

**John Whipple**

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**From:** utton  
**Sent:** Monday, April 12, 2004 9:42 PM  
**To:** Karen Fisher  
**Cc:** jwhipple; Estevan Lopez; D Sanders  
**Subject:** Re: Navajo Settlement

We just can't win. That was the only way the US DOJ would let us talk to those people at all. And we may have some more of those meetings. Do you see a problem?

----- Original Message -----

From: <kfisher@ose.state.nm.us>  
 To: <elopez@ose.state.nm.us>; <kstangl@ose.state.nm.us>;  
 <utton@newmexico.com>; <jwhipple@ose.state.nm.us>  
 Sent: Monday, April 12, 2004 10:00 AM  
 Subject: Navajo Settlement

> FYI--  
 >  
 > FARMINGTON  
 > DAILY TIMES  
 >  
 > JIM SNYDER  
 >  
 > 11 APRIL 2004 - A secret water rights meeting organized by the  
 > chairman of the Interstate Stream Commission and a member violated the  
 > public trust, said Bob Johnson, executive director of the New Mexico  
 > Foundation of Open Government.  
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 > Commission Chairman Jim Dunlap and member John Whipple ran the meeting  
 > April 1 in the executive conference room at Farmington City Hall,  
 > three audience members present confirmed this week. Dunlap is also  
 > vice chairman of the San Juan Water Commission.  
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 > The New Mexico Open Meetings Act was not violated if no quorum was  
 > formed by any of the organizations running or attending the meeting,  
 > Johnson said.  
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 > He added, however, Dunlap and Whipple "violated reasonable public  
 > policy," because the meeting went against the spirit of open  
 > government.  
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 > "To have a confidential meeting and require people who attended to  
 > sign confidential oaths - and they didn't invite any Navajos - what  
 > kind of policy is that?" Johnson asked.  
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 > "It's arrogant, it's secretive and shows absolute contempt for the  
 > public - especially the Navajo public. These guys are supposed to be  
 > public servants. They're showing how they regard the public and their  
 > own self-importance of doing that."  
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 > The invitation-only meeting was held to discuss the proposed Navajo  
 > Nation water rights settlement on the San Juan Basin as well as a  
 > forthcoming proposed draft, according to a confidentiality statement.

> Approximately 13 audience members were forced to sign the statement in  
> order to attend the meeting. They were invited through phone calls a  
> day or two before the meeting.  
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