

## John Whipple

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**From:** spollack  
**Sent:** Monday, December 15, 2003 2:41 PM  
**To:** jwhipple  
**Subject:** Fw: Proposed Navajo Settlement Documents

Thoughts?

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

**From:** <David.Gehlert@usdoj.gov>  
**To:** <spollack@cia-g.com>  
**Sent:** Monday, December 15, 2003 1:49 PM  
**Subject:** RE: Proposed Navajo Settlement Documents

> Stan, I haven't had a chance to read the settlement documents in any detail, but I did want to let you know of one issue that's been brought to my attention, just in case it hasn't been brought to your attention as well. Hammond Irrigation District called me the other day to raise an objection to "their" permit (#2848) being included in the allocation provisions at page 12. Their particularly upset that the San Juan Chama permits were included in a similar provisino in the Jicarilla settlement (along with Hammond's), but SJ-C is not included in this settlement. Basically their position is that SJ-C can get out, Hammond should be able to as well.

> Do you know why SJ-C was able to "escape" and whether there's any prospect of Hammond being "de-listed?" I can say that if Hammond has been included on the assumption that they have excess water, both Hammond and BOR disagree. BOR has done a water use analysis which indicates that Hammond both needs and uses all the rights associated with its project.

> That's about all I know. I'd appreciate any insight you could provide.  
> Thanks, Dave

> -----Original Message-----

> **From:** spollack@cia-g.com [mailto:spollack@cia-g.com]  
> **Sent:** Friday, December 05, 2003 7:14 PM  
> **To:** Gehlert, David; Bridgewater, Bradley S; adamatronics@aol.com; etaylor@wtmlawfirm.com; felix@brioneslaw.com; risley@mstlaw.com; jdraper@montand.com; jmccaleb@wtmlawfirm.com; ltaylor@nordhauslaw.com; mob@modrall.com; Abernethy Perry@seo.state.nm.us; rbc@lrpa-USA.com; spollack@cia-g.com; sgreetham@nordhauslaw.com  
> **Subject:** Proposed Navajo Settlement Documents

> Counsel:

> I am writing to let you know that the Navajo Nation and the State of New Mexico announced today that the documents concerning the Navajo water rights settlement in the San Juan River Basin are available for public review. The documents are available at the OSE website (www.ose.state.nm.us) and I have taken the liberty of attaching them to this email. At the website, the settlement is referred to as a settlement of the San Juan Basin; however, this characterization is a bit broad -- it's a proposed settlement of the Navajo rights only.

> We would really like to get your input on the settlement before the settlement agreement is brought to the Navajo Nation Council for consideration and before consideration by the ISC. We have a very short time-frame because Senator Domenici sees a very narrow window of opportunity to get this settlement considered while other major water bills are being considered in Congress. We hope to have the settlement introduced by March 1st. The Winter Session of the Navajo Nation Council is the third week of

January, so if you can submit comments ASAP, that would be terrific. We understand that this is not a lot of time for a settlement as large and complex as this one, but we don't have a lot of options concerning the timing.

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> If you can send comments directly to me, that would be especially helpful in expediting this matter. Please do not hesitate to contact me if you have any questions.

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> Stanley Pollack

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