



*SJ-17
Navajo Settlement*

THE NAVAJO NATION
DEPARTMENT OF WATER RESOURCES
WATER MANAGEMENT BRANCH

FACSIMILE TRANSMITTAL SHEET

TO: JOHN UTON	FROM: JOHN LEOPON
COMPANY:	DATE:
FAX NUMBER: 505 842-8890	TOTAL NO. OF PAGES INCLUDING COVER:
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: 928-729-4004
RE:	SENDER'S FAX NUMBER: 928-729-4126

- FOR REVIEW
- PLEASE COMMENT
- PLEASE REPLY
- PLEASE RECYCLE

NOTES/COMMENTS:

LETTERS AS REQUESTED

AUG-19-04 THU 9:40 AM NWNMCOG

FAX NO. 5057229211

P. 3

09:19:28 AM

PETE V. DOMENICI
NEW MEXICO

COMMITTEES:
ENERGY AND NATURAL RESOURCES
APPROPRIATIONS
BUDGET
INDIAN AFFAIRS

United States Senate

WASHINGTON, DC 20510-3101

August 18, 2004

BY FAX AND MAIL

President Joe Shirley, Jr.
The Navajo Nation
Window Rock, Arizona 86515

Dear President Shirley:

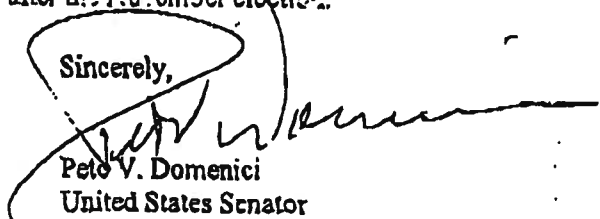
As the Navajo water settlement agreement begins to move forward, I am writing to let you know that I cannot support the current estimates of the federal costs of this settlement. I am hearing total estimates between \$900 million and \$1.25 billion, and all of it federal money. I would be less than candid with you if I did not express my concerns early. I see no way that the Congress would be able to fund these huge amounts of money. I am, therefore, writing to ask for your leadership in finding ways to have the Navajo Nation contribute a substantial portion of the estimated settlement costs.

I am also disheartened by the public comments of Chairman George Arthur, of the Navajo Nation Council Natural Resources Committee. His total opposition to water for Gallup in this settlement is a sad and destructive position. I told him unequivocally that I, in my positions as Chairman of the U. S. Senate Energy Committee and as Chairman of the U. S. Senate Energy and Water Development Appropriations Subcommittee, will oppose any passage in Congress of a Navajo water settlement, unless Gallup is included in the final settlement. My position includes opposition to any federal funding toward such a settlement agreement.

You should not be surprised by my position, as I have supported funding to the Bureau of Reclamation for a decade now to analyze and plan ways to improve the third world water conditions on the eastern Navajo Nation, including water for Gallup.

I look forward to a new position of the Navajo Nation Committee on Natural Resources, the full Navajo Nation Council, and your office regarding vitally needed water for Gallup. Cost sharing will also be a major obstacle to final Congressional approval, given the current cost estimates. I will appreciate your attention to my concerns, the needs of Navajo people and the interests of the people of Gallup. I look forward to seeing you sometime after the September election.

Sincerely,



Pete V. Domenici
United States Senator

PVD:jwt

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AUG-19-04 THU 9:39 AM RWNMCOG

FAX NO. 5057229211

P. 2

08/18/2004 10:55 AM

PETE V. DOMENICI
NEW MEXICO

COMMITTEES:
ENERGY AND NATURAL RESOURCES
APPROPRIATIONS
BUDGET
INDIAN AFFAIRS

United States Senate

WASHINGTON, DC 20510-3101

August 18, 2004

BY FAX AND MAIL

Chairman George Arthur
Natural Resources Committee
Navajo Nation Council
Window Rock, Arizona 86515

Dear Chairman Arthur:

I read with some interest your recent public comments about the Navajo water settlement. I was not pleased with your conclusion that the Navajo Nation would oppose any funding of a water pipeline to Gallup in a Navajo water settlement.

I am writing to you to let you know first hand, that your public position will not help the Navajo Nation water cause with me or the Congress. In fact, I am stating to you unequivocally that I, in my positions as Chairman of the U. S. Senate Energy Committee and as Chairman of the U. S. Senate Energy and Water Development Appropriations Subcommittee, will oppose any passage in Congress of a Navajo water settlement, unless Gallup is included in the final settlement. My position includes opposition to any federal funding toward such a settlement agreement.

You should not be surprised by my position, as I have supported funding to the Bureau of Reclamation for a decade now to analyze and plan ways to improve the third world water conditions on the eastern Navajo Nation, including water for Gallup.

I regret the need to be so straight forward with you about this vital matter, but I believe your public stance warrants my strong and clear response. I look forward to a new position of the Navajo Nation Committee on Natural Resources regarding vitally needed water for Gallup. I will appreciate your attention to my concerns and the concerns of Navajo people and the people of Gallup.

Sincerely,


Pete V. Domenici
United States Senator

PVD:jwt

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08-08-04 06:14pm From-US Representative Tom Udall

T-206 P.001/002 F-828

SENATOR PETE V. DOMENICI
NEW MEXICO

COMMITTEES:
ENERGY AND NATURAL RESOURCES
APPROPRIATIONS
BUDGET
INDIAN AFFAIRS

United States Senate
WASHINGTON, DC 20510-3101

April 7, 2004

Governor Bill Richardson
Office of the Governor
State Capitol
Room 400
Santa Fe, NM 87501

Dear Governor Richardson:

This letter is to confirm and expand upon our recent conversation regarding the three New Mexico water settlements pending action before Congress: Aamodt, Navajo/Gallup, and Gila.

As you well know, the water situation in New Mexico has reached a critical level. In order to allocate our water resources reliably and judiciously, we first must need to determine each interested parties rightful water allocation. Our ability to take this critical step toward water planning has been hindered by our state's numerous pending water rights settlements. These prolonged disputes have pitted the state, municipalities, and private landholders against one another and have resulted in prolonged and costly litigation. Senator Bingaman and I have been working in good faith and with varying degrees of progress to address these three major water settlements.

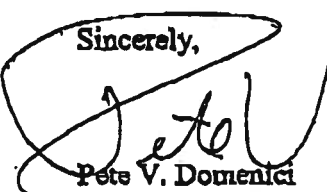
In order to best proceed with resolving these long-standing disputes, I suggest that we look at the settlements collectively instead of singularly and work with all members of the delegation in a unified and coordinated manner. I request that you and the rest of the New Mexico delegation join me in a bi-partisan manner to address these problems. While each member of Congress has different interests, my sincere hope is that we can meet and discuss this approach.

I stand ready to host a meeting here in Washington, DC or in New Mexico at everyone's earliest convenience to discuss how we can best approach this pressing problem.


Apr-08-04 06:15pm From-US Representative Tom Udall

T-206 P.002/002 F-928

Resolving these water disputes is an indispensable component of addressing our state's water woes. I hope you will give my request every consideration and I look forward to working with you on this issue.

Sincerely,

Pete V. Domenici
United States Senate

cc: Senator Jeff Bingaman
Representative Heather Wilson
Representative Steve Pearce
Representative Tom Udall

AS Let talk soon




United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 31 2003

Honorable Pete V. Domenici
United States Senate
Washington, DC 20510-3101

Dear Senator Domenici:

Your September 24, 2002, letter to President Bush seeking support for two projects which would assist the Navajo Nation has been referred to the Department of the Interior for response. This letter responds to your question concerning support for a pipeline to provide potable water to the Navajo Nation and the City of Gallup, New Mexico. We will respond to the matter of a new courthouse for the Nation by separate letter.

We agree that providing potable water to the Navajo Nation is important. Recently, the Department established a federal team to work with the Nation, the State of New Mexico and various non-Indian water users to settle the Nation's water rights claims in the San Juan River Basin. Settlement of the Nation's water rights is expected to include mechanisms for putting that water to use. Your proposal to construct a water pipeline across Navajo lands to serve both the Nation and the City of Gallup may be an appropriate item for discussion in the San Juan River settlement.

Your comments are greatly appreciated and I trust that an affordable solution to the water issue can be found. The Department is committed to working with you to find an appropriate solution.

Sincerely,

Acting Assistant Secretary - Indian Affairs

cc: Sue Ellen Wooldridge, Deputy Chief of Staff and Counselor to the Secretary
Pamela Williams, Director, Secretary's Indian Water Rights Office

11/14/2002 12:58 FAX 2022280800

SENATOR PETE V DOMENICI

002

PETE V. DOMENICI
NEW MEXICO

COMMITTEE
BUDGET
APPROPRIATE
ENERGY AND NATURAL
RESOURCE
ENVIRONMENT
PUBLIC WORKS
INDIAN AFFAIRS



United States Senate

WASHINGTON, DC 20510-3101

September 24, 2002

COPY

The President
The White House
Washington, DC 20500

Dear Mr. President:

Navajo Nation, the largest tribe in the United States exists primarily in New Mexico and Arizona with small portions in Colorado and Utah. Two very worthwhile projects exist to help the Nation and I believe it would be a very good idea if you, Mr. President, were to support either of the two. The impact on the Navajo Nation would be significant and, I believe, it would reflect positively on you and your Administration.

First, for the better part of two decades, the Navajo Nation has been in desperate need of potable water. For years, I have been advocating that a water pipeline be constructed across the Navajo Nation which would also service the City of Gallup, New Mexico (which is not on Navajo land). We refer to this project as the Navajo-Gallup Pipeline and if you are able to support this initiative with me, I would suggest that we call it the Bush-Navajo Water Pipeline. This project should be done and it would be highly visible and appropriate if you were to support it at my request. While the cost is high, it could be paid for over a number of years and the portion attributable to the City of Gallup would be paid for by the City.

Second, the Navajo Nation is far ahead of most Indian tribes in terms of having a sophisticated judicial system. They have a well defined court system in which they currently try jury cases and have an established and reputable Supreme Court. They currently work out of an old barracks building, hardly worthy of their judicial system. A new courthouse is long overdue and would be well received. I've told the Navajo Nation that I would support their efforts and, while I have not secured funding for these projects, I believe that they will come with patience.

If you are able to lend your support, you would achieve significant recognition in the Navajo Nation. Cost estimates for both projects are yet to be determined, but there is no question that the larger project can be funded over the course of several years. The courthouse, if funded, could be planned next year and constructed soon thereafter.

11/14/2002 12:59 FAX 2022280800

SENATOR PETE V DOMENICI

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I would sincerely appreciate your consideration of these projects and stand by to be of assistance if you or your staff have further questions. I look forward to working with you on these and other issues.

Respectfully,



Pete V. Domenici
United States Senator