

PETE V. DOMENICI
NEW MEXICO

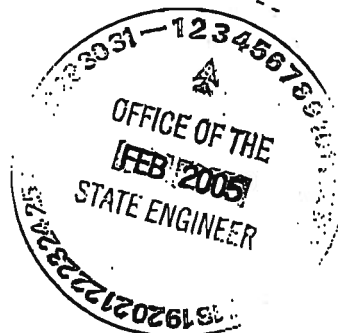
COMMITTEES:
ENERGY AND NATURAL RESOURCES
APPROPRIATIONS
BUDGET
INDIAN AFFAIRS

United States Senate
WASHINGTON, DC 20510-3101

55-17
Navajo settle.

February 3, 2005

Mr. Esteven Lopez
Director, New Mexico Interstate Stream Commission
P.O. Box 25102
Santa Fe, NM 87504



Dear Director Lopez:

It has come to my attention that there is significant disagreement regarding the effect the proposed settlement of the Navajo Nation's water rights claims in the San Juan Basin, New Mexico will have on the water available to San Juan-Chama Project contractors.

It is my understanding that several of the San Juan-Chama Project contractors claim that the settlement will result in a reduction of water available to contractors, while the Interstate Stream Commission and the Navajo Nation believe that an increase in allowed diversions will offset any addition of shortage sharing partners. These disagreements have their genesis in different legal analyses, different interpretations of legislative intent and statutory construction, and different hydrologic assessments.

In order determine the merits of each position, I have requested that the respective parties provide my staff with the empirical, statutory, and legal arguments that are the basis for each of their positions. In late March, my staff will be in New Mexico to meet with the parties and assess each argument. I am making the same request of the Navajo Nation and the San Juan-Chama Project contractors.

In the interim, I encourage you to work in the spirit of cooperation in order to resolve this disagreement. It is very important to me that this issue be resolved in a manner acceptable to all involved. Thank you in advance for your attention to this matter.

Sincerely,

Pete V. Domenici
United States Senator