaser, it shall be required to perform the obligations of this Lease only so long as it retains title thereto. If the purchaser is other than Encumbrancer or Federal Agency, written approval by Lessor and the Secretary of any assignment shall be required and said purchaser shall agree in writing to be bound by all the terms and conditions of this Lease.

11. **DEFAULT.** (A) Time is declared to be of the essence in this Lease. Should Lessee default in any payment of monies when due under this Lease or be in violation of any other provision of this Lease, said violation may be acted upon by the Secretary in accordance with 25 C.F.R. Part 162, or any amendments or successors thereto.

(B) In addition to the rights and remedies provided by the aforementioned regulations, Lessor and the Secretary, either jointly or severally, may exercise the following options upon Lessee's default, subject to the provisions of subsection (D) below and subject to applicable law:

791-061-05

(1) Enforce, by suit or otherwise, Lessee's compliance with all terms of this Lease; or

(2) Re-enter the leased premises, if Lessee has abandoned the premises or has otherwise failed to use the leased premises for residential purposes, and remove all persons and property therefrom, and re-let the premises without terminating this Lease as the agent and for the account of Lessee, but without prejudice to the right to terminate the Lease thereafter, and without invalidating any right of Lessor or the Secretary, or Encumbrancer, if any, or any obligations of Lessee hereunder. The terms and conditions of such re-letting shall be in the sole discretion of Lessor, who shall have the right to alter and repair the premises as it deems advisable and to-re-let with or without any equipment or fixtures situated thereon. Rents from any such re-letting shall be applied first to the expense of re-letting, collection, altering and repairing, including reasonable attorney's fees and any reasonable real estate commission actually paid, insurance, taxes and assessments and thereafter toward payment to liquidate the total liability of Lessee. Lessee shall pay to Lessor monthly when due, any deficiency and Lessor or the Secretary may sue thereafter as each monthly deficiency shall arise; or

(3) Take any other action authorized or allowed under applicable law.

(C) No waiver of a breach of any of the terms and conditions of this Lease shall be construed to be a waiver of any succeeding breach of the same or any other term or condition of this Lease. Exercise of any of the remedies herein shall not exclude recourse to any other remedies, by suit or otherwise, which may be exercised by Lessor or the Secretary, or any other rights or remedies now held or which may be held by Lessor in the future.

(D) Lessor and the Secretary, as the case may be, shall give to an Encumbrancer a copy of each notice of default by Lessee at the same time as such notice of default shall be given to Lessee. Lessor and the Secretary shall accept performance by an Encumbrancer of any of Lessee's obligations under this Lease, with the same force and effect as though performed by Lessee. An Encumbrancer shall have standing to pursue any appeals permitted by applicable federal or Navajo Nation law that Lessee would be entitled to pursue. Neither Lessor nor the Secretary shall terminate this Lease if an Encumbrancer has cured or is taking action diligently to cure Lessee's default or has commenced and is pursuing diligently either a foreclosure action or an assignment in lieu of foreclosure, or has assigned, filed and is diligently pursuing a claim under a guarantee of an approved encumbrance by Federal Agency.

12. **SANITATION.** Lessee hereby agrees to comply with all applicable sanitation laws, regulations or other requirements of the United States and the Navajo Nation. Lessee agrees to dispose of all solid waste in compliance with applicable

791-061-05

federal and Navajo Nation law either in an approved sanitary landfill or transfer station, or with a commercial sanitary collection service. Lessee further agrees at all times to maintain the entire leased premises in a safe and sanitary condition, presenting a good appearance both inside and outside the leased premises.

13. **HAZARDOUS SUBSTANCES.** Lessee shall not cause or permit any hazardous substance to be used, stored, generated or disposed of on or in the leased premises without the prior written approval of Lessor, which approval may be given, given upon conditions, or denied in the sole discretion of Lessor and Encumbrancer, if any, respectively; provided, that Lessee may use or store or permit to be used on or in the leased premises small amounts of hazardous substances that generally are recognized to be appropriate to normal residential uses and to maintenance of the leased premises.

14. **TERMINATION OF FEDERAL SUPERVISION.** Nothing contained in this Lease shall operate to delay or prevent a termination of federal responsibilities with respect to the leased premises by the issuance of a fee patent, or otherwise, during the term of this Lease, however, such termination shall not serve to abrogate this Lease. Lessor and Lessee and an Approved Encumbrancer, if any, shall be notified of any such change in the status of the leased premises.

15. **INTEREST OF MEMBER OF CONGRESS.** No member of or delegate to Congress or any Resident Commissioner shall be admitted to any share or part of this Lease or to any benefit that may arise herefrom.

16. **OBLIGATIONS TO THE UNITED STATES.** It is understood and agreed that while the leased premises are in trust or restricted status, all of Lessee's obligations under this Lease are to the United States as well as to Lessor.

17. **EMINENT DOMAIN.** If the leased premises or any part thereof is taken under the laws of eminent domain at any time during the term of this Lease, Lessee's interest in the leased premises or the part of the leased premises taken shall thereupon cease. Compensation awarded for the taking of the leased premises or any part thereof, including any improvements located thereon, shall be awarded to Lessor and Lessee as their respective interests may appear at the time of such taking, provided that Lessee's right to such awards shall be subject to the rights of an Encumbrancer under an Approved Encumbrance.

18. **MINERALS.** All minerals, including sand and gravel, contained in or on the leased premises are reserved for the use of Lessor. Lessor also reserves the right to enter upon the leased premises and search for and remove minerals located on the property, paying just compensation for any damage or injury caused to Lessee's personal property or improvements constructed by Lessee.

19. **GOVERNING LAW AND CHOICE OF FORUM.** Except as may be prohibited by applicable federal law, the law of the Navajo Nation shall govern the

791-061-05

THE NAVAJO NATION, LESSOR

08/27/04
Date

By: _____
Director
Navajo Land Department

WITNESSES:

_____

_____

_____

_____

Katricia Caballero
LESSEE

_____
LESSEE

791-061-05

APPROVED: DEC 2 9 2004
Pursuant to Secretarial Redelegation Order
209 DM 8, 230 DM 1 and 3 IAM 4

_____
Regional Director, Navajo Region
Bureau of Indian Affairs

CULTURAL RESOURCES COMPLIANCE FORM
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

ROUTING: COPIES TO
NM SHPO
REAL PROPERTY MGT/330
XX NNAD

NNHPD NO. **HPD-05-916**
OTHER PROJECT NO.
NNAD 05-200

PROJECT TITLE: **A Cultural Resources Inventory of the Loutricia Caballero Homesite with an Associated Waterline in Chichiltah, McKinley County, New Mexico**

LEAD AGENCY: BIA/NR

SPONSOR: Loutricia Caballero, !

PROJECT DESCRIPTION: The proposed undertaking will involve the construction of a new home along with the installation of a 1400-ft by 30-ft waterline. A 200-ft radius (2.88 acres) was surveyed for the homesite and 0.96 acres was surveyed for the waterline. The area of potential effect is 3.84 acres. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Tribal Trust
CHAPTER: **Chichiltah**
LOCATION: T12N, R18W, Sec. 5 & 8 ; Vanderwagen Quadrangle McKinley County, New Mexico NMPM

PROJECT ARCHAEOLOGIST: **Genevieve Pino**
NAVAJO ANTIQUITIES PERMIT NO.: NTC

DATE INSPECTED: **07/17/05**
DATE OF REPORT: 08/22/05
TOTAL ACREAGE INSPECTED: **6.09 ac**

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced **15** m apart.

LIST OF CULTURAL RESOURCES FOUND: **(1) In-Use Area (IUA)**
LIST OF ELIGIBLE PROPERTIES: **None**
LIST OF NON-ELIGIBLE PROPERTIES: **(1) IUA**
LIST OF ARCHAEOLOGICAL RESOURCES: **None**

EFFECT/CONDITIONS OF COMPLIANCE: **No historic properties affected.**

In the event of a discovery [*"discovery"* means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7132.

FORM PREPARED BY: TAMARA BILLIE
FINALIZED: September 21, 2005

Notification to
Proceed Recommended: Yes XX No ____
Conditions: Yes ____ No XX

Alan S. Downer
Navajo Nation Historic Preservation Officer
9-21-05
Date

Navajo Region Approval: Yes X No ____

Acting Regional Director
Date 9/30/05

CALLUP MED C

MEDICAL REPORT OF DUTY ST S

NAME	HOSPITAL REGISTRATION NO.

ADDRESS CABALLERO, LANDEN HILL
APR 12, 2005 1

INPATIENT	INCLUSIVE DATES OF TREATMENT From:	Through:	
OUTPATIENT	DATE	TIME ARRIVED A.M./P.M.	TIME DEPARTED A.M./P.M.
DISPOSITION	Can resume usual occupation	DATE	Can perform limited duties as specified under REMARKS — DATE
	To return to clinic	DATE	To be hospitalized — DATE
	OTHER *(Specify)*		

REMARKS
Please assist family with obtaining electricity. Here is a 4-year-old with [illegible] at home currently. Need [illegible] to provide appropriate care.

NAME AND LOCATION OF HOSPITAL OR CLINIC	SIGNATURE OF MEDICAL OFFICER OR MEDICAL RECORD LIBRARIAN	DATE
GMC FMC	[illegible]	7/19/07

IHS-131 (1/89) Dx: 4

Chichiltah Chapter
Barney Powerline Project
$279,011.25
June 2016

Chichiltah Chapter

Box 1436 Gallup, New Mexico 87305

ROSELYN JOHN, COMMUNITY SERVICES COORDINATOR

rdjohn71@gmail.com
(505) 713-9994

Chichiltah Chapter
Barney Powerline Project
$279,011.25
June 2016

Chichiltah Chapter Box 1436 Gallup, New Mexico 87305

Marlene Barney - $279,011.25

Marlene resides 4.7 miles on Navajo Nation Trust Land at the edge of Stone Hedge Road and McKinley County Road 6. Marlene and her grandchildren live in the most remote area of our community. Ms. Barney is a medical referral and is in need of electricity. Her grandchildren are in school and despite her wishes to have her grandchildren live at home and attend school, the children are sent to Chichiltah Jones Ranch Community School residential dormitory due to no electricity to support waterline, nutritional food and, the crucial need for technology for the grandchildren. Ms. Barney's children relocated to border towns, Gallup and Albuquerque, New Mexico to have access to basic services.

The construction of this powerline will also provide service drops to four homes along the way. The Four (4) homes are currently without electricity. The powerline construction to Marlene Barney resident is crucial need for her being under medical care, her family and future generations.

Attached Documents:

1. Estimated Cost from Continental Divide Electric Cooperative (CDEC) Grants, New Mexico in the amount of $265,725.00. Which include:
   - 2016 Construction Cost $97,255.00
   - ROW Cost $168,500.00
   - 5% Navajo Tax $13,286.25
   - ROW $279,011.25
2. Home Site Lease – Navajo Nation Trust Land
3. Cultural Resources Compliance Form. May 6, 2004
4. CDEC Map with a Goggle Map Identifying Land Description
5. A photo of Marlene Barney home, Showing Meter Loop. May 19, 2015 by CDEC on-site visit.
6. CDEC Letter of Compliance. Certification Date: June 8, 2015
7. CDEC Update Cost Estimate. July 5, 2016

Thank you.

CONTINENTAL DIVIDE
ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

July 5, 2016

Marlene Barney
Attention: Roselyn John

RE: Estimate

To Whom It May Concern:

Continental Divide Electric Cooperative has completed the cost estimate to install new primary conductor and service to the home located in Chichiltah, NM. Keep in mind, this is a preliminary estimate and should only be used for budgetary purposes. A physical survey will be required when the final project is approved. The preliminary estimated cost to extend the electrical service to the home of Marlene Barney is as follows:

Construction Cost:	**$97,225.00**
ROW Cost:	**$168,500.00**
Total:	**$265,725.00**
5% Navajo Tax	**$13,286.25**
Total Cost:	**$279,011.25**

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and that actual cost may be different: You will receive a refund if costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at (505) 285-6656.

Sincerely,

Jose Molina, Engineer

afn

United States Department of Interior

BUREAU OF INDIAN AFFAIRS
Eastern Navajo Agency
P.O. Box 328
Crownpoint, New Mexico 87313
Phone (505) 786-6121 Fax (505) 786-6115

IN REPLY REFER TO:
Real Estate Services
LEASING SECTION

NOV 01 2004

Marlene Barney

Dear Ms. Barney

Enclosed is your approved mutual termination of homesite lease number 16,709 which was approved by the Acting Regional Director, Mr. Omar Bradley, on October 06, 2004. This approved lease is an important legal contract which needs to be safeguarded for future use. **Do not give this original to anyone, always give a duplicate copy. Keep the original for your record.**

Should you have any questions, please contact our Leasing Section at 505/786-6114 or come to our Agency Office.

Sincerely,

Realty Officer
Eastern Navajo

Enclosure

MUTUAL TERMINATION OF HOMESITE LEASE

Homesite Lease No. 16,709 entered into between the NAVAJO NATION, Lessor, and Frank Barney, and Marlene Barney, Lessees, approved by the Bureau of Indian Affairs on December 7, 1994, is hereby irrevocably terminated, cancelled and extinguished as of this 11th day of September, 2003.

The parties hereto hereby represent that the provisions of this Mutual Termination Agreement have been knowingly and voluntarily entered into.

Lessee(s) hereby state that:

(___) No improvements have been constructed on the lease premises and that said land is free and clear of debris, solid wastes or hazardous materials, expecting normal wear and tear.

(XXX) Any and all permanent buildings and improvements on the leased property shall remain on said property and shall thereupon become the property of Lessor.

Lessee(s) further states that all rentals due the Lessor, the Navajo Nation, have been submitted and paid in full up to the date of termination of the Homesite Lease and that all utility and other outstanding charges or fees pertaining to said lease operation have been paid in full.

Nothing contained herein shall release Lessee(s) of any obligations incurred under the provisions of said Homesite Lease prior to the date of termination set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this Mutual Termination Agreement this 11th day of September, 2003.

WITNESSES:

Deceased
LESSEE

Marlene T Barney
LESSEE

THE NAVAJO NATION, Lessor

By:
Director, Navajo Land Department

22 July 2004
Date

APPROVED: OCT - 6 2004
Pursuant to Secretarial Redelegation Order 209 DM 8, 230 DM 1 and 3 IAM 4.

ACTING Regional Director, Navajo Region
Bureau of Indian Affairs

701-1011-04

FORM-1495-MOD.
Sept. 1969
Revised 8/19/99

Lease _____

UNITED STATE
DEPARTMENT OF THE INTERIOR
Bureau Of Indian Affairs

RECEIVED
2014 OC 21 AM 8:27

RESIDENTIAL LEASE ALLOTMENT NO.: *024467*

THIS LEASE, made and entered into between ***THE HEIR(S) of FRANCISCO NEZ*** _____ hereinafter designated as "LESSOR", and ***MARLENE BARNEY, C#*** _____ member(s) of the ***NAVAJO TRIBE*** residing at ___ _____, hereinafter designated as "LESSEE(S)."

WITNESSETH:

1. **SECRETARIAL APPROVAL.** As used in this Lease, the term "SECRETARY" means the Secretary of the Interior or his duly authorized representative. This Lease is subject to the approval of the secretary pursuant to the act of August 9, 1955; 69 STAT. 539, as amended; 25 U.S.C. 415, and applicable Federal regulations and amendments thereto.

2. **PREMISES.** Lessor, as authorized by law, hereby leases to the Lessee (s) all that tract or parcel of land situated in the County of ***McKINLEY*** State of New Mexico, and described as follows:

A parcel of land situated within the Southwest Quarter (SW1/4) of Section 03, Township 11 North, Range 19 West, New Mexico Principal Meridian, in the vicinity of Chichiltah, McKinley County, State of New Mexico and is being more particularly described as follows:

COMMENCE at the West Quarter Corner of Section 03, monumented with a United States Bureau of Land Management Cadastral Survey Brass cap dated 1963;

THENCE run S 36°03' 12" E, 986.25 feet to the POINT OF BEGINNING of the herein described parcel of land;

THENCE N 71° 45' 33" E, 208.71 feet;
THENCE S 18° 14' 27" E, 208.71 feet;
THENCE S 71° 45' 33" W, 208.71 feet;
THENCE N 18° 14' 27" W, 208.71 feet to the Point of Beginning.

Being 1.00 acre(s), more or less, in area, and being subject to any and all existing easements for underground utilities located therein.

3. **USE OF PREMISES.** The object of this Lease is to enable the Lessee (s) to construct, improve and/or maintain a dwelling and related structures on the premises, and otherwise to use or occupy said premises for residential purposes. A road rights of way for ingress/egress for Lessee is to be provided at all times.

4. **TERM.** Lessee(s) shall have and hold the premises for a term of twenty-five (25) years beginning on the effective date of this Lease. This Lease shall automatically and without notice renew for an additional term of twenty-five (25) years on the same terms and conditions contained herein. This Lease may not be terminated by either or both parties during its initial or renewal term if, and as long as, the Lease and /or any improvements on the premises, or any interest therein, are mortgaged or otherwise pledged as security for any loan in accordance with the provisions hereof, unless consent in writing to such termination is given by the lender and, when FHA insurance or VA guaranty or insurance is in force, by the Federal Housing Administration or the Veterans Administration, as the case may be. This Lease shall not be subject to any forfeiture or reversion and shall not be otherwise terminable, if such event would adversely affect any interest in the premises, including improvements thereon, acquired in accordance with the provisions hereof by the holder of any mortgage or other lien, or of any purchaser at a foreclosure sale under such mortgage (or lien) or under any conveyance given in lieu of foreclosure, or of any holder subsequent to such purchase.

791-1012-04

or the VA, where no such consent or approval of Lessor shall be required, Lessee(s) may not execute a mortgage, declaration of trust or other security instrument pledging their interest in this lease or any improvements on the premises without the prior consent of Lessor and the approval of the Secretary.

12. **OPTION.** In the event of default by the Lessee(s) on any mortgage or other loan agreement for which this Lease or any improvements on the premises are pledged as security, Lessor shall have the right of first refusal to acquire the Lessee's interest in the premises (subject to all valid liens and encumbrances) upon (A) payment of all sums then in arrears, and (B) either payment of the balance of the loan or assumption of the mortgage. Said right of first refusal may be exercised at any time within thirty (30) days after notice in writing from the lender of the Lessee's default, which notice shall be given before the lender invokes any other remedies provided under the mortgage or by law, and shall be exercised by notice in writing from the Lessor to the Lessee(s) and the Lender; provided, however, that the Lessee(s) shall have fifteen (15) days from the date of the latter notice to cure the default. The estate acquired by the Lessor through exercise of said right of first refusal shall not merge with any other estate or title held by the Lessor as long as this lease and/or any improvements on the premises, or any interest therein, are mortgaged or otherwise pledged as security for any loan, and said estate shall remain subordinate to any valid and subsisting mortgage or other security instrument.

13. **EFFECTIVE DATE.** This Lease and all its terms and provisions shall be binding upon the heirs, successors, executors, administrators and assigns of the Lessee(s) and any successor in interest to the Lessor, and shall take effect on the _____ day of _____ 20_____. (Date of Regional Director's approval)

14. **OBLIGATIONS TO THE UNITED STATES.** It is understood and agreed that while the leased premises are in trust or restricted status, all of the Lessee's obligation under this lease, and the obligation of his sureties, are to the United States as well as to the owner of the land.

791-1012-04

WITNESS:

Marlene Barney, LESSEE (Aunt of)

ATTEST:

Steven Nez, LESSOR

Older Brother — Jimmie Nez, Deceased 80, LESSOR

Sister — Elsie Nez, Deceased 92, LESSOR

Daniel Barney — Ella Marie Nez, LESSOR

Approved: OCT - 6 2004

Pursuant to Secretarial Redelegation Order 209 DM 8, 230 DM 1 and 3, IAM 4.

ACTING Regional Director, Navajo Region
Bureau of Indian Affairs

RECEIVED 2004 OCT 21 AM 8:27 NAVAJO AREA

ALLOTMENT #:024467 **MARLENE BARNEY, C** *25 CFR 162.601*

Regional Director for and on behalf of the undetermined heirs of a decedent's estate pursuant to authority given under 25 CFR 162.601(a) (3)

Jimmie Nez, C#1 *DOD: 1980's*
Elsie Nez, C# *DOD: 1992*

ACTING *Regional Director, Navajo*

791-1012-04

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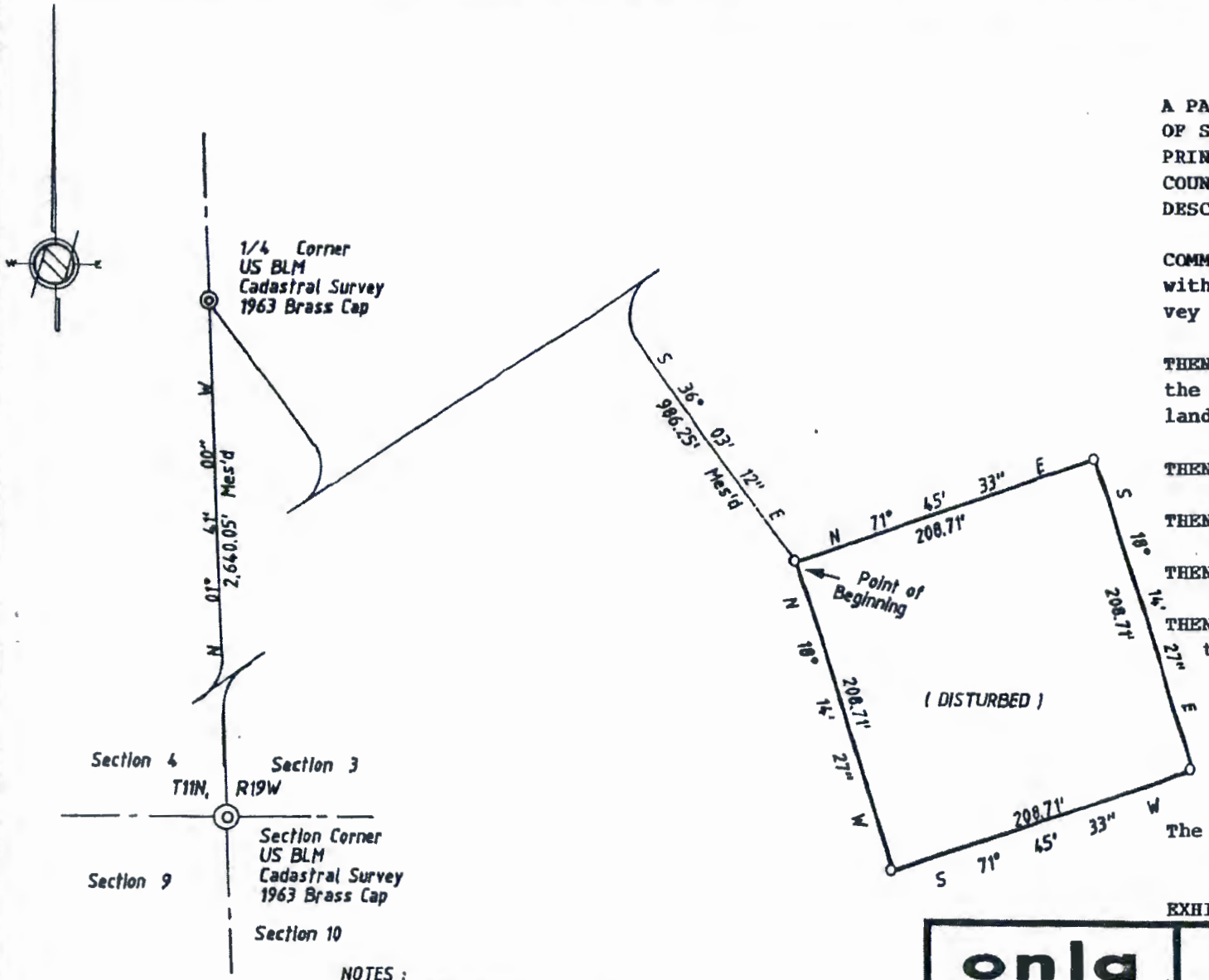
2004 OCT 21 AM 8:27
ALBUQUERQUE, NEW MEXICO



NOTES :
1. All bearings shown hereon are derived from US BLM CADASTRAL SURVEY and refer to TRUE NORTH.
2. Underground utilities not located.

TRACT DESCRIP

A PARCEL OF LAND SITUATED WITHIN T
OF SECTION 03, TOWNSHIP 11 NORTH,
PRINCIPAL MERIDIAN, IN THE VICINIT
COUNTY, STATE OF NEW MEXICO AND IS
DESCRIBED AS FOLLOWS:

COMMENCE at the West Quarter Corne
with a United States Bureau of Lan
vey Brass cap dated 1963;

THENCE run S 36° 03' 12" E
the POINT OF BEGINNING of the here
land;

THENCE N 71° 45' 33" E,

THENCE S 18° 14' 27" E,

THENCE S 71° 45' 33" W,

THENCE N 18° 14' 27" W,
the Point of Beginning.

Being 1.00 acre(s), more or l
subject to any and all existi
ground utilities located the

Surveyed August 11, 1994 by t
The Navajo Tribe, Window Rock, Nava

EXHIBIT "A"

onla	Frank & Marle
SURVEYED BY	LP
DRAWN BY	RH
APPROVED BY	KGS
FIELD BOOK No.	504:48
JOB NUMBER	568
SCALE 1" =	100'

1.00 Ac.
District 16 - Eastern
SW¼ of Section 3, T11
ChiChilTah, McKinley Co

—X—X— Denotes Fence Line —P—P— Denotes Powerline ◎ Denotes Section Corner ○ Denotes 5/8" Repar ✱ Underground Utilities Not Located

RECEIVED

2004 OC 21 AM 8:27

CULTURAL RESOURCES COMPLIANCE FORM
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

ROUTING: COPIES TO
NM SHPO
XX REAL PROPERTY MGT/330
XX BLKH

NNHPD NO. HPD-04-361
OTHER PROJECT NO.
BLKH 04-0011

PROJECT TITLE: **Archaeological Clearance Survey of Marlene T. Barney's New Proposed Homesite near Chichiltah, McKinley County, New Mexico.**

LEAD AGENCY: BIA/NR

SPONSOR: **Marlene T. Barney,**

PROJECT DESCRIPTION: The proposed undertaking will involve the construction of a house and associated facilities within the one-acre lease area. Ground disturbance will be extensive and intensive.

LAND STATUS: Tribal Trust
CHAPTER: Chichiltah
LOCATION: T11N, R19W, Sec 3, Vanderwagen Draw Quad, McKinley County, New Mexico NMPM

PROJECT ARCHAEOLOGIST: **Taft Blackhorse**

NAVAJO ANTIQUITIES PERMIT NO.: B04180
DATE INSPECTED: **3/20/04**
DATE OF REPORT: **4/2/04**
TOTAL ACREAGE INSPECTED: **2.8**

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 15 m apart.

LIST OF CULTURAL RESOURCES FOUND:	**None**
LIST OF ELIGIBLE PROPERTIES:	None
LIST OF NON-ELIGIBLE PROPERTIES:	None
LIST OF ARCHAEOLOGICAL RESOURCES:	None

EFFECT/CONDITIONS OF COMPLIANCE: **No historic properties affected.**

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (520) 871-7132.

FORM PREPARED BY: Charles Murphy
FINALIZED: April 23, 2004

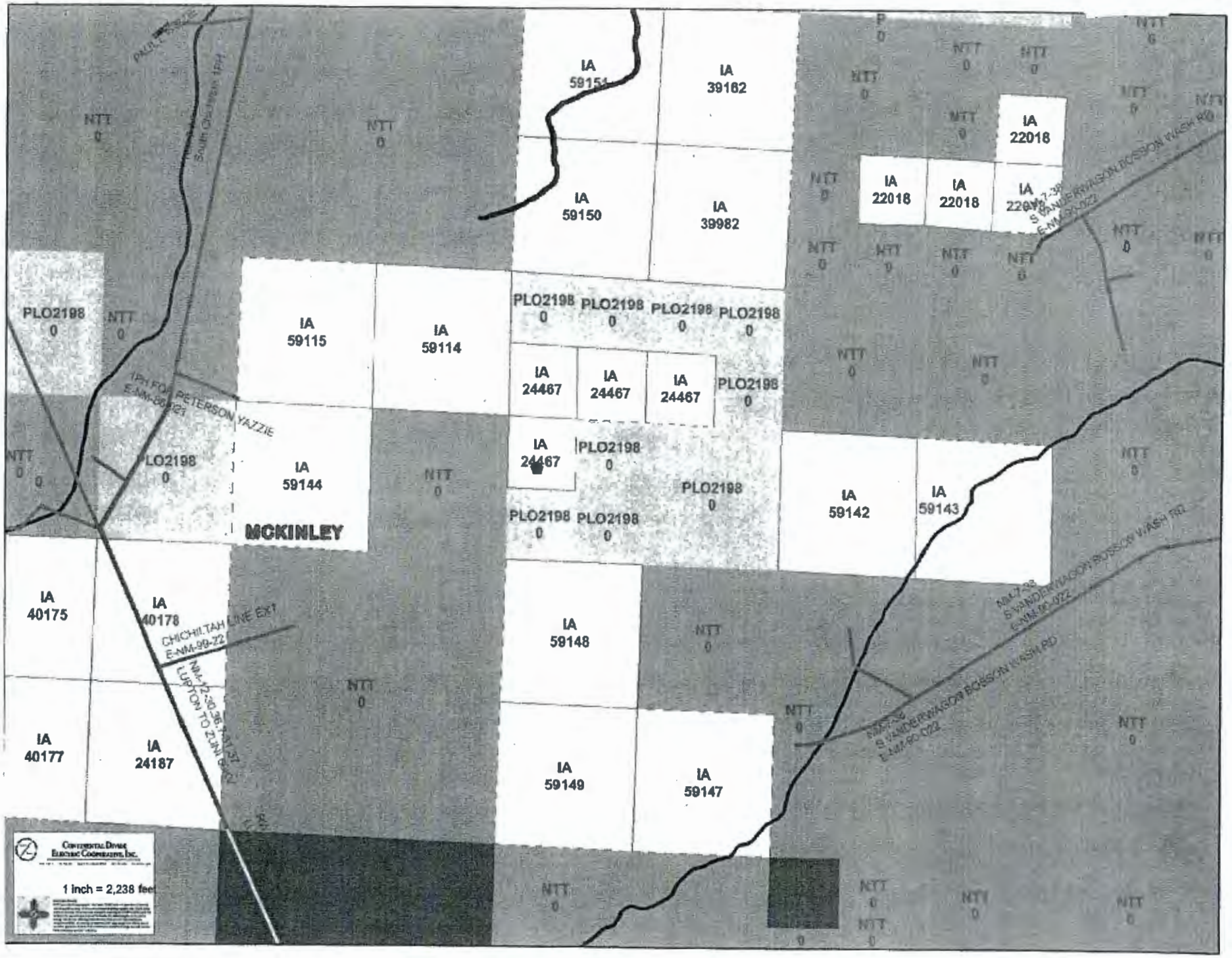
Notification to Proceed Recommended: Yes XX No ___
Conditions: Yes ___ No XX

for Alan S. Downer
Navajo Nation Historic Preservation Officer
4/28/04
Date

Navajo Region Approval: Yes X No ___

ACTING Regional Director
5/6/04
Date

791-1012-04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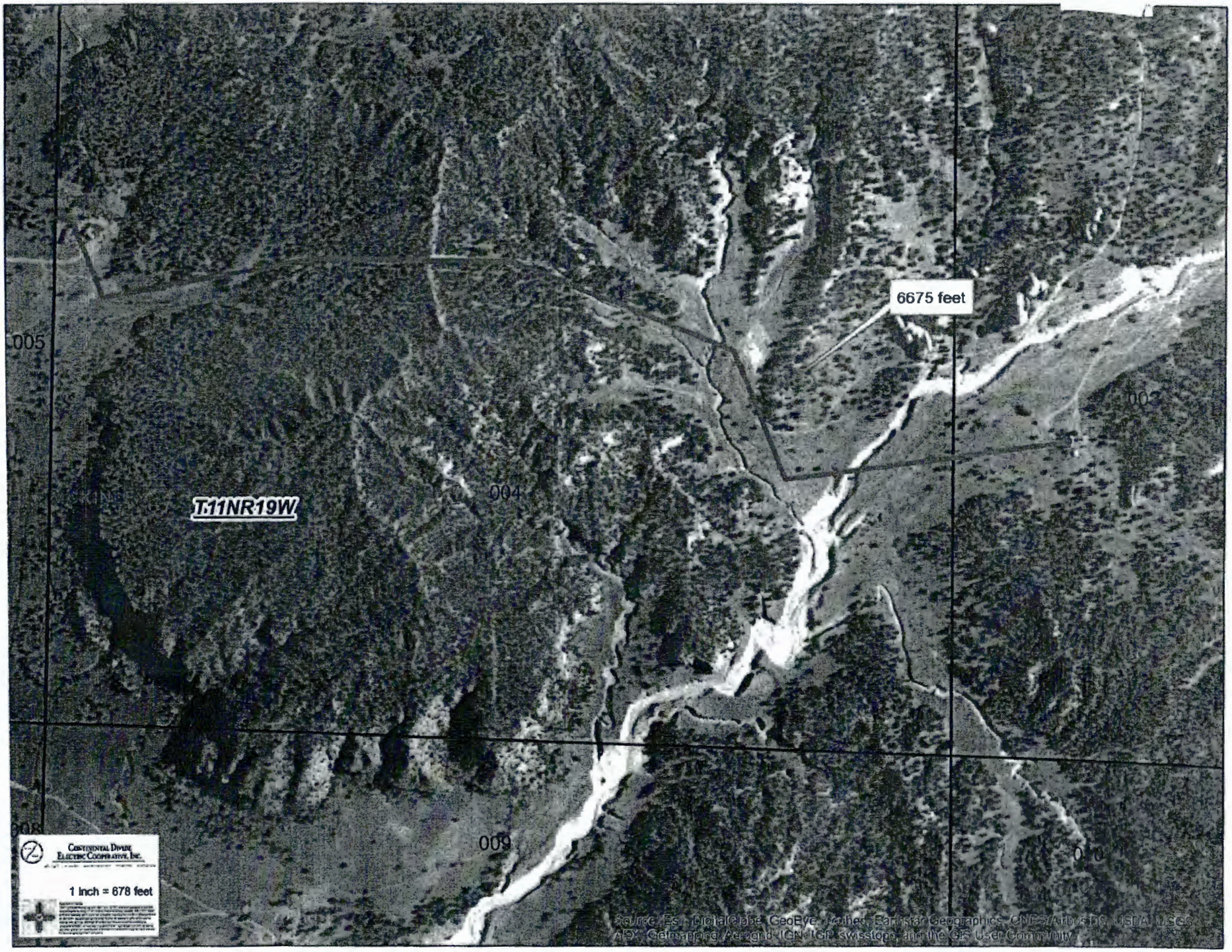
1 inch = 2,238 feet


6675 feet
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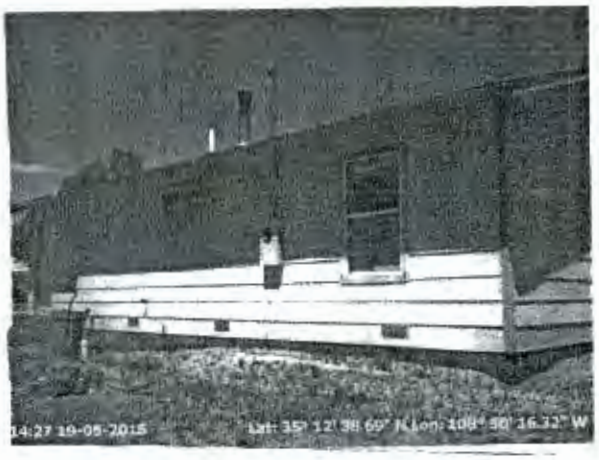
Continental Divide Electric Cooperative, Inc.
1 inch = 678 feet
Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234



MARLENE BARNEY

CONTINENTAL DIVIDE
ELECTRIC COOPERATIVE, INC.
200 E. High St. · P.O. Box 1087 · Grants, New Mexico 87020 · (505) 285-6656 · Fax (505) 287-2234

LETTER OF COMPLIANCE WITH NATIONAL ELECTRIC CODE
For
ELECTRICAL SERVICE

(Applies to Services for Residential Service Single Phase rated 120/240 v 300a and Commercial Services Single or Three Phase rated at 120/240v <400a, 120/208v <400a, 277/480v <200a, 480v <200a)

Control #_____

Non-permit Service Area Release
Certificate of House Wiring Compliance

Project/Customer Name: Marlone T Barney
Chapter: Chi Chil Tah Chapter
Description (color of house/trailer and roof): Light Blue House W/ Grey Roof
Location (Township, Range, Section and Quarter-Section): SW ¼ of Section 3, T11N, R19W

Homesite Lease: (Yes) / No Meter Pole Meter Pole by House (Meter on House)

I, _____, contracted with and authorized Merrill's Electric and Tom Chee to wire my home to receive electrical service from CDEC.

I understand in the event of electrical failure beyond the weatherhead, the liability rests with the contracted electrician.

_____ Homeowner _____ Date

I certify that the wiring referenced above was performed by myself or under supervision and is in compliance with current National Electrical Code, state of New Mexico Building Codes and CDEC standards and is ready for service. It is understood that the installation is controlled by the **most** restrictive code or regulation.

Acknowledged: Electrician's Name: Tom Chee
Journeyman Number: 07014
Electrical Service Entrance: Amps 100 Amp Volts 120/240

CERTIFICATION

The above-acknowledged New Mexico licensed electrician has inspected and approved the electrical installation on the above dwelling and by signing this inspection has approved the installation as meeting all electrical specifications, codes and requirements.

Signature: Oscar Merrill Date 6/8/15
Name (print or type): Oscar Merrill
License #: 10057 Expiration Date: 11/30/15 State: New Mexico
Company Name: Merrill's Electric Co
Address: Box # 306
Vanderwagen, New Mexico 87326 Phone No. 505-778-5624

Red Rock (Tse'Lichii) Chapter

Power Line Extension Proposal

FY' 2017

Contact Information:

Anderson Lee, CSC

Post Office Box 2548

Gallup, NM 87305

andersonleeredrock@gmail.com

Proposal

Proposal

Electric Power Line Extension Proposal Project

Summary:

Red Rock (Tse'Lichii) Chapter, a Navajo Community located approximately five (5) miles South of Gallup, New Mexico, Is requesting for $305,393.23 from the Navajo Nation Council to initiate basic studies and clearances for future electric power line extension projects to serve homes that are still without electric power.

At the present time there are six (3) homes that do not have Electric Power. The majority of the homes are near a major power line, in order to provide electric power and extension to more than three (3) miles of scattered homes of transmission lines is needed. Also, individual homes must be wired, inspected and permitted for power hookups. Upon completion of this project Red Rock (Tse'Lichii) Chapter will have estimated 80% of the homes in the community to have electric power. Red Rock (Tse'Lichii) Chapter is planning to undertake this project phase. The first phase is to acquire fund for all needed basic studies and clearances for right-of-way. The second phase will cover finalizing the right-of-way such as mitigation of culture sites, consents, and other studies or clearances that may arise when reports are submitted. The final phase is to initiate the actual electric power line extension and hookup to homes.

Project Description (1st Phase)

The total distance of miles to be subject to basic studies and clearances was estimated in feet by Continental Divide Electric Cooperative, Inc., The local electric utility franchise that provide and maintain electric power transmission and supply. This takes into account flat areas, arroyos, wooded areas, rock formations and other topographical features. This estimate also include archeologist study and engineering surveys required for acquisition of right-of-way. The Continental Divide Electric Cooperative, Inc. have constructed all of the existing power line in the community and thereby know the requirements necessary to obtain applicable right-of-ways.

Implementation

Upon funding of the project or upon allocation of the requested the total amount of fund shall be deposed with Continental Divide Electric Cooperative, Inc. (CDEC) Tse'Lichii Chapter will prepare the necessary documents to request for processing of the transfer of the construction fund to Continental Divide electric Cooperative, Inc.

After the deposit of fund with Continental Divide Electric Cooperative, Inc. the Red Rock (Tse'Lichii) Chapter will request for project agreement. This agreement will be developed by CDED. In the agreement the scope of survey and assessment, other environmental studies, engineering surveys, total estimated cost, and the construction allowances will be written and stated. When the agreement is ready Red Rock (Tse'Lichii) Chapter and its Officials will be notified to arrange for a meeting. At this meeting all relevant information and plan statements will be reviewed and discussed for consistency to the project. It will be assured that all parties knows and understands the activities that acceptable the Red Rock (Tse'Lichii) Chapter will sign the agreement with the Officials for Continental Divide Electric Cooperative, Inc..

The agreement will contain the plan statement that Continental Divide Electric Cooperative, Inc. will be responsible for all basic clearances and the required engineering surveys. These are archaeological survey, environmental assessments, and engineering surveys that will clear the way for acquisition of right-of-way. To do so Continental Divide Electric Cooperative, Inc. will hire an archaeologist(s) to conduct archaeologist survey and relate environmental study along the designated route. Continental Divide Electric Cooperative, Inc. will also implement staking of construction routes and the engineering survey. Andy disturbance of land, cutting of trees or other form of vegetation will be described in the agreement. These descriptions will be stated in the electric company's application for right-of-way.

Red Rock (Tse'Lichii) Chapter maintain its commitment to help the company's designated fields person with the acquisition of consent and signature from affected land owners and users in the project areas. This can be made through public announcements, locating of grazers and land users and if necessary make direct contact with such people.

Land Withdraws/Surveys:

This project does not require withdraws of land. The legal survey of the land will be made by Continental Divide Electric Cooperative, Inc. to pinpoint the project route and draw up construction plan. The project is an above grand installation of electric power transmission lines supported by power poles and installed according to plan designed by Continental Divide Electric Cooperative, Inc... Such survey will described of length of extension of each home or camps and with inspection.

Right-of-Way Clearing:

All of the required basic studies and clearances and reports will be conducted by Continental Divide Electric Cooperative, Inc. This includes but not limited to archaeologist survey, environmental assessment and other required studies needed for right-of-way clearing. When Continental Divide Electric Cooperative, Inc. completes the required document on its surveys, assessments, and clearances they will file the application for right-of-way with the respective land departments. For the Navajo Nation Tribal Lands it will be Navajo Land Administration to process the documents, and the Navajo Eastern Agency of the Bureau of Indian Affairs (BIA) is the clearing house for the Indian Allotments Lands. The Bureau of Indian Affairs (BIA) also issue a finding of Non-significant (FONSI) after all sensitive culture sites, endangered species study or potential damage to land that could alter local ecology or nature of living nature environment and its habitants have been cleared.

Matching Fund:

The Continental Divide Electric Cooperative, Inc. contributes $3,000.00to each permanent home that is hooked up with electric power as constructed allowance. This contribution is applicable in case the multiple project homes and only as a project. It is therefore essential that this project be implemented as a project and completed as a project. This project will produce four Three (3) homes classified as permanent potential to earn $9,000.00 ($3,000.00 X 3 homes = $9,000.00)

Project Maintenance/Operation

The individual homeowner will be responsible of connecting fee and membership fee with Continental Divide Electric Cooperative, Inc. and these are payable prior to actual power hookup. The individual homeowner will also be responsible for the monthly electric bill. Locally, the amount of deposit is $50.00 per homeowner. An average home with basic appliances such as refrigerator, two televisions, microwave oven, and basic interior lighting incur an average electric bill of about $100.00. If a homeowner want street lights then he or she will make arrangement with CDEC and sign for the type of lights wanted. Any repair to interior electric system or upgrade of wiring and attachments include the street light shall be the responsibility of the homeowner to pay for cost incurred.

Continental Divide Electric Cooperative, Inc. as a cooperative operates and maintain its electric power transmission lines and system. For the local vicinity it will be the Gallup CDEC office that will repair and maintain the infrastructure. The electric company is responsible for taking care of the lines up the meter loop of each home.

Name Listing of Project Homeowners:

1. Bernadine Lee
2. Eddie & Helen Estitty
3. Darlene Jefferson

Budget

Basic Study & Clearances

Archaeological Survey and

Environmental Assessment, Etc.

Total: $305,393.23

Note: The amount is estimated on each homeowner attached list of names and amount.

These figures are on estimated basis on and therefore subject to change.

Forms

1, 2 &4

See Exhibit D

Community Name Listing

TSE'LICHII CHAPTER 2016

PROJECT POWWER LINE EXTENSION

ORGANIZER TSE'LICHII CHAPTER- NAVAJO NATION

Tse'Lichii Chapter Power Line Extension, to assist registered community members with power line in rural areas of the Chapter.

NAME:	AMOUNT:
BERNADINE LEE	$52,787.48
EDDIE & HELEN EDSITTY	$169,905.00
DARLENE JEFFERSON	$82,700.75
TOTAL	$305,393.23

PROJECT PHASE	ADRESS:
POWER LINE EXTENSION	Refuge Rock Road
POWER LINE EXTENSION	107C Skeets Road
POWER LINE EXTENSION	Refuge Rock Road

Red Rock (Tse'Lichii) Chapter Scattered Power Line Extension Project for community members that have been a member of the chapter and been in need of Powerline extension n for the past 30 years. Community Member that have children attending school and elders that are high risk.

Applications

RED ROCK CHAPTER

(5 Miles South of Gallup)
P.O. BOX 2548
Gallup, New Mexico 87305
(505) 905 - 8071/8135 Fax: (505) 905 - 1049

APPLICATION FOR ASSISTANCE

DATE: 06-23-2016 INDIVIDUAL'S NAME: Eddie Etsitty

DOB: 08-02-1944 NAME OF PERPERTY OWNER: Eddie Etsitty

Socia' Security #: 527-64-1060 Census #: 127 881

Person to Contact: Helen Etsitty Telephone: 505-979-0657

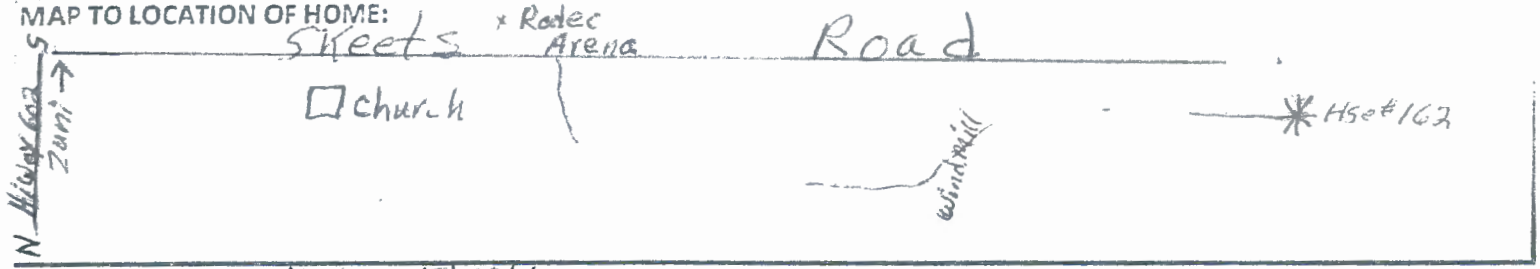
Head of Household: Eddie Etsitty

Chapter Affilication: Tse'Lichii (Red Rock)

Mailing Address:

Rural Address: Road

MAP TO LOCATION OF HOME:



Agency Contact: Helen Etsitty Virgil Etsitty Telephone:

Names of Household Family Members	DOB	SEX	Census #	Grade	School
Eddie Etsitty	8-2-44	M			
Helen Etsitty	5-30-43	F			

REFERRAL SOURCE: Telephone:

Decription of Need/Type of Assistance Request:

Power Line Extension

What are presenting problem(s) if not assisted?

We are getting up in age and either developed or developing health issues that are causing problems in our daily activities. Work that we use to do ourselves is getting harder to do. Like moving and keeping up with maintenance on the generator to light up our house, hauling wood and water, unloading and loading propane bottles. If electricity was available, some of these things we do now will be a lot easier.

Eddie Etsitty — Signature

6/24/16 — Date

Approve/Disapproved
Community Service Corrdinator

Date

Revised 8/22/2014

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.
GRANTS GALLUP

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

June 23, 2016

Eddie & Helen Edsitty
PO Box 1253
Gallup, New Mexico 87305

Re: Estimate

Dear Mr. & Ms. Edsitty,

Continental Divide Electric Cooperative's has completed an estimate located in Red Rock, New Mexico. Keep in mind, this is a preliminary estimate and should only be used for budgetary purposes. A physical survey will be required when the final project is approved. The preliminary estimated cost to extend the electrical service to the home of Eddie & Helen Edsitty will be as follows:

Construction Cost	$120,200.00
Right of Way Cost	$ 49,705.00
TOTAL	**$169,905.00**

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after a right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and the actual cost may be different. You will receive a refund if the costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at 505-285-6656

Sincerely,

Jose Molina, Engineer

DR. JOE SHIRLEY, JR.
President

BEN SHELLY
Vice President

November 20, 2007

Eddie & Helen M. Etsitty

Dear Mr. & Mrs. Etsitty:

Enclosed is your approved Amendment No. One Homesite Lease #20,573, at Red Rock, approved on November 15, 2007, by the Agency Superintendent, Eastern Navajo, Bureau of Indian Affairs, Crownpoint, New Mexico.

This approved lease is an important legal contract, which needs to be safeguarded for future use. **Do not give this original copy to anyone, always provide a duplicate copy.** Retain the original copy for your record. In addition, please remember to pay your Homesite lease rental fee of *$1.00* a year. Homesite lease payments can be paid on or before each anniversary date of this lease in money order only, payable to Navajo Nation of $65.00. **Your lease will expire November 14, 2072.**

Should you have any questions, please contact our office at 786-2376, or come to our office.

Sincerely,

Lisa Yazzie
Office Specialist

xc: Chrono
Files

Crownpoint Land Office
Post Office Box 948 / Crownpoint, NM / 87313 / Telephone: (505) 786-2376 / Fax: (505) 786-2380

TES'L,CHI CHAPTER
RECEIVE
DATE-06/27/16
TIME-@3:41 PM

June 24, 2016

Dear Mr. Anderson Lee, CSC

I am not sure if you are aware of a proposal Council Delegate Seth Damon will be submitting to the NN Council again. At our Veterans meeting on June 8, 2016, Mr. Damon was at our meeting and he wanted to know how many veterans were still in need of a power line extension. Of course I said I was one of them. Mr. Damon said to fill out an application and submit it to Mr. Anderson Lee. And Mr. Lee will get all the applications together by June 30, 2016 from veterans with no electricity yet, and the applications will be submitted to him along with a proposal that Seth was going to work on to submit to NN Council for more funds. So I am submitting my application for power line extension to be included with the proposal.

If there are other documents you need to complete my application, please contact me at 505-728-1547.

Thank you for your assistance.

Eddie Etsitty

FORM 200RL
April, 2000

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
and
THE NAVAJO NATION

LEASE NO.
20,573

AMENDMENT NO. 01
HOMESITE LEASE
(Tribal Member Only)
(Trust or Restricted Land Only)

THIS LEASE is made and entered into by and between THE NAVAJO NATION, P. O. Box 9000, Window Rock, Navajo Nation, (Arizona) 86515, ("Lessor"), and

Eddie Etsitty , C# _____

and Helen M. Etsitty , C# _____

whose address is _____
("Lessee") in accordance with 2 N. N. C. §695 (B) (4) (i) and Resolution No. RCD-289-93 of the Resources Committee of the Navajo Nation Council, the provisions of 25 U.S.C. §415, as implemented by the regulations contained in 25 C.F.R. Part 162, and all amendments or successors thereto, which by this reference are made a part hereof. In the event this Lease is held by two or more persons, it shall be held in the following tenure:

Joint Tenancy with right of survivorship

WITNESSETH:

1. **DEFINITIONS.** (A) "Secretary" means the Secretary of the Interior or his duly authorized representative or successor.

(B) "Approved Encumbrance" means an encumbrance approved in writing by the Secretary and Lessor. "Encumbrancer" means the owner and holder of an Approved Encumbrance, or either of them.

2. **LEASED PREMISES.** For and in consideration of the rents, covenants, agreements, terms and conditions contained herein, Lessor hereby leases to Lessee all that tract or parcel of land situated within the Red Rock Chapter of the Navajo Nation, (County of McKinley State of New Mexico ,) which is more particularly described in Exhibit "A," attached hereto and by this reference made a part hereof, containing approximately 1.00 acre(s), more or less, subject to any prior, valid existing rights-of-way. There is hereby reserved and excepted from the leased premises rights-of-way for utilities constructed by or on authority of Lessor.

3. **USED OF LEASED PREMISES.** (A) Lessee shall develop, use and occupy the leased premises for residential purposes only and said premises shall not be used for any other purpose. Lessee may construct, improve and maintain a dwelling and related structures on the leased premises and may otherwise develop, use or occupy said premises for residential purposes only.

24. **EFFECTIVE DATE.** This Lease shall take effect on the date of approval of this Lease by the Secretary.

25. **THIS LEASE** supersedes and replaces the original Homesite Lease dated **July 26, 1996 issued to Eddie Etsitty Jr., C#517,078 & Rosita B. Etsitty, C#203,471 of Red Rock, McKinley County, New Mexico.**

THE NAVAJO NATION, LESSOR

04/28/04
Date

By: _____
Director, Navajo Land Department

WITNESSES:

_____

_____

_____

_____

_____
LESSEE

_____
LESSEE

~~**APPROVED:**~~ _____

~~**Pursuant to Secretarial Redelegation Order 209 DM 8, 230 DM 1 and 3 IAM 4**~~

~~**Regional Director, Navajo Region**~~
~~**Bureau of Indian Affairs**~~

APPROVED: November 15, 2007
Pursuant to Departmental Manual (DM) 2, 230 DM 1, 3 IAM 4, and Memorandum of Delegation of Authority Dated on April 22, 2005

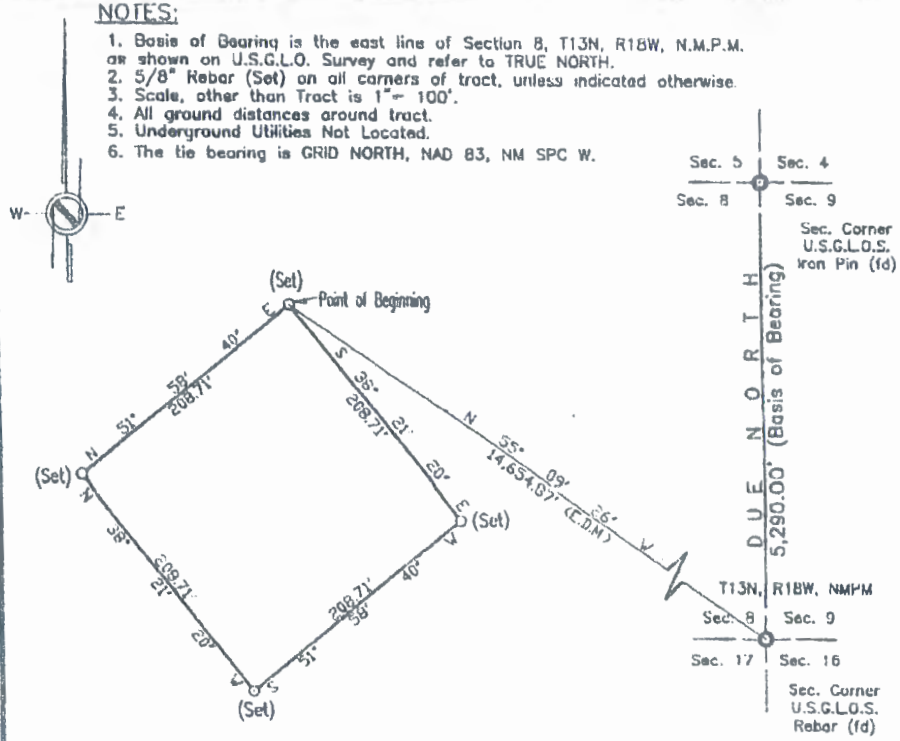
Agency Superintendent, OIP
Eastern Navajo Agency

Did not fax back - 8-11-04 - dlg

HOMESITE NO. 20,576

NOTES:

1. Basis of Bearing is the east line of Section 8, T13N, R18W, N.M.P.M. as shown on U.S.G.L.O. Survey and refer to TRUE NORTH.
2. 5/8" Rebar (Set) on all corners of tract, unless indicated otherwise.
3. Scale, other than Tract is 1" = 100'.
4. All ground distances around tract.
5. Underground Utilities Not Located.
6. The tie bearing is GRID NORTH, NAD 83, NM SPC W.



CERTIFICATE: I, TOMMY R. CONLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, UNDER THE LAWS OF THE STATE OF NEW MEXICO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEFS.

12/03/03 Tommy R. Conley

DATE TOMMY R. CONLEY, N. MEX. LIC. No. 4797

TRACT DESCRIPTION

A PARCEL OF LAND SITUATE WITHIN THE NORTHEAST QUARTER (NE/4) OF SECTION 1, TOWNSHIP 13 NORTH, RANGE 19 WEST, NEW MEXICO PRINCIPAL MERIDIAN, IN THE VICINITY OF RED ROCK, McKINLEY COUNTY, STATE OF NEW MEXICO, AND IS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at the Southeast Corner of Section 8, T13N, R18W, NMPM a UNITED STATES GENERAL LAND OFFICE SURVEY found rebar.

THENCE run N 55° 09' 26" W, 14,654.87 feet to the POINT OF BEGINNING of the herein described parcel of land;

THENCE S 38° 21' 20" E, 208.71 feet;
THENCE S 51° 58' 40" W, 208.71 feet;
THENCE N 38° 21' 20" W, 208.71 feet;
THENCE N 51° 58' 40" E, 208.71 feet
to the Point of Beginning.

Being 1.00 acre(s), more or less, in area, and being subject to any and all existing easements for underground utilities located therein.

Surveyed September 7, 1994 by the Navajo Land Department, The Navajo Nation, Window Rock, Arizona.

EXHIBIT "A"

Amended Plat For; Eddie Etsitty & Helen M. Etsitty

NLD	EDDIE ETSITTY JR & ROSITA B. ETSITTY
SURVEY BY: LP	1.00 Ac. ±
DRAWN BY: EG	District 16, Eastern Navajo Agency
APPROVED BY: TU	NE/4 of Section 1, T13N, R19W, N.M.P.M.
FIELD BOOK NO.: 528;14	Red Rock, McKinley County, New Mexico
JOB NUMBER: 684	
SCALE: 1" = 100'	

NATURE SAVER™ FAX MEMO 01616

Date 8-11-04	No. of pages ▶ 1
To Helen M. Etsitty	From Heather Yazzie
Co./Dept.	Co. ENLO
Phone # 22-1280	Phone # 786-2376
Fax # 22-1397	Fax # 786-2380

[redacted]

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.
200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

LETTER OF COMPLIANCE WITH NATIONAL ELECTRIC CODE
For
ELECTRICAL SERVICE

(Applies to Services for Residential Service Single Phase rated 120/240 v 300a and Commercial Services Single or Three Phase rated at 120/240v <400a, 120/208v <400a, 277/480v <200a, 480v <200a)

Control #_____

Non-permit Service Area Release
Certificate of House Wiring Compliance

Project/Customer Name: Helen Etsitty

Chapter: Red Rock Chapter

Description (color of house/trailer and roof): Light Brown / Grey Roof

Location (Township, Range, Section and Quarter-Section): L

Easite Lease: Yes No Meter Pole Meter Pole by House Meter on House

I, Helen Etsitty, contracted with and authorized Hesteen Wade Electric LLC to wire my home to receive electrical service from CDEC.

I understand in the event of electrical failure beyond the weatherhead, the liability rests with the contracted electrician.

Helen Etsitty — Homeowner — Date 07-01-2014

I certify that the wiring referenced above was performed by myself or under supervision and is in compliance with current National Electrical Code, state of New Mexico Building Codes and CDEC standards and is ready for service. It is understood that the installation is controlled by the **most** restrictive code or regulation.

Acknowledged: Electrician's Name: Michael Hesteen

Journeyman Number: 356053

Electrical Service Entrance: Amps 100 Volts 120/240

CERTIFICATION

The above-acknowledged New Mexico licensed electrician has inspected and approved the electrical installation on the above dwelling and by signing this inspection has approved the installation as meeting all electrical specifications, codes and requirements.

Signature: [signature] Date 07-01-14

Name (print or type): Michael L Hesteen

License #: 370566 Expiration Date: 06-30-17 State: NM

Company Name: Hesteen Wade Electric LLC.

Address: P.O. Box 555 Prewitt NM 87045

Phone No. 505-879-8627

THE NAVAJO NATION

JOE SHIRLEY, JR.
President

FRANK J. DAYISH, JR.
Vice President

UNACCEPTABLE IF ALTERED

CERTIFICATE OF NAVAJO INDIAN BLOOD

PART A (To be used if applicant is enrolled)

CHINLE
AGENCY

November 17, 2003
DATE

I certify that Eddie Etsitty is listed on the Navajo Indian Census Roll, dated

_ _ /hich is an official record of this office as being of _____ Degree Navajo

Indian blood, with Roll Number __ _ , date of birth A _

Record: July 11, 1960

For: PROGRAM SUPERVISOR I

THE INFORMATION CONTAINED ON THIS DOCUMENT
HAS BEEN TAKEN FROM THE OFFICIAL TRIBAL ROLL OF THE NAVAJO NATION.

VITAL RECORDS & TRIBAL ENROLLMENT PROGRAM
EASTERN NAVAJO AGENCY ♦ P.O. BOX 148 ♦ CROWNPOINT, NEW MEXICO 87313

NAVAJO TRIBE VOTER REGISTRATION

12020

VOTER: KEEP THIS COPY

NAME	Fddie Etsitty				
STATE	New Mexico	PRECINCT	Red Rock, New Mex.	DISTRICT	16
PLACE OF BIRTH	Pinon, Ariz.	DATE OF BIRTH	8/2/44	HEIGHT 5 FT. 7 IN.	WEIGHT 160
COLOR OF HAIR	Brown	COLOR OF EYES	Brown	NAVAJO CENSUS NUMBER	[illegible]
SOC. SEC. NO.	[illegible]	ADDRESS	[illegible]		
DATE OF REGISTRATION	[illegible]	REGISTRATION OFFICER	[illegible]		
REASON FOR NOT MARKING BALLOT OR REGISTRATION		WITNESS			
SIGNATURE OR MARK OF REGISTRANT	Eddie Etsitty				

I DO SOLEMNLY SWEAR (OR AFFIRM) THAT THESE STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I WILL BE AT LEAST 18 YEARS OF AGE AT THE TIME OF THE NEXT SUCCEEDING ELECTION. I FURTHER SWEAR THAT I AM A CITIZEN OF THE UNITED STATES AND A MEMBER OF THE NAVAJO TRIBE.

RECEIVED
By Anum
Date 11/01/13
@11:05am

RED ROCK CHAPTER

(5 Miles South of Gallup)
P.O. BOX 2548
Gallup, New Mexico 87305
(505) 905-8071/8135 Fax # (505) 905-1049

APPLICATION FOR ASSISTANCE

DATE: 11/01/13 INDIVIDUAL'S NAME: Bernadine Lee

DOB: " NAME OF PROPERTY OWNER: Bernadine Lee

Social Security #: Census #: /

Employment: (Yes) or No If yes, where? Navajo Partnership for Housing Inc

Person to Contact: Belinda Hadley Telephone #: 505-722-0551

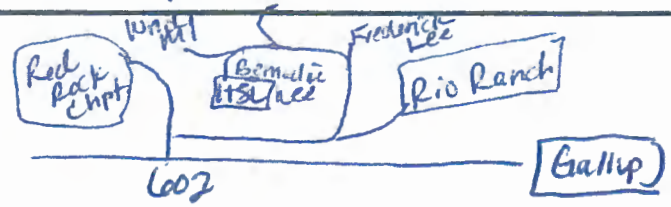
Head of Household: Bernadine Lee

Chapter Affiliation: Red Rock

Mailing Address:

Rural Address: 7 miles S. of Gallup, 2 1/2 miles from Red Rock Chapter Refuge Rd R.O.

MAP TO LOCATION OF HOME:



Emergency Contact: Telephone:

Name of Household Family Members	DOB	SEX	CENSUS #	GRADE	SCHOOL
Byron C. Antez		M		College	UNM Gallup
Autumn D. Antez	7	F		8th	Gallup Mid
Ashlee Antez	15	F		3rd	Red Rock
Summer Antez		F		Infant	

REFERRAL SOURCE: Telephone #:
(NAME OF REFERRING PERSON/AGENCY)

Description of Need/Type of Assistance Request:
Requesting assistance for ~~[illegible]~~ & house wiring.

What are presenting problem(s) if not assisted?
Lack of funds.

Bernadine Lee — Signature of Applicant
Bernadine Lee — Name of Applicant
11/01/13 — Date

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

June 6, 2016

Bernadine Lee
P

Re: Estimate

Dear Ms. Bernadine Lee,

Continental Divide Electric Cooperative's has completed an estimate located in Red Rock, New Mexico. Keep in mind, this is a preliminary estimate and should only be used for budgetary purposes. A physical survey will be required when the final project is approved. The preliminary estimated cost to extend the electrical service will be as follows:

Construction Cost	$ 7,782.48
ROW Cost	$45,005.00
TOTAL	$52,787.48

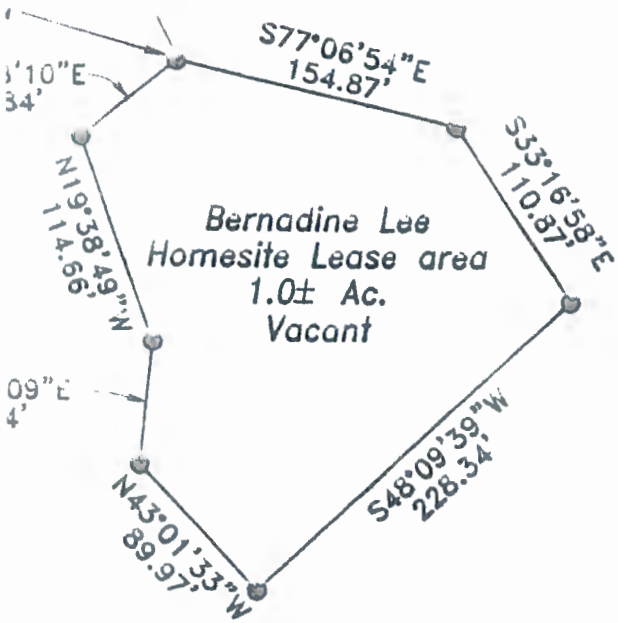
This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after a right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and the actual cost may be different. You will receive a refund if the costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at 505-285-6656

Sincerely,

Jose Molina, Engineer

Navajo Tribe In Trust
SE1/4 of Sec. 07
T14N, R18W N.M.P.M.
McKinley County, NM



NOTES:
BASIS of BEARING – An Interrroir line of said Section 7

DENOTES SET 1/2" x 18" REBAR
with PLASTIC CAP: NMPLS # 12163

Utilities not located

Legal Description.
A parcel of land located in the Southeast Quarter (SE1/4) of Section 7, Township 14 North, Range 18 West, N.M.P.M., McKinley County, New Mexico also situate in the south Gallup area and being particularly described as follows:

Commencing at a Northerly Corner of said parcel a point which bears South 02°08'32" East, a distance of 3,179.97 feet from the North Quarter (1/4) Corner of said Section 7.

thence South 77°06'54" East, a distance of 154.87 feet;
thence South 33°16'58" East, a distance of 110.87 feet;
thence South 48°09'39" West, a distance of 228.34 feet;
thence North 43°01'33" West, a distance of 89.97 feet;
thence North 06°11'09" East, a distance of 64.84 feet;
thence North 19°38'49" West, a distance of 114.66 feet;
thence North 51°08'10" East, a distance of 65.84 feet to the Point of Beginning

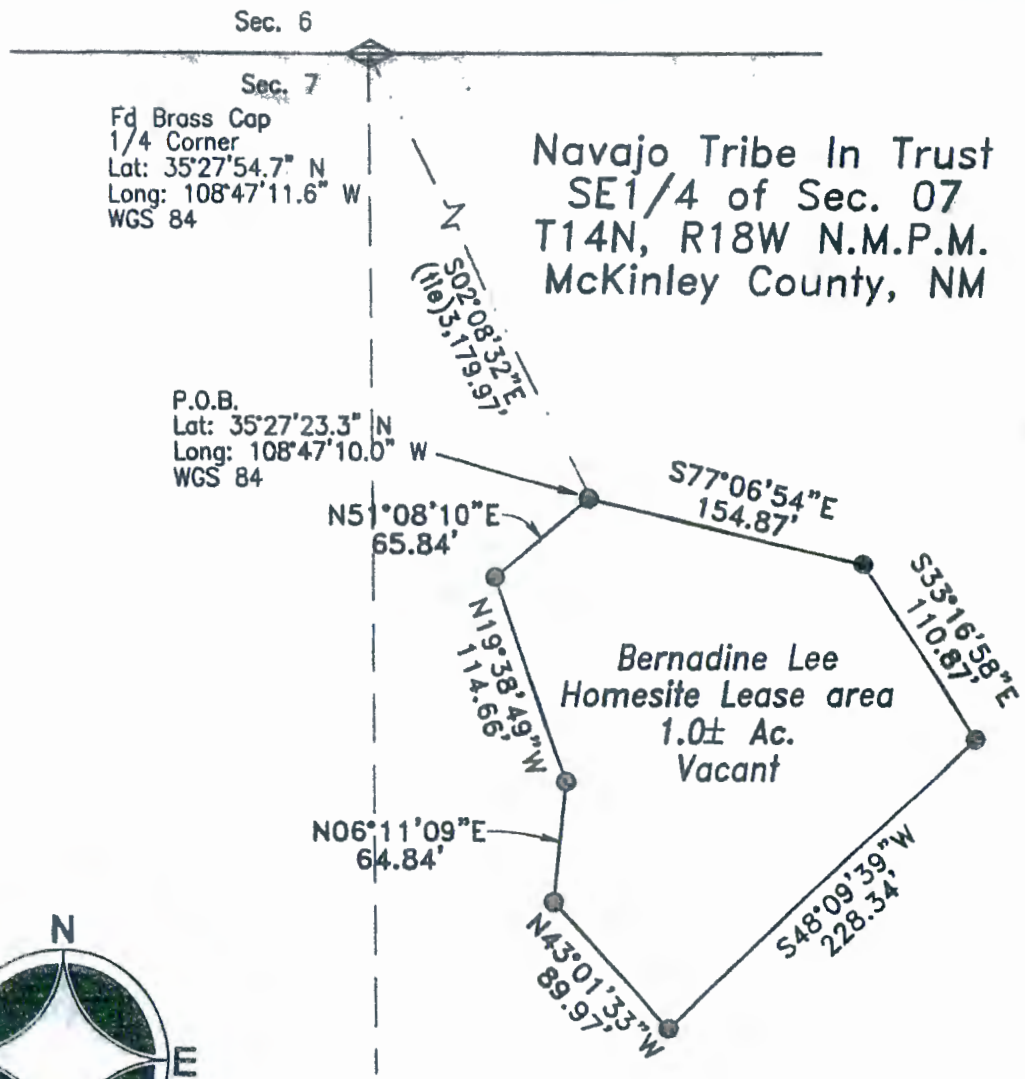
Said parcel containing 1.0 ± ACRES, more or less, in area and being subject to any restrictions, easements or reservations of record.

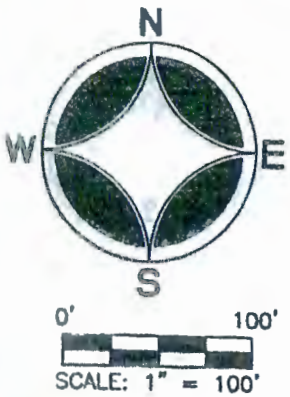
This is to certify that this plat was prepared from field notes of actual surveys made under my supervision. This survey complies with the amended minimum standards of property surveys in New Mexico and is accurately represented on the plat

HENRY THOMAS
NEW MEXICO
12163
9/3/13
REGISTERED PROFESSIONAL SURVEYOR

Henry Thomas
Registered N.M.P.L.S. # 12163

RED VALLEY SURVEY PO BOX 2827 Sniprock, NM 87420 (505) 320-0479	**BERNADINE LEE** Homesite Lease Survey
Drawn By HT Approved By HT SCALE: 1" = 100' D 7/30/13	1.0 ± Acre District 16 – Eastern Navajo Agency SE1/4, Section 07, T14N, R18W, N.M.P.M. Red Rock Chapter, McKinley County, New Me





NOTES:
BASIS of BEARING – An Interrroir line of said Section 7

● DENOTES SET 1/2" x 18" REBAR
with PLASTIC CAP: NMPLS # 12163

Utilities not located

Legal Description.
A parcel of land located in the Southeast Quar
Township 14 North, Range 18 West, N.M.P.M., N
also situate in the south Gallup area and being
as follows:

Commencing at a Northerly Corner of said parc
South 02°08'32" East, a distance of 3,
Quarter (1/4) Corner of said Section 7

thence South 77°06'54" East, a distance of 15
thence South 33°16'58" East, a distance of 11
thence South 48°09'39" West, a distance of 22
thence North 43°01'33" West, a distance of 89
thence North 06°11'09" East, a distance of 64.
thence North 19°38'49" West, a distance of 11
thence North 51°08'10" East, a distance of 65.

Said parcel containing 1.0 ± ACRES, more or le
and being subject to any restrictions, easement
of record.

This is to certify that this plat was prepare
actual surveys made under my supervision.
with the amended minimum standards of pr
Mexico and is accurately represented on the

HENRY THOMAS
NEW MEXICO
12163
9/3/13
REGISTERED PROFESSIONAL SURVEYOR

Henry Tho
Registered

RED VALLEY SURVEY PO BOX 2827 Shiprock, NM 87420 (505) 320-0479	BER Homesit
Drawn By HT Approved By HT SCALE: 1" = 100' DATE: 7/30/13	District 16 SE1/4, Secti Rock Chapt

CULTURAL RESOURCES COMPLIANCE FORM

THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

ROUTE COPIES TO:

☑ GP

NNHPD NO. HPD-13-613
OTHER PROJECT NO.: GP 13-068

PROJECT TITLE: A Cultural Resources Inventory of the Bernadine Lee homesite near Red Rock, McKinley County, New Mexico

LEAD AGENCY: BIA/NR

SPONSOR: Bernadine Lee, PO Box 3302, Gallup, New Mexico 87305

PROJECT DESCRIPTION: The proposed undertaking will involve the homesite lease approval and/or construction of a home along with the installation of associated facilities/utilities within the 1.00-acre homesite lease area. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Navajo Tribal Trust
CHAPTER: Red Rock
LOCATION: T.14N, R.18W - Sec.: 07; Twin Buttes Quadrangle, McKinley County, New Mexico NMPM

PROJECT ARCHAEOLOGIST: Genevieve Pino
NAVAJO ANTIQUITIES PERMIT NO: B13404

DATE INSPECTED: 07/12/2013
DATE OF REPORT: 07/15/2013
TOTAL ACREAGE INSPECTED: 2.9 ac.

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 15 m apart.

LIST OF CULTURAL RESOURCES FOUND:	None
LIST OF ELIGIBLE PROPERTIES:	None
LIST OF NON-ELIGIBLE PROPERTIES:	None
LIST OF ARCHAEOLOGICAL RESOURCES:	None

EFFECT/CONDITIONS OF COMPLIANCE: **No historic properties affected.**

In the event of a discovery ["*discovery*" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7147.

FORM PREPARED BY: Tamara Billie
FINALIZED: August 29, 2013

Notification to
Proceed Recommended: Yes ☑ No ____
Conditions: Yes ____ No ☑

8-29-13
The Navajo Nation — Date
Historic Preservation Office

Navajo Region Approval: Yes X No ____

9/23/13
BIA – Navajo Regional Office — Date

TL 7/20/13

NNDFW Review No. 13MISC-128

BIOLOGICAL RESOURCES COMPLIANCE FORM
NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE
P.O. BOX 1480, WINDOW ROCK, ARIZONA 86515-1480

It is the Department's opinion the project described below, with applicable conditions, is in compliance with Tribal and Federal laws protecting biological resources including the Navajo Endangered Species and Environmental Policy Codes, U.S. Endangered Species, Migratory Bird Treaty, Eagle Protection and National Environmental Policy Acts. This form does not preclude or replace consultation with the U.S. Fish and Wildlife Service if a Federally-listed species is affected.

PROJECT NAME & NO.: Bernadine Lee Home Site

DESCRIPTION: Proposed 1.00± acre home site.

LOCATION: SE¼ of Section 07, T14N, R18W, NMPM, Red Rock Chapter, McKinley County, New Mexico

REPRESENTATIVE: Bernadine Lee

ACTION AGENCY: NLD and BIA

B.R. REPORT TITLE / DATE / PREPARER: Request for biological clearance/25 JUL 2013/Bernadine Lee

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/17 SEP 2013

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

2 NTC § 164 Recommendation:	Signature	Date
☒Approval ☐Conditional Approval (with memo) ☐Disapproval (with memo) ☐Categorical Exclusion (with request letter) ☐None (with memo)	Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife	9/19/13

*I understand and accept the conditions of compliance, and acknowledge that lack of signature may be grounds for the Department not recommending the above described project for approval to the Tribal Decision-maker.

Representative's signature Date

INVOICE

PAID

BILL TO

Bernadine Lee

Phone # 928-871-6172

PAID 1/27/14

INVOICE #	DATE
13MISC-128	10/1/2013

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
01	Base Fee - Navajo Endangered Species List (NESL) Information for Bernadine Lee homesite lease, Red Rock Chapter, NM.	1	32.50	32.50

Payment Received: $32.50

MO#204966366110 $12.50
MO#14-713030371 $10.00
MO#14-713030370 $10.00

Thank you.

⑆103101864⑈ 20

MONEY ORDER NUMBER
R204966366110
CALL 1-800-542-3590 TO VERIFY

PAY TO THE ORDER OF/ PAGAR A LA ORDEN DE:
IMPORTANT - SEE BACK BEFORE CASHING
PURCHASER, SIGNER FOR DRAWER
PURCHASER, BY SIGNING YOU AGREE TO THE SI
ADDRESS/ DIRECCIÓN:
Payable Through BOKF, NA Enid, OK

MoneyGram.
To Validate: Touch the stop sign, then watch it fade and reappear
Valid Money Order includes: 1. Heat sensitive, red stop sign AND 2. Contains a True Watermark hold up to light to view
INTERNATIONAL MONEY ORDER
07 25/2013
204966366611
MONEY ORDER - NA
TWELVE DOLLARS AND 50 CENTS
Y EXACTLY
50 CENTS
****

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO VIEW
WESTERN UNION | MONEY ORDER
WESTERN UNION FINANCIAL SERVICES INC. - ISSUER
Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado
Englewood, Colorado
GRANT W208
14-713030370
$ 10.00

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO VIEW
WESTERN UNION | MONEY ORDER
WESTERN UNION FINANCIAL SERVICES INC. - ISSUER
Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado
Englewood, Colorado
GRANT W208
14-713030371
$ 10.00

DOLLARS AND NO CENTS
PAYMENT FOR/ACCT. #
PURCHASER'S ADDRESS
PURCHASER'S SIGNATURE

⑆021000021: 4014713030371 2⑈

ARCHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD JAN/91)

1. HPD REPORT NO.	2. (FOR HPD USE ONLY)	3. RECIPIENTS NO.
TITLE OF REPORT: A Cultural Resources Inventory of the Bernadine Lee homesite near Red Rock, McKinley County, New Mexico. Author: Genevieve Pino		5 FIELD WORK DATES 7-12-2013 6. REPORT DATE 7-15-2013
7. CONSULTANT NAME AND ADDRESS: Gen'l Charge: Genevieve Pino, Archaeologist Org. Name: Org. Address: P.O. Box 6235 Gallup, New Mexico 87305 Phone: (505) 495-9488		8. Permit No. B13404 9. Consultant Report No GP-13-068
10. SPONSOR NAME AND ADDRESS: Ind. Responsible: Bernadine Lee Org. Address: P.O. Box 3302 Gallup, New Mexico 87305 Phone: (505) 879-0916 Work: (505) 722-0551		11. SPONSOR PROJECT NO. 12. AREA OF EFFECT: 1.0 ac (0.40 ha) AREA SURVEYED: 2.9 ac (1.2 ha)

13. LOCATION (MAP ATTACHED)

a. Chapter: Red Rock
b. Agency: Eastern
c. County: McKinley
d. State: New Mexico
e. Land Status: Navajo Tribal Trust
f. UTM Center: Zone 12: 3925663N, 700998E
g. Area: T.14N, R.18W, SE1/4 of Sec. 07
h. 7.5 Map Name(s): Twin Buttes, N. Mex., 1963

14. REPORT OR SUMMARY (REPORT ATTACHED) / /

a. Description of Undertaking: The sponsor, Bernadine Lee, proposes to construct a home and install associated facilities on the one-acre homesite. The total area of effect equals approximately 43,563 sq ft (4047 sq m) or 1.0 ac (0.40 ha). Ground disturbance, both surface and subsurface, is expected to be intensive and extensive from the use of heavy equipment. The lead agency for the proposed undertaking is the Bureau of Indian Affairs-Navajo Area Office.

b. Existing Data Review: A check of NNHPD archival records indicates that no archaeological survey projects have been conducted, and no archaeological sites have been recorded, within an approximate 100 m radius of the current project area.

c. Area Environmental & Cultural Setting: The project is situated on a ridgetop at an elevation of 6758 ft (2060 m). Vegetation consists of Juniper, pinion, narrow leaf yucca, cliffrose and small seasonals. The surface sediment is aeolian sand. The nearest water source is an unnamed drainage, located approximately 600 ft (182 m) to the west. The surrounding area has been impacted by existing dirt roads and natural erosion.

d. Field Methods: The requested archaeological survey and a TCP interview were conducted by Genevieve Pino. A Class III pedestrian survey was conducted by walking concentric circular transects spaced 15 m (45 ft) apart extending out to 200 ft (61 m) radius centered over the proposed homesite. The total area inventoried equaled approximately 125,664 ft (11,674 sq m) or 2.9 ac (1.2 ha)

15. CULTURAL RESOURCES FINDINGS: No archaeological sites, Traditional Cultural Properties (TCPs), in-use areas or isolated occurrences were identified during the survey.

16. MANAGEMENT SUMMARY (RECOMMENDATION): A determination of "no historic properties affected" is recommended for the proposed undertaking.

17. CERTIFICATION: SIGNATURE: _____ DATE: 7.15.13
General/Charge Name: Genevieve Pino, Archaeologist

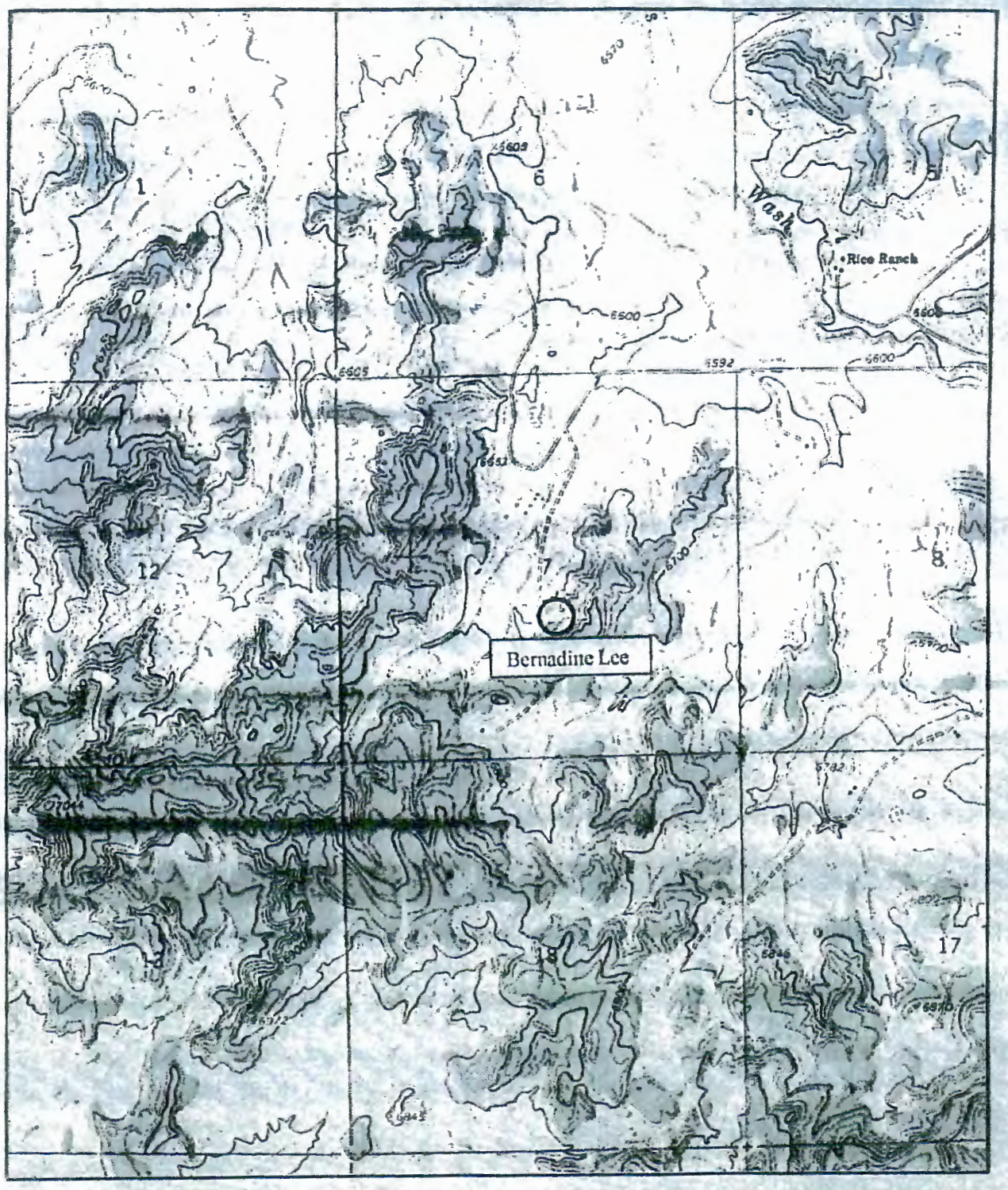


Figure 1. Map showing location of the Bernadine Lee homesite. USGS 7.5' series map: Twin Buttes, N. Mex., 1963.

RED ROCK CHAPTER

(5 Miles South of Gallup)
P.O. BOX 2548
Gallup, New Mexico 87305
(505) 905-8071/8135 Fax # (505) 905-1049

RECEIVED
By: Admin
Date: 09/26/13
@ 3:00pm

APPLICATION FOR ASSISTANCE

DATE: 09-26-13 INDIVIDUAL'S NAME: Gilbert & Darlene Jefferson

DOB: [illegible] NAME OF PROPERTY OWNER: Gilbert Jefferson Sr.

Social Security #: [illegible] 7 Census #: [illegible]

Employment: Yes or (No) If yes, where?

Person to Contact: Darlene Jefferson Telephone #(505) 593-1854

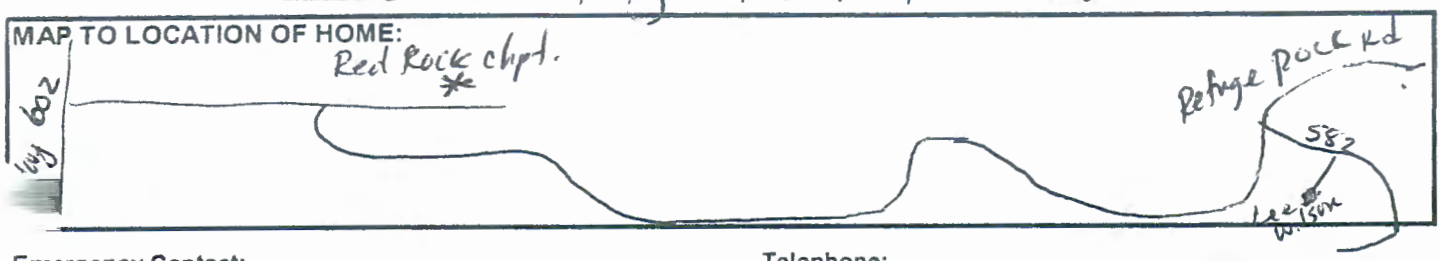
Head of Household: Gilbert Jefferson Sr. 870-0631

Chapter Affiliation: Red Rock Chapter

Mailing Address:

Rural Address: #582 Refuge Rock Rd. Twin Buttes

MAP TO LOCATION OF HOME:



Emergency Contact: Telephone:

Name of Household Family Members	DOB	SEX	CENSUS #	GRADE	SCHOOL
Gilbert Jefferson Sr		M		11	Elem. to High sch.
Darlene Jefferson		F		12	Elem. to High sch/College

REFERRAL SOURCE: Telephone #:
(NAME OF REFERRING PERSON/AGENCY)

Description of Need/Type of Assistance Request:
Power line extension - assistance ~~with~~ for price on hook up.
electrical wiring Completed

What are presenting problem(s) if not assisted?

Gilbert Jefferson Sr — Signature of Applicant
Gilbert Jefferson Sr — Name of Applicant (Printed Name)
9-26-13 — Date

Date of Document

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

August 22, 2016

Darlene Jefferson

RE: Estimate
WO#84233

To Whom It May Concern:

The Continental Divide Electric Cooperative's field crew has completed the cost estimate to install new primary conductor and service to the home located in Twin Buttes, NM. The estimated cost is as follows:

Total Construction Cost:	**$39,700.75**
Right-Of-Way Cost:	**$43,000.00**
Total Cost:	**$82,700.75**

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and that actual cost may be different: You will receive a refund if costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at (505) 285-6656.

Sincerely,

Lee A. Maestas
Staking Engineer

afn

THE NAVAJO NATION

BEN SHELLY
President

REX LEE JIM
Vice President

UNACCEPTABLE IF ALTERED

CERTIFICATE OF NAVAJO INDIAN BLOOD

PART A (To be used if applicant is enrolled)

FORT DEFIANCE
AGENCY

January 18, 2013
DATE

I certify that Darlene Jefferson **is listed on the Navajo Indian Census Roll, dated** _____ **which is an official record of this office as being of** _____ **degree Navajo Indian blood, with Roll Number** _____ **, date of birth** S [illegible]

Record: June 26, 1961

For: VITAL STATISTICS MANAGER

THE INFORMATION CONTAINED ON THIS DOCUMENT HAS BEEN TAKEN FROM THE OFFICIAL TRIBAL ROLL OF THE NAVAJO NATION.

VITAL RECORDS & TRIBAL ENROLLMENT PROGRAM
NAVAJO OFFICE OF VITAL RECORDS ♦ P.O. BOX 3240 ♦ WINDOW ROCK, ARIZONA 86515

THE NAVAJO NATION

BEN SHELLY
President

REX LEE JIM
Vice President

UNACCEPTABLE IF ALTERED

CERTIFICATE OF NAVAJO INDIAN BLOOD

PART A (To be used if applicant is enrolled)

EASTERN NAVAJO
AGENCY

January 18, 2013
DATE

I certify that Gilbert Jefferson Sr. **is listed on the Navajo Indian Census Roll, dated** [illegible] **which is an official record of this office as being of** [illegible] **degree Navajo Indian blood, with Roll Number** _____ **, date of birth** [illegible] **.**

Record: September 17, 1956

For: VITAL STATISTICS MANAGER

THE INFORMATION CONTAINED ON THIS DOCUMENT HAS BEEN TAKEN FROM THE OFFICIAL TRIBAL ROLL OF THE NAVAJO NATION.

VITAL RECORDS & TRIBAL ENROLLMENT PROGRAM
NAVAJO OFFICE OF VITAL RECORDS ♦ P.O. BOX 3240 ♦ WINDOW ROCK, ARIZONA 86515

McKinley County GIS Center

207 West Hill Avenue
Gallup, New Mexico 87301
505 863 9517
Fax 505 863 6517

Commissioner, Dist. 1	Commissioner, Dist. 2	Commissioner, Dist. 3	County Manager
Carol Bowman-Muskett	**Genevieve Jackson**	**Dave Dallago Jr.**	**Richard F. Kontz**

RURAL ADDRESS CERTIFICATION

Date: Oct 19, 2012

This is to certify that the E-911 Rural Address of **GILBERT JEFFERSON SR.**
in Mckinley County is _____

This is issued upon the request of the above-mentioned resident for whatever purpose this document may serve. Resident is currently registered with RED ROCK chapter community.

F [illegible] D 87305

HOUSE DESCRIPTION: FRAME HOUSE BEIGE WITH WHITE TRIMMING AND BROWN ROOF.

Signed by: Tim Larsen
Mckinley County GIS Center

OCT 22 2012

Print Form | Submit by Email

McKinley County GIS Center

207 West Hill Avenue
Gallup, New Mexico 87301
505 863 9517
Fax 505 863 6517

Commissioner, Dist. 1	Commissioner, Dist. 2	Commissioner, Dist. 3	County Manager
Carol Bowman-Muskett	**Genevieve Jackson**	**Dave Dallago Jr.**	**Richard F. Kontz**

RURAL ADDRESS CERTIFICATION

Date: Oct 19, 2012

This is to certify that the E-911 Rural Address of **DARLENE M. JEFFERSON**
in Mckinley County is

This is issued upon the request of the above-mentioned resident for whatever purpose this document may serve. Resident is currently registered with RED ROCK chapter community.

HOUSE DESCRIPTION: FRAME HOUSE BEIGE WITH WHITE TRIMMING AND BROWN ROOF.

OCT 22 2012

Signed by: Tim Larsen
Mckinley County GIS Center

Print Form | Submit by Email

NAVAJO NATION VOTER REGISTRATION

1. CENSUS #

VERIFIED BY:

- [ ] CIB
- [ ] Social Security Card
- [X] Driver's License
- [ ] ID
- [ ] Court Order
- [ ] Other

Gilbert Jefferson Sr.

[X] MALE [ ] FEMALE

Red Rock

ARE YOU WILLING TO WORK AS A POLL OFFICIAL? YES [ ] NO [ ]

Alice Denum

BEST OF M

12/20/13

NAVAJO ELECTION ADMINISTRATION • PO BOX 3001 • WINDOW ROCK, AZ 86515 • (928) 871-6667 OR 1-800-775-6683

PART - 2 VOTERS COPY

NAVAJO NATION VOTER REGISTRATION

1. CENSUS #

VERIFIED BY:

- [ ] CIB
- [X] Social Security Card
- [X] Driver's License
- [ ] ID
- [ ] Court Order
- [ ] Other

[ ] MALE [X] FEMALE

PO Box 221

Red Rock

ARE YOU WILLING TO WORK AS A POLL OFFICIAL? YES [ ] NO [ ]

Alice Denum

BEST OF MY

12/20/13

NAVAJO ELECTION ADMINISTRATION • PO BOX 3001 • WINDOW ROCK, AZ 86515 • (928) 871-6667 OR 1-800-775-6683

PART - 2 VOTERS COPY

NEW MEXICO

IDENTIFICATION CARD
Id #
ISSUED 12/02/2010
Date of Birth
EXPIRES 09/30/2014
JEFFERSON
DARLENE M

SEX F

HEIGHT 5'04"
EYES BRO
ENDORSEMENTS NONE
RESTRICTIONS NONE

SOCIAL SECURITY

THIS NUMBER HAS BEEN ESTABLISHED FOR
DARLENE M
JEFFERSON
Darlene M. Jefferson
SIGNATURE
04/04/2011

SOCIAL SECURITY

THIS NUMBER HAS BEEN ESTABLISHED FOR
SIGNATURE

NEW MEXICO

IDENTIFICATION CARD
Id #
ISSUED 08/03/2012
Date of Birth
EXPIRES 07/31/2016
JEFFERSON
GILBERT , SR

SEX M

HEIGHT 5'08"
EYES BRO
ENDORSEMENTS NONE
RESTRICTIONS NONE

********** CONFIDENTIAL PATIENT INFORMATION [RCF] Sep 17, 2013 **********

RSON,DARLENE MARIE F
P 21
(
5

Gallup Indian Medical Center
GALLUP, NM 87301
LISKO,JAMES R
5057221000

Thank you for choosing Gallup Indian Medical Center.
This handout is a new way for you and your doctor to look at your health.

Emergency Contact: JEFFERSON,GILBERT SR
Address: P
City/State: (
Phone:

My Blood Type:

Last ER visit: May 15, 2013
Main reason for the visit: ESOPHAGEAL REFLUX
Last Hospital Admission: Jan 23, 2001
Reason for admission: OPEN WOUND OF FACE NEC

Your Health Problems (Problem List)
A problem list is a listing of all of the medical conditions that you have that don't go away quickly.

STAFFED.
(

Onset: FEB 2011

APPOINTMENTS: You are scheduled to come back for another appointment. Please call us at 5057221000 if you have any questions or need to reschedule an appointment.

Provider: LISKO,JAMES R

ALLERGIES - It is important to know what allergies and side effects you have to medicines or foods. Below is a list of allergies that we know of. Please tell us if there are any that we missed.

Allergies - No allergies are on file. Please tell us if there are any that we missed.

TIONS - This is a list of medications and other items you are taking including non-prescription medications, herbal, dietary, and traditional supplements. Please let us know if this list is not

********** CONFIDENTIAL PATIENT INFORMATION [RCF] Sep 17, 2013 **********

omplete. If you have other medications at home or are not sure if hould be taking them, call your health care provider to be safe.

1. [illegible])
   Directions: TAKE ONE (1) TABLET BY MOUTH WEEKLY WITH WATER 30 MINUTES BEFORE EATING OR TAKING OTHER MEDICATIONS

2. [illegible]
   Directions: BY MOUTH THREE TIMES A DAY

3. [illegible]
   Directions: TAKE 1 TABLET BY MOUTH ONCE DAILY IF NEEDED FOR PAIN RELIEF . TAKE WITH FOOD

4. DO[illegible]
   Directions: TAKE ONE (1) CAPSULE BY MOUTH EVERY 12 HOURS FOR INFECTION *AVOID UNNECESSARY SUN EXPOSURE*

5. EF [illegible] TS CAP Rx [illegible]
   Directions: TAKE 1 CAPSULE BY MOUTH ON MONDAYS AND THURSDAYS FOR VITAMIN D.

6. [illegible] R[illegible]
   Directions: TAKE ONE (1) TABLET BY MOUTH DAILY FOR PAIN ** TAKE WITH FOOD **

** END CONFIDENTIAL PATIENT INFORMATION [RCF] Sep 17, 2013 ********

FORM-1495-MOD
Sept 1969
Revised 8/19/99

Lease No.: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs

RESIDENTIAL LEASE ALLOTMENT NO.: *020269*

THIS LEASE, made and entered into between *the HEIR(S) of LOUIE GETAHEAD*, _____ hereinafter designated as "LESSOR", and *GILBERT JEFFERSON, Sr., C#8* *& DARLENE JEFFERSON, C#* ___member(s) of the *NAVAJO TRIBE* residing at _____, _____, hereinafter designated as "LESSEE(S)."

WITNESSETH:

1. **SECRETARIAL APPROVAL.** As used in this Lease, the term "SECRETARY" means the Secretary of the Interior or his duly authorized representative. This Lease is subject to the approval of the Secretary pursuant to the act of August 9, 1955; 69 STAT. 539, as amended; 25 U.S.C. 415, and applicable Federal regulations and amendments thereto.

2. **PREMISES.** Lessor, as authorized by law, hereby leases to the Lessee (s) all that tract or parcel of land situated in the County of *McKINLEY* State of New Mexico, and described as follows

A tract of land situate within the Northeast Quarter (NE/4) of Section 02, Township 14 North, Range 19 West of the New Mexico Principal Meridian in the vicinity of Twin Buttes, County of McKinley, State of New Mexico and is being more particularly described as follows:

COMMENCE at the northeast section corner of said Section 02, a fences intersection;

THENCE run S 26° 35' 00" W, a distance of 1,704.32 feet to the northerly corner and POINT OF BEGINNING of the herein described tract of land;

THENCE S 68° 12' 00" E, a distance of 208.71 feet to the easterly corner;
THENCE S 21° 48' 00" W, a distance of 208.71 feet to the southerly corner;
THENCE N 68° 12' 00" W, a distance of 208.71 feet to the westerly corner;
THENCE N 21° 48' 00" E, a distance of 208.71 feet to the Point of Beginning;

The described enclosed area comprising of one (1.00) acre, more or less, and being subject to any and all existing easements for underground utilities located therein.

3. **USE OF PREMISES.** The object of this Lease is to enable the Lessee (s) to construct, improve and/or maintain a dwelling and related structures on the premises, and otherwise to use or occupy said premises for residential purposes. A road rights of way for ingress/egress for Lessee is to be provided at all times.

4. **TERM.** Lessee(s) shall have and hold the premises for a term of twenty-five (25) years beginning on the effective date of this Lease. This Lease shall automatically and without notice renew for an additional term of twenty-five (25) years on the same terms and conditions contained herein. This Lease may not be terminated by either or both parties during its initial or renewal term if, and as long as, the Lease and/or any improvements on the premises, or any interest therein, are mortgaged or otherwise pledged as security for any loan in accordance with the provisions hereof, unless consent in writing to such termination is given by the lender and, when FHA insurance or VA guaranty or insurance is in force, by the Federal Housing Administration or the Veterans Administration, as the case may be. This Lease shall not be subject to any forfeiture or reversion and shall not be otherwise terminable, if such event would adversely affect any interest in the premises, including improvements thereon, acquired in accordance with the provisions hereof by the holder of any mortgage or other lien, or of any purchaser at a foreclosure sale under such mortgage (or lien) or under any conveyance given in lieu of foreclosure, or of any holder subsequent to such purchase.

90-060-791

or the VA, where no such consent or approval of Lessor shall be required, Lessee(s) may not execute a mortgage, declaration of trust or other security instrument pledging their interest in this Lease or any improvements on the premises without the prior consent of Lessor and the approval of the Secretary.

12. **OPTION.** In the event of default by the Lessee(s) on any mortgage or other loan agreement for which this Lease or any improvements on the premises are pledged as security, Lessor shall have the right of first refusal to acquire the Lessee's interest in the premises (subject to all valid liens and encumbrances) upon (A) payment of all sums then in arrears, and (B) either payment of the balance of the loan or assumption of the mortgage. Said right of first refusal may be exercised at any time within thirty (30) days after notice in writing from the lender of the Lessee's default, which notice shall be given before the lender invokes any other remedies provided under the mortgage or by law, and shall be exercised by notice in writing from the Lessor to the Lessee(s) and the Lender; provided, however, that the Lessee(s) shall have fifteen (15) days from the date of the latter notice to cure the default. The estate acquired by the Lessor through exercise of said right of first refusal shall not merge with any other estate or title held by the Lessor as long as this lease and/or any improvements on the premises, or any interest therein, are mortgaged or otherwise pledged as security for any loan, and said estate shall remain subordinate to any valid and subsisting mortgage or other security instrument.

13. **EFFECTIVE DATE.** This Lease and all its terms and provisions shall be binding upon the heirs, successors, executors, administrators and assigns of the Lessee(s) and any successor in interest to the Lessor, and shall take effect on the 27 day of January 2006. (Date of Superintendent's Approval)

14. **OBLIGATIONS TO THE UNITED STATES.** It is understood and agreed that while the leased premises are in trust or restricted status, all of the Lessee's obligation under this lease, and the obligation of his sureties, are to the United States as well as to the owner of the land.

WITNESS:

Bertha L. Hart

Gilbert Jefferson, LESSEE
Gilbert Jefferson, Sr., (Heir to Allottee)

Darlene Jefferson, LESSEE
Darlene Jefferson,

ATTEST:

Rita Smith

Lee Wilson, LESSOR
Lee Wilson,

Rita Smith

Tom Wilson, LESSOR
Tom Wilson,

Ben C. Spencer

Ben Wilson, LESSOR
Ben Wilson, by

Lee Wilson

Deceased LESSOR
Johnny Wilson,

791-060-06

Arlene Wilene _____ Clara Jefferson, C# _____ ,LESSOR

Arlene Wilene _____ Tom Jefferson, Jr., C _____ ,LESSOR

Alice Jefferson _____ Raymond Jefferson, C# _____ ,LESSOR

Arlene Wilene _____ Alice Jefferson, C#4 _____ ,LESSOR

Rita Smith _____ Tom Grover Leggin Mix, _____ ,LESSOR

Rita Smith _____ Annie Billie, C# _____ ,LESSOR

Rita Smith _____ Sammy Jefferson, C# _____ ,LESSOR

Marlene Isosie _____ Herbert Jefferson, C# _____ ,LESSOR

Marlene Isosie _____ Marie Bitsui, C# aka Marie Betsoi _____ ,LESSOR

Lois Holtkamp _____ Alfred Y. Jefferson, C# _____ ,LESSOR

~~APPROVED:~~

Pursuant to Secretarial Redelegation Order 209 DM 8, Secretary's Order No. 3150 and 3177, and 10 BIAM bulletin 13, as amended.

~~REGIONAL DIRECTOR, NAVAJO REGION DATE~~

791-060-06

2006 FEB -8 AM 11:59

BIA-NAVAJO REGION

Stephanie H Jefferson
Irene Spencer

Annie Mix RTLESSOR
Annie Mix, C#9

Stephanie H Jefferson

Irene Spencer LESSOR
Irene Spencer, C#1

APPROVED: January 20, 2006
Pursuant to Departmental Manual (DM) 2,
230 DM 1, 3 IAM 4, and Memorandum of
Delegation of Authority Dated April 22, 005.

Agency Superintendent, Eastern Navajo

Superintendent for and on behalf of the undetermined heirs of a decedent's estate pursuant to authority given under 25 CFR 162.601 (a) (3)

Johnny Wilson, C#1

DOD: ESTATE (per TFAS/date not given)

Agency Superintendent, Eastern Navajo

2006 FEB -8 AM 11:59
BIA
791-060-06

CULTURAL RESOURCES COMPLIANCE FORM
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

ROUTING: COPIES TO
NM — SHPO
REAL PROPERTY MGT/330
XX — GHE

NNHPD NO. **HPD-05-1124**
OTHER PROJECT NO.
GHE-05HS-1057

PROJECT TITLE: **A Cultural Resource Survey of Gilbert Jefferson & Darlene Jefferson's proposed homesite within the community of Twin Buttes, McKinley County, New Mexico**

LEAD AGENCY: BIA/NR

SPONSOR: Gilbert & Darlene Jefferson, PO Box 221, Gallup, New Mexico 87305

PROJECT DESCRIPTION: The proposed undertaking will involve the construction of a new home along with the installation of associated utilities/facilities within the one-acre homesite lease area. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Allotment # 20269
CHAPTER: **Red Rock**
LOCATION: T14N, R19W - Sec. 2; Twin Buttes Quadrangle, McKinley County, New Mexico NMPM

PROJECT ARCHAEOLOGIST: **Taft Blackhorse**
NAVAJO ANTIQUITIES PERMIT NO.: B05588

DATE INSPECTED: **10/10/05**
DATE OF REPORT: 10/28/05
TOTAL ACREAGE INSPECTED: **2.9 ac**

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced **15** m apart.

LIST OF CULTURAL RESOURCES FOUND: **None**
LIST OF ELIGIBLE PROPERTIES: **None**
LIST OF NON-ELIGIBLE PROPERTIES: **None**
LIST OF ARCHAEOLOGICAL RESOURCES: **None**

EFFECT/CONDITIONS OF COMPLIANCE: **No historic properties affected.**

In the event of a discovery [*"discovery"* means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7132.

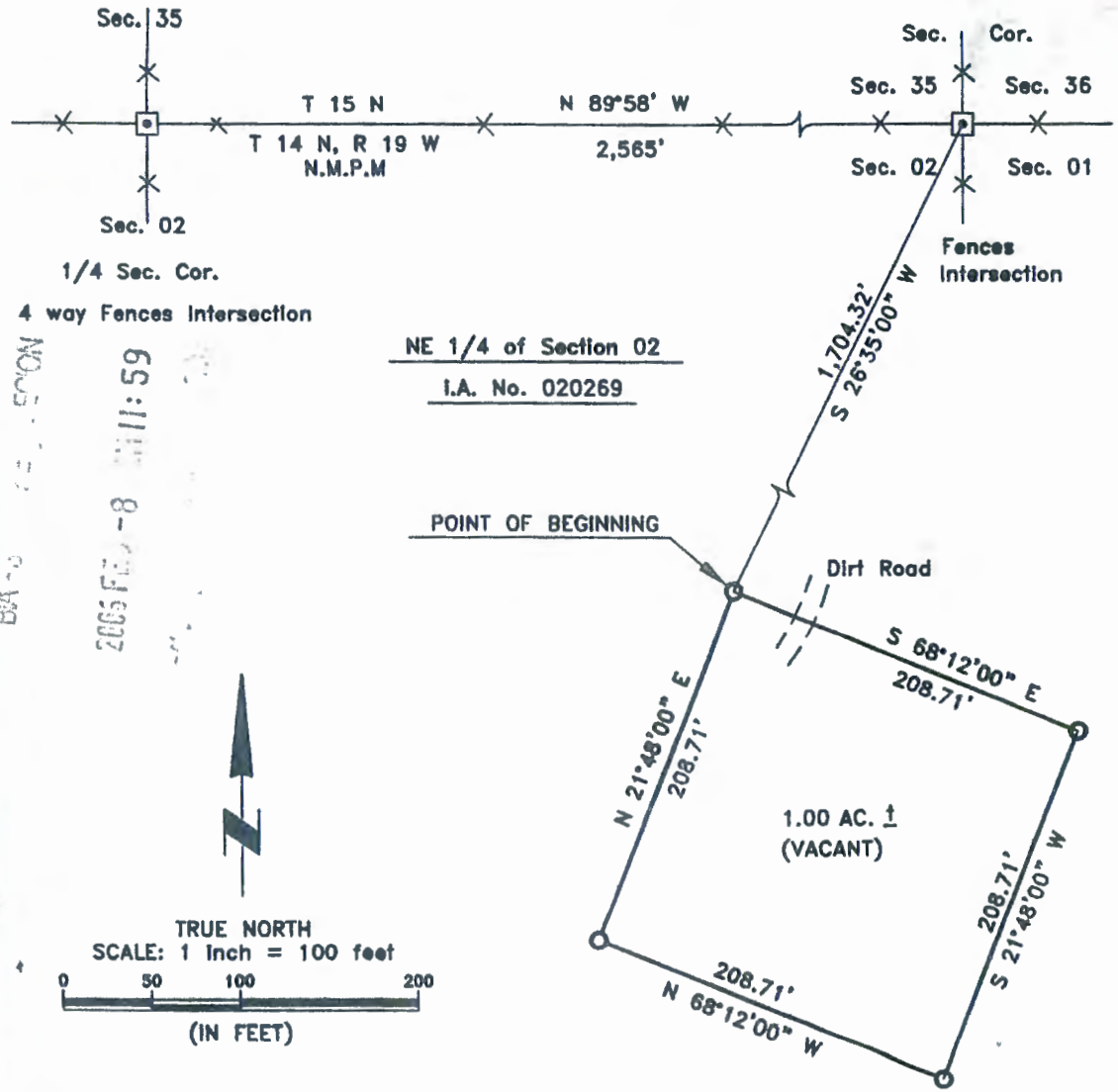
FORM PREPARED BY: TAMARA BILLIE
FINALIZED: November 14, 2005

Notification to
Proceed Recommended: Yes **XX** No ____
Conditions: Yes ____ No **XX**

Alan S. Downer, Navajo Nation Historic Preservation Officer — Date 12-1-05

Navajo Region Approval: Yes X No ____

ACTING Regional Director — Date 12/9/05



. . . . . G E N E R A L N O T E S . . . . .

1. Homesite tract corners are set by 1/2" rebars.
2. The basis of bearings is the north line bearing of Section 02 as obtained from a solar observation

NAVAJO TRIBAL UTILITY AUTHORITY
AN ENTERPRISE OF THE NAVAJO NATION

May 9, 2016

Mr. Zander R. Shirley, Community Services Coordinator
Manuelito Chapter

RE: Manuelito Chapter Power Line Project

Dear Mr. Shirley:

Provided herewith are **PRELIMINARY** construction costs estimates to provide service to residents within the area of Manuelito Chapter. These costs will supersede all previous costs. The following items are provided for your information:

1. The ownership of the power lines will belong to the Navajo Tribal Utility Authority. The Navajo Tribal Utility Authority will handle the operation and maintenance responsibilities.

2. The cost estimates that are submitted are **PRELIMINARY**. Final construction cost estimates will be based upon the results of the archaeological and legal surveys and final engineering design.

3. Notice of funding for right-of-way acquisition must be received before NTUA can commence with the archaeological clearance, environmental assessment, and legal surveys; and final engineering and design. This amount is shown on the attached estimate and contributes to the total project cost.

4. The Navajo Tribal Utility Authority will budget $1,500.00 per customer provided their house is wired and ready for hook up prior to construction.

   NOTE: If all homes are not wired, the NTUA Contribution will be adjusted downward to reflect the actual number of homes wired at the time of construction. This will result in an increase in contribution required by the Manuelito Chapter.

If you have any questions concerning these cost estimates, you may contact Ms. Cecelia Largo-Nez, Customer Service Supervisor, Fort Defiance District, at 928-729-5721, ext. 6503 or the Electric System Planning Section, at 928-729-5721, ext. 4761.

Sincerely yours,

NAVAJO TRIBAL UTILITY AUTHORITY

Sherrell White, Project Administrator
Electric System Planning Section

CC: Milton Jim, Chapter President, Manuelito Chapter
Srinivasa (Veni) Venigalla, Electric Systems Division, NTUA
Bernice Tsosie, Electric System Planning Section, NTUA
Ethelind Johns, Electric System Planning Section, NTUA
Shannon Burnette, Electric System Planning Section, NTUA
Louella Chee, Electric System Planning Section, NTUA
Paula Holyan, Fort Defiance District, NTUA
Cecelia Largo-Nez, Fort Defiance District, NTUA
Laura Sloan, Fort Defiance District, NTUA
Emerson Tracy, Fort Defiance District, NTUA

MANUELITO CHAPTER POWER LINE PROJECT

Line A – Main Trunk Line	1.52 Miles	$ 145,817.57
Member Extension		13,620.08
Tap A-1 – Member Extension	.01 Miles	8,063.64
Tap A-2 – Member Extension	.16 Miles	22,252.97
Subtotal		$ 189,754.26
Archaeological Clearance, Environmental Assessment, and Legal Survey for Right-of-Way Acquisition (1.69 Miles)		23,955.75
Subtotal		$ 213,710.01
NTUA Contribution (4 Homes @ $1,500.00)		(6,000.00)
Subtotal		$ 207,710.01
Contribution Required Prior to Construction		**$ 207,710.01**

NAVAJO TRIBAL UTILITY AUTHORITY
Proposed Power Line Extension

CHAPTER: MANUELITO CHAPTER

REMARKS: Manuelito Chapter Power Line Project

No	Customer's Name	Description	House Yes	Wired No	Comments
	Secondary Service Off Main Line A				
1.	Richard White				
2.	Phillip White				
	Tap A-1				
3.	Ella Mae White				
	Tap A-2				
4.	Mary Joe White				

Milton Davidson
President

Julia Ellison
Vice-President

Bertha Dahozy
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

Zander R. Shirley
Community Services Coordinator

Seth Damon
Council Delegate

Paul Houston
Land Board Member

MEMORANDUM

TO : Caroline M. Tom, Right-of-Way Agent
Navajo Tribal Utility Authority
P.O. Box 170
Fort Defiance, Arizona 86504

FROM : Paul Houston, Grazing Officer
Manuelito Chapter Government

DATE : June 15, 2016

SUBJECT : **Right of Way Consent for Power Line Extension**

This is in reference to the proposed construction, operation and maintenance of Power-Line which will serve the White family within the vicinity of Manuelito Chapter, The Navajo Nation and McKinley County.

Following are the names of the White Family needing Electrical Power to their resident:

1.	Ella White	High Risk Health Patient
2.	Richard White	
3.	Phillip White	High Risk Health Patient
4.	Mary Jo White	

To my knowledge, no grazing permittees, other than the clients, will be affected by the undertaking and there are no land disputes at the location of the project area.

If there are any questions, or you need additional information, please contact me at the Manuelito Chapter's Administrative Office. Telephone Number: 505-905-3073.

Sincerely,

Mr. Paul Houston, Grazing Officer
The Manuelito Chapter Government
District 6 Chapters

xc:

- Mr. Seth Damon, Council Delegate
  23rd Navajo Nation Council
- Mr. Mike Holona, Department Director
  Navajo Nation Land Department
- Mr. Milton Davidson, President
  Manuelito Chapter Government

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

June 30, 2016

Manuelito Chapter
Attn: Zander Shirley
HCR 57 – Box 9069
Gallup, New Mexico 87301

Re: Estimate – Ray Tom, Eleanor Begay, Mr. James

Dear Mr. Shirley,

Continental Divide Electric Cooperative's has completed an estimate located in Manuelito, New Mexico. Keep in mind, this is a preliminary estimate and should only be used for budgetary purposes. A physical survey will be required when the final project is approved. The preliminary estimated cost to extend the electrical service to homes in Manuelito Chapter area will be as follows:

Construction Cost	$100,029.00
Right of way Cost	$ 80,800.00
Total	**$180,829.00**
Navajo Tax 5%	$ 9,041.45
TOTAL	**$189,870.45**

Right of way costs include Cultural Survey, Biological Survey, Environmental Assessment, Survey, Maps, Legals, Signatures from Allotment #55122

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after a right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and the actual cost may be different. You will receive a refund if the costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at 505-285-6656

Sincerely,

Jose Molina, Engineer

Milton Davidson
President

Julia Ellison
Vice-President

Bertha Dahozy
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

Zander R. Shirley
Community Services Coordinator

Seth Damon
Council Delegate

Paul Houston
Land Board Member

June 27, 2016

Reference: Deposition of; "Right of Way Consent for Power Line Extension"

Ms. Debbie Olivar, Engineer/ROW
200 E. High St.
P.O. Box 1087
Grants, New Mexico 87020
Email: dolivar@cdec.coop

Ms. Olivar:

This is in reference to the proposed construction, operation and maintenance of Power-Line which will serve the White family within the vicinity of Manuelito Chapter, The Navajo Nation and McKinley County.

Following are the names of the Tom, Begay and James Family needing Electrical Power to their resident:

1. Ray Tom
2. Sarita Tom
3. Eleanor Begay
4. Paulin E. James

To my knowledge, no grazing permittees, other than the clients, will be affected by the undertaking and there are no land disputes at the location of the project area.

If there are any questions, or you need additional information, please contact me at the Manuelito Chapter's Administrative Office. Telephone Number: 505-905-3073.

Sincerely,

Mr. Paul Houston, Grazing Officer
The Manuelito Chapter Government
District 6 Chapters

xc:

- Caroline Tom, ROW Agent
  Navajo Tribal Utility Authority
- Mr. Seth Damon, Council Delegate
  23rd Navajo Nation Council
- Mr. Mike Holona, Department Director
  Navajo Nation Land Department
- Mr. Milton Davidson, President
  Manuelito Chapter Government
- Zander R. Shirley, CSC
  Manuelito Chapter Administration

THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

June 28, 2016

Continental Divide Electric Cooperative Inc.
200 E. High St.
P.O. Box 1087
Grants, NM 87020

To Whom It May Concern:

The Navajo Land Department (NLD) hereby gives official approval for the Continental Divide Electric Cooperative Inc. (CDEC) to provide service lines to thirty-two (32) individual residences located within the Manuelito Chapter vicinity, pending final approval of the home-site leases.

On June 6, 2016, the NLD received an official request for assistance for an electric extension from the Manuelito Chapter Officials and Delegate Seth Damon. The request included notification that the Manuelito Chapter identified and approved to fund the electric extension. The thirty-two (32) existing occupied family homes within Manuelito Chapter currently do not have approved Home-site Leases on tribal trust land, however, the Manuelito Chapter has complied all the required documents to process the home-site lease applications with the Crownpoint Land Office and the Eastern Navajo Agency Bureau of Indian Affairs (BIA).

We understand the urgency for electrical services for the thirty-two (32) homes that were established in the early 1960's and 1970's and are in dire need of utilities. The Navajo Land Department is in full support of CDEC providing immediate services.

If you have any questions contact our office at (928) 871-6401, thank you.

Sincerely,

NAVAJO NATION

W. Mike Halona, Department Manager III
NAVAJO LAND DEPARTMENT

xc: S. Damon, Council Delegate
Jerry Degroat, Eastern Agency BIA
~~Red Rock Chapter~~ – Manuelito Chapter
E. Yazzie, Program Manager, NLD - PR
L. Yazzie, Crownpoint Land Office
File

NAVAJO TRIBAL UTILITY AUTHORITY

AN ENTERPRISE OF THE NAVAJO NATION

July 21, 2016

Honorable Seth Damon
Council Delegate
Manuelito Chapter
HCR 57 Box 9069
Gallup, New Mexico 87301

RE: Manuelito Chapter Power Line Project

Dear Mr. Damon:

On May 9, 2016, a letter providing the preliminary construction cost estimates regarding the proposed power line project was submitted to Mr. Zander R. Shirley, Community Services Coordinator with Manuelito Chapter.

In order to proceed with the right-of-way acquisition, NTUA is respectfully requesting a chapter resolution supporting and requesting NTUA to obtain right-of-way for the proposed power line project. The resolution is one of our required documents to prepare and file the right-of-way application to Navajo Nation.

In addition, the amount of $23,955.75 is required to initiate the right-of-way acquisition process.

If you have any questions, please contact our office at 928.729.6204.

Sincerely,

Bernice "Niecy" Tsosie
Assistant Manager
Electric System Planning Section

xc: Lester Lee, Director, Electric Systems
Srinivasa (Veni) Venigalla, Deputy General Manager, Electric & Information Systems

Bááháálí Chapter
P.O. Box 6118, Gallup, New Mexico 87305
PHONE (505) 778-5788 or 778-5796
FAX (505) 778-5915
http://baahaali.navajochapters.org

Lee C. Jim, Chapter President
Benjamin Livingston, Chapter Vice President
Annie Descheny, Chapter Secretary/Treasurer
Emery Chee, Land Board Member
Seth Damon, Council Delegate

Gloria M. Skeet deCruz, Chapter Manager
Guarena Adeky Skeets, Administrative Assistant

Bááháálí Powerline Extension Project – $316,227

Executive Summary

July 1, 2016

Bááháálí Chapter is a Local Governance Act certified chapter (12/24/2018) and is located in a mountainous region 25 miles south of Gallup; the elevation is above 7300 feet. The Bááháálí Powerline Extension Project meets a long-term community development need and is requesting $316,227 from the Navajo Nation Council to construct powerline extensions to five (5) households in the Bááháálí community. Each of these households has a certified homesite lease and project ready for obtaining the first phase: Permission to Survey and Right of Way. In addition, each home is wired with the required certification from a certified license electrician.

Securing Right of Ways on main trunk lines and providing electricity services to families in the Bááháálí community will fulfill a function that is critical to the orderly development of the community. The current lack of electricity to these homes creates substandard living conditions and discourages future progress in the community. Providing electricity for these families will allow their children to complete their homework under well-lit conditions; allow families to have access to a land telephone (limited cell phone service in the region) in case of emergencies, especially for families who have family members with acute health problems. Electricity will also allow families to purchase food and produce requiring refrigeration such as fresh milk for children and elders requiring calcium supplements. Even more critical, refrigeration will allow families to store required medication. Providing electrical services will significantly improve the standard of living for these families so they can benefit from the conveniences afforded in today's modern society.

Project funds will be used to complete preliminary studies, such as environmental and archeological assessments in order to acquire "right of way" (ROW) for five (5) households (this will involve four (4) miles of ROW); the final phase of the Powerline Extension Project is the construction of powerline extensions.. Continental Divide Electric Cooperative, Inc. (CDEC, Inc.) will extend existing facilities in the community to serve five (5) households.

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

July 5, 2016

Rosey Begay
Attention: Gloria M. Skeet deCruz, CM
Baahaali Chapter
PO Box 6118
Gallup, NM 87305

RE: Estimate

To Whom It May Concern:

The Continental Divide Electric Cooperative's field crew has completed the cost estimate to install new primary conductor and service to the home located in Breadsprings, NM. The estimated cost is as follows:

Total Construction Cost: **$11,083.64**

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and that actual cost may be different: You will receive a refund if costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at (505) 285-6656.

Sincerely,

Lee A. Maestas
Staking Engineer

afn

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

July 5, 2016

Carole Ann Tom
Attention: Gloria M. Skeet deCruz, CM
Baahaali Chapter
PO Box 6118
Gallup, NM 87305

RE: Estimate

To Whom It May Concern:

Continental Divide Electric Cooperative has completed the cost estimate to install new primary conductor and service to the home located in Baahaali, NM. Keep in mind, this is a preliminary estimate and should only be used for budgetary purposes. A physical survey will be required when the final project is approved. The preliminary estimated cost to extend the electrical service to the home of Carole Ann Tom is as follows:

Construction Cost:	**$6,005.06**
ROW Cost:	**$41,090.00**
Total:	**$47,095.06**
5% Navajo Tax	**$2,354.75**
Total Cost:	**$49,449.81**

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and that actual cost may be different: You will receive a refund if costs are less or you will pay the difference if actual costs are more than the estimate.

If you have any questions regarding this estimate feel free to call our engineering department in Grants at (505) 285-6656.

Sincerely,

Jose Molina, Engineer

afn

CONTINENTAL DIVIDE
ELECTRIC COOPERATIVE, INC.

200 E. High St. • P.O. Box 1087 • Grants, New Mexico 87020 • (505) 285-6656 • Fax (505) 287-2234

July 5, 2016

Baahaali Chapter
Attention: Gloria M Skeet deCruz
PO Box 6118
Gallup, NM 87305

RE: Estimate for Philbert Livingston, Derek Livingston, and Strawberry Livingston

To Whom It May Concern:

Continental Divide Electric Cooperative has completed the cost estimate to install new primary conductor and service to the homes located in Baahaali, NM. Keep in mind, this is a preliminary estimate and should only be used for budgetary purposes. A physical survey will be required when the final project is approved. The preliminary estimated cost to extend the electrical service to the homes of Philbert Livingston, Derek Livingston, and Strawberry Livingston is as follows:

Construction Cost:	**$42,267.89**
ROW Cost:	**$201,250.00**
Total:	**$243,517.89**
5% Navajo Tax	**$12,175.89**
Total Cost:	**$255,693.78**

This estimate is good for 90 days from the date of this letter. Scheduling of construction will be done after right-of-way is granted; approved, recorded and full payment of the estimate has been received. Understand that this is an estimate only and that actual cost may be different: You will receive a refund if costs are less or you will pay the difference if actual costs are more than the estimate.

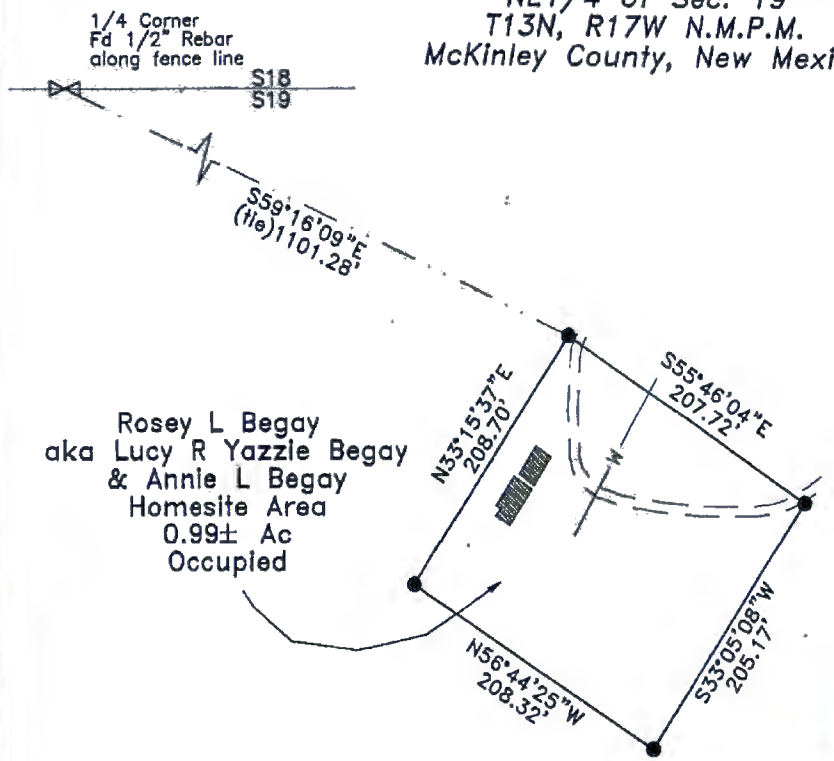
If you have any questions regarding this estimate feel free to call our engineering department in Grants at (505) 285-6656.

Sincerely,

Jose Molina, Engineer

afn

A Record of Survey located in Navajo Allotment # 024489 NE1/4 of Sec. 19 T13N, R17W N.M.P.M. McKinley County, New Mexico



NOTES:
BASIS of BEARING – Solar Observation 8-21-08 A.M.

● DENOTES SET 1/2" x 18" REBAR with PLASTIC CAP: NMPLS # 12163

Utilities not located

Legal Description.
A parcel of land located in the Northeast Quarter (NE1/4) of Section 19, Township 13 North, Range 17 West, N.M.P.M., McKinley County, New Mexico also situate in the Baahaali area and being particularly described as follows:

Commencing at the most Northerly Corner of said parcel a point which bears South 59°16'09" East, a distance of 1,101.28 feet from the North Quarter (1/4) Corner of said Section 19.

thence South 55°46'04" East, a distance of 207.72 feet;
thence South 33°05'08" West, a distance of 205.17 feet;
thence North 56°44'25" West, a distance of 208.32 feet;
thence North 33°15'37" East, a distance of 208.70 feet to the Point of Beginning. Said parcel containing 0.99 ± ACRES, more or less, in area and being subject to any restrictions, easements or reservations of record.

This is to certify that this plat was prepared from field notes of actual surveys made under my supervision. This survey complies with the amended minimum standards of property surveys in New Mexico and is accurately represented on the plat.

Henry Thomas
Registered N.M.P.L.S. # 12163

HENRY THOMAS
NEW MEXICO
12163
REGISTERED PROFESSIONAL SURVEYOR

RVS#08-113

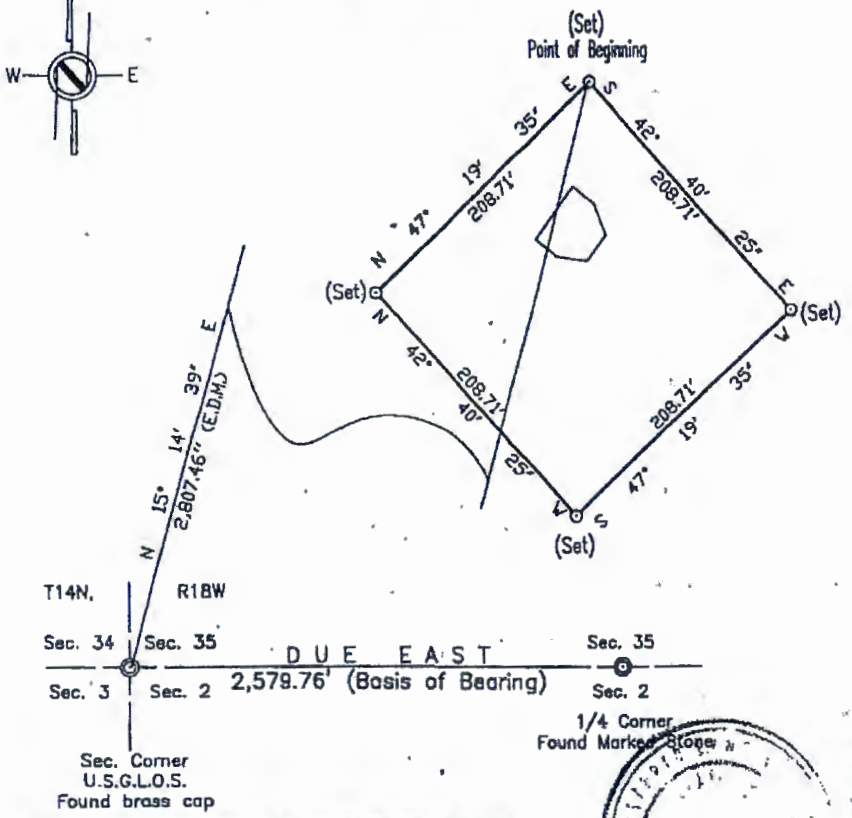
RED VALLEY SURVEY PO BOX 2827 Shiprock, NM 87420 (505) 320-0479	ROSEY L. BEGAY aka LUCY R. YAZZIE BEGAY & ANNIE L. BEGAY Residential Lease Survey
Drawn By HT Approved By HT SCALE: 1" = 100' DATE: 08/21/08	0.99 ± Acre District 16 – Eastern Navajo Agency NE1/4, Section 19, T13N, R17W, N.M.P.M. Baahaali Chapter, McKinley County, New Mexico

14310
SW
14311
SE
14312
018
14313
E
14320
14314
700 feet coming off private
can turn in SLA
rosey begay aka lucy yazzie begay
NW
NE
T13NR17W
019
NE
1 inch = 200 feet
Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

HOMESITE NO. J-12,750

NOTES:

1. Basis of Bearing is the South Line of Section 35, T14N, R18W, N.M.P.M. as shown on U.S.G.L.O. Survey and refer to TRUE NORTH.
2. 5/8" Rebar (Set) on all corners of tract, unless indicated otherwise.
3. Scale, other than Tract is 1"= 100'.
4. All ground distances around tract.
5. Underground Utilities Not Located.



TRACT DESCRIPTION

A PARCEL OF LAND SITUATE WITHIN THE WEST HALF (W/2) OF SECTION 35, TOWNSHIP 14 NORTH, RANGE18 WEST, NEW MEXICO PRINCIPAL MERIDIAN, IN THE VICINITY OF BREADSPRINGS, McKINLEY COUNTY, STATE OF NEW MEXICO, AND IS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at the Southwest Corner of Section 35, T14N, R18W, NMPM a UNITED STATES GENERAL LAND OFFICE SURVEY Brass Cap dated 1912

THENCE run N 15° 14' 39" E, 2,807.46' feet to the POINT OF BEGINNING of the herein described parcel of land;

THENCE S 42° 40' 25" E, 208.71 feet;
THENCE S 47° 19' 35" W 208.71 feet;
THENCE N 42° 40' 25" W, 208.71 feet;
THENCE N 47° 19' 35" E, 208.71 feet
to the Point of Beginning.

Being 1.00 acre(s), more or less, in area, and being subject to any and all existing easements for underground utilities located therein.

Surveyed by the Navajo Land Department, The Navajo Nation, Window Rock, Arizona.

EXHIBIT "A"

CERTIFICATE: I, TOMMY R. CONLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEFS.

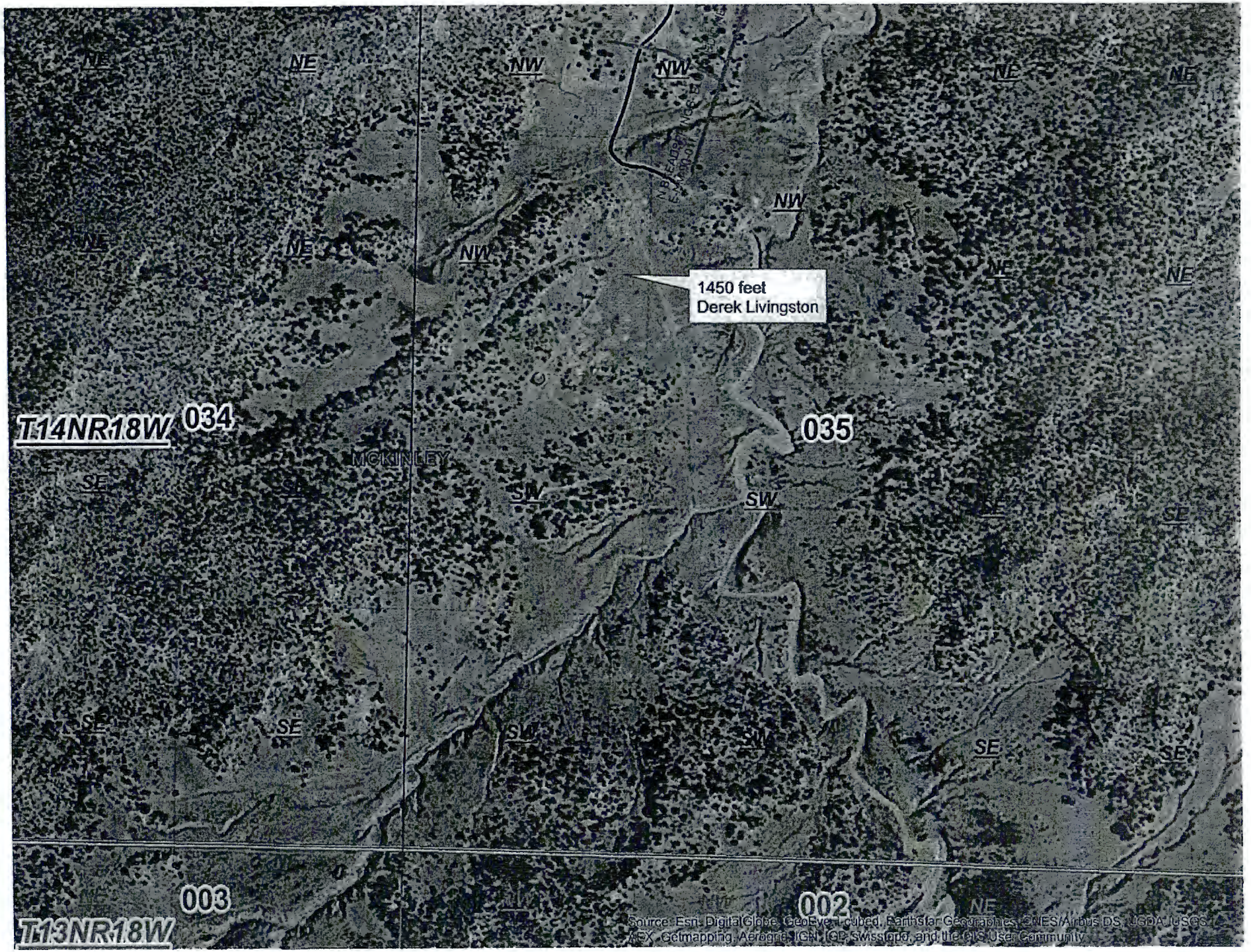
4/19/04 Tommy R. Conley
DATE TOMMY R. CONLEY NM. LIC. No. 4797

NLD	
SURVEY BY:	JW
DRAWN BY:	DL
APPROVED BY:	TC
FIELD BOOK NO.:	NM-3,72
JOB NUMBER:	2381
SCALE: 1=	100

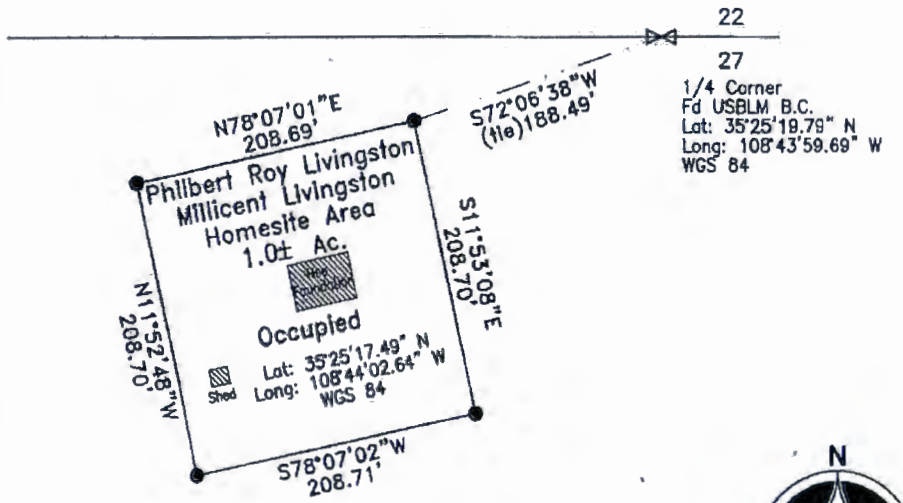
Derek B. & Shileen B. Livingston

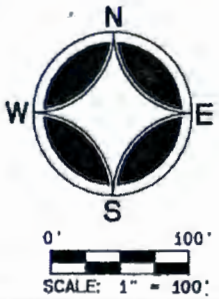
Ac.1.00 ±

District 16, Eastern Navajo Agency
W/2 of Sec. 35, T14N, R18W, N.M.P.M.
Breadsprings,McKinley County, New Mexico


NE
NE
NW
NW
NE
NE
NE
NE
NW
NE
NE
NW
1450 feet
Derek Livingston
T14NR18W
034
035
MCKINLEY
SE
SE
SW
SW
SE
SE
SE
SE
SW
SW
SE
SE
003
002
T13NR18W
Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

A Record of Survey located in
NW1/4 of Sec. 27
T14N, R18W N.M.P.M.
McKinley County, New Mexico





NOTES:
BASIS of BEARING – Solar Observation 3-29-11 A.M.

● DENOTES SET 1/2" x 18" REBAR
with PLASTIC CAP: NMPLS # 12163
Utilities not located

Legal Description.
A parcel of land located in the Northwest Quarter (NW1/4) of Section 27, Township 14 North, Range 18 West, N.M.P.M., McKinley County, New Mexico also situate in the Baahaali area and being particularly described as follows:

Commencing at the Northeast Corner of said parcel a point which bears South 72°06'38" West, a distance of 188.49 feet from the North Quarter (1/4) Corner of said Section 27.

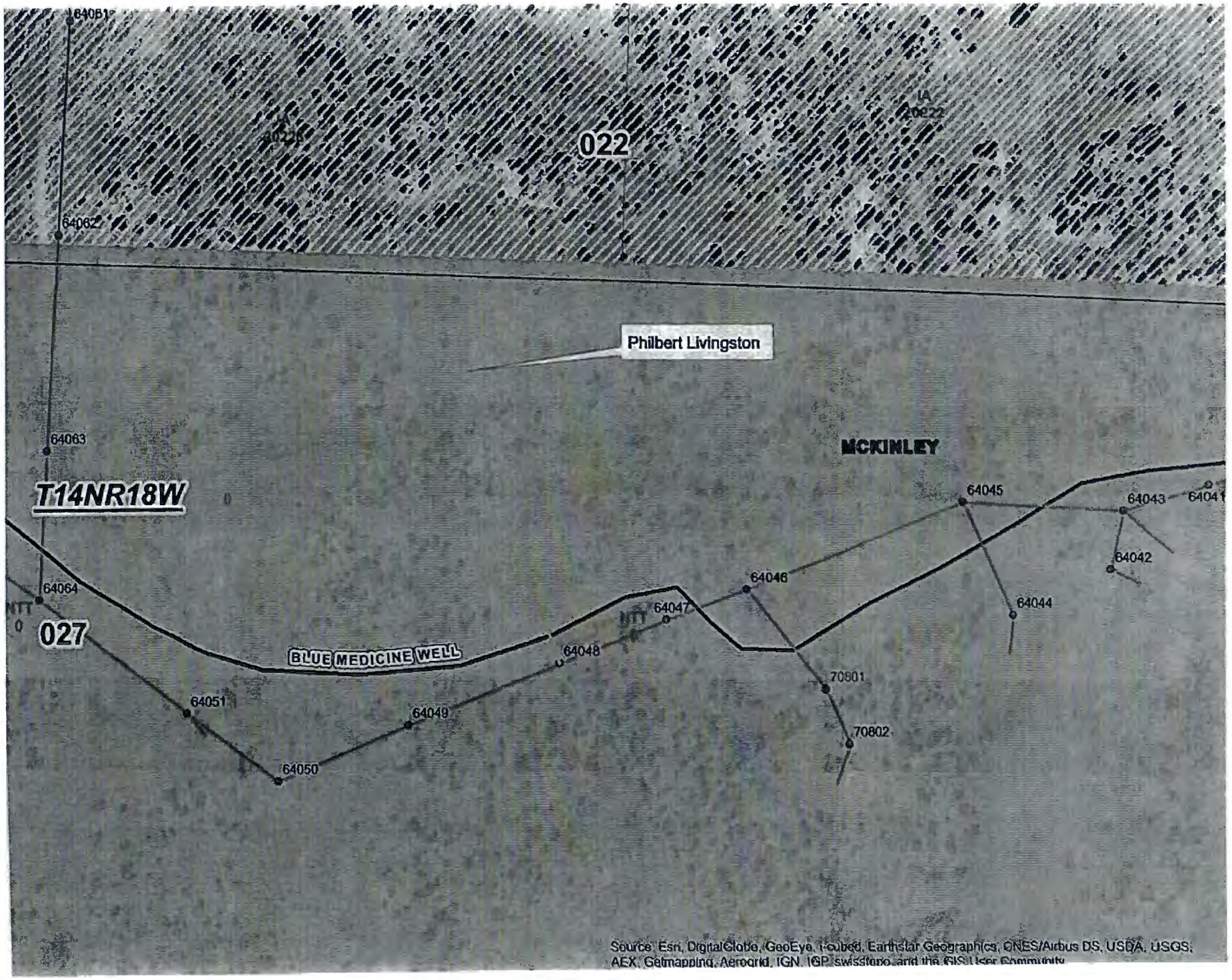
thence South 11°53'08" East, a distance of 208.70 feet;
thence South 78°07'02" West, a distance of 205.71 feet;
thence North 11°52'48" West, a distance of 208.70 feet;
thence North 78°07'01" East, a distance of 208.69 feet to the Point of Beginning. Said parcel containing 0.92 ± ACRES, more or less, in area and being subject to any restrictions, easements or reservations of record.

This is to certify that this plat was prepared from field notes of actual surveys made under my supervision. This survey complies with the amended minimum standards of property surveys in New Mexico and is accurately represented on the plat

Henry Thomas
Registered N.M.P.L.S. # 12163

RVS#11-52

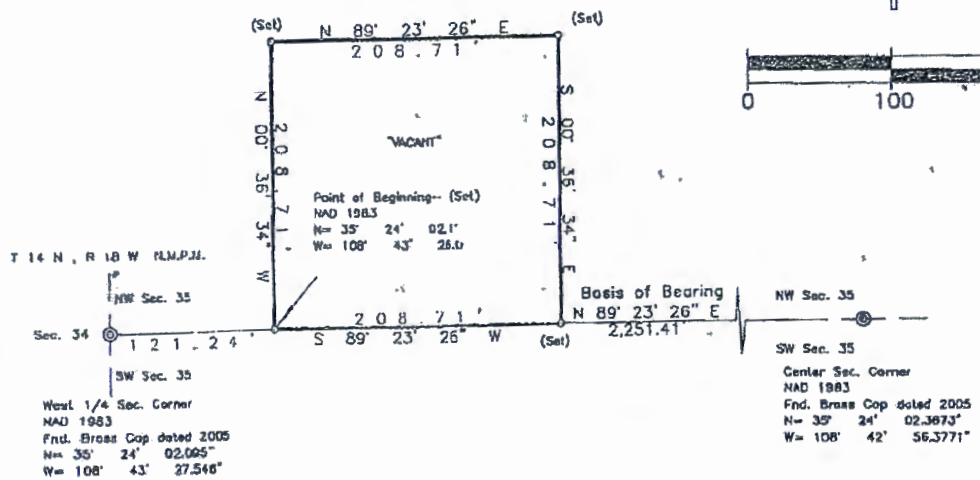
RED VALLEY SURVEY PO BOX 2827 Shiprock, NM 87420 (505) 320-0479	*PHILBERT ROY LIVINGSTON* *MILLICENT LIVINGSTON* *Homesite Lease Survey*
Drawn By HT Approved By HT SCALE: 1" = 100' DATE: 03/30/11	1.0 ± Acre District 16 – Eastern Navajo Agency NW1/4, Section 27, T14N, R18W, N.M.P.M. Baahaali Chapter, McKinley County, New Mexico

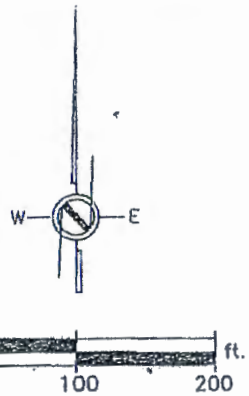

64061
64062
022
Philbert Livingston
64063
MCKINLEY
T14NR18W
64064
027
BLUE MEDICINE WELL
64051
64050
64049
64048
64047
64046
64045
64044
64043
64042
70801
70802
Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

HOMESITE NO. J—12,890

NOTES:

1. Basis of Bearing is the Center Line of Section 35, T14N, R18W, N.M.P.M. as shown on U.S. B.L.M. Cadastral Survey and refer to TRUE NORTH.
2. 5/8" Rebar (Set) on all corners of tract, unless indicated otherwise.
3. All ground distances around tract.
4. Scale for tie is 1"=100'.





TRACT DESCRIPTION

A PARCEL OF LAND SITUATED WITHIN THE NORTHWEST QUARTER (NW/4) OF SECTION 35, TOWNSHIP 14 NORTH, RANGE 18 WEST, NEW MEXICO PRINCIPAL MERIDIAN, IN THE VICINITY OF BREAD SPRINGS, McKINLEY COUNTY, STATE OF NEW MEXICO AND IS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at the West Quarter Corner of Section 35, T14N, R18W, a FOUND UNITED STATES BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY, Brass Cap Dated 2005.

THENCE N 89° 23' 26" E, 121.24 feet; to the POINT OF BEGINNING of the herein described parcel of land.

THENCE	N	00°	36'	34"	W,	208.71	feet;
THENCE	N	89°	23'	26"	E,	208.71	feet;
THENCE	S	00°	36'	34"	E,	208.71	feet;
THENCE	S	89°	23'	26"	W,	208.71	feet

to the Point of Beginning.

As Being 1.00 acre(s), more or less, in area, and being subject to any and all existing easements for underground utilities located therein.

Surveyed November, 12 2006 by the Navajo Land Department, The Navajo Nation, Window Rock, Arizona.

EXHIBIT "A"

CERTIFICATE: I, TOMMY R. CONLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEFS.

7/31/07 Tommy R. Conley

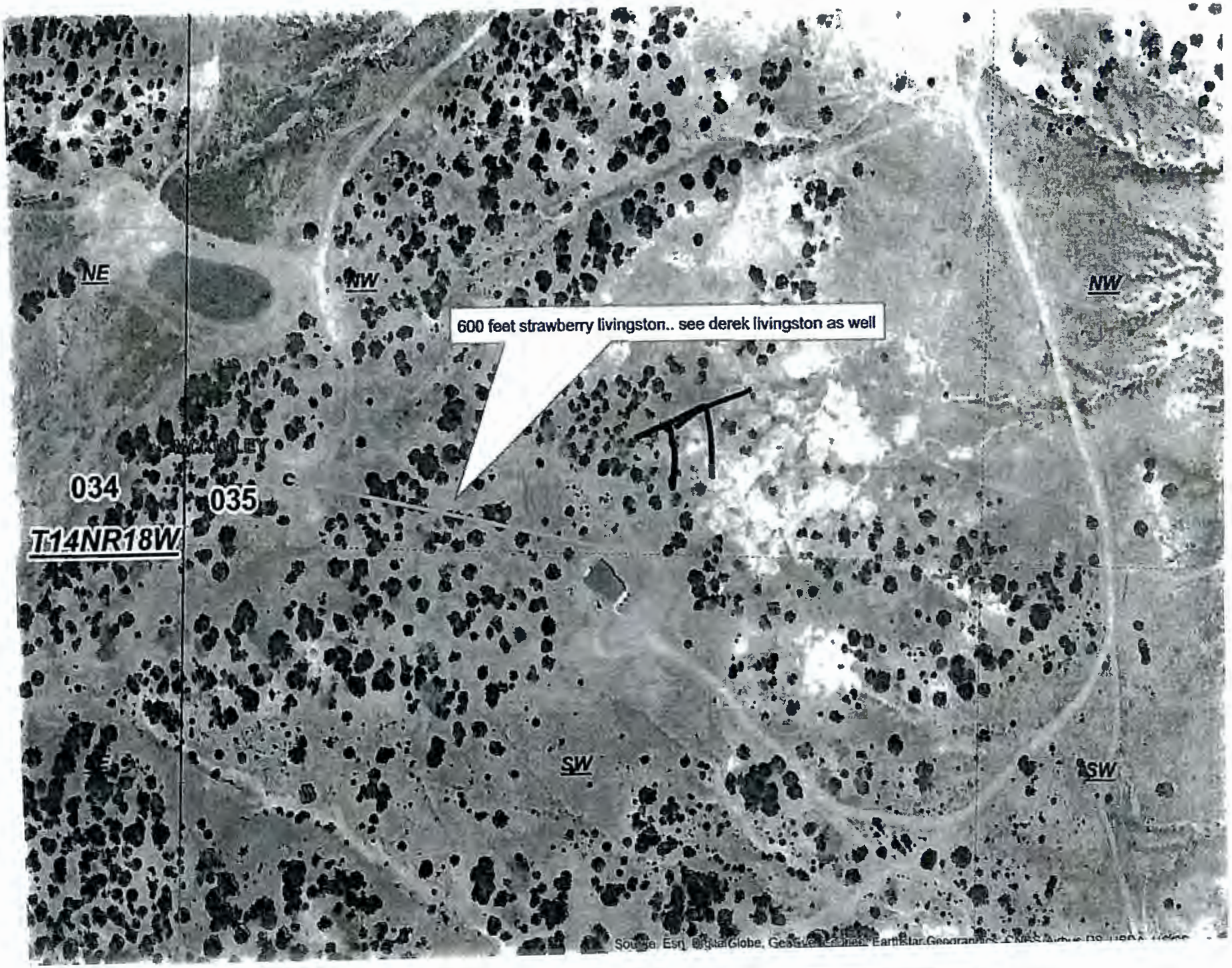
TOMMY R. CONLEY, NM. LIC. No. 4797

REGISTERED LAND SURVEYOR STATE OF NEW MEXICO NO 4797 TOMMY R. CONLEY

NLD	
SURVEY BY:	JW
DRAWN BY:	DL
APPROVED BY:	TC
FIELD BOOK NO.:	NM-1
JOB NUMBER:	2506
S C A L E: 1=	100'

STRAWBERRY BEN LIVINGSTON

1.00 AC ±
DISTRICT, #16 NAVAJO INDIAN RESERVATION
NW/4 OF SEC. 35, T14N, R18W, N.M.P.M
BREAD SPRINGS, MCKINLEY COUNTY, NEW MEXICO


NE
NW
NW
600 feet strawberry livingston.. see derek livingston as well
034
035
T14NR18W
SW
SW

HOMESITE NO. 36,251

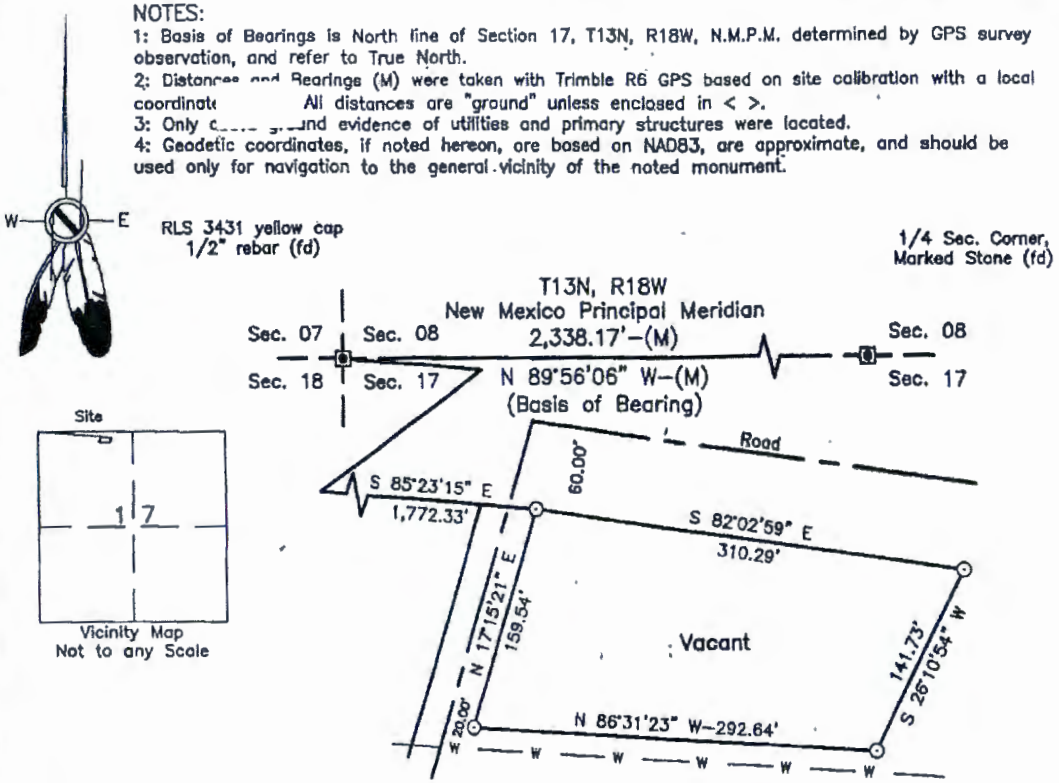
NOTES:

1: Basis of Bearings is North line of Section 17, T13N, R18W, N.M.P.M. determined by GPS survey observation, and refer to True North.

2: Distances and Bearings (M) were taken with Trimble R6 GPS based on site calibration with a local coordinate. All distances are "ground" unless enclosed in < >.

3: Only c... g...nd evidence of utilities and primary structures were located.

4: Geodetic coordinates, if noted hereon, are based on NAD83, are approximate, and should be used only for navigation to the general vicinity of the noted monument.



⊙ Set 5/8" rebar
● Found 5/8" rebar or as noted
◉ Found GLO or BLM Brass Capped Pipe
▣ Found Marked Stone, or as noted
Found USGS Tri-Station or as noted
< > Grid Distance or Bearing

SURVEYORS STATEMENT:

I, Martin H. Martin, a registered land surveyor under the laws of Arizona, under authority of the Navajo Nation, hereby state that this plat was prepared from notes of an actual field survey performed by the Navajo Land Department, and is true and correct to the best of my knowledge and belief, attest to by my seal and signature hereon.

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 18548
MARTIN H. MARTIN
DATE SIGNED 6/12/12
ARIZONA, U.S.A.
EXP. 09/30/2012

TRACT DESCRIPTION

A parcel of land, situate within the Northwest Quarter (NW/4) of Section 17, Township 13 North, Range 18 West, New Mexico Principal Meridian, in the vicinity of Baahaali, McKinley County, State of New Mexico, and being more particularly described as follows:

COMMENCING at the apparent Northwest corner of said Section 17, a locally accepted found 1/2" Rebar with an engraved yellow cap "RLS 3431";

thence S85°23'15"E, a distance of 1,772.33', to the POINT OF BEGINNING;

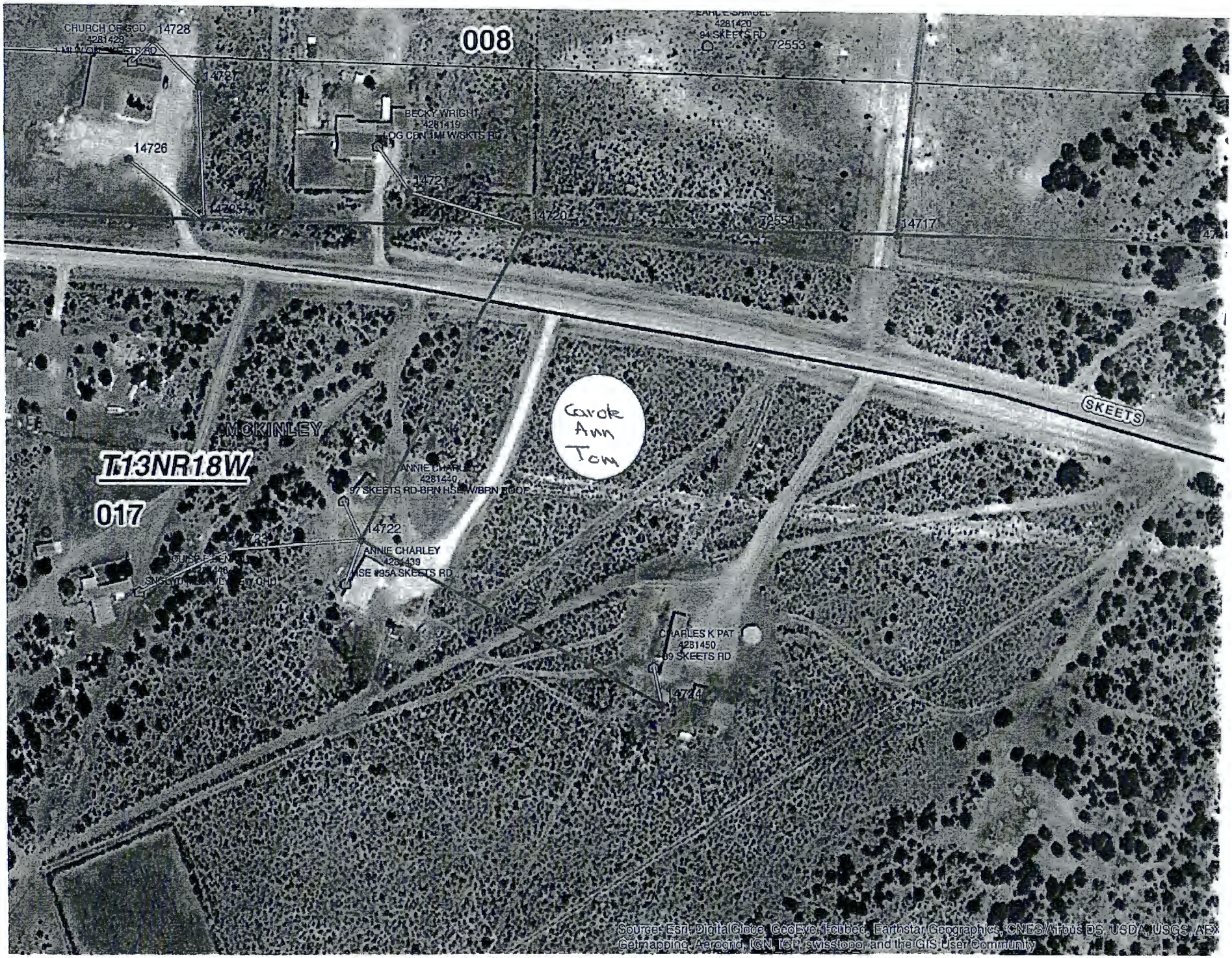
thence S82°02'59"E, a distance of 310.29';
thence S26°10'54"W, a distance of 141.73';
thence N86°31'23"W, a distance of 292.64';
thence N17°15'21"E, a distance of 159.54';
to the POINT OF BEGINNING.

Said parcel contains 1.00 acres, more or less, and subject to existing easements and encumbrances.

Surveyed March 05, 2012, by the Crownpoint Land Office, The Navajo Nation, Crownpoint, New Mexico.

EXHIBIT "A"

Crownpoint Land Office	Carole Ann Tom
SURVEY BY: DBL	1.00 Ac. ±
DRAWN BY: DBL	District 16, Eastern Navajo Agency
APPROVED BY: See Seal	(NW/4) Sec. 17, T13N, R18W, N.M.P.M..
TRIMBLE FILE.: 36251	Baahaali, McKinley County, New Mexico
JOB NUMBER: 4028	
SCALE" 1" = 100'	


CHURCH OF GOD
4281428
14728
008
EARL E SAMUEL
4281420
94 SKEETS RD
72553
14727
BECKY WRIGHT
4281419
LOG CBN 1M W/SKTS RD
14726
14721
14725
14720
72554
14717
SKEETS
Carole
Ann
Tom
MCKINLEY
T13NR18W
017
ANNIE CHARLEY
4281440
97 SKEETS RD-BRN HSE W/BRN ROOF
14722
ANNIE CHARLEY
4281439
HSE #95A SKEETS RD
CHARLES K PAT
4281450
89 SKEETS RD
14724
Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576

Honorable LoRenzo Bates
Speaker
23rd Navajo Nation Council

MEMORANDUM

TO: Honorable Seth Damon
The 23rd Navajo Nation Council

FROM: KA Lowell
Kristen A. Lowell, Attorney
Office of Legislative Counsel

DATE: October 5, 2016

SUBJECT: AN ACT RELATING TO RESOURCES AND DEVELOPMENT, BUDGET ANDFINANCE, NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) REGARDING THE CAPITAL IMPROVEMENT PLAN AND APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR POWER LINE EXTENSION PROJECTS FOR CHICHILTAH, TSE' LICHII, MANUELITO, AND BAAHAALI CHAPTERS IN THE AMOUNT OF ONE MILLION, THREE HUNDRED FIFTY-SIX THOUSAND, SEVEN HUNDRED TWENTY DOLLARS AND TWENTY-THREE CENTS ($1,356,720.23)

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on a review of the existing law and the documents submitted, the legislation is legally sufficient.

The resolution as drafted is legally sufficient; however, as with any action of government it may be subject to review by the courts in the event of proper challenge. **Please ensure that this particular resolution is precisely what you want.** You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0357-16_____ SPONSOR: Seth Damon

TITLE: An Action Relating To Resources and Development Committee, Budget and Finance, Naabik'iyati' and Navajo Nation Council; Waiving 12 N.N.C. 820(1) and 860(C) regarding the Capital Improvement Plan and Approving Supplemental Funding From the Unreserved, Undesignated Fund Balance for Powerline Extension Projects for Chichiltah, Tse'Lichii, Manuelito, and Baahaali Chapters in the Amount of One Million, Three Hundred Fifty-Six Thousand, Seven Hundred Twenty Dollars and Twenty-Three Cents ($1,356,720.23

***Date posted*: October 5, 2016 at 6:15pm**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Nav, ajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0357-16

SPONSOR: Honorable Seth Damon

TITLE: An Action Relating To Resources and Development Committee, Budget and Finance, Naabik'iyati' and Navajo Nation Council; Waiving 12 N.N.C. 820(1) and 860(C) regarding the Capital Improvement Plan and Approving Supplemental Funding From the Unreserved, Undesignated Fund Balance for Powerline Extension Projects for Chichiltah, Tse'Lichii, Manuelito, and Baahaali Chapters in the Amount of One Million, Three Hundred Fifty-Six Thousand, Seven Hundred Twenty Dollars and Twenty-Three Cents ($1,356,720.23

Posted: October 5, 2016 at 6:15 pm

5 DAY Comment Period Ended: October 10, 2016

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	***None***
Inclusive Comments	***None***

Latanya Begay

Policy Analyst
Office of Legislative Services

10/11/16 8:10am

Date/Time

RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL

SECOND YEAR 2016

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

> **Legislation # 0357-16:** An Action Relating to Resources and Development; Budget and Finance, Naabik'Iyati Committees and the Navajo Nation Council; Waiving 12 N.N.C. §§820(I) and 860(C) Regarding the Capital Improvement Plan and Approving Supplemental Funding From the Unreserved, Undesignated Fund Balance For PowerLine Extension Projects for Chichiltah, Tse'Lichii, Manuelito, and Baahaali Chapters in the amount of One Million, Three Hundred Fifty-Six Thousand, Seven Hundred Twenty Dollars and Twenty-Three Cents ($1,356, 720.23) *Sponsor: Honorable Seth Damon.*

Has had it under consideration and report the same with a recommendation of a DO PASS with no amendments

And thereafter referred the matter to Budget and Finance Committee.

Respectfully submitted,

Benjamin Bennett, Vice-Chairperson
Resources and Development Committee
of the 23rd Navajo Nation Council

Date: October 11, 2016

Main Motion: Honorable Davis Filfred
Second: Honorable Leonard Pete
Vote: 3-0-1 (CNV)

23nd NAVAJO NATION COUNCIL

Second Year 2016

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0357-16:
An Act Relating to Resources and Development, Budget and Finance, Naabikiyati, and Navajo Nation Council; Waiving 12 N.N.C. §§820 (I) and 860 (C) Regarding the Capital Improvement Plan and Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance for Power Line Extension Projects for Chichiltah, Tse' Lichii, Manuelito, and Baahaali Chapters in the Amount of One Million, Three Hundred Fifty-six Thousand, Seven Hundred Twenty Dollars and Twenty-three Cents ($1,356,720.23) *Sponsored by Seth A. Damon, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,

Dwight Witherspoon

Dwight Witherspoon, Vice Chairman

Adopted: Legislative Advisor

Not Adopted: _____
Legislative Advisor

12 October 2016

The vote was **3** in favor **0** opposed
Absent: Lee Jack, Sr., Tom T. Chee

23rd NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE
Second Year 2016

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0357-16

An Action Relating to Resources and Development Committee, Budget and Finance, Naabik'íyáti', and Navajo Nation Council; Approving Waiving 12 N.N.C. §§ 820(I) and 860(C) Regarding the Capital Improvement Plan and Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance for Powerline Extension Projects for Chichiltah, Tse'Lichii, Manuelito, and Baahaali Chapters in the Amount of One Million, Three Hundred Fifty-Six Thousand, Seven Hundred Twenty Dollars and Twenty-Three Cents ($1,356,720.23)

Sponsored by: Honorable Seth Damon

Has had it under consideration and reports the same **PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,

Honorable LoRenzo Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE

13 OCTOBER 2016

MAIN MOTION:

Motioned by: Honorable Norman M. Begay
Seconded by: Honorable Nathaniel Brown

Vote: 12 in Favor, 00 Opposed (Chairman Bates not voting)

NAVAJO NATION

RCS# 581

10/13/2016
05:45:40 PM

Naa'bik'iyati Committee

Amd# to Amd#	Legislation 0357-16:	PASSED
MOT Begay, NM	Waiving 12 NNC 820(I) and 860(C)	
SEC Brown	Regarding the CIP and Approving	
	Supplemental Funding for...	

Yea : 12 **Nay : 0** **Not Voting : 10**

Yea : 12

Begay, K	Crotty	Filfred	Smith
Begay, NM	Damon	Pete	Tsosie
Brown	Daniels	Phelps	Yazzie, P

Nay : 0

Not Voting : 10

Bates	Chee	Perry	Tso
BeGaye, N	Hale	Shepherd	Witherspoon
Bennett	Jack	Slim	Yazzie