



# The Navajo Nation

SJ-17  
Navajo Settlement

**DR. JOE SHIRLEY, JR.**  
President

**BEN SHELLY**  
Vice President

NOV 25 2006

The Honorable Bill Richardson, Governor  
Office of the Governor  
490 Old Santa Fe Trail, Room 400  
Santa Fe, New Mexico 87501

Re: Extension of the New Mexico Navajo Nation Water Rights Settlement Agreement

Dear Governor Richardson:

The State of New Mexico and the Navajo Nation remain committed to implementing the historic San Juan River Basin in New Mexico Navajo Nation Water Rights Settlement Agreement we entered into on April 19, 2005. Section 5.2 of the Settlement Agreement provides that Congress must enact federal legislation necessary to implement certain provisions by December 31, 2006. Section 5.2 of the Settlement Agreement also provides that the date for enactment of federal legislation shall be extended if reasonably necessary to provide Congress additional time to consider and act upon the legislation. As you know, the federal legislation was not enacted by that time, and by your letter of December 14, 2006, the State of New Mexico proposed to extend the deadline for another two years. By my letter of December 14, 2006, on behalf of the Navajo Nation, we agreed.


As you know, we were hoping the legislation would be approved this year as part of the Omnibus Public Land Act (S. 3213). Unfortunately, that legislation did not come up for a vote during the 110<sup>th</sup> Congress. We understand that Senator Bingaman will make this legislation a priority in the 111<sup>th</sup> Congress. Our staffs continue to work diligently with our congressional delegation to ensure that the settlement legislation is legally sufficient and politically viable. In my view, both the Navajo Nation and the State of New Mexico have evinced a commitment to the settlement; therefore, by the authority vested in me by the Navajo Nation Council, I propose that the deadline in Section 5.2 of the Settlement Agreement be extended an additional two years to December 31, 2010.

There are other milestones in the Settlement Agreement incorporated at section 10701(e)(1) of the Omnibus Bill that may require adjustment. Our staffs should work with our congressional delegation to extend these deadlines as appropriate. Following passage of the legislation, we can formally amend the Settlement Agreement, subject to the approval of the parties, to conform to any changes made in the authorizing legislation, including any changes in the milestones described in the Settlement Agreement.

Thank you for your continued work on this important settlement, and we look forward to celebrating the successful passage of the authorizing legislation during the upcoming 111<sup>th</sup> Congress.

Sincerely,

**THE NAVAJO NATION**

  
Joe Shirley, Jr., President