

LEGISLATIVE SUMMARY SHEET

Tracking No. 0359-19

DATE: November 10, 2019

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A TEMPORARY CONSTRUCTION EASEMENT TO U.S. BUREAU OF RECLAMATION FOR STAGING AREAS ON REACHES 6 – 8 NAVAJO GALLUP WATER SUPPLY PROJECT LOCATED ON TRIBAL TRUST LANDS IN NEWCOMB AND SHEEP SPRINGS CHAPTERS (SAN JUAN COUNTY, NEW MEXICO)

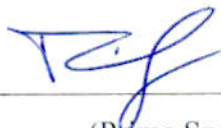
PURPOSE: Approving a temporary construction easement for staging areas on Reaches 6 - 8 Navajo Gallup Water Supply Project located on, over and across Navajo Nation Trust Lands in Newcomb and Sheep Springs Chapters (San Juan County, New Mexico).

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 to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: High
Website Posting Time/Date: 5:35pm 11-25-19
Posting End Date: 11-30-19
Eligible for Action: 12-01-19

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL -- First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0359-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A
TEMPORARY CONSTRUCTION EASEMENT TO U.S. BUREAU OF
RECLAMATION FOR STAGING AREAS ON REACHES 6 – 8 NAVAJO GALLUP
WATER SUPPLY PROJECT LOCATED ON TRIBAL TRUST LANDS IN
NEWCOMB AND SHEEP SPRINGS CHAPTERS (SAN JUAN COUNTY, NEW
MEXICO)

BE IT ENACTED:

Section One. Authority

Pursuant to 2 N.N.C. Section §501 (B)(2), the Resources and Development Committee of the Navajo Nation Council has the authority to give final approval of all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation land and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations.

Section Two. Findings

A. The United States Bureau of Reclamation, 1235 La Plata Highway, Farmington, New Mexico 87401 has submitted a temporary construction easement applications for staging areas in Reaches 6 - 8 Navajo Gallup Water Supply

1 Project located on, over and across Navajo Nation Trust Lands in Newcomb and
2 Sheep Springs Chapters (San Juan County, New Mexico). The applications are
3 attached and incorporated as **Exhibit C**.

4 B. "The Omnibus Public Land Management Act of 2009, Title X, Part III (Public
5 Law 111-11) (Act) authorizes the Bureau of Reclamation to construct the
6 Navajo-Gallup Water Supply Project (NGWSP) that includes water treatment
7 plants, pipeline, several pumping stations and ancillary facilities. Once
8 completed, the NGWSP will deliver a reliable source of potable water, sourced
9 from the San Juan River, to Navajo communities in northwestern New Mexico,
10 the City of Gallup, NM, and the southwest portion of the Jicarilla Apache
11 Reservation for municipal and industrial use. The NGWSP will connect to
12 existing and future water distribution systems operated on the reservation by the
13 Navajo Tribal Utility Authority (NTUA), and in Gallup, by the City of Gallup.
14 The high quality, treated water provided by the NGWSP will bring immediate
15 benefits, including improved health and well-being to Tribal members."
16 Applications, **Exhibit C**.

17 C. The proposed temporary construction easement consists of Navajo Nation Trust
18 Lands in Newcomb and Sheep Springs Chapters (San Juan County, New
19 Mexico) and the location is more particularly described on the survey maps
20 attached and incorporated as **Exhibits B and C**.

21 D. In the Sheepsprings Chapter area, it has been determined that there are twenty-
22 five (25) land users of which twelve (12) Consent Forms have been obtained,
23 three (3) land users have not been located and ten (10) land users are deceased
24 and those grazing permits have not been probated. The Navajo Nation
25 Department of Justice memorandum dated October 2, 2019 explaining that the
26 "Navajo Land Department (NLD) is required by 16 N.N.C. §§ 1401 *et seq.*, to
27 estimate the surface damages, if any, and Bureau of Reclamation (BOR) is
28 required to deposit with the Navajo Nation, double the estimated damages
29 determined by NLD to ensure appropriate compensation, if any, to the legal
30 heirs of the above-named deceased and to the three land users that were unable
to be located for their consent." The Department of Justice memorandum dated

1 October 2, 2019, the Land Support Agent memorandum dated September 18,
2 2019, and the Consent Forms are attached as **Exhibit D**.

3 E. In the Newcomb Chapter area, it has been determined that there are twenty-six
4 (26) land users of which thirteen (13) Consent Forms have been obtained, three
5 (3) land users have not been located and ten (10) land users are deceased and
6 those grazing permits have not been probated. The Navajo Nation Department
7 of Justice memorandum dated October 2, 2019 explaining that the "Navajo
8 Land Department (NLD) is required by 16 N.N.C. §§ 1401 *et seq.*, to estimate
9 the surface damages, if any, and Bureau of Reclamation (BOR) is required to
10 deposit with the Navajo Nation, double the estimated damages determined by
11 Navajo Land Department NLD to ensure appropriate compensation, if any, to
12 the legal heirs of the above-named deceased and to the three land users that
13 were unable to be located for their consent." The Department of Justice
14 memorandum dated October 2, 2019, the Land Support Agent memorandum
15 dated September 20, 2018, and the Consent Forms are attached as **Exhibit E**.

16 F. The Bureau of Reclamation requests a waiver of valuation and waiver of
17 compensation for the temporary construction easement. *See*, 25 CFR § 169.
18 The Omnibus Public Land Management Act of 2009, Title X, Part III (Public
19 Law 111-11) provides for a waiver of customary fees.

20 G. The Bureau of Reclamation requests a waiver of bond, insurance, or alternative
21 form of security. *See*, 25 CFR § 169.103.

22 H. The Biological Resources Compliance Form NNDFW Review No. 18em106 is
23 attached as **Exhibit F**.

24 I. The applications for the Temporary Construction Easement as submitted by the
25 United States Bureau of Reclamation have been reviewed by the Navajo Nation
26 Environmental Protection Agency, Department of Water Resources, Fish and
27 Wildlife Department, Historic Preservation Department, Minerals Department,
28 Division of Natural Resources and the Department of Justice and "Approved" or
29 found "Sufficient." *See* **Exhibit G**.

Section Three. Approval

- 1 A. The Resources and Development Committee of the Navajo Nation Council hereby
2 grants approval of a Temporary Construction Easement to U.S. Bureau of
3 Reclamation for staging areas for Reaches 6 - 8 Navajo Gallup Water Supply
4 Project located on, over and across Navajo Nation Trust Lands in Newcomb and
5 Sheep Springs Chapters, San Juan County, New Mexico. The location is more
6 particularly described on the maps attached hereto as **Exhibit B**.
- 7 B. The Resources and Development Committee of the Navajo Nation Council hereby
8 approves the Temporary Construction Easement subject to, but not limited to, the
9 terms and conditions incorporated herein as **Exhibit A**.
- 10 C. The Resources and Development Committee of the Navajo Nation Council hereby
11 waives valuation and waives compensation for the Temporary Construction
12 Easement because it has determined that accepting the agreed-upon compensation
13 and waiving valuation is in its best interest of the Navajo Nation, pursuant to Title
14 25 CFR § 169.
- 15 D. The Resources and Development Committee of the Navajo Nation Council hereby
16 waives the requirement for a bond, insurance or alternative form of security on the
17 part of the Grantee, based on the determination that the Reaches 6 - 8 Navajo
18 Gallup Water Supply Project benefits the Navajo Nation and such a waiver is in the
19 best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103.
- 20 E. The Resources and Development Committee of the Navajo Nation Council hereby
21 authorizes the President of the Navajo Nation to execute any and all documents
22 necessary to affect the intent and purpose of this resolution.
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TRUST LAND FORM

REVISED
NAVAJO NATION TEMPORARY CONSTRUCTION EASEMENT TERMS AND
CONDITIONS:
BUREAU OF RECLAMATION (GRANTEE)
Navajo Gallup Water Supply Project

1. The term of the temporary construction easement shall begin on the date it is granted by the Navajo Nation and shall continue as long as the Grantee Bureau of Reclamation (BOR) or its successors, or assigns uses the temporary construction easement for the construction, operation and maintenance of the Navajo Gallup Water Supply Project (Project).
2. Consideration for the use of land is assessed at \$ 21,513.60 which shall be the Navajo Nation's contributions to the project because the Project will provide a public benefit to the Navajo Nation.

The Grantee must obtain the approval of the Navajo Nation if any portion of the temporary construction easement is used for any other purpose than authorized by the approval of this right-of-way.

3. The Grantee may develop, use and occupy the temporary construction easement for the purpose(s) of constructing, operating and maintaining the Navajo Gallup Water Supply Project. The Grantee may not develop, use or occupy the temporary construction easement for any other purpose without the prior written approval of the Navajo Nation. The approval of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. The Grantee may not develop, use or occupy the temporary construction easement for any unlawful purpose.
4. In all activities conducted by the Grantee within the Navajo Nation, the Grantee shall abide by all applicable laws and regulations of the Navajo Nation and of the United States, now in force and effect or as hereafter may come into force and effect, including but not limited to the following:
 - a. All applicable federal and Navajo Nation antiquities laws and regulations, including compliance with the Programmatic Agreement for the Consideration and Management of Effects on Historic Properties Arising from Construction of the Navajo Gallup Water Supply Project pursuant to section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's regulation, last date of execution by all signatories being November 21, 2011, and any amendments thereto.
 - b. BOR shall give employment preference to qualifying Navajos and other Indians in accordance with applicable Navajo and federal law. BOR shall utilize Navajo contractors and Navajo businesses (to purchase goods and materials) in accordance with applicable law.

- c. The Navajo Nation Water Code, 22 N.N.C. § 1101 et seq. to the extent that it is applicable. Grantee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
5. The Grantee shall ensure that the air quality of the Navajo Nation is not jeopardized due to violation of applicable laws and regulations by its operations pursuant to the right-of-way.
6. The Grantee shall clear and keep clear the lands within the temporary construction easement to the extent compatible with the purpose of the temporary construction easement, and shall dispose of all vegetation and other materials cut, uprooted, or otherwise accumulated during any surface disturbance activities.
7. The Grantee shall reclaim all surface lands disturbed related to the temporary construction easement, as outlined in a restoration and re-vegetation plan, which shall be approved by the Navajo Nation Environmental Protection Agency (NNEPA) prior to any surface disturbance. The Grantee shall comply with all provisions of such restoration and re-vegetation plan and shall notify the Director of the NNEPA immediately upon completion of the surface disturbance activities so that a site inspection can be made.
8. The Grantee shall at all times during the term of the temporary construction easement and at the Grantee's sole cost and expense, maintain the land subject to the temporary construction easement and all improvements located thereon and make all necessary and reasonable repairs.
9. The Grantee shall obtain prior written permission to cross existing rights-of-way, if any, from the appropriate parties.
10. The Grantee shall be responsible for and promptly pay all damages when they are sustained provided that nothing herein shall be deemed to increase the liability of the United States beyond the provisions of the Federal Tort Claims Act, Act of June 25, 1948, 62 Stat. 982 (28 U.S.C. § 1346(b), 2671 et seq.) or other applicable law.
11. The Grantee shall not assign, convey or transfer, in any manner whatsoever, the temporary construction easement or any interest therein, or in or to any of the improvements on the land subject to the right-of-way, without the prior written consent of the Navajo Nation. Any such attempted assignment, conveyance or transfer without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. Congress has authorized BOR to transfer Project title under P.L. 111-11 10602 (f). It is anticipated that after Project title is transferred to the Navajo Nation, the Navajo Tribal Utility Authority will operate and maintain the Project. Therefore, the Grantee may assign and transfer the temporary construction easement to the Navajo Tribal Utility Authority as authorized by federal law without further approval of the Navajo Nation.
12. At the relinquishment of this temporary construction easement, the Grantee, other than the United States shall peaceably and without legal process deliver up the possession of the premises, in good condition, usual wear and tear excepted. Upon the written request of the Navajo Nation, the Grantee shall provide the Navajo Nation, at the Grantee's sole cost and expense, with an environmental site assessment of the premises at least sixty (60) days prior to delivery of the said premises. This provision 12 shall not apply to the United States as Grantee.

13. Holding over by the Grantee after the relinquishment of the temporary construction easement shall not constitute a renewal or extension thereof or give the Grantee any rights hereunder or in or to the land subject to the temporary construction easement or to any improvements located thereon. This provision 13 shall not apply to the United States as Grantee.
14. The Navajo Nation shall have the right, at any reasonable time during the term of the temporary construction easement, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
15. By acceptance of the grant of temporary construction easement, the Grantee covenants and agrees never to contest or challenge the legislative, executive or judicial jurisdiction of the Navajo Nation on the basis that such jurisdiction is inconsistent with the status of the Navajo Nation as an Indian Nation, or that the Navajo Nation government is not a government of general jurisdiction, or that the Navajo Nation government does not possess full police power (i.e., the power to legislate and regulate for the general health and welfare of the Navajo people) over all lands, persons and activities within its territorial boundaries, or on any other basis not generally applicable to a similar challenge to the jurisdiction of a state government.
16. Any action or claim brought against the Navajo Nation arising out of the injury to person or property (tort) may be heard in the Courts of the Navajo Nation in accordance with applicable Navajo and federal law. No action or claim shall be brought against the Navajo Nation in any state court.
17. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
18. The laws of the Navajo Nation shall govern the construction, performance and enforcement of the terms and conditions contained herein.
19. The terms and conditions contained herein shall extend to and be binding upon the successors, heirs, assigns, executors, administrators, employees and agents, including all contractors and subcontractors, of the Grantee, and the term "Grantee," whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
20. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the temporary construction easement and all lands burdened by the temporary construction easement, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the temporary construction easement; and the temporary construction easement and all lands burdened by the temporary construction easement shall remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.



**Legal Description – Temporary Easement
Navajo Nation Trust Lands – NGWSP Reach 6 Staging Area
Drawing No. 1695-529-60295**

Navajo-Gallup Water Supply Project - Reach 6 – Staging Area – Parcel No. RCH 6-Tribal Trust-02(T) -
Temporary Easement

A parcel of land lying on Navajo Nation Tribal Trust Land in sections 24 and 25, Township 25 North, Range 18 West; N.M.P.M., San Juan County, New Mexico. More particularly described as follows:

Point of Beginning being the Southwest Corner of said parcel, from which the Southeast Corner of Section 23, that is identified by a found BLM Brass Cap being common to Sections 23, 24, 25, and 26, bears North 05°07'06" West a distance of 149.10 feet. Thence, from the point of beginning North 07°33'17" East a distance of 664.67 feet; thence South 82°26'43" East a distance of 197.35 feet; thence South 13°29'33" East a distance of 1607.19 feet; thence North 82°23'06" West a distance of 452.84 feet to the point of beginning.

Parcel No. RCH 6-Tribal Trust-02(T) contains 4.96 acres more or less.

RECLAMATION
Temporary Easement

ALWAYS THINK SAFETY

NEW MEXICO
SAN JUAN LATERAL-REACH 6
NAGAL-GALLUP WATER SUPPLY PROJECT
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

TEMPORARY EASEMENT

STAGING AREA
NGWSP REACH 6
PARCEL NO. RCH-6
TRIBAL TRUST-02171
1695-529-60295
SHEET 1

Bearings shown on this drawing are developed from the New Mexico State Plane West Zone Grid (NMGS) and are based on surveys of existing monuments. Distances and stations shown are ground (local). The Grid factor from distances shown to New Mexico State Plane West Zone Grid (NMGS) is 0.999729107996.
No Monument will be set.

LEGEND

- Abandoned Helium Line
- Pipeline Alignment
- Construction ROW
- NMDOT ROW Fence
- Section Lines
- Section Corner and/or Quarter Corner with Section Numbers



Nagala-Gallup Water Supply Project - Reach 6 Staging Area - Parcel No. RCH-6 Tribal Trust-02171 - Tempesta, Eastman - Tribal Trust Lands

A parcel of land lying on Nagala Indian Tribal Trust Land in sections 24 and 25, Township 25 North, Range 18 West, M4PM, San Juan County, New Mexico. More particularly described as follows:

Point of Beginning being the Southwest corner of said parcel, from which the Southwest corner of section 23, that is identified by a found BM, is 149.10 feet; thence North 07°07'06" West a distance of 149.10 feet; thence from the point of beginning North 07°31'17" East a distance of 463.84 feet; thence South 17°28'33" East a distance of 1607.19 ft.; thence North 82°23'06" West a distance of 463.84 ft. to the point of beginning.

Parcel No. RCH-6 Tribal Trust-02171 contains 4.86 acres more or less.

STATE OF NEW MEXICO
COUNTY OF SAN JUAN

Ed D. Davis being duly sworn, says that he is the Construction Engineer of the Four Corners Construction Office, U.S. Bureau of Reclamation. That the survey of Reach 6, Nagala-Gallup Water Supply Project, and parcel No. RCH-6 Tribal Trust Lands, in the county of San Juan, New Mexico, was made under his direction and authority of the Bureau of Reclamation, and that such survey is accurately represented on this map.

Ed D. Davis Construction Engineer
Date 04/24/2017 Signature Ed D. Davis

STATE OF NEW MEXICO
COUNTY OF SAN JUAN

Before me, a notary public, in and for said County and State on this 24th day of April, 2017, personally appeared

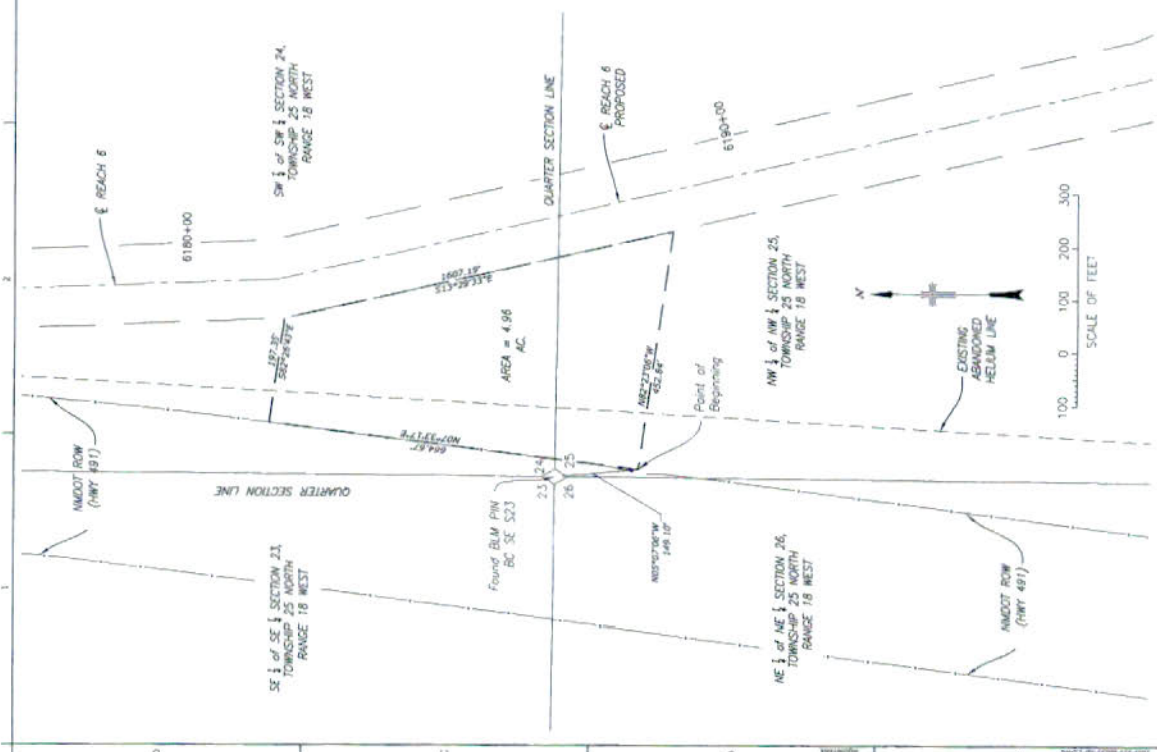
Ed D. Davis known to me to be the person whose name is subscribed to the foregoing and as the Construction Engineer of the Four Corners Construction Office, U.S. Bureau of Reclamation, and acknowledged to me that he executed said instrument for the uses and purposes therein set forth.

My commission expires October 31, 2018.

Ed D. Davis Notary Public



SCALE



**Legal Description – Temporary Easement
Navajo Nation Trust Lands – NGWSP Reach 8 Staging Area
Drawing No. 1695-529-60294**

Navajo-Gallup Water Supply Project - Reach 8 – Staging Area – Parcel No. RCH 8-Tribal Trust-02(T) -
Temporary Easement

A parcel of land lying on Navajo Nation Tribal Trust Land in Section 01, Township 22 North, Range 18 West, N.M.P.M.; San Juan County, New Mexico. More particularly described as follows:

Point of Beginning being the Northwest Corner of said parcel, from which the South Quarter Corner of Section 36, Township 23 North, Range 18 West, that is identified by a found BLM survey pin that is common to the Southeast of the Southwest Quarter (SE¼SW¼) of Section 36, Township 23 North, Range 18 West; Lot 3 (NE¼NW¼) of Section 01, Township 22 North, Range 18 West; Lot 2 (NW¼NE¼) of Section 01, Township 22 North, Range 18 West; and the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section 36, Township 23 North, Range 18 West, bears North 11°14'02" East a distance of 975.33 feet. Thence, from the Point of Beginning South 86°33'45" East a distance of 250 feet; thence South 03°26'45" West a distance of 299.96 feet; thence South 44°29'03" West a distance of 299.60 feet; thence North 86°33'14" West a distance of 53.29 feet; thence North 03°26'45" East a distance of 525.91 feet to the point of beginning.

Parcel No. RCH 8-Tribal Trust-02(T) contains 2.51 acres more or less.



Google

36°22'51.47" N 108°43'16.52" W elev 5629'

6180+00

6190+00

Staging Area Reach 6

491

564 ft

1997

7412+70.68

8001+00

Staging Area Reach 8

8010+00

491

US Hwy 491 Mile Marker 49
8020+00

917 ft

© 2018 Google

1997

Imagery Date: 10/6/2016

36°10'20.89" N 108°42'37.71" W elev 5818 ft

Google Earth

SCALE: 1"=100'

SCALE: 1"=100'

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

APPLICATION FOR A GRANT OF TEMPORARY EASEMENT

Tribal Trust Land – NGWSP Reach 6 and 8 – Staging Areas



1. **Applicant Name and Address:** The Bureau of Reclamation, Four Corners Construction Office, having a principle place of business at 1235 La Plata Highway, Farmington, New Mexico, 87401. Hereby petitions the Navajo Nation Land Department, and respectfully files under the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 USC 323-328), and Bureau of Indian Affairs Departmental Regulations 25 C.F.R., Ch. 1, Subchapter H, Part 169, Subpart C § 169.102(a), as applicable, a request for consent to a grant of Temporary Easement for Staging Areas on Navajo Nation Tribal Trust Lands located in the area of the Newcomb, and Sheep Springs, Navajo Tribal Chapters, in San Juan County, New Mexico.
2. **Tract(s) or parcel(s) affected by the temporary easement:**
Landowner Name: Navajo Nation
Tracts and Parcels:
 - a. **Tract No. 791 T-8100 – Parcel No. RCH 6 – Tribal Trust – 02(T):** a temporary easement, located in Township 25 North, Range 18 West, Sections 24 and 25, N.M.P.M.; San Juan County, New Mexico.
 - b. **Tract No. 791 T-8131 – Parcel No. RCH 8 – Tribal Trust – 02(T):** a temporary easement, located in Township 22 North, Range 18 West, Section 01, N.M.P.M.; San Juan County, New Mexico.
3. **General Location:**
 - a. **Staging Area - Parcel No. RCH 6-Tribal Trust-02(T):** a Temporary Easement being described as a parcel of land lying on Navajo Nation Tribal Trust Land, Bureau of Indian Affairs Tract No. 791 T-8100, in Sections 24 and 25, Township 25 North, Range 18 West, N.M.P.M.; San Juan County, New Mexico. The staging area will lie in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 24, and the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section 25, both in Township 25 North, Range 18 West; and will be located approximately six and a half miles (6.5 miles) north of the community of Newcomb, NM, being approximately 2630 feet (0.50 mile) south of New Mexico Highway 491, mile post 64; and will lie between the east NMDOT ROW fence and the NGWSP Reach 6 water transmission pipeline Temporary Easement, as illustrated on ROW Drawing No. 1695-529-60294, that is attached hereto, and by reference made a part hereof.
 - b. **Staging Area - Parcel No. RCH 8-Tribal Trust-02(T):** a Temporary Easement being described as a parcel of land lying on Navajo Nation Tribal Trust Land, Bureau of Indian Affairs Tract No. 791 T-8131, in Section 01, Township 22 North, Range 18 West, N.M.P.M.; San Juan County, New Mexico. The staging area will lie in Lot 2, the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4); and, Lot 3, the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4); and, the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4); and, the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4), all in Section 01, Township 22 North, Range 18 West; and will be located approximately two miles north of the community of Sheep Springs, NM, being approximately 830 feet (0.16 mile) north of New Mexico Highway 491, mile post 49; and will lie between the east NMDOT ROW fence and the NGWSP Reach 8 water transmission pipeline Temporary Easement, as illustrated on ROW Drawing No. 1695-529-60294, that is attached hereto, and by reference made a part hereof.

4. **Purpose:** The Omnibus Public Land Management Act of 2009, Title X, Part III (Public Law 111-11) (Act) authorizes the Bureau of Reclamation to construct the Navajo-Gallup Water Supply Project (NGWSP) that includes water treatment plants, pipeline, several pumping stations and ancillary facilities. Once completed, the NGWSP will deliver a reliable source of potable water, sourced from the San Juan River, to Navajo communities in northwestern New Mexico, the City of Gallup, NM, and the southwest portion of the Jicarilla Apache Reservation for municipal and industrial use. The NGWSP will connect to existing and future water distribution systems operated on the reservation by the Navajo Tribal Utility Authority (NTUA), and in Gallup, by the City of Gallup. The high quality treated water provided by the NGWSP will bring immediate benefits, including improved health and wellbeing to Tribal members.

5. **Temporary Easements for Reach 4C-8 Staging Areas - Reach 6 & Reach 8**

- a. The Reach 6 Staging Area will serve as the northern staging yard, and will serve the NGWSP Reach 4C through Reach 6, from NMDOT Hwy 491, Mile Post 71, located north of Little Water, New Mexico, to Mile Post 67, that is located at Indian Service Route 34, being north of Newcomb, New Mexico.

Reach 6 Staging Area - Temporary Easement: The NGWSP Reach 6 Staging Area will contain 4.96 acres more or less, as illustrated on Drawing No. 1695-529-60295, that is attached hereto and by reference made a part hereof. The staging area is located to avoid, and ensure adequate clearance between the staging area boundary and any archaeological resources. The staging area has also been subjected to a Biological Evaluation and NEPA review which determined that no new significant impacts to the environment are expected to occur. Access to the staging area will be from the north or south via an unpaved turnout on the east side of New Mexico Highway 491, being approximately six and a half miles (6.5 miles) north of the community of Newcomb, NM, and being approximately 2630 feet (0.50 mile) north of New Mexico Highway 491, mile post 63. The staging area will also be accessible via the Reach 6 ROW and Temporary Easement. The staging area is shown on the map of the area, that is attached hereto, and by reference made a part hereof.

The staging area will provide space for a contractor office, and an area for Reclamation and contractor vehicles, construction equipment, and materials that will be used during the construction of Reaches 4C-8. Temporary fencing will be installed to secure the staging area, and although the area is relatively level, some grading may be necessary, and the area may be graveled. No permanent structures will be constructed within the staging area.

The turnout and staging area will be maintained in an acceptable condition. Dust resulting from use of the access road and staging area will be mitigated with prevention practices meeting industry standards.

Once Reaches 4C-8 are constructed, the staging area will be cleared of facilities and fencing, it will be recontoured, as is reasonably possible, and returned to a condition as good as or better than existed prior to use. The area will be reseeded in accordance with the NGWSP seeding and weed control plan.

- b. The Reach 8 Staging Area will serve as the southern staging yard, and will serve Reach 7 and Reach 8, from NMDOT Hwy 491, Mile Post 57 in Newcomb, New Mexico to Mile Post 41, being south of Naschitti, New Mexico.

Reach 8 Staging Area - Temporary Easement: The NGWSP Reach 8 Staging Area will contain 2.51 acres more or less, as illustrated on Drawing No. 1695-529-60294, attached hereto and by reference made a part hereof. The staging area is located to avoid and ensure adequate

clearance between the staging area boundary and any archaeological resources. The staging area has also been subjected to a Biological Evaluation and NEPA review which determined that no new significant impacts to the environment are expected to occur. Access to the staging area will be from the south via a paved exit from New Mexico Highway 491, being approximately 830 feet (0.16 mile) north of New Mexico Highway 491, mile post 49. North-bound vehicles would make a right turn to exit the highway, cross an existing cattle guard, then an immediate left turn into the staging area. The staging area will also be accessible via the Reach 8 ROW and Temporary Easement. The staging area is shown on the map of the area, that is attached hereto, and by reference made a part hereof.

The staging area will provide space for a contractor office, and an area for Reclamation and contractor vehicles, construction equipment, and materials that will be used during the construction of Reaches 4C-8. Temporary fencing will be installed to secure the staging area, and although the area is relatively level, some grading may be necessary, and the area may be graveled. No permanent structures will be constructed within the staging area.

The access road is used to access a residence located to the northeast of the highway exit. Reclamation will secure permission to utilize the access road from the homeowner and the road will be maintained in an acceptable condition and access to the residence will be maintained at all times. Dust resulting from use of the access road and staging area will be mitigated with prevention practices meeting industry standards.

Once Reaches 4C-8 are constructed, the staging area will be cleared of facilities and fencing, it will be recontoured, as is reasonably possible, and returned to a condition as good as or better than existed prior to use. The area will be reseeded in accordance with the NGWSP seeding and weed control plan.

6. Descriptions: Temporary Easements for Reach 4C-8 Staging Areas - Reach's 6 and 8:

- a. **Description Reach 6 Staging Area - Parcel No. RCH 6-Tribal Trust-02(T):** a Temporary Easement being described as a parcel of land lying on Navajo Nation Tribal Trust Land in BIA Tract No. 791-T-8100, containing 4.96 acres more or less. The Reach 6 Staging Area is illustrated on ROW Drawing No. 1695-529-60295, that is attached hereto, and by reference made a part hereof. The staging area will be approximately 453 feet wide and 1607 feet long, along its longest axis, and will lie parallel and adjacent to the NMDOT ROW fence and the Reach 6 water transmission pipeline temporary construction easement, from station 8009+00 to Station 8014+00, as shown on the map of the area.

Legal Description of Reach 6 Staging Area - Parcel No. RCH 6-Tribal Trust-02(T): Dwg. No. 1695-529-60295: Point of Beginning being the Southwest Corner of said parcel, from which the Southeast Corner of Section 23, Township 25 North, Range 18 West, that is identified by a found BLM Brass Cap being common to Sections 23, 24, 25, and 26, bears North 05°07'06" West a distance of 149.10 feet. Thence, from the Point of Beginning North 07°33'17" East a distance of 664.67 feet; thence South 82°26'43" East a distance of 197.35 feet; thence South 13°29'33" East a distance of 1607.19 feet; thence North 82°23'06" West a distance of 452.84 feet to the Point of Beginning.

Reach 6 Staging Area - Parcel No. RCH 6-Tribal Trust-02(T) contains 4.96 acres more or less.

- b. **Description Reach 8 Staging Area - Parcel No. RCH 8-Tribal Trust-02(T):** a Temporary Easement being described as a parcel of land lying on Navajo Nation Tribal Trust Land in BIA Tract No. 791-T-8131, containing 2.51 acres more or less. The Reach 8 Staging Area is illustrated on ROW Drawing No. 1695-529-60294. The staging area will be approximately 250 feet wide and 526 feet

long, along its longest axis, and will lie parallel and adjacent to the NMDOT ROW fence and the Reach 8 water transmission pipeline temporary construction easement, from station 8009+00 to Station 8014+00, as shown on the map of the area.

Legal Description of Reach 8 Staging Area - Parcel No. RCH 8-Tribal Trust-02(T): Dwg. No. 1695-529-60294: Point of Beginning being the Northwest Corner of said parcel, from which the South Quarter Corner of Section 36, Township 23 North, Range 18 West, that is identified by a found BLM survey pin common to the Southeast of the Southwest Corner (SE1/4SW1/4) of Section 36, Township 23 North, Range 18 West, Lot 3 (NE1/4NW1/4), Section 01, Township 22 North, Range 18 West, Lot 2 (NW1/4NE1/4), Section 01, Township 22 North, Range 18 West, and the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4), Section 36, Township 23 North, Range 18 West, that bears North 11°14'02" East a distance of 975.33 feet. Thence, from the Point of Beginning South 86°33'45" East a distance of 250 feet; thence South 03°26'45" West a distance of 299.96 feet; thence South 44°29'03" West a distance of 299.60 feet; thence North 03°26'45" East a distance of 53.29 feet; thence North 03°26'45" East a distance of 525.91 feet to the Point of Beginning.

Reach 8 Staging Area - Parcel No. RCH 8-Tribal Trust-02(T) contains 2.51 acres more or less.

7. **Term:** Reclamation requests a grant of Temporary Easement for the Reach 6 and Reach 8 Staging Area for a term of 48 months (4 years).
8. **Ownership of Permanent Improvements:** Reaches 4C through 8 of the NGWSP across Navajo Nation Tribal Trust land, BIA Tribal Tract No.'s: 791 T-8079, 791 T-8100, 791 T-8105, 791 T-8126, 791 T-8130, 791 T-8131, and 791 T-8153, will consist of approximately 156,327.11 linear feet (29.61 miles), of 48 inch or less I.D. water transmission pipeline with ancillary features and appurtenances, constructed and owned by the Bureau of Reclamation. It is Reclamation's intent to transfer the operation, maintenance, and replacement (OM&R) responsibility of the Project to the NTUA. It is envisioned that Reclamation would retain title to the facilities for the foreseeable future, however, the Act does provide authority for eventual title transfer to the Navajo Nation.
9. **Construction Schedule:**
Obtain ROW: August 2, 2019
Obtain Bids and Establish Contracts: July 19, 2019
Award Contract: September 20, 2019
Issue Notice to Proceed: October 11, 2019
Begin Construction: October 25, 2019
Construction 50% Completed by: April 2021
Construction Complete: January 18, 2022

Required Supporting Documents - §169.102(b)

1. Legal Description:
Parcel No. RCH 6-Tribal Trust-02(T) - CD
Parcel No. RCH 8-Tribal Trust-02(T) - CD
2. ROW Drawing No. 1695-529-60295 - Parcel No. RCH 6-02-Tribal Trust (T) - (CD)
ROW Drawing No. 1695-529-60294 - Parcel No. RCH 8-02-Tribal Trust (T) - (CD)
Map - Reach 6 Staging Area - (CD)
Map - Reach 8 Staging Area - (CD)
NGWSP Project Map - Drawing No. 1695-529-5537 - Dated 08-14-18 - (CD)

3. Waiver of Bonding Requirement - 25 CFR § 169.103 - Dated 12-20-16 - (CD)
Letter – Navajo Nation Support Waiver of 25 CFR § 169.103 - Dated 09-09-16 - (CD)
4. Permission to Survey – Reach 3-9 - 09-17-09 - (CD)
Permission to Survey – San Juan Lateral - 03-01-10 - (CD)
Permission to Conduct Engineering Data Collection – San Juan Lateral – Dated 10-05-16 - (CD)
Navajo Nation Executive Order No. 07-2017 in Support of the NGWSP – Dated 05-22-17 - (CD)
Chapter Resolution – Newcomb – NWCB-04917-066 - Signed 04-09-17 - (CD)
Chapter Resolution – Sheep Springs – TC-2017-0191 - Signed 02-19-17 (CD)
Reach 6 Tract 791 T 8100 - Title Status Report
Reach 8 Tract 791 T 8131 - Title Status Report
5. Valuation:
Memo - BIA Waiver for Appraisal and Compensation - 25 CFR Part 169.12 – Dated 06-29-07 - (CD)
6. Organizational Documents: Not Applicable, Applicant is United States DOI – BOR
7. Biological, Cultural Resource and Environmental Documentation:
Class III Inventory and Determination of Eligibility - NHPA – Dated 10-11-16 - (CD)
Phase I Environmental Site Assessment for Reaches 4C-8 - Dated October 2017 - (CD)
Memo - BIA - Acceptable NEPA and NHPA Sufficiency Documentation - Cultural Resources - Dated 10-29-2015 - (CD)
BRCF - Block 4C-8 - NN DFW – Form No. EOR010656 – Approved 09-05-18 - CD
Final Environmental Impact Statement and Record of Decision can be viewed at:
<http://www.usbr.gov/uc/envdocs/eis/navgallup/FEIS/index.html>

THE APPLICANT FURTHER STIPULATES AND EXPRESSLY AGREES AS FOLLOWS:

To conform and to abide by all applicable requirements with respect to the right-of-way herein applied for. The applicant agrees to conform to and abide by the rules, regulations, and requirements contained in the Code of Federal Regulations, Title 25 Indians, Part 169, as amended, and by reference includes such rules, regulations and requirements as a part of this application as if the same were herein set out in full.

Applicant Point of Contact Information:

Name: Michael (Mike) Braman
Address: 1235 La Plata Highway
Farmington, New Mexico, 87401
Phone: 505-324-5024
E-mail: mbraman@usbr.gov

Date: 5/3/19

Applicant Signature: [Signature]

Print Name: BARRY LONGWORTH



United States Department of the Interior

BUREAU OF RECLAMATION
Upper Colorado Region
Four Corners Construction Office
1235 La Plata Highway
Farmington, NM 87401

IN REPLY REFER TO:

FCCO-202
LND-3.00/2.2.3.19

MAY -3 2019

HAND DELIVERY



Ms. Elerina Yazzie, Department Manager
General Land Development Department
Navajo Nation Division of Natural Resources
P.O. Box 69
St. Michaels, AZ 86511

Subject: Application for Consent to a Grant of Temporary Easement for Staging Areas - Tribal Trust Land - Reaches 6 and 8 - San Juan Lateral - Navajo-Gallup Water Supply Project (NGWSP) - San Juan County, New Mexico

Dear Ms. Yazzie:

The Bureau of Reclamation hereby requests tribal consent to a grant of temporary easement for two staging areas located within the subject reaches that cross Navajo Nation Tribal Trust Lands in the areas of the Newcomb and Sheep Springs Navajo Tribal Chapters. Enclosed is the application and additional pertinent documents on CD format that are respectfully submitted for your review and processing.

The temporary easements that we are requesting lie adjacent to the right-of-way that the Resource Development Committee of the Navajo Nation Council approved on April 24, 2019, for Reaches 4C through 8, and will be used by our contractor for staging areas during construction of Reaches 4C through 8. As such, we respectfully request that you consider using the consents that were gathered in satisfaction of the Reach 4C through 8 application to satisfy the consents necessary to process the enclosed application.

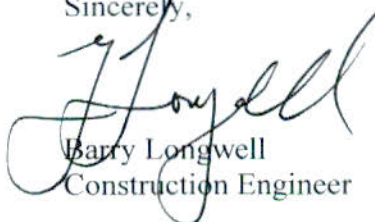
Reclamation also requests that, if possible, the processing of the application be expedited so that the grant of consent for the temporary staging areas can be received on or before August 2, 2019, so that granting of the easements by the Bureau of Indian Affairs can be completed without delaying construction of the Reaches 4C through 8.

Reclamation requests that all customary fees be waived as allowed by the Omnibus Public Land Management Act of 2009, Title X, Part III (Public Law 111-11).

Subject: Application for Consent to a Grant of Temporary Easement for Staging Areas - Tribal

If you have any questions, please contact Mike Braman at (505) 324-5024. For Text Telephone Relay Service access, please call the Federal Relay System Text Telephone (TTY) number at (800)877-8339

Sincerely,



Barry Longwell
Construction Engineer

Enclosures

cc: Ms. Bidtah Becker, Executive Director
Navajo Nation Division of Natural Resources
P.O. Box 9000
Window Rock, AZ 86515

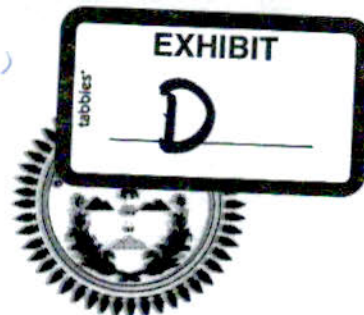
Mr. Ray Benally, Director
Navajo Nation Department of Water Resources
P.O. Box 678
Ft. Defiance, AZ 86504

Mr. Jason John, Branch Director
Navajo Nation Department of Water Resources
Water Management Branch
P.O. Box 678
Ft. Defiance, AZ 86504
(w/o encls to ea)

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT

MYRON LIZER | VICE PRESIDENT



Memorandum

To: Elerina Yazzie, Department Manager
General Land Development Department
Division of Natural Resources

From: Howard Martinez, Land Support Agent
General Land Development Department

Date: September 18, 2019

The Bureau of Reclamation of 1235 La Plata Highway, Farmington, New Mexico 87401 is requesting a Grant of Permanent of Easement for Rights-of-Way (ROW) over, under, across, and through Navajo Nation Trust Lands located in the area of Sheepsprings Navajo Chapter, New Mexico.

The Field Investigation on the above project is completed. I met with District Grazing Member, Bennie Joe to identify the affected land users. After reviewing of his records he indicated there are twelve (12) valid grazing permit holders who are: Jackie S. Allen, Linda D. Begay, Niva Nelson, Harrison R. Johnson, Sr., Priscilla Long, Ernest Yazzie, James Billie, Marie R. Billie, Loretta J. Dez, Wallace S. Johnson, Fernando L. Foster, and Phillip L. Foster.

There are three (3) land users that District Grazing Committee Member Bennie Joe cannot identify their whereabouts: Nita S. Yazzie, Shannon Coleman and Laverne Yabeny.

The District Grazing Committee Bennie Joe also identified ten (10) deceased land users they are: Loretta Peter, Don Foster, Hilda Teller, Flora Bake, Larry Keedah, Sr., Violet Begay, Susan Dilyou, Leo Sheman, David Yazzie and Lucy Curtis.

In conclusion, out of 25 land users, I collected twelve (12) written consents, there are three (3) land users that I was unable to locate. Ten (10) are concluded as deceased. All written documents were digitized and archived.

XC: GLDD/DNR

Rudy Shebala, Executive Director
Leo Watchman, Department Manager
Irvine Chee, Department of Justice



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

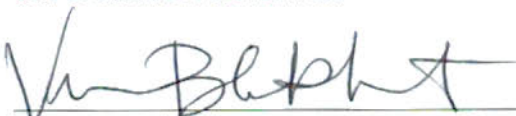
Doreen N. McPaul
Attorney General

Kimberly A. Dutcher
Acting Deputy Attorney General


MEMORANDUM

TO: 164 Document Reviewers

THROUGH:


Veronica Blackhat, Asst. Attorney General
Natural Resources Unit, Dept. of Justice

FROM:


Irvin Chee, Tribal Court Advocate
Natural Resources Unit, Dept. of Justice

DATE: October 2, 2019

SUBJECT: **Document No. 12621: BOR, TCE for Staging Area-Reaches 6-8, Navajo Gallup Water Supply Project, Sheepsprings Chapter**

The Department of Justice (DOJ) has reviewed the above-referenced 164 Review Document request and has the following comments:

Sheepsprings Chapter District Grazing Committee (DGC) member, Mr. Bennie Joe, has identified twenty-five (25) land users for Sheepsprings area. Twelve (12) land users consent, three (3) were unable to be located for their consent and ten (10) had deceased. According to Sheepsprings grazing official, Loretta Peter, Don Foster, Hilda Teller, Flora Bake, Larry Keedah, Sr., Violet Begay, Susan Dilyou, Leo Sheman, David Yazzie and Lucy Curtis had deceased and their grazing permits had not been probated, and Nita S Yazzie, Shannon Coleman and Laverne Yabeney were unable to be located for their consent. Therefore, the Navajo Land Department (NLD) is required by *16 N.N.C. §§ 1401 et seq.*, to estimate the surface damages, if any, and Bureau of Reclamation (BOR) is required to deposit with the Navajo Nation, double the estimated damages determined by NLD to ensure appropriate compensation, if any, to the legal heirs of the above-named deceased and to the three land users that were unable to be located for their consent. If the legal heirs of the above-named deceased and the three land users who were unable to be located, later gives their consent and seek no consideration, the surface compensation damages should be returned to BOR.

Memorandum to 164 Document Review

RE: Doc No. 12621: BOR, TCE Staging Area-Reaches 6-8, NGWS Project, Sheepsprings Chapter
October 2, 2019

Page 2 of 2

If the affected use area is shared by the deceased individuals and the three individuals who were unable to be located and others who have already consented, then the amount of the deposit required should only reflect their prorated share of the damages. DOJ requests NLD to follow the procedures set forth at *16 N.N.C. §§ 1401 et seq.*, in processing the ROW for BOR.

If you have any questions, please feel free to call me at 928/871-6347. Thank you.

xc: W. Mike Halona, Department Manager, Navajo Land Department

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, JACKIE S. ALLEN, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-19-18 [Signature] _____ 0485
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 [Signature] 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read / ☒ or fully explained / / to the land user in Navajo ☒ or English ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

**CONSENT TO USE
NAVAJO NATION LANDS**

TO WHOM IT MAY CONCERN:

I, Linda D. BEGAY, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6/19/2018 Linda D. Begay 0685
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 Bernie 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Niva Nelson, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

7/18/2018 N. Nelson .0556
Date Land User Signature or Thumbprint Census No. Permit No.
Window Rock, NM 87401

Witness: _____

7-24-2018 Bennie Joe 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read / / or fully explained / / to the land user in Navajo / / or English / / (check where applicable).

Bennie Joe
Field Agent Signature

CONSENT FORM #1
(No expected damages)

**CONSENT TO USE
NAVAJO NATION LANDS**

TO WHOM IT MAY CONCERN:

I, HARRISON R. JOHNSON, Sr., hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-19-2018 Harrison R. Johnson Sr
Date Land User Signature or Thumbprint Census No. Permit No. 0558

Witness: _____

7-5-18
Date Bernie
Grazing Official or Land Board Member 12
District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read ☒ or fully explained ☐ to the land user in Navajo ☒ or English ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Priscilla LONG, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-21-18 Priscilla Long _____ 0558
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: [Signature] _____

7-5-18 Bernardo 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read / ☒ / or fully explained / ☐ / to the land user in Navajo / ☒ / or English / ☒ / (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Ernest Yazzie, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

7-16-18 Ernest Yazzie _____
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-17-1820 Bonnie _____
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, James BILLIE, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-19-18 James Billie _____ .0686
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 Bonnie 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Marie R. Billie, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-19-18 Marie Rose Billie _____ 0686
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 Bernice 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the contents of this consent form was read ☒ or fully explained ☐ to the land user in Navajo ☒ or English ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Loretta J. DEZ, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

7-13-18 [Signature] _____
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: [Signature] _____

7-17-20 [Signature] 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read ☒ or fully explained / / to the land user in Navajo ☒ or English ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Wallace S. JOHNSON, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-19-15 Wallace S. Johnson 0686
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-15 Bernie 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read ☒ or fully explained / / to the land user in Navajo ☒ or English ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1

(No expected damages)

**CONSENT TO USE
NAVAJO NATION LANDS**

TO WHOM IT MAY CONCERN:

I, Fernando L. FOSTER, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-21-18 [Signature] 0550
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 [Signature] 12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Phillip L. FOSTER, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Sheepsprings Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-21-18 Phillip L. Foster _____ 0550
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 Bernie 12
Date Grazing Official or Land Board Member District No.

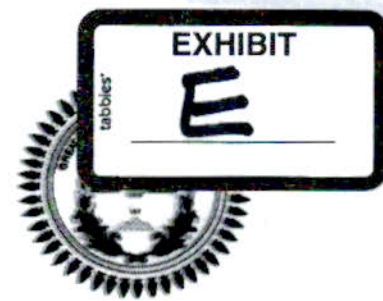
ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Memorandum

To: Elerina Yazzie, Department Manager
General Land Development Department
Division of Natural Resources

From: Howard Martinez, Land Support Agent
Navajo Nation General Land Development Department

Date: September 20, 2019

The Bureau of Reclamation of 1235 La Plata Highway, Farmington, New Mexico 87401 is requesting to Grant of Permanent Easement for Right-of-Way (ROW) over, under, across, and through Navajo Nation Trust Lands located in the area of Newcomb Navajo Chapter, New Mexico.

The Field Investigation on the above project is completed. I met with District Grazing Member, Lawrence Gould and Naschitti Chapter Manager, Norman D. Benally at Newcomb Chapter to identify the affected land users. After reviewing of his records he indicated there are thirteen (13) valid grazing permit holder. Lillie A. Franklin, Darlene Smith, Charlene Manuelito, Manuel S. Manuelito, Lee E. Benally, Sr., Howard B. Begay, Larry B. Lee, Sr., Alvin Gould, Alfredo Gould, Doreen Williams, Elvira Morgan, Betty J. Ross, and Violet Brown.

There are three (3) land users that District Grazing Committee Member Lawrence Gould cannot identify their whereabouts: Paul Joe (abandoned), Virginia Thomas and Irene Betty.

The District Grazing Committee Member Lawrence Gould also identified ten (10) deceased land users they are: Keith Bigman, Leonard Begay, Sr., Marie Gilmore, Linda Eaton, Gwendolyn Kellywood, James Franklin, Loretta Lee, Castillo Johle, Lorena Johle, Paul Williams, Sr.

In conclusion, out of twenty-six (26) land users, I collected thirteen (13) written consents, there are three (3) land users that I was unable to locate. Ten (10) are concluded as deceased. All written documents were digitized and archived.

XC: GLDD/DNR File
Rudy Shebala, Executive Director
Leo Watchman, Department Manager
Irvine Chee, Department of Justice

NAVAJO NATION GENERAL LAND DEVELOPMENT DEPARTMENT

PO Box 69 St. Michaels, AZ 86511 | Phone: (928) 871-6447 | Fax: (928) 871-7039



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

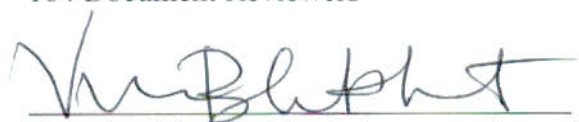
Doreen N. McPaul
Attorney General

Kimberly A. Dutcher
Acting Deputy Attorney General


MEMORANDUM

TO: 164 Document Reviewers

THROUGH:


Veronica Blackhat, Asst. Attorney General
Natural Resources Unit, Dept. of Justice

FROM:


Irvin Chee, Tribal Court Advocate
Natural Resources Unit, Dept. of Justice

DATE: October 2, 2019

SUBJECT: **Document No. 012621: BOR, TCE for Staging Area-Reaches 6-8, Navajo Gallup Water Supply Project, Newcomb Chapter**

The Department of Justice (DOJ) has reviewed the above-referenced 164 Review Document request and has the following comments:

Newcomb Chapter District Grazing Committee (DGC) member, Mr. Lawrence Gould, has identified twenty-six (26) land users for Newcomb area. Thirteen (13) land users consented, three (3) were unable to be located for their consent and ten (10) had deceased. According to Newcomb grazing official, Mr. Keith Bigman, Leonard Begay, Sr., Marie Gilmore, Linda Eaton, Gwendolyn Kellywood, James Franklin, Loretta Lee, Castillo Johle, Lorena Johle and Paul Williams, Sr., had deceased and their grazing permits had not been probated, and Mr. Paul Joe, Virginia Thomas and Irene Betty were unable to be located for their consent. Therefore, the Navajo Land Department (NLD) is required by 16 N.N.C. §§ 1401 *et seq.*, to estimate the surface damages, if any, and Bureau of Reclamation (BOR) is required to deposit with the Navajo Nation, double the estimated damages determined by Navajo Land Department NLD to ensure appropriate compensation, if any, to the legal heirs of the above-named deceased and to the three land users that were unable to be located for their consent. If the legal heirs of the above-named deceased and the three land users who were unable to be located, later gives their consent and seek no consideration, the surface compensation damages should be returned to BOR.

Memorandum to 164 Document Review

RE: Doc No. 12621: BOR, TCE for Staging Area-Reaches 6-8, NGWSP, Newcomb Chapter

October 02, 2019

Page 2 of 2

If the affected use area is shared by the deceased individuals and the three individuals who were unable to be located and others who have already consented, then the amount of the deposit required should only reflect their prorated share of the damages. DOJ requests NLD to follow the procedures set forth at *16 N.N.C. §§ 1401 et seq.*, in processing the ROW for BOR

If you have any questions, please feel free to call me at 928 871-6347. Thank you.

xc: W. Mike Halona, Department Manager, Navajo Land Department

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Lillie A. FRANKLIN, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6/21/18 Lillie A. Franklin _____ 0680
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 [Signature] #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read / / or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Darlene SMITH, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-27-18 Darlene Smith _____ 0680
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-13-18 Darlene Smith #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Charlene MANUELITO hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: Future time I'd like to have useful for irrigating to plant with for myself, animals or business.

6-27-18 Charlene Manuelito 0383
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 [Signature] #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1

(No expected damages)

**CONSENT TO USE
NAVAJO NATION LANDS**

TO WHOM IT MAY CONCERN:

I, Manuel S. MANUELITO, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

<u>7-5-18</u>	<u>Manuel S. Manuelito</u>		<u>0544</u>
Date	Land User Signature or Thumbprint	Census No.	Permit No.

Witness: _____

<u>7-13-18</u>	<u>[Signature]</u>	<u>#12</u>
Date	Grazing Official or Land Board Member	District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Lee E. BENALLY, SR., hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-27-2018 Lee E. Benally, Sr. # 65
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 [Signature] #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read / ☒ / or fully explained / ☐ / to the land user in Navajo / ☒ / or English / ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Howard B. Begay, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the Tocito & Little Water area of Sanostee Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: There ~~are~~ water on west of Highway 491 But it dry up in Spring summer. We need water on west of Hi Way, then it need repair.

7-17-18
Date

Howard B. Begay
Land User Signature or Thumbprint

Census No.

12-3008
Permit No.

Witness: _____

18 Jul 2018
Date

[Signature]
Grazing Official or Land Board Member

12
District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Larry B. Lee, Sr., hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

7/17/18 Larry B. Lee Sr. _____ plot 72
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7/24/18 [Signature] #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read / ☒ / or fully explained / ☐ / to the land user in Navajo / ☒ / or English / ☒ / (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1

(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Alvin GOULD, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-21-18 Alvin Gould _____ 59
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 Jedrae J. J. J. #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Gilfredo GOULD, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

06/21/18 Gilfredo Gould 11 59
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 James Gould #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read ☒ or fully explained ☐ to the land user in Navajo ☒ or English ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Doreen Williams, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: I would like a copy of the consent

7-16-18
Date

[Signature]
Land User Signature or Thumbprint

Census No.

52
Permit No.

Witness: _____

7/17/18
Date

[Signature]
Grazing Official or Land Board Member

#12
District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /✓/ or fully explained / / to the land user in Navajo /✓/ or English /✓/ (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Elvira Morgan, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the Newcomb, Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

7/11/18 [Signature] BSN
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: Mina Arino
7-13-18 [Signature] #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read / ☒ / or fully explained / ☒ / to the land user in Navajo / ☒ / or English / ☒ / (check where applicable).

[Signature]
Field Agent Signature

CONSENT FORM #1
(No expected damages)

CONSENT TO USE
NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Betty J. Ross, hereby grant consent to The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit: Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my customary land use area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the area of Newcomb Navajo Chapter, New Mexico as shown on the map showing the location of the proposed project on the back of this consent form.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above-referenced project as proposed.

Remarks: _____

6-27-18 Betty J. Ross 48
Date Land User Signature or Thumbprint Census No. Permit No.

Witness: _____

7-5-18 Jarvis J. J. J. #12
Date Grazing Official or Land Board Member District No.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the consents of this consent form was read /☒/ or fully explained / / to the land user in Navajo /☒/ or English /☒/ (check where applicable).

[Signature]
Field Agent Signature

Consent Form #1
(No Expected Damages)

CONSENT TO USE NAVAJO NATION LANDS

TO WHOM IT MAY CONCERN:

I, Violet Brown, hereby grant consent to the The Navajo Nation and the Bureau of Indian Affairs, Window Rock, Arizona to permit Bureau of Reclamation of 1235 La Plata Highway, Farmington, NM 87401 to use a portion of my Grazing area for the following purpose(s): to grant of Permanent Easement for Right-of-Way (ROW) over, under, across and through Navajo Nation Trust lands located in the Newcomb, Navajo Chapter, New Mexico as shown on the map that shows the location of the proposed project.

I acknowledge that I do not expect any damage to my improvements or diminishment in value of my land use rights and/or I expect the value of my land use rights to be enhanced as a result of the above referenced project as proposed.

REMARKS:

9/13/19 Violet Brown #56
DATE GRAZING PERMITEE SIGNATURE PERMIT NO.
(OR THUMBPRINT)

PHONE NO. ADDRESS (P.O. BOX, CITY, STATE, ZIP)

WITNESS: 9.13.19 Jane Gould #12
DATE GRAZING OFFICIAL OR LAND BOARD DISTRICT NO.

ACKNOWLEDGEMENT OF FIELD AGENT

I acknowledge that the contents of this consent form was ☒ read ☒ or fully explained to the grazing permit holder in ☒ Navajo or ☒ English. (check where applicable)

[Signature]
Field Agent Signature

**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.: Navajo Gallup Water Supply Project - Reaches 4C-8, EOR012621

DESCRIPTION: The Bureau of Reclamation is applying for a grant of right-of-way (ROW) and temporary construction easement (TCE) for Reaches 4C-8.

LOCATION: Sanostee, Two Grey Hills, Newcomb, Sheep Springs, & Naschitti, San Juan County, New Mexico

REPRESENTATIVE: Barry Longwell, U.S. D.O.I. Bureau of Reclamation, Upper Colorado Region

ACTION AGENCY: Bureau of Indian Affairs and Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: BE for Proposed Blocks 4C-8/SEP 2018/EMI and Volume I Planning Report and Final Environmental Impact Statement (Includes Appraisal-Level Alternative Designs and Cost Estimates) Navajo-Gallup Water Supply Project New Mexico – Arizona/JUL 2009/U.S. Department of the Interior, Bureau of Reclamation, Upper Colorado Region, Salt Lake City, Utah

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3. SCMEVE survey results were negative.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: Athene cunicularia (Burrowing Owl) G4

FEDERALLY-LISTED SPECIES AFFECTED: Athene cunicularia (Burrowing Owl) MBTA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: USBR will follow the Burrowing Owl mitigation recommendations outlined in the BE Section 5.2.1.

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/16 JUL 2018; updated on 29 MAY 2019

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)

[Signature]
Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife

5/30/19

*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



Document No. 012621

Date Issued: 05/21/2019

EXECUTIVE OFFICIAL REVIEW

Title of Document: BOR, TCE for Staging Areas- Reaches 6-8 Contact Name: YAZZIE, ELERINA B

Program/Division: DIVISION OF NATURAL RESOURCES

Email: e_yazzie@navajo-nsn.gov Phone Number: 928-871-6447

<input type="checkbox"/> Business Site Lease			Sufficient	Insufficient
1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)				
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions				
1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications				
1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Navajo Housing Authority Request for Release of Funds				
1. NNEPA:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Lease Purchase Agreements				
1. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
(recommendation only)				
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Grant Applications				
1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval				
1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Relinquishment of Navajo Membership				
1. Land Department:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Elections:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Land Withdrawal or Relinquishment for Commercial Purposes**

			Sufficient	Insufficient
1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Rights of Way**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease**

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Assignment of Mineral Lease**

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☒ **ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: 10/3/19	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. OPVP	_____	Date: 10/2/19	<input checked="" type="checkbox"/>	<input type="checkbox"/>

☐ **OTHER:**

1. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
8/21/19 @ 4:53pm
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 012621#2
SAS #:
UNIT: New

☒ RESUBMITTAL

(July 2019)

*** FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED.***

CLIENT TO COMPLETE

DATE OF REQUEST:	8/20/2019	DIVISION:	NATURAL RESOURCES
CONTACT NAME:	Michelle Hoskie or Stevie Hudson	DEPARTMENT:	GENERAL LAND DEVELOPMENT DEPARTMENT
PHONE NUMBER:	x 6447 or x 6423	E-MAIL:	steviehudson@frontier.com

TITLE OF DOCUMENT: EOR#12621 BOR, TCE for Staging Area - Reaches 6-8

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT:	8.22.19 840	REVIEWING ATTORNEY/ADVOCATE:	Drum Chee 9.3.16
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DATE TIME OUT OF UNIT: 10-03-19 9:15 AM

DOJ ATTORNEY / ADVOCATE COMMENTS

- Besides the two memos I drafted, the document is legally sufficient. I drafted two memos, one for sheep springs and

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
JIMMIE AEE	10/2/19	V Blackhat	10/3/19 7:30 AM

DOJ Secretary Called: Michelle for Document Pick Up on 10-03-19 at 9:15 By: CS

PICKED UP BY: (Print) DATE / TIME:




NNDJ/DRRF-July 2013

the other for Newcomb area, re: land users consent.


Thx - TC

GLDO

Tier 1 Document Voting Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date	Signature
Najamh Tariq (Navajo Land Title Data System - Windowrock AZ)	Approver	Department of Water Resources	Approved	no comments	No Reply	23-May-2019	
Pam Kyselka F&W (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	1. An updated BRCF is pending signature approval by the NNDFW Director.	1. No Reply	30-May-2019	
Rebecca Gilchrist (Navajo Land Title Data System - Windowrock AZ)	Technical Reviewer	Navajo Nation Minerals Management	Approved	1. This vote is contingent upon the uploaded revised Terms and Conditions, dated 5/29/2019, permanently being included in the application approval package. rkg	1. No Reply	29-May-2019	
Tamara Billie NNHP (Navajo Land Title Data System - Windowrock AZ)	HPD Reviewer	Historic Preservation Department	Approved	no comments	No Reply	22-May-2019	

Tier 2 Document Voting Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date	Signature
Chad Smith - F&W (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	no comments	No Reply	17-Jul-2019	

Richard Begay
Navajo Nation
Historic Preservation
Department
Historic Preservation
Officer
Land Title
Data System

Approved

no
comments

No
Reply

04-Jun-
2019

Roll M Begay

Windowrock AZ)

Robert Allan
Deputy Director
Navajo Nation
DNR
Land Title
Data System

DNR
Administration

Approved

no
comments

No
Reply

26-Jun-
2019

Robert O. Allan

Windowrock AZ)

Steven Prince
Technical Reviewer
Navajo Nation
Minerals Management
Land Title
Data System

Navajo Nation
Minerals Management

Approved

1. Please ensure that the revised Terms and Conditions document uploaded on 5/29/2019 by Ms. Rebecca Gilchrist replaces "H. Terms & Conditions - Navajo Trust Lands - TCE" in the permanent approval document package. slp

1. No
Reply

30-May-
2019

Steven L Prince

Windowrock AZ)

W. Mike Halona
DCD Division
Director
(NLTDS - Everytt)

Navajo Nation

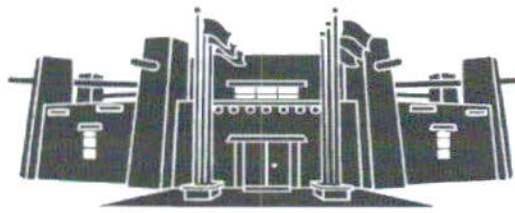
Approved

1. Just need to get the consents included in the packet.

1. No
Reply

04-Jun-
2019

W. Mike Halona



MEMORANDUM

TO: Honorable Rickie Nez
T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: November 10, 2019

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A TEMPORARY CONSTRUCTION EASEMENT TO U.S. BUREAU OF RECLAMATION FOR STAGING AREAS ON REACHES 6 – 8 NAVAJO GALLUP WATER SUPPLY PROJECT LOCATED ON TRIBAL TRUST LANDS IN NEWCOMB AND SHEEP SPRINGS CHAPTERS (SAN JUAN COUNTY, NEW MEXICO)

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. 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).

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0359-19 _____ SPONSOR: Rickie Nez

TITLE: An Action Relating to Resources and Development; approving a temporary construction easement to U.S. Bureau of Reclamation for staging areas on Reaches 6-8 Navajo Gallup Water Supply Project located on Tribal Trust Lands in Newcomb and Sheep Springs Chapters (San Juan County, New Mexico)

Date posted: November 25, 2019 at 5:35pm

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 Navajo 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.*