

## **San Juan River Basin In New Mexico, Navajo Nation Water Rights Settlement: Navajo- Gallup Water Supply Project Document**

### Comment 1:

Navajo Nation members that reside along the boundaries of the Navajo Nation and the City of Gallup currently are not receiving drinking water from a public water supply system. The proposed settlement contract does not appear to discuss this matter. May the contract be modified to include the construction of distribution lines/ extensions and appurtenant facilities to supply drinking water to Navajo Nation members that are not supplied water in these locations through the proposed settlement contract? With this there would then be an intergovernmental agreement between the City of Gallup and the Navajo Nation. The City of Gallup would be the only feasible way for these residents to be supplied drinking water through nearby public water distribution lines.

Navajo Nation members are residentially located near the golf course corridor, near the Red Rock Hogbacks on the east side, beyond the Old Zuni Drive road, and on the west side from the Ellis Tanner junction going west toward the Gallup airport. These residents have attempted to apply for drinking water supply services from the City of Gallup but were unsuccessful due to jurisdictional boundaries. The residents on the west side have attempted to apply for an extension from the Red Rock/Twin Buttes and Breadsprings Navajo Nation public water supply systems. This was not feasible because the extension was too long. A survey may need to be conducted on those Navajo Nation members who do not receive drinking water that live in and around the boundaries of the Navajo Nation and the City of Gallup.

### Comment 2:

Regarding "based on the ability to pay" for the construction, operation, and maintenance of the Navajo- Gallup Water Supply Project, it appears that the City of Gallup have made unofficial statements regarding the "inability" to pay or afford the whole cost of the project. The proposed settlement requires the City of Gallup to pay \$85.1 million dollars for their share of construction costs for the project within 50 years. The City of Gallup will be in need of resources for this repayment. The contract should include that the City of Gallup shall not market or resale to Navajo Nation members adjudicated waters from the San Juan River settlement.

### Comment 3:

The word "inure" is used several times in the document. One definition of this word means "to be accustomed to accept something undesirable." The other definition to this is "to become of advantage." The PWSSP assumes "inure" is being used in this document for the latter definition - to become of advantage.