

**RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---Second Year 2016**

AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A REVOCABLE USE PERMIT FOR MISSION SITE FOR THE HOUSE OF PRAYER, HOUCK, ON NAVAJO NATION TRUST LANDS IN THE VICINITY OF HOUCK CHAPTER, NAVAJO NATION (APACHE COUNTY, ARIZONA)

Section One. Authority

A. Pursuant to 16 N.N.C. Section 1151 (C), the Resources and Development Committee of the Navajo Nation Council has the authority to give approval for permits for mission sites on behalf of the Navajo Nation; and

Section Two. Findings

A. The House of Prayer, Post Office 324, Houck, Arizona 86506 has applied for a Revocable Use Permit for Mission Site within the Houck Chapter, as further described herein Exhibit "A," attached hereto and incorporated herein by this reference; and

B. The proposed mission site is located on 1.5 acres of lands within the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$) of Section 24, Township 22 North, Range 29 East, G&SRM in the vicinity of Houck Chapter, Navajo Nation, Fort Defiance Agency (Apache County, Arizona). The land description appears on the survey plat attached hereto and incorporated herein as Exhibit "B"; and

C. The District 18 Grazing Official, Jack W. Smith, identified two land users, Phillip Pinto and Darryle Begay, who gave their consent which are attached hereto as "Exhibit C." The chapter resolution and the signed petition by the local residents are also attached herein as Exhibit "D"; and

D. Biological and Cultural surveys and clearances for this permit were completed and are all attached herein as Exhibit "E"; and

E. On June 16, 2015, the Resources and Development Committee of the Navajo Nation Council through resolution RDCJN-33-15 delegated the director of Navajo Land Department, Division

of Natural Resources, the power and authority to give final approval of all land withdrawal designations on the Navajo Nation. The Land Department Withdrawal Designation has been approved for the mission site for the House of Prayer, for 1.5 acres of tribal trust land for five (5) years, attached hereto land withdrawal designation from Navajo Land Department as Exhibit "F."

Section Three. Approval

A. The Resources and Development Committee of the Navajo Nation Council hereby approves and consents to the Revocable Use Permit for a Mission Site for the House of Prayer, subject to but not limited to the attached Terms and conditions contained herein as Exhibit "G" which is attached hereto and incorporated herein by this reference.

B. The Resources and Development Committee of the Navajo Nation Council hereby authorized President of the Navajo Nation to execute all documents to affect the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Department of Transportation, (Navajo Nation) Tse Bonito, New Mexico, at which quorum was present and that same was passed by a vote of 5 in favor, 0 opposed, 1 abstained this 12th day of July, 2016.



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

**Motion: Honorable Walter Phelps
Second: Honorable Alton Joe Shepherd**

Document No. 005565

Date Issued: 02/26/2016

EXECUTIVE OFFICIAL REVIEW

Title of Document: RUP for House of Prayer Houck AZ Contact Name: DRAPER, HOWARD

Program/Division: DIVISION OF NATURAL RESOURCES

Email: howarddraper@frontiernet.net 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: _____ ☐ ☐
2. Office of the Attorney General: _____ Date: _____ ☐ ☐

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

1. NLD _____ Date: 2/26/16 ☒ ☐
2. F&W _____ Date: 3/4/16 ☒ ☐
3. HPD _____ Date: 3/8/16 ☒ ☐
~~4. Minerals _____ Date: _____ ☐ ☐~~
5. NNEPA _____ Date: 3-15-2016 ☒ ☐
6. DNR _____ Date: 3/17/16 ☒ ☐
7. DOJ (ic) _____ Date: 4/21/16 ☒ ☐
Robert O. Allen

☐ **Rights of Way**

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. Office of the Attorney General: _____ Date: _____ ☐ ☐
7. OPVP _____ Date: _____ ☐ ☐

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

1. Minerals _____ Date: _____ ☐ ☐
2. OPVP _____ Date: _____ ☐ ☐
3. NLD _____ Date: _____ ☐ ☐

☐ **Assignment of Mineral Lease**

1. Minerals _____ Date: _____ ☐ ☐
2. DNR _____ Date: _____ ☐ ☐
3. DOJ _____ Date: _____ ☐ ☐

☐ **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: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. DNR _____ Date: _____ ☐ ☐
7. DOJ _____ Date: _____ ☐ ☐
8. OPVP _____ Date: _____ ☐ ☐

☐ **OTHER:**

1. _____ Date: _____ ☐ ☐
2. _____ Date: _____ ☐ ☐
3. _____ Date: _____ ☐ ☐
4. _____ Date: _____ ☐ ☐
5. _____ Date: _____ ☐ ☐



☒ RESUBMITTAL

NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
03/29/16	1036am
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #:	005565
SAS #:	
UNIT:	NRW

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

CLIENT TO COMPLETE

DATE OF REQUEST:	3/24/2016	DIVISION:	Division Natural Resources
CONTACT NAME:	Howard Draper or Vera Shurley	DEPARTMENT:	Navajo Land Dept.
PHONE NUMBER:	871-6447 or 6401	E-MAIL:	Click here to enter text.
TITLE OF DOCUMENT: Approving a Revocable Use Permit for Mission Site for House of Prayer in the vicinity of Houck, Apache County, Arizona			

DOJ SECRETARY TO COMPLETE

RECEIVED MAR 29 2016 DEPARTMENT OF JUSTICE NATURAL RESOURCES	DATE/TIME IN UNIT: 03/29/16 11:10 am	REVIEWING ATTORNEY/ADVOCATE: Irvin Chee 04/07/16
DATE TIME OUT OF UNIT: 4.21.16 10:45 am RJ		

DOJ ATTORNEY / ADVOCATE COMMENTS

- Document is legally sufficient.

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
Irvin Chee	4-20-16	Vernica Blackhat	4-21-16 9:15 am

DOJ Secretary Called: Lynnette	for Document Pick Up on 4.21.16 at 10:30 am RJ
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PICKED UP BY: (Print)	DATE / TIME:
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NNDOJ/DRRF-July 2013

COMPLETED

**THE
NAVAJO
NATION**


THE DIVISION OF NATURAL RESOURCES
Land, Water, Power, and Quality of Life

Russell Begaye
President

Johnathan Nez
Vice-President

MEMORANDUM

TO: ALL Department Managers
Division of Natural Resources

FROM: 
Bidtah Becker, Division Director
Division of Natural Resources

SUBJECT: Delegation of Authority

DATE: January 12, 2016

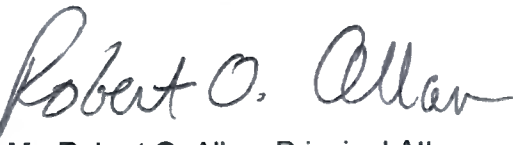
Please be advised that in the event that either I, Division Director of the Division of Natural Resources, or Ms. Evangeline Curley-Thomas, Deputy Director, Division of Natural Resources, are not in the office or otherwise unavailable, Mr. Robert O. Allan, Principal Attorney, Division of Natural Resources, shall be delegated authority as the Acting Division Director of the Division of Natural Resources. This is a standing delegation of authority until further notice.

Please cooperate with Mr. Allan in this standing delegation of authority. Should you have any questions, please contact me.

ACKNOWLEDGED:


Evangeline Curley-Thomas, Deputy Director
Division of Natural Resources

ACKNOWLEDGED:


Mr. Robert O. Allan, Principal Attorney
Division of Natural Resources



APPLICATION FOR REVOCABLE USE PERMIT (RELIGIOUS SITE)
NAVAJO NATION LANDS

President, Navajo Nation
Window Rock, Arizona

Date July 21, 2014

House Of Prayer
(Name of Church)

Box #324 Houck Az 86506
(Address)

hereby makes application for a religious site covering approximately 1.5 acres of Navajo Nation land located in Houck Az, Apache County, Arizona/New Mexico, as shown on the attached map.

After the local chapter approval of this application and with approval of land clearance given by the Navajo Land Department, a survey plat and legal description of the site prepared by a licensed or registered surveyor shall be submitted to the Navajo Land Department or the Bureau of Indian Affairs for review.

In support of said application, the applicant hereby submits the following information:

- | | |
|--|---|
| <input type="checkbox"/> Articles of Incorporation | <input type="checkbox"/> Land Use Consent |
| <input checked="" type="checkbox"/> Chapter Resolution | <input checked="" type="checkbox"/> Survey Plat |
| <input checked="" type="checkbox"/> Petition of Names | <input type="checkbox"/> Other Supporting Documents |

Detailed statement of the purpose(s) for which said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical or other non-religious activities, this paragraph shall set forth fully the extent and character thereof:

Sunday Morning & Evening Worship; Outreach Program to Community Members; Youth Ministry, activities & events; Women's Group; Funeral Services & Arrangements; Family Gatherings; Wedding Ceremonial and Counseling; Children and Youth Ministry Building.

Description of buildings and improvements to be placed on tribal land and the estimated cost thereof.

<u>Main Sanctuary, metal Building;</u>	<u>\$ 30,000</u>
<u>Fellowship Hall w/ Restroom;</u>	<u>\$ 30,000</u>
<u>Recreation for students</u>	<u>\$ 10,000</u>
<u>children / youth Bldg.</u>	<u>\$ 10,000</u>

Applicant's plan for development of water and sewer.

Water line is 30-40 yds from current facility;
Both are near the area and plans to use a
large septic tank.

All corporations must attach hereto a certified copy of their Articles of Incorporation. If foreign to the state where religious site is to be located, the corporation must supply a certified copy of their authority to do business in the state.

All corporations must furnish evidence of authority of the person(s) signing this application to execute papers on their behalf. Evidence should ordinarily be in the form of a general resolution of the Board of Directors certified by the Secretary over the seal of the corporation.

For the purpose of conducting business within the Navajo Reservation, all corporations must file their Articles of Incorporation with the Economic Development Commerce Department of the Navajo Nation. The Commerce Department will issue a corporate number to the church organization.

In all cases of applications on behalf of Unincorporated bodies where documents do not explicit give one individual authority to execute necessary papers, a power of attorney executed before a notary public by all associated parties for this purpose should be attached. If this is not supplied, all such persons must personally sign this application and all other documents submitted to the Navajo Agency.

Unincorporated applicants should submit articles depicting their organization, unless none exists, in which case an explanation of the nature of the organization should be listed on a separate sheet.

Applicant agrees to give preference to qualified local residents of the Navajo Nation for employment in the construction of any improvement on the church site if the permit is granted.

Gilbert Tully
(Print Name) Authorized Agent

Gilbert Tully
(Signature) Authorized Agent

P.O. box 324 Houck Az 86506
Address

928-321-8184
Phone

ARTICLES OF INCORPORATIONS OF HOUCK HOUSE OF PRAYER

The undersigned natural persons, acting as incorporators of a non-profit corporation under the Navajo Nation Corporation Act, hereby adopt these Articles of Incorporation for the Corporation.

ARTICLE I

NAME

The name of the corporation is Houck House of Prayer, Houck Arizona.

ARTICLE II

PLACE OF BUSINESS

The principle place of business is at Houck House of Prayer, 1.5 miles NW of Houck Chapter House on Spencer Road, Houck, Arizona on the Navajo Nation. The official address for this Corporation is Houck House of Prayer, P.O. Box 324, Houck, Arizona 86506.

ARTICLE III

TERM OF EXISTANCE

The duration of this corporation is perpetual, unless dissolved or terminated in accordance
With the bylaws of the corporation.

ARTICLE IV

PURPOSE

The purpose for which the corporation is organized is for the transaction of any and all
Educational, charitable, benevolent and religious business for which non-profit
Corporations may be incorporated under the laws of the Navajo Nation.

ARTICLE V

CHARACTER OF AFFAIRS

The intent of the corporation is to operate a Christian church for religious purpose including proclaiming the Gospel of Jesus Christ; to provide Christian education and religious services and counseling and progressively serve the community through Charitable means. This corporation is not organized for private gain of any person. Net earning of the corporations shall not be for the benefit of or be distributable to its directors, officers, members or other private persons, except that the corporation shall be Authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV. No actual part of the activities of the corporation shall be the carrying on of propaganda, or otherwise

to influence legislation and the corporation shall not take part in, or intervene (including publishing or distributing statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles, the corporation shall not carry on any other Activities not permitted to be carried on by a corporation exempt from Federal Income Tax under Section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of the United States Internal Revenue Laws). The corporation programs and activities. The corporation Will have members.

ARTICLE VI

STATUTORY AGENT

The Registered Agents of the Corporation are Gilbert Tully and Deann Tully. The residence of the Registered Agents is 1.5 miles NW of Houck Chapter House on Spencer Road, Houck, Arizona.

ARTICLE VII

BOARD OF DIRECTORS

The number of directors constituting the initial Board of Directors is five (5), but at no time will the Board membership be less than three (3) or more than five (5). The names and addresses of the Persons who are to serve until the first annual meeting of the Board of Directors or until their

Successors are elected and qualified are:

1. Gilbert Tully, P.O. Box 324, Houck, Arizona 86506
2. Carl Silversmith, P.O. Box 362, Sanders, Arizona 86512
3. Marlene Krause, P.O. Box 662, Chambers, Arizona 86502
4. Deann Tully, P.O. Box 324, Houck, Arizona 86506
5. Caroline Tully, P.O. Box 364, Sanders, Arizona 86512

ARTICLE VIII

INCORPORATORS

The names and address of the incorporators is: Gilbert and Deann Tully, P.O. Box 324, Houck, Arizona 86506

ARTICLE IX

AMENDMENTS

These Articles of Incorporation may be amended by the affirmative vote of a majority of the Board of Directors at a duly called meeting for that purpose

ARTICLE X

INDEMNIFICATION

The property of each member, Pastor and Directors of Houck House of Prayer Church shall at all time be exempt from the debts and liabilities of Houck House of Prayer.

ARTICLE XI
DISSOLUTION

Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payments of all the liabilities of the corporation, dispose of all its assets exclusively for the purposes of the corporation in such a manner, or to such scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of the United States Internal Revenue Laws).

ARTICLE XII
REGUALTIONS

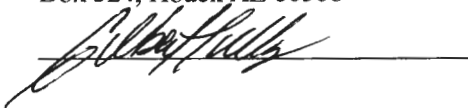
The Corporation, Houck House of Prayer, agrees to abide by all criminal, civil and regulatory laws of the Navajo Nation.

ARTICLE XIII

These Articles of Incorporation are executed this 24th day of December 2015 by the Incorporators.

Gilbert Tully

Box 324, Houck AZ 86506

A handwritten signature in dark ink, appearing to read "Gilbert Tully", is written over a horizontal line.

Deann Tully

Box 324, Houck AZ 86506

A handwritten signature in dark ink, appearing to read "Deann Tully", is written over a horizontal line.

ACKNOWLEDGMENT OF THE REGISTERED AGENT

I, Gilbert Tully having been designated to act as Registered Agent, hereby consent to act in that capacity until removed or until a resignation is submitted in accordance with the Navajo Nation Corporation Code.

Gilbert Tully

(Signature of Registered Agent)

Box 324 Houck AZ 86506

(Address of Registered Agent)

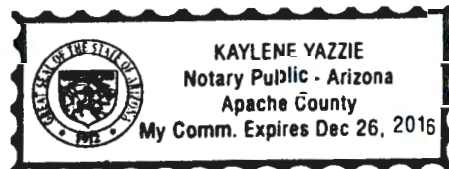
STATE OF Arizona

COUNTY OF Apache

The foregoing instrument was acknowledged by Gilbert Tully, Registered Agent for Houck House of Prayer, before me this 13th day of January, 2016.

Kaylene Yazzie
Kaylene Yazzie (Notary Public)

My Commission Expires: 12/26/16



April 10, 2014

TO WHOM IT MAY CONCERN:

As Pastors of Houck House of Prayer, we recognize the needs in our community and within the nearby communities. Therefore, we have made it our mission to establish a non-profit Worship Center where we can:

- offer words of comfort in time of need.
- Offer prayer services for those who desire one.
- Offer a biblical counseling to the young and old alike.
- Offer food and clothing to those needing it.
- Offer our services for funeral and wedding arrangement.

We have taken this task for the love of our people because their lives are priceless and precious. Our goal as Pastors is encouraging Houck communities members to pursue their education and to fulfill their dreams. To instruct the youth that honoring their parents, loving and respecting their elders is an essential part of their life, even to others in their own age group.

It was also brought to our attention that the current Worship Center is located on the property of a homestead and the resident owns this building. This has caused to dim the renovation of this building, additionally this building is very old and unsafe. Furthermore, there is an increased in church attendance and the current worship center does not meet the capacity requirements. We hope that obtaining a Mission Site Lease and construction of a larger building would remedy the over crowdedness. When this Worship Center is set in place it will address:

- Freeing the oppressed through biblical teachings and counseling
- Transformation of lives from alcohol and drugs
- Provide programs for those individual who are grieving
- Developing self-esteem
- Leadership trainings
- Holding conferences for self-improvement
- Instructions of positive thinking
- Provide Children and Youth Ministries
- Provide Elderly ministry outreach

For further acknowledgements and information on our ministries in Houck community you may contact the following founders and overseers. We are licensed under or with 1st Nation Ministries, founders Fred and Wanda Smith has given us the opportunity with a Minister licenses and our over seer of Holbrook , Jerry and Phyllis Keams who monitors our ministries bi-monthly.

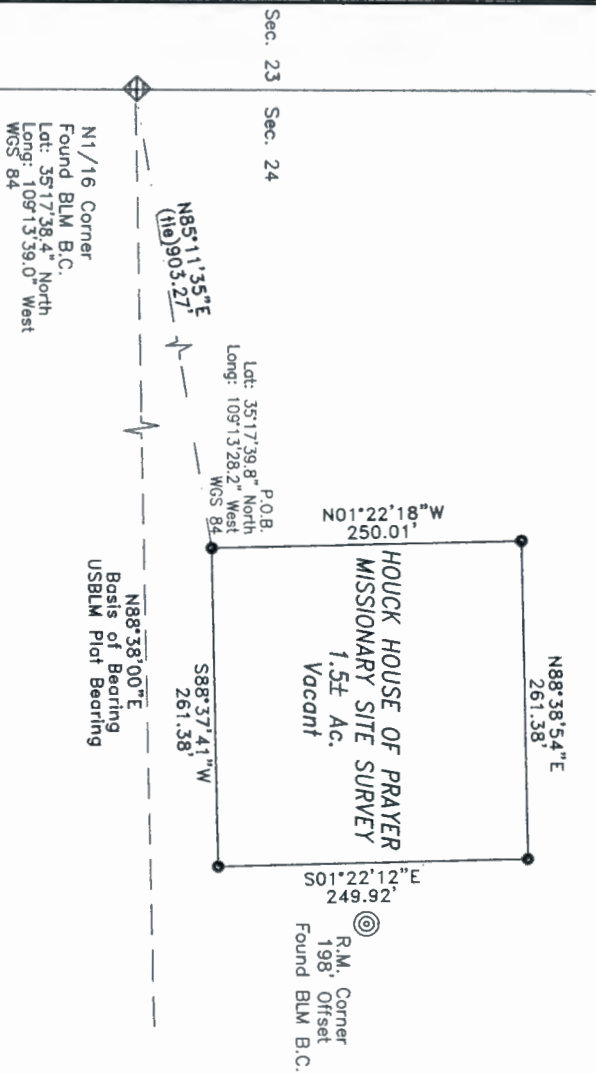
Fred and Wanda Smith
1st Nation Ministries, Inc.
P.O. Box 687
Fort Duchlone, Utah 84026
435.722.1962

Jerry and Phyllis Keams
#823 Mission Lane
Holbrook, Arizona 86025
928.297.0130

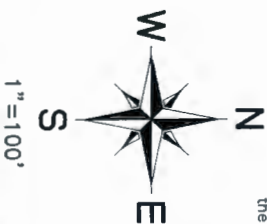
Sincerely

Pastors Gilbert and Deann Tully
P.O. Box 324
Houck Arizona 86506
928.551/2042

**A Record of Survey for the
HOUCK HOUSE OF PRAYER
Missionary Site**
located in
Northwest Quarter of the Northwest Quarter
of Section 24,
Township 22 North, Range 29 East,
G&SRM, Apache County, Arizona



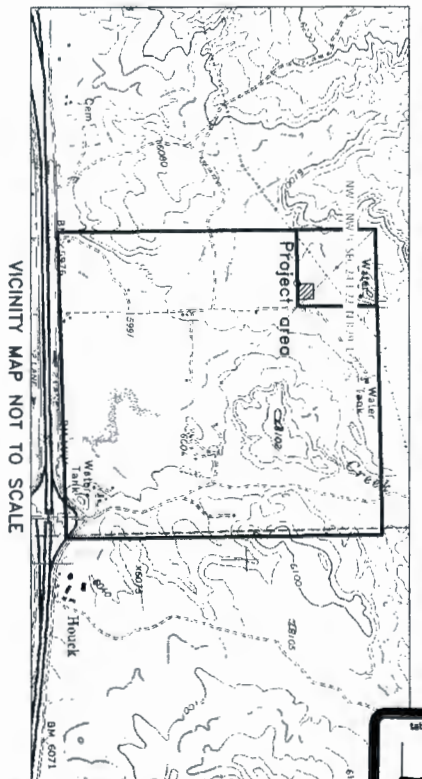
R.M. Corner
198' Offset
Found BLM B.C. (C)



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

Commencing at the Southwest corner of said Parcel a point which bears North 85°11'35" East, a distance of 903.27 feet from the North 1/16th Corner of Section 24, Township 22 North, Range 29 East, G&SRM.

thence North 01°22'18" West, a distance of 250.01 feet;
thence North 88°38'54" East, a distance of 261.38 feet;
thence South 01°22'12" East, a distance of 249.92 feet;
thence South 88°37'41" West, a distance of 261.38 feet to the Point of Beginning
Said Parcel containing 1.5± Acres more or less in area and being subject to any restrictions, easements and reservations of record.



RED VALLEY SURVEY	
P.O. Box #2827, Shiprock NM 87420	
Ph: (505) 320-0479	
HOUCK HOUSE OF PRAYER	
MISSIONARY SITE SURVEY	
1.5± Ac.	
Fort Defiance Agency	
NW1/4NW1/4, Sec. 24, T22N, R29E G&SRM	
Houck, Apache County, Arizona	
Drawn By	HT
Checked	HT
Approved	HT
Date	08/25/14
Scale	1"=100'

Henry Thomas
Registered AZ P.L.S. #29894

RVSA#14-112

CONSENT TO USE NAVAJO TRIBAL LANDS
FOR MISSION SITE



TO WHOM IT MAY CONCERN:

I, Philip Pinto, hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit House of Prayer (Church) located approximately 1.5 miles from Hock Chapter to use approximately 1.5 acres of my assigned grazing land for church purposes.

Furthermore, I hereby waive any rights I may have to compensation for the taking of my land use and the diminishment of my land value as a result of the above request. Should the church liquidate or if the land taken for religious use is no longer needed, then I shall have the right to reclaim the land. The subject land will be re-incorporated back into my grazing allotment.

REMARKS: _____

Philip Pinto
Signature of Permit Holder

Census No.

18-01-11
Permit No.

4-03-2014
Date

WITNESSES:

Right Thumbprint



JACK W. SMITH
(Print Name) Grazing Official/Farm/Land Board

Jack W. Smith
(Signature) Grazing Official/Farm/Land Board

Hock
Chapter

18
District No.

7-16-14
Date

Acknowledge 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 ☒

Gerard Shurley 10/7/14
Signature of Land Department Field Agent Date

**CONSENT TO USE NAVAJO TRIBAL LANDS
FOR MISSION SITE**

TO WHOM IT MAY CONCERN:

I, Darryle Begay, hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit House of Prayer (Church) located approximately 1.5 miles from Houck Chapter to use approximately 1.5 acres of my assigned grazing land for church purposes.

Furthermore, I hereby waive any rights I may have to compensation for the taking of my land use and the diminishment of my land value as a result of the above request. Should the church liquidate or if the land taken for religious use is no longer needed, then I shall have the right to reclaim the land. The subject land will be re-incorporated back into my grazing allotment.

REMARKS: _____

Darryl Begay
Signature of Permit Holder

Census No.

18-19-12 04/02/14
Permit No. Date

WITNESSES:

Right Thumbprint



Jack W. Smith
(Print Name) Grazing Official/Farm/Land Board

Jack W. Smith
(Signature) Grazing Official/Farm/Land Board

Houck
Chapter

18
District No.

7-16-14
Date

Acknowledge 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 ☒

Gerald Lowrey 10/7/2014
Signature of Land Department Field Agent Date



HOUCK CHAPTER GOVERNMENT

P.O Box 127 Houck, AZ 86506 PH#: (928) 688-2734 Fax #: (928) 688-3068

Charles Morrison, Chapter President
James Watchman, Jr, Vice President
Kathleen B. Lee, Chapter Secretary/Treasurer

Jack Smith, Grazing Official
Lorenzo Curley, Council Delegate
Vernita S. Tsosie, Comm. Svc. Coord.



HCR-041314-071

RESOLUTION OF THE HOUCK CHAPTER REQUESTING THE NAVAJO NATION COUNCIL, THE RESOURCE AND DEVELOPMENT COMMITTEE AND THE NAVAJO NATION LAND DEPARTMENT TO APPROVE THE MISSION SITE LEASE FOR HOUCK HOUSE OF PRAYER

WHEREAS:

1. The Houck Chapter is a certified governing body pursuant to the Navajo Nation Council Resolution CAP-34-98 and according to the "Local Governance Act", 26 N.N.C., Chapter 1, Sub-Chapter 1, Section 3 (a); and
2. Of the same "Act" authorizes Houck Chapter the responsibility to address the interest and general welfare of it's community members; and
3. The Houck Chapter is knowledgeable that the Houck House of Prayer has been in existent for several years with the provision of serving the community members; and
4. The Houck House of Prayer has made known to the Houck Chapter community members of establishing a One and Half Acre (1.5) of Mission Site Lease located Northwest of Houck Chapter House; and
5. The Houck House of Prayer has made known that the attendance does not meet the capacity requirements and the current building is old and unsafe; and
6. The Houck House of Prayer has made known that new building would house a space for general assembly with class room for all ages, additionally a fellowship hall; and
7. The Houck House of Prayer will provide services to meet the general welfare of the community members with Spiritual and Biblical Counseling, plus outreach ministries; and
8. The Houck Chapter has discussed and considered the request of the House of Prayer's Mission Site Lease.

NOW THEREFORE BE IT RESOLVED THAT

The Houck Chapter is requesting the Navajo Nation Council, the Resource and Development Committee and the Navajo Nation Land Department to approve the Mission Site Lease for Houck House of Prayer.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Houck chapter at a duly called meeting at Houck Chapter, Navajo Nation (Arizona), at which a quorum was present and that same was motioned by Ernest Hubbell and seconded by Helen Goodluck passed by a vote of 34 in favor, 0 opposed and 3 abstained on this 13 day of April, 2014.

Charles Morrison, President
Houck Chapter

PETITION OF NAMES

We, the undersigned are citizens, registered voters and residents of HOUCK Chapter living within this community where the HOUSE OF PRAYER MINISTRY (Church) is being built. The primary purpose of this religious site is to provide a place to worship and basically have the church conduct religious services on any given days through out the year. Further, we hereby give our signatures on this petition to further the development of the church.

	NAME	DATE	WITNESS
01.	Frances White	03-12-14	
02.	Joe De	03-12-14	
03.	Mark Krayse	03/12/14	
04.	Fannie Riley		
05.	Caroline Dills	3-12-14	
06.	Lorraine Yeggie	3-12-14	
07.	Cornelia Watchman	3-12-14	
08.	Melinda Jones	3-12-14	
09.	Mercinda Russell	3-12-14	
10.	Magdalena Russell	3-12-14	
11.	Melvin Jones	3-12-14	
12.	Bernice Rint	3-12-14	
13.	Christine Om	3-12-14	
14.	Margaret Ashley	3/12/14	
15.	Angie Ny	3/12/14	
16.	Aziah Dama	3/17/14	
17.	Arinda nez	3/17/14	
18.	Eva Si	03/12/14	

WITNESS

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.....

100% 90% 80% 70% 60% 50% 40% 30% 20% 10% 0%

**** SIGNING FOR ANOTHER PERSON WILL CAUSE THIS PETITION TO BE VOID.**



12/22/14

**THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT**

PO Box 4950, Window Rock, Arizona 86515
TEL: (928) 871-7198 / 7134 FAX: (928) 871-7886

EXHIBIT

E

CULTURAL RESOURCE COMPLIANCE FORM

ROUTE COPIES TO:

☒ Begay-Taylor

NNHPD NO.: HPD-14-693

OTHER PROJECT NO.: Begay-Taylor 03

PROJECT TITLE: To conduct a non-collection cultural resource inventory of a proposed 1.5 acre site lease for the Houck House of Prayer, Houck, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: Gilbert Tulley, Houck House of Prayer, PO Box 324, Houck, Arizona 86506

PROJECT DESCRIPTION: The proposed undertaking will involve the mission site lease approval and/or construction of a mission along with the installation of associated facilities/utilities within the 1.5-acre lease area. The area of effect is 1.5-acres. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS:	Navajo Tribal Trust
CHAPTER:	Houck
LOCATIONS:	T. 22 N, R. 29 E – Sec. 24; Houck Quadrangle, Apache County, Arizona G&SRPM

PROJECT ARCHAEOLOGIST:	Judy Begay-Taylor
NAVAJO ANTIQUITIES PERMIT NO.:	814427
DATE INSPECTED:	09/07/14
DATE OF REPORT:	09/10/14
TOTAL ACREAGE INSPECTED:	5.5 – ac

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

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

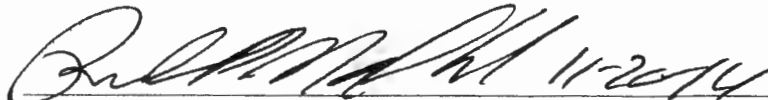
EFFECT/CONDITIONS OF COMPLIANCE: No Historic Properties affected.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7198.

FORM PREPARED BY: Tamara Billie
FINALIZED: November 17, 2014

Notification to Proceed
Recommended
Conditions:

☒ Yes ☐ No
☐ Yes ☒ No


The Navajo Nation
Historic Preservation Office
Date 11/20/14

Navajo Region Approval

☒ Yes ☐ No


BIA – Navajo Regional Office
Date 12/19/14

Tim 12.12.14

HPD-14-693

ARCHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD APR/93)

1. HPD REPORT NO.	
2. TITLE OF REPORT: To conduct a non-collection cultural resource inventory of a proposed 1.5 acre site lease for the Houck House of Pray, Houck, Arizona.	3. FIELDWORK DATES: September 7, 2014 4. REPORT DATE: September 10, 2014
5. CONSULTANT NAME AND ADDRESS: Begay-Taylor Archaeological Survey 1717 W. Chardonay Drive Tucson, Arizona 85746	6. PERMIT NO.: B14427 ✓ pd \$100 ⁰⁰ 10 23/14 ✓ # 7109430
	7. CONSULTANT REPORT NO.: 03
8. SPONSOR NAME AND ADDRESS: Pastor Gilbert Tulley Houck House of Prayer Box 324 Houck, Arizona 86506	9. SPONSOR PROJECT NO. :
	10. AREA OF EFFECT: ac. 1.5 acres TOTAL AREA SURVEYED: ac. 5.5 acres

11. LOCATION (MAP ATTACHED):

- | | |
|---------------------------------|--|
| a. Chapter: Houck Chapter | e. Land Status: Tribal Trust land |
| b. Agency: Fort Defiance Agency | f. UTM Zone 12 3907154N 661488E |
| c. County: Apache County | g. Legal: NW 1/4, NW 1/4 Township 22N, Range 29E, Section 24 |
| d. State: Arizona | h. 7.5' Map(s): Houck Quadrangle Arizona, 1971 |
| | i. Lead Agency: BIA |

12. Report Attachments

a. Description of Undertaking:

To conduct a non-collection cultural resource inventory of a 1.5 acres for Houck House of Prayer Missionary site, Houck Chapter, Apache County, Arizona. Extensive and intensive ground disturbance will occur as a result of the placement of a building and also the paving of a parking lot.

b. Existing data Review:

See supplement sheet

c. Area Environmental & Cultural Setting:

See supplement sheet

d. Field Methods: See supplement sheet



13. CULTURAL RESOURCE FINDINGS:

a. Location/Identification of Each Resource:

One in-use site (A) was noted, a small corral located at the SW section of the 1.5 acre used by Pastor Gilbert Tulley's relative.

b. Evaluation of Significance of Each Resource: The in-site is less than 50 years old, therefore not eligible for inclusion to the National Register of historic Places. No historic properties were found.

The small corral located at the SW section of the 1.5 acre is less than 50 yrs old and not eligible for inclusion to National Register of Historic places.

14. MANAGEMENT SUMMARY (RECOMMENDATIONS):

Cultural resources eligible for inclusion in the National Register of Historic Places (36 CFR Part 800.90) were not identified within the proposed 1.5 acre Houck House of Pray site. Archaeological clearance is recommended for the proposed undertaking.

15. CERTIFICATION:

General Charge Name:

SIGNATURE:

DATE:

Judith A. Beggs-Taylor *Sept. 10, 2014*

Direct Charge Name:

SIGNATURE:

DATE:

Judith A. Beggs-Taylor *Sept. 10, 2014*

SUPPLEMENT SHEET (AIRS FORM)
FORT DEFIANCE, ARIZONA 0.44 ACRES

12. Report Attachments

Description of Undertaking:

To conduct a non-collection cultural resource inventory of a 1.5 acres for Houck House of Prayer Missionary site, Houck Chapter, Apache County, Arizona. Extensive and intensive ground disturbance will occur as a result of the placement of a building and also the paving of a parking lot.

Existing data Review:

A data review of the Navajo Nation Historic Preservation Department (NNHPD) archival reports indicated that no previously recorded Traditional Cultural Properties are in the 0.5 mile meter radius of the project site. The project references number reviewed include the following: HPD# 05-1145, 95-447 and 05-859. The project references number reviewed, HPD# 05-1145, recorded an archaeological site, AZ-P-42-118.

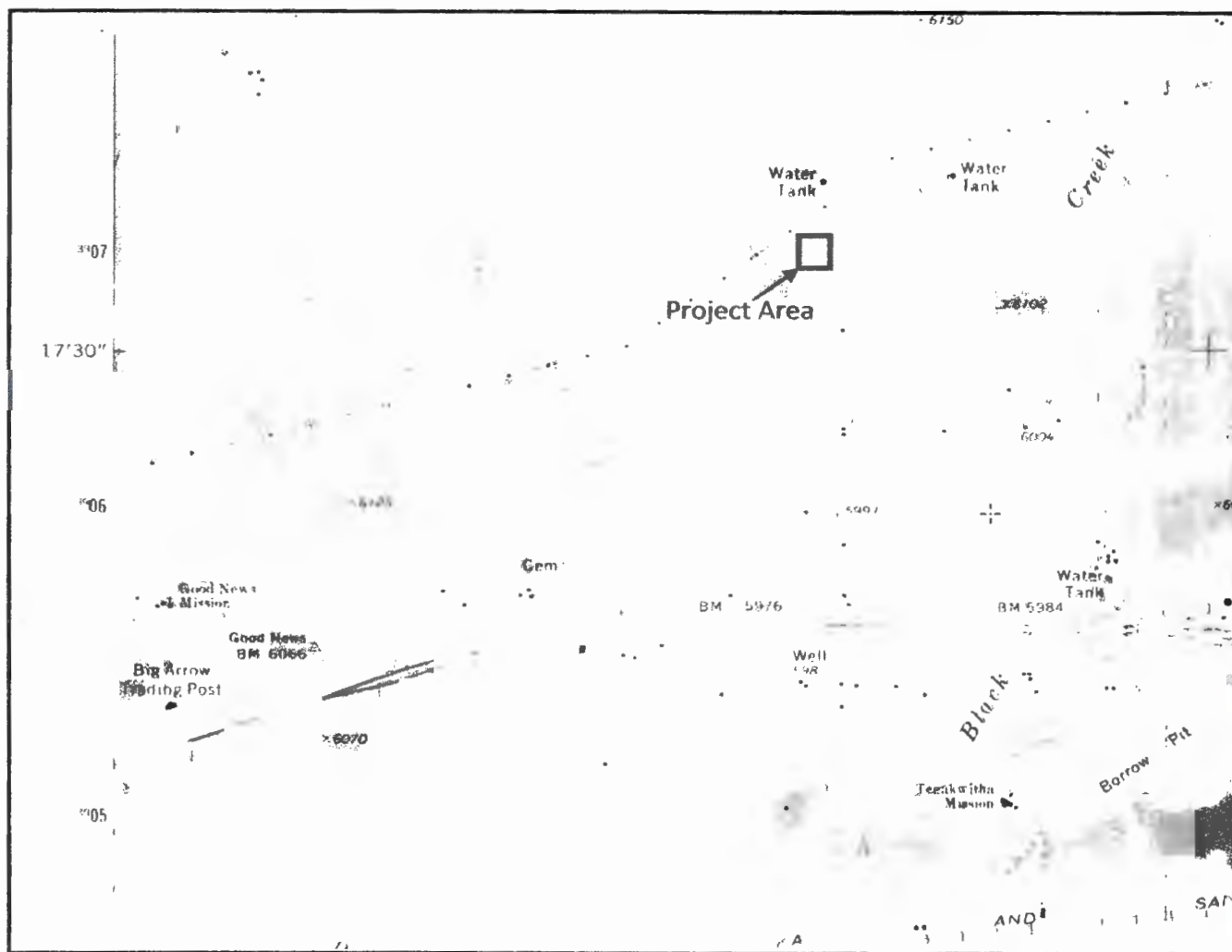
Area Environmental & Cultural Setting:

The project is situated northwest of the Houck Chapter House north of I-40. Houck, Arizona. The elevation of the project area is 6017 ft (1834 m) above mean sea level. The project area is flat with no hills. Vegetation of the project area includes prickly pear cactus, sage brush and juniper-pinon trees. Surface sediment consists of medium grained brown sand. Current cultural setting consists of three homesteads to the west. A small corral to the southwest. A road cuts through the project area. A Navajo Nation cadastral marker exist approximately 20 meter east of project site, at 12 661542E, 3907155N. The Navajo Nation cadastral marker was not used in obtaining the coordinates of the project area. A waterline also exist east of the project area at UTM Zone 12 3907133N 661565E. The center of the project area is UTM Zone 12 3907154N, 661488E.

Field Methods:

A platted map was supplied by the Houck House of Prayer Missionary Church. A Class III level pedestrian inventory with transects spaced 15 meters apart was conducted on the project area. A 30.0 meters (98.425 ft) buffer zone was surveyed of the area of potential affect at the north section, 40.0 m (131.234 ft) buffer at east section, 30.0 m (98.425 ft) buffer at south section and 20.0 (65.610 ft) meter buffer at west section due to restricted access by modern dwellings and fences. A total 5.5 acre was surveyed. Interviews regarding Traditional Cultural Properties (TCP) in and around the project area were conducted with Mr. Gilbert Tulley.

HOUCK QUADRANGLE
ARIZONA—APACHE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



SCALE 1:24,000

1 MILE

CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

Mapped, edited, and published by the Geological Survey

Copyright © 1971 by the U.S. Geological Survey

Topograph by photogrammetric methods from aerial photographs taken 1969-70. Field checked 1971.

Projection and 10,000 foot grid ticks: Arizona coordinate system, east zone (Transverse Mercator).

1000 metre Universal Transverse Mercator grid ticks, zone 12, shown in blue. 1927 North American datum.

Thin red dashed line indicates old section line.

Certain land lines are omitted because of insufficient data.

ROAD CLASSIFICATION
Primary highway
Secondary highway
Tertiary highway
Interstate Road
Light duty road, hard or improved surface
Unimproved surface
Unimproved road
U.S. Route
State Route

USGS
TOPOGRAPHIC
DIVISION

HOUCK, ARIZ.
N3515 W10907 5/7 5

1971

AMD 4154 I RW 61-9165 V888

Judy Ann Begay-Taylor
1717 W. Chardonnay Drive
Tucson, Arizona 85746

September 10, 2014

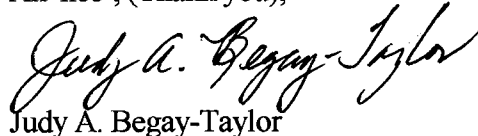
Houck House of Prayer
P.O. Box 324
Houck, Arizona 86506

Yá'át'ééh, Pastor Gilbert Tulley

Enclosed are *copies* of the Archaeological Inventory Documentation, (HPD) APR/93), for Houck House of Prayer, Box 324, Houck Arizona, 86506 and receipt for your records. The actual report has been submitted to the Navajo Nation Historic Preservation office for their approval.

I appreciate the opportunity given to have served your organization. Please, if you have any questions do not hesitate to call or email me. I may be reached by telephone at (520) 990-9626 or by email at jbegay@email.arizona.edu.

Ah''hee', (Thank you),



Judy A. Begay-Taylor

Enclosure: Archaeological Inventory Documentation, (HPD) APR/93), receipt and maps.

**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.: House of Prayer Mission Site - Revocable Use Permit

DESCRIPTION: RUP for 1.5 acres for the House of Prayer mission site.

LOCATION: NW¼ NW¼, Section 24, T22N, R29E, G&SRM, Houck, Apache County, Arizona

REPRESENTATIVE: Vera Shurley, Right of Way Agent, Navajo Land Department

ACTION AGENCY: House of Prayer

B.R. REPORT TITLE / DATE / PREPARER: EOR005565/26 FEB 2016/NLD

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3. No effect determination per DR#14HHOP-01

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA


AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/03 MAR 2016

COPIES TO: (add categories as necessary)

☐
☐

2 NTC § 164 Recommendation:	Signature	Date
<input checked="" type="checkbox"/> Approval		
<input type="checkbox"/> Conditional Approval (with memo)		
<input type="checkbox"/> Disapproval (with memo)		
<input type="checkbox"/> Categorical Exclusion (with request letter)		
<input type="checkbox"/> None (with memo)		
Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife		

*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



NAVAJO NATION
Department of Fish & Wildlife
Navajo Natural Heritage Program
P.O. Box 1480
Window Rock, AZ 86515



Phone: 928.871.6472 • Fax: 928.871.7603 • <http://nnhp.nndfw.org>

Ben Shelly, President

Rex Lee Jim, Vice-President

19 September 2014

File#14HHOP-01

Deann & Gilbert Tully
Houck House of Prayer
P.O. Box 324
Houck, AZ 86506

NAVAJO ENDANGERED SPECIES LIST (NESL) INFORMATION FOR:

PROJECT: HOUCK HOUSE OF PRAYER MISSION SITE LEASE
LEGAL DESCRIPTION NW/4 OF SEC. 24, T22N, R29E, G&SRM
HOUCK, APACHE COUNTY, AZ

Mr. & Mrs. Tully:

The following information on species of concern¹ is provided in response to your 02 September 2013 request concerning the subject project, which consists of the proposed 1.5-acre mission site lease for the Houck House of Prayer located at legal description NW/4 of Sec. 24, T22N, R29E, G&SRM, Houck, Apache County, AZ.

The project is not expected to affect any federally listed species or significantly impact any tribally listed species or other species of concern.

AREA 3 of The Biological Resource: Land Clearance Policies & Procedures

Area 3-Low Sensitivity Wildlife Resources: This area has a low, fragmented concentration of species of concern. Species in this area may be locally abundant on 'islands' of habitat, but islands are relatively small, limited in number and well spaced across the landscape. (For detailed information regarding "Area 3" please refer to our website at nndfw.org).

Potential impacts to wetlands should also be evaluated. The U.S. Fish & Wildlife Service's National Wetlands Inventory (NWI) maps should be examined to determine whether areas classified as wetlands are located close enough to the project site(s) to be impacted. In cases where the maps are inconclusive (e.g.,

¹"Species of concern" include protected, candidate, and other rare or otherwise sensitive species, including certain native species and species of economic or cultural significance. For each species, the following tribal and federal statuses are indicated: Navajo Endangered Species List (NESL), federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and Eagle Protection Act (EPA). No legal protection is afforded species with only ESA candidate or NESL group 4 status; please be aware of these species during surveys and inform the NFWF of observations. Documentation that these species are more numerous or widespread than currently known, and addressing these species in project planning and management is important for conservation and may contribute to ensuring they will not be uplisted in the future. Species without ESA or NESL legal protection (e.g., NESL group 4 species) are only included in responses on a regular basis and may not be included in this response. Please refer to the NESL for a list of group 4 species; contact me if you need a copy.

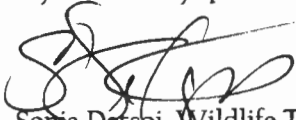
due to their small scale), field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the 'Corps of Engineers Wetlands Delineation Manual' (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. NWI maps are available for examination at the NFWD's Natural Heritage Program (NHP) office, or may be purchased through the U.S. Geological Survey (order forms are available through the NHP). The NHP has complete coverage of the Navajo Nation, excluding Utah, at 1:100,000 scale; and coverage at 1:24,000 scale in the southwestern portion of the Navajo Nation.

This response is based on information in the Navajo Natural Heritage Program database; knowledge of staff biologists about the project area; the scope of the project; the USGS topographic map of the project area; and information you provided. Because the NFWD's information is continually updated, any given information response is only wholly appropriate for its respective request.

For a list of sensitive species on the Navajo Nation in addition to the species listed on the Navajo Endangered Species List (NESL) please refer to our website at www.nndfw.org.


An invoice for this information is attached.

If you have any questions I may be reached at (928) 871-6472.



Sonja Detsoi, Wildlife Tech.
Natural Heritage Program
Department of Fish and Wildlife

CONCURRENCE



Gloria M. Tom, Director
Department of Fish & Wildlife
Division of Natural Resources

xc: file/chrono

INVOICE



Navajo Nation
Department of Fish & Wildlife
Natural Heritage Program
P.O. Box 1460
Window Rock, AZ 86515
Phone # 928-871-8472
Fax # 928-871-7803
Web Site www.navajofishandwildlife.org

BILL TO

Deanna & Gilbert Tulley
Houck House of Prayer
P.O. Box 324
Houck, AZ 86506

INVOICE #		DATE	
14HHOP-01		9/19/2014	

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
01	Base Fee - Navajo Endangered Species List (NESL) Information for Houck House of Prayer Mission Site Lease, Houck, Apache County, AZ. Payment Recd: \$32.50 MO#22189767366 \$32.50 MO#17-045758955 Thank you.	1	65.00	65.00

UNITED STATES POSTAL SERVICE

Serial Number: 22189767366

Year, Month, Day: 2014-09-02

Post Office: 865150

U.S. Dollars and Cents: \$32.50

Amount: THIRTY TWO DOLLARS & 50c *****

POSTAL MONEY ORDER

WESTERN UNION FINANCIAL SERVICES INC. - ISSUER - Englewood, Colorado

Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado

MONEY ORDER

17-045758955

\$ 32.50

A 722927 D 080514
L 0837 01
170457589556 L 000024

TOTAL \$65.00

PAY EXACTLY THIRTY-TWO DOLLARS AND FIFTY CENTS
PAY TO THE ORDER OF Navajo Nation
Houck House of Prayer, Bx 324, Houck
PURCHASER'S ADDRESS
PAYMENT FOR/ACCT. #
PURCHASER'S SIGNATURE
PURCHASER BY SIGNING YOU AGREE TO THE TERMS ON THE REVERSE SIDE

⑆102100400⑆ 40170457589556⑈



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF EXECUTIVE DIRECTOR/ADMINISTRATION

OFFICE OF ENVIRONMENTAL REVIEW

PO BOX 339 WINDOW ROCK ARIZONA 86515 Office: 928/871-7188 Fax: 928/871-7996

Website: www.navajonationepa.org

February 22, 2016

Gilbert Tully, Pastor
Houck House of Prayer
PO Box 324
Houck, Arizona 86506

Subject: New Mission Site Lease – Houck House of Prayer

Mr. Gilbert Tully,

The Navajo Nation Environmental Protection Agency (NNEPA) recommends *conditional approval* for the proposed ± 1.50 acres mission site lease to Houck House of Prayer. If the recommendation is adhered, the new mission site lease action will not significantly impact the Navajo Nation's environmental resources. This environmental clearance is only for the 1.50 acre mission site lease. NNEPA recommends for Houck House of Prayer church to connect to the local sewerline to dispose waste water or to connect to an individual lagoon due to the high expectancy of attendees to the church. You may contact Ms. Yolanda Barney, NNEPA Public Water System Supervision Program at 928-871-7715. Her office is located at the Window Rock Fairgrounds in a log cabin building right at the rodeo admission entrance gate in Window Rock, Arizona.

If there are any questions, you may contact Rita Whitehorse-Larsen at 928/871-7188. Thank you.

Sincerely,

Rita Whitehorse-Larsen, Senior Environmental Specialist
Navajo Nation Environmental Protection Agency
Office of the Executive Director/Administration
Office of Environmental Review

Cc: Vera Shurley, Right-of-Way Agent, Navajo Land Department
Houck Chapter, via email



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



February 26, 2016

Mr. Gilbert Tully
P.O. Box 324
Houck, Arizona 86506

RE: House of Prayer

Dear Mr. Tully:

Enclosed for your information and use is an approved Land Withdrawal Designation for the House of Prayer. ~~The Designation authorizes construction, operation, maintenance and application of a Revocable Use Permit for mission site on 1.5 ± acres of tribal trust lands.~~ The area is located in NW4 NW4 of Section 24, Township 22 North, Range 29 East, G. & S.R.M., Houck community, District 18, Fort Defiance Agency, Apache County, State of Arizona.

On June 16, 2015, the Resources and Development Committee of the Navajo Nation Council through RDCJN-33-15, delegated the Director of Navajo Land Department (NLD), Division of Natural Resources (DNR), the power and authority to give final approval of all land withdrawal designations on the Navajo Nation.

The Land Withdrawal Designation has been approved for House of Prayer for five (5) years for religious activities. Within ninety (90) days prior to expiration, you must notify and request for another (5) year withdrawal from Navajo Land Department if development has not occurred.

Sincerely,

W. Mike Halona, Department Manager III
Navajo Land Department
Division of Natural Resources

M

XC: File

Mission Site is not identified in a LWD
for community development. A permit will
provide for the construction & operation.
Proceed with RUP for approval.



**TERMS AND CONDITIONS FOR MISSION SITE PERMIT
SPIRITUAL HOPE PENTECOSTAL CHURCH (PERMITTEE)**

1. This Mission Site Permit is issued to the HOUSE OF PRAYER, POST OFFICE BOX 324, HOUCK, ARIZONA 86506 to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the Mission Site Permit is effective beginning on the date the permit is approved by the Resources & Development Committee of the Navajo Nation Council or authorized representative. This Permit is authorized by Resources and Development Committee No. _____.
2. This permit is revocable at the discretion of the Resources and Development Committee of the Navajo Nation Council. The permit shall immediately be revoked for the failure to use the land herein described for religious purposes. It is understood and agreed that this instrument is 'NOT A LEASE' and is not to be taken or construed as granting any leasehold interest or right in or to the land herein described, but is merely a temporary permit, terminable and revocable.
3. The Permittee shall be given at least thirty (30) days written notice before this Mission Site Permit is terminated and revoked. Upon termination of the Mission Site Permit, the Permittee shall have ninety (90) days in which to remove from the site to dispose of any and all buildings, structures, materials and equipment and other personal property owned by the religious organization. After the expiration of the ninety (90) days, the Permittee shall peacefully and without legal process deliver the possession of the premises to the Navajo Nation. All improvements not removed after ninety (90) days will become the property of the Navajo Nation, unless the Navajo Nation demands in writing that the improvements be removed.
4. This Permit is not transferable, except with the consent of the Resources and Development Committee of the Navajo Nation Council.
5. This Permit shall be reviewed every five (5) years to reevaluate the rent and compliance with the terms and conditions.
6. The legal land description of the premises is described as follows:

TRACT DESCRIPTION

A Tract of land located in the Northwest Quarter (NW4) of Section 4, of Township 23 North, Range 18 West, N.M.P.M., and also in the Southwest Quarter (SW4) of Section 33, Township 24 North, Range 18 West, N.M.P.M., San Juan County, New Mexico being situate in the Newcomb area and being more particularly described as follows:

Commencing at the Northeasterly corner of said Parcel a point which bears North 76° 25' 09" West, a distance of 1,019.65 feet from the North Quarter (1/4) Corner of Section 4, Township 23 North Range 18 West, N.M.P.M.,

thence, South 06° 57' 23" East, a distance of 158.38 feet;

thence, South 82° 45' 04" West, a distance of 71.29 feet;
thence, South 06° 24' 44" West, a distance of 154.50 feet;
thence, South 83° 00' 38" West, a distance of 171.80 feet;
thence, North 06° 59' 07" West, a distance of 212.15
thence, North 50° 48' 51" East, a distance of 181.95 feet;
thence, North 83° 03' 25" East, a distance of 124.99 feet to the Point of Beginning

Said Parcel containing 1.5± Acres more or less in area and being subject to any restrictions, easements and reservations of record.

7. The annual rental is set at \$ 22.50 per year and is due on or before the first day of January of each year the Permit remains in effect. Pursuant to 16 N.N.C. § 1157, if the Permittee fails to pay the rent when due, this permit shall automatically terminate. The Permittee is responsible to make direct payments to the Navajo Nation Accounts Receivable Section, Post Office Box 3150, Window Rock, Arizona 86515.
8. The Permittee may develop, use and occupy the area under the permit for the purpose(s) of Mission Site. The Permittee may not develop, use or occupy the area under the permit 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 Permittee may not develop, use or occupy the area under the permit for any unlawful purpose.
9. In all activities conducted by the Permittee within the Navajo Nation, the Permittee shall abide by all 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. Title 25, Code of Federal Regulations, Part 162;
 - b. All applicable federal and Navajo Nation antiquities laws and regulations, with the following additional condition: In the event of a discovery all operations in the immediate vicinity of the discovery must cease and the Navajo Nation Historic Preservation Department must be notified immediately. As used herein, "discovery" means any previously unidentified or incorrectly identified cultural resources, including but not limited to archeological deposits, human remains, or location reportedly associated with Native American religious/traditional beliefs or practices;
 - c. The Navajo Preference in Employment Act, 15 N.N.C. §§ 601 et seq., and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 201 et seq.; and
 - d. The Navajo Nation Water Code, 22 N.N.C. § 1101 et seq. Permittee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
10. The Permittee 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 permit.
11. The Permittee shall clear and keep clear the lands within the permit area to the extent compatible with the purpose of the permit, and shall dispose of all vegetation and other materials cut, uprooted, or otherwise accumulated during any surface disturbance activities.
12. The Permittee shall at all times during the term of the permit and at the Permittee's sole cost and

expense, maintain the land subject to the permit and all improvements located thereon and make all necessary and reasonable repairs.

13. The Permittee shall indemnify and hold harmless the Navajo Nation and their respective authorized agents, employees, land users and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use or occupancy or use of the permit area by the Permittee.
14. The Permittee shall not assign, convey or transfer, in any manner whatsoever, the permit or any interest therein, or in or to any of the improvements on the land subject to the permit, without the prior written consent of the Navajo Nation. Any such attempted assignment, conveyance or transfer of the permit 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.
15. The Navajo Nation may terminate the permit for violation of any of the terms and conditions stated herein. In addition, the permit shall be terminable in whole or part by the Navajo Nation or authorized representative for any of the following causes:
 - a. Failure to comply with any terms and conditions of the permit or of applicable laws or regulations;
 - b. Non-use of the permit; and
 - c. The use of the land subject to the permit for any purpose inconsistent with the purpose for which the permit is granted.
16. At the termination of the permit, the Permittee 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 Permittee shall provide the Navajo Nation, at the Permittee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.
17. The Permittee shall give written notice to the Navajo Nation Land Department regarding any change to the Permittee's contact information, address, leadership, organizational name, or any other substantial change to the organization. The notice shall be given within thirty (30) days and delivered to the Navajo Land Department at Post Office Box 2249, Window Rock, Arizona 86515.
18. Holding over by the Permittee after the termination of the permit shall not constitute a renewal or extension thereof or give the Permittee any rights hereunder or in or to the land subject to the permit or to any improvements located thereon.
19. The Navajo Nation shall have the right, at any reasonable time during the term of the permit, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
20. By acceptance of the grant of permit, the Permittee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgments for compensatory and punitive damages and injunctive relief, in connection with all activities conducted by the Permittee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.

21. By acceptance of the grant of the permit, the Permittee 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) 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. Nothing contained in this provision shall be construed to negate or impair federal responsibilities with respect to the land subject to the permit or to the Navajo Nation.
22. Any action or proceeding brought by the Permittee against the Navajo Nation in connection with or arising out of the terms and conditions of the permit shall be resolved administratively under the laws of the Navajo Nation, and no action or proceeding shall be brought by the Permittee against the Navajo Nation, in any court of any state.
23. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
24. Except as prohibited by applicable federal law, the law of the Navajo Nation shall govern the construction, performance and enforcement of the terms and conditions contained herein.
25. 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 Permittee, and the term "Permittee," whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
26. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the area under the permit and all lands burdened by the permit, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the area under the permit; and the area under the permit and all lands burdened by the permit shall be and forever remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.

Date: _____

Date: _____

By: _____

By: _____

**House of Prayer
Permittee**

**President
Navajo Nation**